



**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, SEPTEMBER 3, 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
- C) 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 August 20, 2013 - Regular Called Meeting and August 26, 2013 – Special Called Meeting.
- B) Consideration and action, if any, on Ordinance amending O-2010-48 and adopting the Development & Maintenance Codes for the City of Pharr as described; repealing O-91-19, O-2002-41, O-2003-18, O-2003-48, O-2003-49, O-2003-50, O-2003-51, O-2003-52, O-2003-53, O-2005-20; providing for severability; providing for a penalty clause; and providing for publication and as effective date.

AGENDA REGULAR MEETING  
September 3, 2013

- C) Consideration and action, if any, on Ordinance adopting and implementing H.B. 1973, as adopted by the Texas Legislature, adding legal provisions to the Texas Health and Safety Code related to definitions and establishing standards for daily demands, water flow, pressure standards, and maintenance and related obligations for fire hydrants.
- D) Consideration and action, if any, on request from the Food Bank RGV for assistance on their Cup K Run/Walk on Saturday, September 28, 2013 from 8:00 a.m. to 10:00 a.m.
- E) Consideration and action, if any, on request from PSJA Southwest High School for street closure of East Rancho Blanco Road on Saturday, September 14, 2013 from 5:30 p.m. to 7:30 p.m. for their 1<sup>st</sup> Annual Southwest 5K Fun Run/Walk.
- F) Consideration and action, if any, on request by Fernando Gomez and Olynda Gomez d/b/a La Doña Seafood & Grill for a mixed beverage late hours permit.
- G) **PUBLIC HEARING**: Proposed Tax Rate.
- H) Consideration and action on Planning & Zoning Cases:  
**Public Hearing**
  - 1. Red Robin 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 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 S. Jackson Rd.
  - 2. Lynn and Martha Hayungs, d/b/a The Practice Tee, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in an Agricultural Open-Space District (A-O) and a General Business District (C). The property is legally described as 26.3 acres out of the East 35.96 acre tract out of Lots 7 and 8, Block 4, A.J. McColl Subdivision. The property's physical address is 1100 W. Nolana.
  - 3. Maria Guadalupe Orozco, d/b/a Las Margaritas Restaurant, 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 7-10, Block 28, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 106 N. Cage Blvd.
  - 4. Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are 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 A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 S. Cage Blvd., Suites A & B.

AGENDA REGULAR MEETING  
September 3, 2013

5. Myriam Cardenas and Pedro Gonzalez, d/b/a/ El Campestre Restaurant Bar y Eventos, have filed with the Planning and Zoning Commission a request for a 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 being a 1.765 acre tract of land out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1209 E. Nolana.
6. Olynda Gomez and Fernando Gomez, d/b/a La Doña Seafood & Grill, have filed with the Planning and Zoning Commission a request for a 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 being a .07 acre tract of land out of Lot 1, Jackson Ridge Court Subdivision Phase II, Pharr, Hidalgo County, Texas. The property's physical address is 1201 S. Jackson, Ste 7.
7. Edgar Delgadillo / Del Investments Group, LLC, has filed with the Planning and Zoning Commission a request for a change of zone from an Agricultural Open-Space District (A-O) to a Limited Industrial District (L-I). The property is legally described as being a 20 acre tract of land, more or less, out of Lot 376, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located on the 1400 Block of W. Hi Line Rd.
8. Trancasa USA, Inc., has filed with the Planning and Zoning Commission a request for a change of zone from an Agricultural Open-Space District (A-O) to a Limited Industrial District (L-I). The property is legally described as being a 23.90 acre tract of land out of Lot 377 and a 31.18 acre tract of land out of Lot 378, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The properties are physically located between the 800-1200 Block of W. Hi Line Rd.

PLAT APPROVAL

9. SAMES Engineering, Inc., representing John Tisdale is requesting final plat approval of the proposed Anchor Bible Church Subdivision. The property is legally described as being 0.88 acres, more or less, out of that certain 1.34 acres of land out of Lot 192, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 800 Blk. of S. Veterans Blvd.

**REGULAR AGENDA – OPEN SESSION:**

**4. ORDINANCES AND RESOLUTIONS:**

- A) Consideration and action, if any, on Ordinance calling a Special Election for the purpose of Electing Commissioner Place No. 4 to fill an unexpired term. *Ordenanza convocando una Eleccion Especial para Elegir Comisionado Lugar No. 4 para llenar termino no vencido.*
- B) Consideration and action, if any, on Resolution appointing/reappointing four (4) Parks and Recreation Committee Members.
- C) Consideration and action, if any, on Resolution appointing one (1) member to the Texas Educational Facilities Finance Authority.

AGENDA REGULAR MEETING  
September 3, 2013

- D) Consideration and action, if any, on Resolution appointing/re-appointing PEDC II Board Members.
- E) Consideration and action, if any, on Resolution appointing/re-appointing two (2) regular members and one (1) alternate member to the Planning and Zoning Commission.
- F) Consideration and action, if any, on Resolution in support of the development and construction of the International Bridge Trade Corridor (IBTC).
- G) Consideration and action, if any, on Resolution in support of South Texas College Bond and Maintenance election scheduled for November 5, 2013.

**5. ADMINISTRATIVE:**

- A) Consideration and action, if any, on request from Lower Rio Grande Valley Development Council for contribution in the amount of \$3,656.90 in support of Region M's Water Planning efforts.

**6. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on contract between the City of Pharr and Hidalgo County Elections Administrator for Lease Election services.
- B) Consideration and action, if any, on contract with Ticketmaster for ticketing services for Pharr Events Center.
- C) Consideration and action, if any, on contract with Costa Messa Restaurant for indoor signage and food sales at the Pharr Events Center.
- D) Consideration and action, if any, authorizing City Manager to negotiate a contract with Bookem Nano LLC for concerts/events at the Pharr Events Center.
- E) Consideration and action, if any, authorizing City Manager to negotiate a contract with Pajaro Promotions (Raul Garcia) for concerts/events at the Pharr Events Center.
- F) Consideration and action, if any, authorizing City Manager to negotiate a contract for Construction Manager at Risk for the North Park Special Needs Facility.
- G) Consideration and action, if any, authorizing City Manager to negotiate a contract for architectural services for Texas Community Safe Room Program.

AGENDA REGULAR MEETING  
September 3, 2013

- H) Consideration and action, if any, authorizing City Manager to negotiate a contract for architectural services for Texas Community Safe Room Program (Fire Station).
- I) Consideration and action, if any, on Memorandum of Understanding between City of Pharr and Pharr-Reynosa International Bridge with Ameri-Link.

**7. LEGAL:**

- A) Discussion and possible action on PUC Docket No. 41606 Joint Application of Electric Transmission Texas LLC and Sharyland Utilities L.P.

- 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 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 PUC Docket No. 41606 Joint Application of Electric Transmission Texas LLC and Sharyland Utilities L.P. 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.

AGENDA REGULAR MEETING  
September 3, 2013

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 30<sup>th</sup> day of August, 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 30<sup>th</sup> DAY OF AUGUST, 2013.**



  
\_\_\_\_\_  
HILDA PEDRAZA, TRMC  
CITY CLERK

\_\_\_\_\_ hereby certifies 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: \_\_\_\_\_