



**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, MAY 7, 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-2013-11 proclaiming "Generation TX Day".

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) City Events of Interest
- C) Legislative/Project Update
- D) Submission of Comprehensive Quarterly Financial Report for quarter ending March 2013

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 April 16, 2013 - Regular Called Meeting.

AGENDA REGULAR MEETING
MAY 7, 2013

- B) Consideration and action, if any, on Change Order #1 in the deduct amount of \$31,762.19 for the Ridge Road Single Machine Repaving Project.
- C) Consideration and action, if any, on acceptance of the Ridge Road Single Machine Repaving Project and release of final payment in the amount of \$289,711.96.
- D) Consideration and action, if any, on Change Order #1 in the additional amount of \$8,104.11 for the Purchase and Delivery of Type "D" HMAC for Ridge Road Repaving.
- E) Consideration and action, if any, on acceptance of the Type "D" HMAC for Ridge Road Repaving project and release of final payment in the amount of \$15,783.18.
- F) Consideration and action, if any, on Change Order #1 in the deduct amount of \$23,925.00 for the Rehabilitation and Painting of LBJ Elevated Tank.
- G) Consideration and action, if any, on Change Order #1 in the additional amount of \$104,470.00 to the contract for the Renovation of the Greens at Tierra Del Sol Golf Club.
- H) Consideration and action, if any, on Change Order #1 in the additional amount of \$95,100 for the City of Pharr Aquatic Center Project.
- I) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Ramiro Armendariz and Fred Feurtado, d/b/a Stiletto's Cabaret, 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 Lots 2 & 3, Albrad Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1050 N. Sugar Rd.
 - 2. All Square Inc., represented by Ramiro Armendariz, d/b/a/ Jackies, 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 S150' of Lots 5-10, Block 1, Colonia Santa Barbara Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 819 W. Ferguson.
 - 3. R.G.V. & Associates, d/b/a Kids Kastle Event Center 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 200, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas, The property's physical address is 6719 S. Jackson Rd.

AGENDA REGULAR MEETING
MAY 7, 2013

4. Sergio R. Garcia, d/b/a Aragon Music Hall, 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 Lots 1, 2, & 4, Re-plat of Lot 1, Mexican Fiesta Subdivision Unit No. 2, Pharr, Hidalgo County, Texas. The property's physical address is 1300 W. Nolana.
5. Oscar Barrera, d/b/a Texas Theater Ballroom, 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 Lots 10-12 and N11.5' of Lot 13, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 115 E. Newcombe (Park) Ave.
6. Lucy G. Gonzalez, d/b/a La Patrona Club, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption on a General Business District (C). The property is legally described as Lot 207, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6705 S. Jackson Rd.
7. Mauricio Jaramillo, has filed with the Planning and Zoning Commission a request for a change of zone from a Single Family Residential District (R-1) to General Business District (C). The property is legally described as a 1.30 ac tract out of the North 2.0 ac. tract out of the West 5.0 ac of the East 10 ac., Lot 158, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 402 E. Ferguson.
8. Leopoldo Palacios Jr. has filed with the Planning and Zoning Commission a request for a change of zone from a Medium Density Multi-Family (R-3) to a Neighborhood Commercial (N-C). The property is legally described as Lot 9, Block 4, Bustamante Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 817 E. Eller St.
9. Leopoldo Palacios Jr. has filed with the Planning and Zoning Commission a request for a change of zone from a Medium Density Multi-Family (R-3) to Neighborhood Commercial (N-C). The property is legally described as Lot 10, Block 4, Bustamante #2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 819 E. Eller St.
10. SDI Engineering, LLC rep. Gabriela E. Martinez, has filed with the Planning and Zoning Commission request for a change of zone from a Single Family Residential District (R-1) to General Business District (C). The property is legally described as Lots 48 & 49, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 329 E. Dicker Rd.

