



**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, AUGUST 6, 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
- D) Submission of Comprehensive Quarterly Financial Report

**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 July 2, 2013 - Regular Called Meeting and July 16, 2013 – Regular Called Meeting.
- B) Consideration and action, if any, on Change Order #2 in the additional amount of \$19,297.50 for the West Hall Acres Road Street & Drainage Improvements project.
- C) Consideration and action, if any, on acceptance of the West Hall Acres Road Street & Drainage Improvements with Garco Industries Inc. and release of final payment in the amount of \$ 146,734.12.

- D) Consideration and action, if any, on Change Order #3 in the amount of \$30,517.50 for the Renovation of the Greens at Tierra Del Sol Golf Club.
- E) Consideration and action, if any, on Change Order #4 to extend the contract date to August 31, 2013 for completion of the Renovation of the Greens at Tierra Del Sol Golf Club.
- F) Consideration and action, if any, on Ordinance amending Ordinance No. O-2010-48 and adopting the Development & Maintenance Codes for the City of Pharr as described; repealing Ordinances 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 an effective date. **(Tabled Item)**
- G) Consideration and action on Planning & Zoning Cases:  
**Public Hearing**
1. Esmeralda Garza, d/b/a Taqueria Azteca, has filed a request for 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, Pleasanton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1617 S. Cage Blvd.
  2. Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, has 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 Lots 17, 18 & 19, Blk. 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 917 W. Ferguson St.
  3. Alfonso Blanco, d/b/a Mango's Restaurant & Sports Bar, has 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 W110'-E430'-S170', Lot 151, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 700 W. Ferguson St.

PLAT APPROVAL:

4. J.E. Saenz & Associates, Inc., representing Bernardo Gubser, is requesting preliminary plat approval of the proposed Transmaritime Subdivision. The property is legally described as being a 17.87 acre tract of land being a portion of Lot Seven (7), Block One (1), a Re-subdivision of Closner Subdivision of Porcion 70, Pharr, Hidalgo County, Texas. The property's physical address is 901 E. Military HWY.
5. Spoor Engineering Consultants, Inc., representing Zeigler Development, is requesting preliminary plat approval of the proposed Pharr Commercial Park Subdivision Phase II. The property is legally described as being a 16.15 acre tract of land out of Lots 4, 5, 8 and 10, Pharr Citrus Orchard Subdivision and Lots 1, 2, 3 and 4, of Ethel G. Meyers Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 1600 Blk. of W. Kelly Ave.

**REGULAR AGENDA – OPEN SESSION:**

**4. ORDINANCES AND RESOLUTIONS:**

- A) 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.
- B) Consideration and action, if any, on Resolution authorizing Public Works Director to file a grant application with the Lower Rio Grande Valley Development Center (LRGVDC) for a Regional Solid Waste Grants Program.
- C) Consideration and action, if any, on Resolution adopting the One Year Action Plan FY2013/2014 and Five Year Consolidated Plan & Strategy for Program Years 2013-2017 for submittal to the U.S. Department of Housing and Urban Development (HUD).
- D) Consideration and action, if any, on Resolution authorizing City Attorney to commence legal proceedings related to delinquent account and other obligations.
- E) Consideration and action, if any, on Resolution authorizing Police Chief to submit application, enter into an Inter-local Agreement and accept grant award from the Auto Theft Prevention Authority.
- F) Consideration and action, if any, on Resolution approving the bids received on tax resale properties on June 22, 2013.

**5. ADMINISTRATIVE:**

- A) Consideration and action, if any, on bids received on struck-off properties described as follows:
  - Lot 23, Block 19, Hidalgo Park Estates Subdivision
  - Lots 21 and 22, Block 23, Hidalgo Park Estates Subdivision
- B) Consideration and action, if any, awarding bid for the Purchase and Delivery of Type “D” Hot-Mix Asphaltic Concrete Material for East Bell and Fir Street.
- C) Consideration and action, if any, on request by Jose Alberto Hernandez, d/b/a Doc’s Billiards & Sports Bar for a mixed beverage late hours permit.

**6. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on Interlocal agreement for E9-1-1 Public Safety Answering Point Services between the Lower Rio Grande Valley Development Council and the Pharr Fire Department.
- B) Consideration and action, if any, on Interlocal agreement for E9-1-1 Public Safety Answering Point Services between the Lower Rio Grande Valley Development Council and the Pharr Police Department.
- C) Consideration and action, if any, authorizing City Manager to negotiate a contract with Structural Engineering Associates, Inc. for improvements of the Pharr-Reynosa International Bridge.
- D) Consideration and action, if any, authorizing City Manager to negotiate a contract with The Warren Group for the Pharr International Trade Center.

**7. LEGAL:**

- A) Discussion and possible action on intervention of 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 - 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](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 2<sup>nd</sup> day of August 2013, at 4:00 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 2<sup>ND</sup> DAY OF AUGUST 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: \_\_\_\_\_