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, JUNE 4, 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-2013-15 proclaiming June 4, 2013 as University of Texas-Pan American Civil Engineering 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

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 16, 2013 – Regular-Special Called Meeting.

B) Consideration and action on Planning & Zoning Cases:

Public Hearing

1. Yadira Villarreal, d/b/a Rincon de Brazil, 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, Ferguson Paradise Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 805 E. Ferguson.

2. Felipe Gonzalez Vega, d/b/a Taqueria Don Felipe #2, 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 1, 2, & 3, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5800 S. Cage Blvd.

3. RGV Pizza Hut, LLC, d/b/a Pizza Hut of Pharr, 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 the East 125.0' of Lot 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1001 W. Highway 83.

4. Maria Dolores Montenegro, d/b/a Pato's Place 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 29, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 226 W. State Ave.

5. Aurelio Cadena, d/b/a Tejas Restaurant, 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 11, Maco Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1308 Maco Drive.

6. Patricia Garza Salinas, d/b/a Taqueria Lupitas, 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 186, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6907 S. Jackson Rd.

7. National Concessions Services, Ltd., C/o Maria E. Megret, 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 1, Tip-O-Tex Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3000 N. Cage Blvd.

8. Alba Dora Pedraza, d/b/a Sepi's, is requesting renewal of the Conditional Use Permit to allow the sale of of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as Lot 22, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 212 W. State Street.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance approving and adopting the Parks and Recreation Department Pharr Aquatic Center Fee Schedule.

B) Consideration and action, if any, on Ordinance approving and adopting the Tierra Del Sol Golf Club Fee Schedule.

C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2012-41 Pharr Events Center Fee Schedule.

D) Consideration and action, if any, on Ordinance adopting City of Pharr Cash Handling Manual.

E) Consideration and action, if any, on Ordinance authorizing the issuance, sale and delivery of City of Pharr, Texas Waterworks and Sewer System Revenue Bonds, Series 2013 in the aggregate principal amount of $8,725,000 providing for the payment of the bonds from a lien on and pledge of the net revenues of the city's waterworks and sewer system to the payment of the principal of and interest on such bonds; providing for the terms and conditions of such bonds; resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of the bonds; and making other provisions regarding such bonds and matters incident thereto.

F) Consideration and action, if any, on Ordinance amending Article IX, Firefighters and Police Officers Civil Service Ordinance by increasing the assignment pay positions for Police Investigator.

G) Consideration and action, if any, on Resolution for applying with the Hidalgo County Metropolitan Organization for federal funding assistance made available through the New Freedom & Job Access and Reverse Commute (JARC) Program for the Pharr Sidewalk Improvements Project

H) Consideration and action, if any, on Resolution to acquire a 450 square foot tract of land out of Lot 244, Kelly-Pharr Tract and a 450 square foot tract of land out of Lot 252, Kelly-Pharr Tract.

I) Consideration and action, if any, on Resolution authorizing an amendment to Interlocal Agreement between the City of Pharr and the County of Hidalgo for services related to marking motor vehicle registration records; authorizing imposition of administrative fees; and authorization to set aside escrow funds.

6. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on amendment to Interlocal Agreement with the County of Hidalgo for scofflaw services contract for marking Texas motor vehicle registration records.

B) Consideration and action, if any, on Interlocal Agreement between the City of Pharr and the County of Hidalgo for Thomas Road Improvements Project.

C) Consideration and action, if any, on Interlocal Agreement between Pharr Police Department and Donna Independent School District for training of a school K-9 by Pharr Police K-9 Master Trainer.

D) Consideration and action, if any, on proposal from Aldana Engineering for engineering services to develop a Safe Routes to School Plan with the city's participation in the amount of $42,500.

7. ADMINISTRATIVE:

A) Consideration and action, if any, on request by Chief of Police for approval of a city surplus list and public auction of City of Pharr Departments' surplus, awarded, unclaimed and seized property.

B) Consideration and action, if any, on request from Hub City Conjunto-Tejano Museum to close West Newcombe (Park) Avenue from Cage Boulevard to Aster Street for the Pharr Live and Conjunto Concert on Thursday, June 14, 2013.

C) Consideration and action, if any, authorizing City Manager to negotiate contract with The Warren Group for initial layout and design for Pharr Tennis Center and Baseball Complex.

D) Consideration and action, if any, authorizing City Manager to negotiate a contract with The Warren Group for FEMA Shelter Dome located at 401 W. Eldora Road.

E) Consideration and action, if any, authorizing City Manager to negotiate a contract with ERO Architects for FEMA Shelter Dome located at 1011 W. Kelly Avenue.

F) Consideration and action, if any, authorizing City Manager to negotiate a contract with ROFFA for FEMA Shelter Dome with located at 920 S. Fir.

G) Consideration and action, if any, authorizing City Manager to negotiate a contract with Eddie Vela for FEMA Shelter Dome located at 1201 Rosa Lane.

H) Consideration and action, if any, on Change Order in the amount of $59,428.00 for the City of Pharr Aquatic Center Project.

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 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 31st day of May 2013, at 5:30 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 31ST DAY OF MAY 2013.

CITY OF PHARR
PHARR, TEXAS

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:_____