PLATS:

11. Millennium Engineers Group, Inc., representing Rosita Juvera and Carlos Juvera are requesting preliminary plat approval of the proposed JCR No. 2 Subdivision. The property is legally described as a re-subdivision of 3.98 acre tract of land, out of lot 1, 2, 3, 4, 5, 6 and 7, block 3, Van William Subdivision, Pharr Hidalgo County, Texas. The property is located at the 200 Blk. of W. Lauck Ave.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2012-11 for open air events or activities.

AGENDA REGULAR MEETING
MAY 7, 2013

- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2012-53 for budget amendments to the FY 2012-2013 budget.
- C) Consideration and action, if any, on Resolution cancelling/re-scheduling the City Commission meeting of May 21, 2013.
- D) Consideration and action, if any, on Resolution appointing/re-appointing members to the Texas Education Facilities Finance Authority Board of Directors.
- E) Consideration and action, if any, on Resolution appointing/re-appointing members to the Nonprofit Higher Education Finance Corporation Board of Directors.
- F) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the Texas Office of Attorney General for the Victim Coordinator and Liaison Grant Project.
- G) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the Department of Justice Office of Community Policing Services for the Cops Hiring Program.
- H) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the FY 2013 Homeland Security Grant Program for the funding of the Multiagency Interoperability Gateway (M.I.G.) Project.
- I) Consideration and action, if any, on Resolution approving a Loan Forgiveness Agreement with the Texas Water Development Board for forgiveness of loan in the amount of \$3,681,688.
- J) Consideration and action, if any, on Resolution approving the bids received on tax resale properties on April 6, 2013.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, on bids received on struck-off properties described as follows:
 - Lots 8 and 9, Block 126, Evans Subdivision
 - Lot 12, Block 14, Citrus Bay Subdivision
 - Lot 137, Citrus Trail Mobile Home Subdivision
 - Lot 6, Block 178, Hawk Subdivision
 - Tract 1: Lot 2, Block 2, Universal Estates #1 Subdivision
 - Tract 7: Lot 127, Block 2, Universal Estates #1 Subdivision
 - Tract 8: Lot 125, Block 2, Universal Estates #1 Subdivision
 - Tract 10: Lot 128, Block 2, Universal Estates #1 Subdivision

AGENDA REGULAR MEETING
MAY 7, 2013

- Lot 103, Sol Brilla UT V Subdivision
- R/S Lot 5, Block 11, Lot 27
- Lot 30, Block 7, Hidalgo Park Estates Subdivision
- Lots 6 and 7, Block 3, Colonia Victoria Subdivision
- Lots 23-24, Block 85, Hackberry Subdivision
- Lot 34, Las Brisas Del Sur Subdivision

- B) Consideration and action, if any, approving project funding to replace failing public safety console infrastructure at the Police and Fire Departments.
- C) Consideration and action, if any, approving project funding to purchase a new electronic time and attendance system for the City of Pharr.
- D) Consideration and action, if any, authorizing City Manager to enter into an inter-local agreement with the Lower Rio Grande Valley Development Council for 911 emergency call service within the city limits and ETJ.
- E) Consideration and action, if any, on request for authorization to purchase one (1) police unit thru HGAC utilizing 2012 Stonegarden grant funds.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on Contract Amendment No.1 on the Pharr Wastewater Collection System Improvements Project.
- B) Consideration and action, if any, on Retainer Agreement with Catalano & Plache, PLLC to represent the City of Pharr in connection with the FCC's reconfiguration of the Client's 800 MHz radio system.
- C) Consideration and action, if any, on Loan Forgiveness Agreement between the Texas Water Development Board and the City of Pharr.
- D) Consideration and action, if any, on Escrow Agreement for Loan Forgiveness between Lone Star National Bank and the City of Pharr.
- E) Consideration and action, if any, authorizing City Manager to negotiate a contract with Cruz Hogan for interior lane expansion within port of entry.

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**

AGENDA REGULAR MEETING
MAY 7, 2013

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.

AGENDA REGULAR MEETING
MAY 7, 2013

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 3rd day of May 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 3RD DAY OF MAY 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: _____