



**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., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 5:00 P.M. ON  
TUESDAY, FEBRUARY 19, 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. PROCLAMATIONS:**

- A) Proclamation No. P-2013-01 proclaiming February 17-23, 2013 as "National Engineer's Week"
- B) Proclamation No. P-2013-02 proclaiming the year 2013 as "American Society of Civil Engineers Texas Section Centennial Celebration"

**3. 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 January 2013 Tax Collection Report
- D) Submission of February 2013 Sales Tax Report
- E) Submission of 2012 Racial Profiling Report
- F) Submission of Financial Quarterly Report
- G) City events of interest
- H) Legislative/Project Update

**4. 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 28, 2013 - Special Called Meeting and February 5, 2012 – Regular Called Meeting.

B) 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. Raul Palma, P.E., Millinimum Engineering Group, Inc., representing Rosita Juvera, has filed with the Planning and Zoning Commission a request for a change of zone for the following tracts of land:
  - From a High Density Multi-Family District (R-4) to a General Business District (C), the east 58.20 feet of Lot 5, Block 3, Van Williams Subdivision, Pharr, Hidalgo County, Texas; 1006 S. Cage Blvd.
  - From a Medium Density Multi-Family (R-3) to a General Business District (C), the south 10.0 feet of the east 177.0 feet of Lot 6, Block 3, Van Williams Subdivision, Pharr, Hidalgo County, Texas; 1006 S. Cage Blvd.
  - From a Single Family Residential District (R-1) to a General Business District (C), the south 10.0 feet of the east 177.0 feet of Lot 6 and all of Lot 7, Block 3, Van Williams Subdivision, Pharr, Hidalgo County, Texas; 1006 S. Cage Blvd.
3. Xoticas is requesting renewal of a Sexually Oriented Business License in a Limited Industrial District (L-I). The property is legally described as a 0.6081 acre tract of land out of a certain 0.88 acre out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4502 N. Cage Blvd.

**REGULAR AGENDA – OPEN SESSION:**

**5. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2001-08 approving the Municipal Maintenance Agreement between TxDOT and the City of Pharr.
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2011-20 renaming a portion of Fir Street to Knights Drive.

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- C) Consideration and action, if any, on Ordinance Imposing Requirements on Persons and Establishments Not Licensed by the Texas Alcohol Beverage Commission including B.Y.O.B. Venues and Events
- D) Consideration and action, if any, amending Ordinance O-2012-03 on fee schedule for permitting and other related services.
- E) Consideration and action, if any, on Resolution authorizing an Interlocal Cooperation Agreement with Hidalgo County for participation in Operation Stonegarden and acceptance of grant funding.
- F) Consideration and action, if any, on Resolution for The City of Pharr to Add the Police Athletic League (P.A.L.) to the City Insurance from Texas Municipal league Intergovernmental Risk Pool.
- G) Consideration and action, if any, on Resolution authorizing negotiations for signage and naming rights at Pharr Event Center.

**6. ADMINISTRATIVE:**

- A) Presentation on Delinquent Tax Collection report by Linebarger, Goggan, Blair & Sampson, LLP.
- B) Consideration and action, if any, on City of Pharr slogan and logo.

**7. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on Municipal Maintenance Agreement between TxDOT and the City of Pharr.
- B) Consideration and action, if any, on City of Pharr Hub Phest featuring Little Joe & La Familia.
- C) Consideration and action, if any, on City of Pharr Hub Phest featuring Rieleros Del Norte.
- D) Consideration and action, if any, on City of Pharr Hub Phest featuring La Sombra de Tony Guerrero.
- E) Consideration and action, if any, on City of Pharr Hub Phest featuring Bronco.
- F) Consideration and action, if any, on City of Pharr Hub Phest featuring Rene Sandoval.
- G) Consideration and action, if any, on City of Pharr Hub Phest featuring Whiskey D for South Texas Margarita Showdown.

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- H) Consideration and action, if any, on amending the term of the occupancy as stated in the written agreement with the Pharr Boys & Girls Club.
  - I) Consideration and action, if any, on contract between the City of Pharr and Hidalgo County Elections Administrator for Election services.
  - J) Consideration and action, if any, on request to enter into a 1 year contract with SmartCom Telephone, LLC for internet services at the Pharr Memorial Library for the period of July 1, 2013 to June 30, 2014.
  - K) Consideration and action, if any, authorizing the Pharr Fire Department to contract National Services Office to conduct a Pre-ISO Survey and assist the Fire Department.
  - L) Consideration and action, if any, authorizing the Pharr Fire Department to contract Kelly-Miller Circus on March 15-17, 2013.
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 4 - 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 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.

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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](mailto:hilda.pedraza@pharr-tx.gov) or [sonia.hinojosa@pharr-tx.gov](mailto: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](http://www.pharr-tx.gov). This Notice was posted on the 15<sup>th</sup> day of February 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 15<sup>TH</sup> DAY OF FEBRUARY 2013.**

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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 from the bulletin board of City Hall on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 by,

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