



**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, OCTOBER 1, 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) Presentation of Proclamation proclaiming Red Ribbon 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) City Events of Interest
- C) Legislative/Project Update
- D) Presentation by RGV Literacy Center

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 September 17, 2013 - Regular Called Meeting.

**B) Consideration and action on Planning & Zoning Cases:
Public Hearing**

1. Hector G. Menchaca, d/b/a El Huachinango Pescados y Mariscos, 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 E100' of Lot 5 and 6, Block 66, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 400 S. Cage Blvd.
2. Rodolfo Cirlos, d/b/a Good Times Bar & Grill, is requesting renewal of the Conditional Use Permit and Late Night 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 4 & 5, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5806 & 5808 S. Cage Blvd.

Plat Approval:

3. Quintanilla, Headley and Associates Inc., representing Cruz Cantu III, President for Esponjas Development, LTD., is requesting final plat approval of the proposed Tropic Star Commercial Plaza Subdivision. The property is legally described as being a re-subdivision of a 4.813 acre tract of land out of the south 574 feet of Lot 1 Tropic Star Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 1500 Blk. of S. Cage Blvd.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2011-12, Section 18 of the Code of Ordinances; adopting provisions related to Pharr Animal Shelter.
- B) Consideration and action, if any, on Ordinance cancelling the Special Election for November 5, 2013 (*Consideración y acción, en Ordenanza para cancelar la Elección Especial Municipal del 5 de noviembre de 2013*).
- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-22 rental facilities for Jose "Pepe" Salinas Memorial Civic Center.
- D) Consideration and action, if any, on Resolution cancelling/re-scheduling the City Commission meeting of October 15, 2013.
- E) Consideration and action, if any, on Resolution nominating candidate(s) for the 2014-2015 Hidalgo County Appraisal District Board of Directors.
- F) Consideration and action, if any, on Resolution authorizing an Interlocal Cooperation Agreement with Hidalgo County for participation of the City of Pharr Police Department in Operation Stonegarden 2012 and acceptance of grant funding.

- G) Consideration and action, if any, on Resolution authorizing City Manager to enter into negotiations with the City of Donna related to property, facilities, and other related matters.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, approving the trade of Pharr Police K-9.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on first amendment to Interlocal Agreement regarding Tax Reinvestment Zone Number One.
- B) Consideration and action, if any, on Interlocal Agreement for Assistance to Firefighters Grant Radio Project.
- C) Consideration and action, if any, on employment contract with Carlos Villegas, Jr. for Golf Course operations and administration.
- D) Consideration and action, if any, on Non-Disclosure Agreement with Department of Homeland Security for the STAC pilot program.

8. LEGAL:

- A) Consideration and action, if any, on matters related to Case CT-00-9460 and/or Gallus Properties, Transmaritime, and Bernard Gubser.

- 9. **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 - 8 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.

10. RECONVENE into Regular Session, and consider action, if necessary on any item(s) discussed in closed session.

11. 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 27th day of September, 2013, at 5:00 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 27th DAY OF SEPTEMBER, 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: _____