



**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, MARCH 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-2013-03 proclaiming the week of April 1, 2013 to April 6, 2013 as "National Community Development Week in Pharr, Texas".
- B) Proclamation No. P-2013-04 proclaiming the month of April as "Fair Housing Month".

**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 February 2013 Tax Collection Report
- D) Submission of March 2013 Sales Tax Report
- E) City events of interest – World Water Day March 22, 2013
- F) 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 March 5, 2013 - Regular Called Meeting.

B) Consideration and action, if any, on request for street closure of W. Newcombe (Park) Ave. from Cage/281 to South Dahlia, closure of South Canna, South Bluebonnet, and South Aster from Business 83 to West Caffery for the Hub Phest festivities scheduled for April 5-6, 2013.

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

1. Pappas Restaurants, Inc., d/b/a Pappadeaux Seafood Kitchen, is requesting 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 2, Pappas Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1610 W. Expressway 83.
2. Luby's Cafeteria, is requesting 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 5 and 6, Block 6, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 N. Jackson Road, Space F-6.
3. Raul Fong is requesting 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 14, Block 1, J. T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 107 E. Newcombe Ave. (Park)
4. Yanko Armando Artidiello has filed with the Planning and Zoning Commission a request for a Conditional Use Permit for the Life-of-the-Use to allow an accessory use structure in a Single-Family Residential District (Small Lot) (R-1A). The property is legally described as Lots 13 & 14, Block 176, Hawk Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1215 E. Hawk.

#### **REGULAR AGENDA – OPEN SESSION:**

#### **5. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance canceling the General Municipal Election for May 11, 2013 (*Consideración y acción, en Ordenanza para cancelar la Elección Municipal del 11 de mayo de 2013*).
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-52-14 (Noise Ordinance).

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- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2011-01 Section A and B residential and commercial table rates for garbage collection.
- D) Consideration and action, if any, on Ordinance authorizing issuance, sale and delivery of City of Pharr, Texas Note Series 2013 in the principal amount of \$4,250,000.
- E) Consideration and action, if any, on Resolution appointing/re-appointing members to the Community Development Council.

**6. ADMINISTRATIVE:**

- A) Presentation by Hidalgo County Metropolitan Planning Organization (HCMPO) on Bicycle Safety/Safe Passing Awareness.
- B) Consideration and action, if any, awarding Bid No. 1213-01-528-0006 for the water, sanitary sewer, street and drainage improvements – Pharr Produce District Subdivision Phase I. **(TABLED ITEM)**
- C) Consideration and action, if any, awarding Bid No. 1213-01-528-0010 for the pavement markings for Ridge Road – Veterans Road to Jackson Road.
- D) Consideration and action, if any, on acceptance of the Pharr Downtown Drainage Improvements – GLO Disaster Recovery Project with Saenz Utility Contractors and release of final payment in the amount of \$210,384.50.

**7. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on request to terminate contract for the collection of delinquent fines, fees, and court costs between City of Pharr and Ray & Wood Attorneys at Law.
- B) Discussion and possible action, if any, on contract for the collection of delinquent fines, fees, and court costs.
- C) Consideration and action, if any, on lease agreement between U.S. Customs and Border Protection and City of Pharr for road maintenance and repair (M&R) activities within Rio Grande Valley Border Patrol Sector.
- D) Consideration and action, if any, on Interlocal Cooperation Agreement with the County of Hidalgo Library System (HCLS) for library services.
- E) Consideration and action, if any, on building lease agreement for use by the Texas Alcohol and Beverage Commission (TABC).

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.

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 March 2013, 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).



WITHESS AND SEAL, this 15<sup>TH</sup> DAY OF MARCH 2013.

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: \_\_\_\_\_