



**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, FEBRUARY 5, 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) City Events of Interest
- C) Legislative/Project Update
- D) Presentation by the Food Bank of the Rio Grande Valley

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 15, 2013 - Regular Called Meeting.
- B) Consideration and action, if any, on request from Good Samaritan for assistance in their annual Jane Cozad Memorial 5K Fun Run/Walk re-scheduled from Saturday, April 13, 2013 to Saturday, April 20, 2013.

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- C) Consideration and action, if any, authorizing City Manager to advertise for Hot Mix Asphaltic Concrete and MC-30 prime oil for the 2012-2013 Community Block Grant street improvements – East Bell Street from Cage (281) to Veterans Blvd. and North Fir Street from Business 83 to Polk Ave.
- D) Consideration and action, if any, authorizing City Manager to advertise for competitive sealed proposals for Health Insurance for both fully and (partially) self-insured programs.
- E) Consideration and action, if any, authorizing City Manager to advertise for proposals for pavement markings for Ridge Road – Jackson Road to Veterans Blvd.
- F) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. 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. **(Tabled Item)**
 - 2. Pizza Properties, Inc., d/b/a Peter Piper Pizza #63, has filed 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 as Lot 1, Pleasanton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2311 S. Cage Blvd.
 - 3. Ricardo Garza d/b/a Richard's, is requesting renewal of his 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 1 acre on the west side out of a 1.75 acre tract of land out of a certain 4.04 acres out of Lot 293, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 112 W. Juan Balli Rd.
 - 4. Mauricio Jaramillo, d/b/a Regency Fiesta, 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 as 1.01 acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1020 W. Ferguson
 - 5. Elizabeth Aldape, d/b/a Ciros Jr., 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 as Lot 15, Block 4, Bustamante Unit No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 802 E. Expressway 83, Suites H & I.

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PLATS:

6. NAIN Engineering, L.L.C., representing Ramiro Perez, is requesting final plat approval of the proposed ERV Subdivision. The property is legally described as a 1.818 acre tract of land being the north 120 feet of the west half of Lot 356, Kelly-Pharr Subdivision, Pharr, Hidalgo County Texas. The property's physical address is 8701 S. Cage Blvd.
7. NAIN Engineering, L.L.C., representing Javier Cantu Barragan, is requesting final plat approval of the proposed Border Line Industrial Park Subdivision Phase I. The property is legally described as being a 5.04 acre tract of land out of Lot 357 and 358, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 200 Blk. of W. Anaya Rd.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance calling the City of Pharr General Municipal Election for May 11, 2013, for election of City Commissioners Places 2, 3, and 4 and designating Election Precincts and Polling Places. *(Consideración y acción, en Ordenanza para ordenar la Elección Municipal General de la Ciudad de Pharr el 11 de mayo de 2013, para la elección de Comisionados Lugares 2, 3, y 4, y la designación de Distritos Electorales y Centros de Votación)*
- B) Consideration and action, if any, on Resolution authorizing reimbursement of proceeds to U.S. Bancorp to be made in connection with the acquisition and construction of certain capital purchases.
- C) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for closure of South US 281 and East Business 83 for the 7th Annual 5K Run/Walk on Saturday, March 16, 2013 (St. Patrick's Day) from 7:00 a.m. to 11:00 a.m.
- D) Consideration and action, if any, on Resolution ratifying prior acts including acceptance of petitions and development agreements, territorial maps and declaration of Pharr's Extra Territorial Jurisdiction (ETJ).
- E) Consideration and action, if any, on Resolution in support of the creation of a new university and accompanying medical school.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, accepting and approving Audit for FY 2011-2012.
- B) Consideration and action, if any, on budget amendments for Pharr Economic Development Corporation II FY 2012-2013.

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- C) Consideration and action, if any, to rescind bid award for Capital Lease Financing Bid No. 1213-01-511-0003 with SunTrust.
- D) Consideration and action, if any, awarding Bid No. 1213-01-511-0003 for Capital Lease Financing.
- E) Consideration and action, if any, awarding Bid No. 1213-01-528-0007 for Type "D" Hot-Mix Asphaltic Concrete Material for Repaving of Ridge Road – Veterans Boulevard to Jackson Road.
- F) Consideration and action, if any, awarding bid No. 1213-01-528-0008 for Single Machine Repaving of Ridge Road – Veterans Boulevard to Jackson Road.
- G) Consideration and action, if any, on request to modify tolls for wide commercial truck vehicles or excess dimension vehicles at the Pharr International Bridge.
- H) Consideration and action, if any, on Change Order #3 in the amount of \$5,100.00 and add sixty three (63) days to the contract for the Pharr Downtown Drainage Improvements – GLO Disaster Recovery Project.
- I) Consideration and action, if any, on request for authorization to purchase a Showmobile mobile stage.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on master services agreement between the City of Pharr and Paymentus Corporation for automated phone payment option.

7. 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 - 6 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

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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.

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

9. 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 1st day of February 2013, at 5:00 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).

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WITNESS MY HAND AND SEAL, this 1ST DAY OF FEBRUARY 2013.



Hilda Pedraza

HILDA PEDRAZA, TRMC
CITY CLERK

I hereby certify 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: _____