TAKE NOTICE THAT A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM, 118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS COMMENCING AT 5:00 P.M. ON TUESDAY, JANUARY 15, 2013

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2010-32. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. On matters requiring a public hearing, all persons desiring to speak during a public hearing shall sign in with the City Clerk no later than 5:00 p.m. or the close of business on the business day prior to the scheduled public hearing.

1. **CALL TO ORDER:**

   A) Roll call and possible action on the excusing of any absent member of the governing body.

   B) Pledge of Allegiance/ Invocation.

2. **CITY MANAGER'S REPORTS:** *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

   A) City Engineer's Report - Bill Ueckert
   B) Submission of monthly report –Pharr Municipal Court
   C) Submission of December 2012 Tax Collection Report
   D) Submission of January 2013 Sales Tax Report
   E) City events of interest
   F) Legislative/Project Update

3. **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)*

   A) Approval of Minutes for January 8, 2013 – Regular-Special Called Meeting.

   B) Consideration and action, if any, authorizing City Manager to advertise for bids for construction of expansion and rehabilitation of Utilities Building.

C) Consideration and action, if any, authorizing City Manager to advertise for bids for street sweeping services.

D) Consideration and action on Planning & Zoning Cases: **Public Hearing**

1. The Nomad Shrine Club, c/o Thomas Allen Morgan, Dennis Richard Wilczek, and John Joseph Jailor, is requesting 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 as Lot 1-5, Palm Valley Gardens Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1044 W. Nolana.

2. Charles L. Mercer, d/b/a Carino's Italian Grill, is requesting 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 as Lots 4A and 5A, Paradise Commercial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 601 S. Jackson Rd.

3. Mauricio Jaramillo, d/b/a Regency Hall, is requesting for renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C). The property is legally described as Lots 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 E. Ferguson Ave.

4. Paradise Bar & Grill, LLC, d/b/a Paradise Bar & Grill, has filed with the Planning & Zoning Commission a request for a Conditional Use Permit and Late Night Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as Lot 187, Valle De La Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6905 S. Jackson Rd.

PLATS:

5. Halff Associates, Inc., representing Brook Ridge Management, LLC. is requesting final plat approval of the proposed The Gardens at Brook Ridge Subdivision. The property is legally described as a 19.41 acre tract of land, being all of the Holiday Retirement Community Subdivision, Pharr Hidalgo County, Texas. The property is located at the 1300 Blk. of W. Ridge Rd.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance transferring land from the City of Pharr to Pharr Economic Development Corporation II (PEDC II).

B) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit grant application to the Office of the Governor, Criminal Justice Division for the Domestic Violence Coordinator Project.

C) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit grant application to the Office of the Governor Criminal Justice Division for the Human Trafficking Liaison Project.

D) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit grant application to the Office of the Governor, Criminal Justice Division for the STOP Failure to Attend School Project.

5. ADMINISTRATIVE:

A) Consideration and action, if any, on request from Texas Department of Transportation for funds in the amount of $5,614.00 for the Advance Funding Agreement for Intelligent Transportation Systems at Pharr-Reynosa International Bridge Project No. CSJ: 0921-02-253.

B) Consideration and action, if any, authorizing Bullock and Haddow to submit a Fire Safety Grant to Federal Emergency Management Agency.

6. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on agreement between the Pharr Police Athletic League (PAL) and the City of Pharr for Provision of Professional Services.

7. LEGAL:

A) Discussion on City of Donna vs. City of Pharr Cause No. C-0063-13-C.

8. CLOSED 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 a closed (non-public) executive session to discuss the items listed on the public portion of the meeting agenda, including items 3 - 7 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 City of Donna vs. City of Pharr Cause No. C-0063-13-C 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.

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

10. **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 956/402-4100 ext 1003/1007 or FAX 956/702-5313 or E-mail hilda.pedraza@pharr-tx.gov or sonia.hinojosa@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. This Notice was posted on the 11th day of January 2013, at 4:30 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 11TH DAY OF JANUARY 2013.

HILDA PEDRAZA, TRMC
CITY CLERK

I, hereby that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the _____day of _____, 2013 by,

_____ Title:_____