



**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, MARCH 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 – St. Patrick's Day 7th Annual 5K Run/Walk
- C) Update on Drought Situation
- D) Texas Water Development Board Drinking Water State Revolving Fund
- E) 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 February 19, 2013 - Regular Called Meeting.
- B) Consideration and action, if any, authorizing City Manager to advertise for bids for the construction of Dr. Long City/School Park.

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- C) Consideration and action, if any, on request from Arise Las Milpas for assistance on their International Women's Day March & Celebration on Friday, March 8, 2013.
- D) Consideration and action, if any, on request from Pharr Cultural Arts Council to close Caffery Avenue from Cage Blvd. west to the alley and assistance on the Pharr Live and Conjunto Concert on Thursday, March 21, 2013 from 4:00 p.m. to 9:00 p.m.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Red Tape II, Inc., d/b/a Stiletto's Gentlemen's Club is requesting renewal of a Sexually Oriented Business License in a General Business District (C). The property is legally described as all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas. The property's physical address is 1050 N. Sugar Road.
 - 2. Sebastian A. Sobczak is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Limited Industrial District (L-I). The property is legally described as Lot A, RePlat of Lots 9 & 10, Steel Horse Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5704 N Gumwood.
 - 3. Mirna Vargas, d/b/a Mangos Sports Bar, is requesting renewal of the Conditional Use Permit and Late 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 the W110'-E430'-S170', Lot 151, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 700-A W. Ferguson.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Resolution in support of the Rio Grande Regional Water Authority Board of Directors to pursue Mexico's full compliance with the 1944 Treaty.
- B) Consideration and action, if any, on Resolution authorizing Police Chief to accept grant award from the State of Texas Local Border Security Program FY 2013.
- C) Consideration and action, if any, on Resolution accepting petitions and territorial map for expansion of Pharr's extra-territorial jurisdiction (ETJ) and a declaration of Pharr's extra-territorial jurisdiction (ETJ).
- D) Consideration and action, if any, on Resolution for closure of Business 83 from U.S. 281 (Cage Blvd.) west to Flag Street on Friday, April 5, 2013 to Sunday, April 7, 2013 for the HUB Phestival from 12:00 midnight (Friday) to 12:00 noon (Sunday).

5. ADMINISTRATIVE:

- A) Presentation by Manuel Hinojosa, Rio Grande Valley Sports Hall of Fame.
- B) Consideration and action, if any, awarding Bid No. 1213-08-510-0011 for the renovation of the greens at Tierra Del Sol Golf Club.
- C) 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.
- D) Consideration and action, if any, on letter of commitment of funding in support of the Pharr-San Juan-Alamo Independent School District participation in the Student Spaceflight Experiments Program (SSEP) Mission 4.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on amendment of the terms and conditions of the agreement with the Boys and Girls Club of Pharr including duration, funding, and other related matters.

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 La Cejita, LLC, et al. v. First National Bank, Pharr City Commissioners, et al., CL-13- 0442-B; and City of Pharr v. G.L.T. Food & Fun, Inc., CL-13-0779-B; 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.

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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 March 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 1st 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: _____