

**TAKE NOTICE THAT A REGULAR 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 6:00 P.M. ON  
TUESDAY, JUNE 15, 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.

**PROCLAMATIONS**

3. Proclamation proclaiming Keith and Elva Michal Day.

**ADMINISTRATIVE**

4. Consideration and action, if any, on City Commission Meeting minutes: May 18, 2010 – Regular Called Meeting and May 27, 2010 – 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
  - b. Submission of monthly report –Pharr Municipal Court
  - c. Submission of May 2010 Tax Collection Report
  - d. Submission of June 2010 Sales Tax Report
  - e. City events of interest
  - f. Legislative/Project Update
6. Presentation by Brian Godinez on Pharr's Advertisement Campaign Kick-off.
7. Presentation by Roberto Leal on Pharr's Sister City Historical Anthology.

**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. Maria Dolores Montenegro d/b/a Pato's Place is requesting a 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 legally described as Lot 29, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 226 W. State Ave.
- b. Oscar Barrera, d/b/a Texas Theater Ballroom, 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 Lots 10-12 and N11.5' of Lot 13, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas, Pharr, Hidalgo County, Texas. The property's physical address is 115 E. Park.
- c. Lucy G. Gonzalez, d/b/a Lucy's Place, has filed with the Planning and Zoning Commission a request 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 legally described Lot 207, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6705 S. Jackson Rd.
- d. RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr is requesting a renewal of its 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 East 125.0' of Lot 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1001 W. Highway 83.
- e. Manuela Rios 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 Lots 13 – 16 and a portion of Lot 12, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 410-D W. State Ave.
- f. Mark Anthony Longoria is applying for a 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 The E1ac-W2ac-E1026.66'-S297' of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 W. Ferguson.

- g. Felipe Gonzalez Vega is applying for a 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 1, 2, & 3, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5800 S. Cage Blvd.
- h. Jerry Box has filed with the Planning and Zoning Commission a request for a change of zone from an Agricultural Open-Space District (A-O) to a Heavy Commercial District (H-C). The property is legally described as the S½-N½ of Lot 156 (except 1.8ac in R.O.W.), Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1715 N. Cage Blvd.

### **REGULAR AGENDA**

- 9. Consideration and action, if any, on request by Maria Dolores Montenegro d/b/a Pato's Place for a Beer Late Hours License.
- 10. Consideration and action, if any, on request by Mark Anthony Longoria d/b/a La Copita for a Mixed Beverage Late Hours Permit.

### **ORDINANCES AND RESOLUTIONS**

- 11. Consideration and action, if any, on Ordinance regulating businesses, storage, disposal, registration and haulers for tires.
- 12. Consideration and action, if any, on Ordinance establishing requirements for public amusements.
- 13. Consideration and action, if any, on Resolution re-scheduling/cancelling the City Commission Meeting of Tuesday, July 6, 2010.
- 14. Consideration and action, if any, on Resolution for internal reimbursement from hotel/motel tax funds to bridge fund for Convention Center renovation project costs.

### **AGREEMENTS**

- 15. Consideration and action, if any, on contract extension with Perdue, Brandon, Fielder, Collins, & Mott, L.L.P for delinquent tax collections.
- 16. Consideration and action, if any, on Regional Water and Wastewater Facilities Planning Grant Contract between the City of Pharr and the Texas Water Development Board Contract No. 1004831080.
- 17. Consideration and action, if any, on approval of economic development incentive agreement for Pappas Restaurants, Inc.

**MISCELLANEOUS**

18. Consideration and action, if any, on appointment of Construction Manager/Agent for the Pharr International Convention Center renovation project.

**PURCHASING**

19. Consideration and action, if any, on Change Order No. 2 in the amount of \$7,500.00 for the Sugar Road 18" Waterline Improvement Project.
20. Consideration and action, if any, on Change Order #1 in the amount of \$29,302.03 for the Pharr Collection and Wastewater Improvements Phase 1E.
21. Consideration and action, if any, awarding bid for the retrofit of T12 to T8 fluorescent lighting for city buildings.
22. Consideration and action, if any, on request to make offer for purchase of Right-of-Way from Parcel #19 for the West Hall Acres Road Widening Project
23. Consideration and action, if any, on request to make offer for purchase of Right-of-Way from Parcel #23 for the West Hall Acres Road Widening Project.
24. Consideration and action, if any, on request to make offer for purchase of Right-of-Way from Parcel #25 for the West Hall Acres Road Widening Project.
25. **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 - 24 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.

26. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
27. 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.

AGENDA REGULAR MEETING  
JUNE 15, 2010

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 11<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 11<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: \_\_\_\_\_