

**TAKE NOTICE THAT A REGULAR-SPECIAL MEETING  
OF THE BOARD OF COMMISSIONERS  
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,  
118 S. CAGE BLVD., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 5:00 P.M. ON  
TUESDAY, JUNE 8, 2010**

At any time during the course of this meeting, the Board of Commissioners may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the Board of Commissioners under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

The City of Pharr has called this meeting as allowed by law and charter. The Board may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law.

1. Roll call-excuse members.
2. Pledge of Allegiance/Invocation.

**PROCLAMATION**

3. Proclamation proclaiming Fidencio Rodriguez Barrera Day.

**ADMINISTRATIVE**

4. Consideration and action, if any, on City Commission Meeting minutes: May 11, 2010 – Special Called Meeting and May 11, 2010 – Regular-Special Called Meeting
5. City Manager's Administrative Reports and discussion, if any, with City Commission. The City Manager may also assign a designated spokesperson for any particular listed topic.
  - a. City Engineer's Report - J. E. Saenz & Associates  
Pharr Wastewater Collection and Lift Station Improvements Project  
Sugar Road 1 (Sioux-Owassa)  
Owassa Road (ON HOLD)  
West Hall Acres Road
  - b. Project Engineer's Report – R. Gutierrez Engineering  
Sioux Road  
Traffic Signal Inventory
  - c. Status report on Red Carpet Inn
  - d. City Events of Interest
  - e. Legislative/Project Update

6. Presentation and update by Hotel/Motel Association.
7. Presentation by American Traffic Solutions and Pharr Police Department on Red Light Camera Enforcement Project for the City of Pharr.

### **PLANNING & ZONING**

8. Consideration and action on Planning & Zoning Cases:

#### **CONSENT AGENDA:**

**All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda:**

#### **PUBLIC HEARING:**

- a. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, is applying for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a general business district (C). The property is more fully described as Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas, Pharr, Hidalgo County, Texas. The property's physical address is 6801 S. Jackson Rd.
- b. Ramiro Armendariz d/b/a Jackie's Bar & Grill – Red Tape VI, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lots 5-10, Blk. 1, Colonia Santa Barbara Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 819 W. Ferguson
- c. Israel Rivas, d/b/a The Fraternal Order of Eagles of Pharr, Texas, is applying for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is more fully described as Lot 3, Block 58, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 305 S. Cage Blvd
- d. Carolina Fernandez, d/b/a La Mexicana Restaurant, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as The E2.5' of Lot 3, all of Lots 4-8, the W13' of Lot 9, the W31' of Lot 20, all of Lot 21, & the E46.2' of Lot 22, Block 1, Eula Young Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 709 W. Highway 83.

#### **PLAT APPROVAL**

- e. Melden & Hunt, Inc., representing J.M. Moffitt, is requesting preliminary and final plat approval of the proposed Replat of Lot 1, Sugar Palms Subdivision. The property is legally described as being a resubdivision of all of Lot 1 containing 0.661 of one acre out of Sugar Palms Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 800 Blk. of W. Primrose Dr.

**REGULAR AGENDA**

**ORDINANCES AND RESOLUTIONS**

9. Consideration and action, if any, on Ordinance regulating businesses, storage, disposal, registration and haulers for tires.
10. Consideration and action, if any, on Ordinance establishing requirements for open-air and tent shows including but not limited to carnivals and circuses.
11. Consideration and action, if any, on Resolution in support of a new Veterans Affairs Regional Hospital.
12. Consideration and action, if any, on Resolution authorizing signatures for contractual documents related to Texas Department of Rural Affairs (TDRA) and Community Development Block Grant (CDBG).
13. **PUBLIC HEARING:** Solicitation of public comments from interested parties on the Edward Byrne Memorial Justice Assistance Grant Application for funding for the purchase of digital video recorders and stop stick tire deflating devices in the amount of \$25,985.00.
14. Consideration and action, if any, on Resolution authorizing Police Chief to submit an application for the Edward Byrne Memorial Justice Assistance Grant Program FY 2010 for funding for the purchase of digital video recorders and stop stick tire deflating devices in the amount of \$25,985.00.
15. Consideration and action, if any, on Resolution authorizing Police Chief to submit an application for the FY 2010 Homeland Security Grant Program through the Lower Rio Grande Valley Development Council for the Critical Port Security Enhancement Project.
16. Consideration and action, if any, on Resolution authorizing Police Chief to submit an application for the Cops Hiring Recovery Program.
17. Consideration and action, if any, on Resolution adopting the One Year Action Plan FY 2010-2011 for submittal to HUD.
18. Consideration and action, if any, on Resolution appointing/re-appointing Community Development Council members.
19. Consideration and action, if any, on Resolution appointing/re-appointing ex-officio members to the Tierra Del Sol Advisory Board.

**AGREEMENTS**

20. Consideration and action, if any, on contract with Weatherbug system and the Pharr Fire Department for weather updates and alerts.
21. Consideration and action, if any, on agreement with American Traffic Solutions, Inc. for the implementation of a Red Light Camera Enforcement Project.
22. Consideration and action, if any, on contract with Peter Piper Pizza Properties, Inc. d/b/a Peter Piper Pizza for Parks & Recreation special lock-in events.
23. Consideration and action, if any, on Interlocal agreement between the City of San Juan, the City of Alamo, and the City of Pharr for the Tri-City Community Program.
24. Consideration and action, if any, authorizing City Manager to enter into a lease agreement with UETA.

**MISCELLANEOUS**

25. Consideration and action, if any, authorizing Pharr Police Department to pursue a formation of a Tourism Policing Unit Funded through hotel/motel tax funds.

**PURCHASING**

26. Consideration and action, if any, on request to make a second offer for Parcel #1 of the West Hall Acres Road Street Widening Project.
27. Consideration and action, if any, on Change Order No. 12 in the amount of \$8,424.07 for the Pharr Collection and Wastewater Improvements Project Phase 1B.
28. Consideration and action, if any, on Change Order No. 4 in the amount of \$345,580.30 for the Pharr Collection and Wastewater Improvements Project Phase 1D.
29. **EXECUTIVE SESSION:** In accordance with Chapter 551 of the Texas Gov't. Code, the Pharr Board of Commissioners hereby gives notice that it may meet in executive session to discuss the items listed on the public portion of the meeting agenda, including items 3 -28 in accordance with the following below:

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of**

**Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the City may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the City may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.075, the City may convene in a closed, non-public meeting to discuss any matters with any and all **employees to receive information or question the employees.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the City may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the City may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.086, the City may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

30. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
31. Adjournment.

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING**

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956/702-5335 ext 112/113 or FAX 956/702-5313 or E-mail [hpedraza@pharr-tx.gov](mailto:hpedraza@pharr-tx.gov) or [shinojosa@pharr-tx.gov](mailto:shinojosa@pharr-tx.gov) for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 4<sup>th</sup> day of June 2010, at 4:00 P.M. and; will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

**WITNESS MY HAND AND SEAL, this 4<sup>th</sup> DAY OF JUNE 2010.**

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HILDA PEDRAZA, TRMC  
CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed by me from the bulletin board of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_ Title: \_\_\_\_\_