



**TAKE NOTICE THAT A REGULAR-SPECIAL 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 12:00 NOON ON
THURSDAY, MAY 16, 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.
- C) Oaths of Office for Commissioner Place 2, Commissioner Place 3, and Commissioner Place 4.

2. PROCLAMATIONS:

- A) Proclamation No. P-2013-13 proclaiming May 19-25, 2013 as National Public Works Week.

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 April 2013 Tax Collection Report
- D) Submission of May 2013 Sales Tax Report
- E) City events of interest
- F) Legislative/Project Update

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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 May 7, 2013 – Regular Called Meeting.
- B) Consideration and action, if any, authorizing City Manager to advertise for the installation of traffic signals at U.S. 281 (Cage Blvd.) and Rancho Blanco Road.
- C) Consideration and action, if any, on Change Order #1 in the additional amount of \$7,185.60 for the Pavement Markings for Ridge Road Project.
- D) Consideration and action, if any, on acceptance of the Pavement Markings for Ridge Road Project and release of final payment and retainage in the amount of \$ 9,599.97.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Luby's Bevco, Inc. d/b/a Luby's Cafeteria, has filed with the Planning and Zoning Commission a request for a 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, El Centro Mall No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1900 W. Expressway 83.
 - 2. Rogelio Torres has filed with the Planning and Zoning Commission a request for a change of zone from a Limited Industrial District (L-I) to a Single Family Residential District (R-1). The property is legally described as a one acre tract of land, more or less out of Lot 116, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 319 E. Eldora.

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.
- B) Consideration and action, if any, on Ordinance amending Article IX, Firefighters and Police Officers Civil Service Ordinance by increasing the number of authorized positions in the classification of Lieutenant and Deputy Chief in the Fire Department and decreasing the number of Firefighters.

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- C) Consideration and action, if any, on Ordinance approving and adopting the Parks and Recreation Department Pharr Aquatic Center Fee Schedule.
- D) Consideration and action, if any, on Ordinance approving and adopting the Tierra Del Sol Golf Club Fee Schedule.
- E) Consideration and action, if any, on Ordinance adopting City of Pharr Cash Handling Manual.
- F) Consideration and action, if any, on Resolution authorizing review of Texas Gas Service Company's ("TGS") Cost of Service Adjustment ("COSA") Tariff.
- G) Consideration and action, if any, on Resolution authorizing Pharr Police Athletic League (PAL) negotiations for agreements related to entertainment and promotion with the Pharr Events Center.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, authorizing the Fire Chief to submit a grant application for FY 2013 Homeland Security Grant Program for Hazmat Equipment in the amount of \$14,000 as part of the Regional Response Team.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract extension with Tag Grinding for catastrophic event debris removal.
- B) Consideration and action, if any, authorizing City Manager to negotiate the terms and conditions of a proposed agreement with ProActive Construction, LLC.
- C) Consideration and action, if any, on extension and amendment of concession agreement with National Concession Services, LTD to include concession at the Pharr Aquatic Center.
- D) Consideration and action, if any, authorizing the Pharr Police Athletic League (PAL) to negotiate an agreement with Bookem Nano LLC (BN) d/b/a RGV Concerts and Bookem Nano related to entertainment and promotion at the Pharr Events Center.

- 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:*

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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 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-Special 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 13th day of May 2013, at 11:30 A.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 13th DAY OF MAY 2013.

Hilda Pedraza
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: _____