

**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 PM ON  
TUESDAY, AUGUST 17, 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.

**ADMINISTRATIVE**

3. Consideration and action, if any, on City Commission Meeting minutes: July 29, 2010-Special Called Meeting and August 2, 2010 Regular-Special Called Meeting.
4. 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. Submission of monthly report-Pharr Municipal Court
  - c. Submission of July 2010 Tax Collection Report
  - d. Submission of August 2010 Sales Tax Report
  - e. City Events of Interest – Recognition of USSA Baseball World Series participants  
- Texas Bruisers
  - f. Legislative/Project Update
5. Submission of 2010 Certified Appraisal Roll Totals.
6. Submission of 2010 Certified Anticipated Debt Collection Rate.
7. Submission of 2010 Effective and Rollback Rates.

8. Discussion of Tax Rates and Vote on proposed Tax Rate.

### **PLANNING & ZONING**

9. 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. Carlos Torres, d/b/a Rudy's Texas Bar-B-Q, is requesting renewal of a Conditional Use Permit to allow the sale of alcoholic beverage for on-premise consumption in a Limited Industrial District (L-1). The property is legally described as Lot 1, Los Hoteles Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 209 W Nolana.
- b. Blanca Lopez, d/b/a Rosita's Mexican Kitchen, is requesting a Conditional Use Permit to allow the sale of alcoholic beverage for on-premise consumption in a General Business District (C). The property is legally described as the S150' of Lots 9 and 10 and all of Lots 11, 12, 13, 14, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 915 W Ferguson.

### **REGULAR AGENDA**

#### **ORDINANCES AND RESOLUTIONS**

10. Consideration and action, if any, amending Ordinance 0-2007-18 adding additional duties to the Building and Standards Commission.
11. **PUBLIC HEARING:** Solicitation of comments and concerns from the general public on proposed moratorium on issuance of permits related to any tire businesses.
12. Consideration and action, if any, on Ordinance for the authorization, procedure, adoption and implementation of a moratorium for tire businesses.
13. Consideration and action, if any, amending Drilling Ordinance.

14. Consideration and action, if any, on Resolution of the City of Pharr, Texas, determining a public necessity to acquire certain real properties; giving notice of an official determination to acquire real properties for a public purpose; establishing procedures for the acquisition of property; determining the estates to be acquired; establishing fair market values for the properties to be acquired, and directing the city manager or designee to communicate offers to owners for purchase of properties, appropriating funds, and authorizing condemnation proceedings by city attorney; ratification of prior acts.
15. Consideration and action, if any, on Resolution to enter into a Policing Agreement between Valley View-ISD and City of Pharr to continue the "School Resource Officer Program".
16. Consideration and action, if any, on Resolution commencing legal proceedings related to delinquent accounts and other obligations.

#### **AGREEMENTS**

17. Consideration and action, if any, entering into an Agreement between Valley View-ISD and City of Pharr to continue the "School Resource Officer Program".
18. Consideration and action, if any, on Agreement with TXDOT for the installation and reimbursement for the operation and maintenance of Traffic Signals within a Municipality effective September 1, 2010 –August 31, 2012.
19. Consideration and action, if any, on Inter-local Agreement with Lower Rio Grande Valley Development Council for FY 2011 Solid Waste Projects.
20. Consideration and action, if any, on Lease Agreement with Lone Star National Bank for space located at 118 South Cage.

#### **MISCELLANEOUS**

21. Discussion and possible action, if any, on matters related to franchise agreement with Time Warner Cable.
22. Consideration and action, if any, on request from Hidalgo County Elections Department for use of Jose "Pepe" Salinas Civic Center and the Las Milpas Community Room for Early voting October 18-29, 2010 and Election Day November 2, 2010 General Election.
23. Status on Pharr International Convention Center renovation project.

24. Discussion and possible action, if any, on the sale of Lot 1 and Lot 2, Tip-O-Tex Subdivision, Pharr, Hidalgo County, Texas.
25. Consultation with the Board of Commissioners on the appointment of an In-House City Engineer.
26. **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 - 25 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.

AGENDA REGULAR MEETING  
AUGUST 17, 2010

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.

27. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in executive session.
28. 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 13<sup>th</sup> day of August 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 13<sup>th</sup> DAY OF AUGUST 2010.**

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SONIA PADRON, TRMC  
ASSISTANT 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: \_\_\_\_\_