



**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, SEPTEMBER 17, 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) Submission of monthly report –Pharr Municipal Court
- C) Submission of August 2013 Tax Collection Report
- D) Submission of September 2013 Sales Tax Report
- E) City events of interest
- F) 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 September 3, 2013 - Regular Called Meeting.
- B) **PUBLIC HEARING:** Proposed tax rate.
- C) **PUBLIC HEARING:** Solicitation of comments from the general public for the proposed City of Pharr Budget FY 2013/2014.

- D) Consideration and action, if any, on request from Hidalgo County Elections Department for use of Jose "Pepe" Salinas Civic Center and Las Milpas Community Center as Early Voting and Election Day polling locations for the upcoming November 5, 2013 Constitutional Amendment Election and 2014 possible dates for Cities, Schools, Primary, Runoff and General Elections.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing
1. Diane E. Borachardt, representing SBA Monarch Tower III, LLC, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit for the Life-of-the-Use to allow a telecommunication tower in an Agricultural Open-Space District (A-O). The property is legally described as a .06 acre tract out of the North 2.5 acres of the South 5 acres of the North 10.0 acres of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 7106 South Cage Blvd.
 2. Jorge Gongora, d/b/a Buchanan's Bar, 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 Heavy Commercial District (H-C). The property is legally described as Lot 1, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 107 E. Ferguson St., Ste F.
 3. Irasema Salinas d/b/a Papalote Seafood, 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 a Re-subdivision of Lots 1-5, Block 12, Lots A-B-C-D, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property's physical address is 318 N. Cage Blvd.
 4. Jesus Antonio Magallan, d/b/a Lily's 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 Business District (C-2). The property is legally described as a portion of Lot 12, and all of Lots 13-16, Block 32, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 410 W. State, Ste. D.
 5. Juanita Garza d/b/a Pharr West Club, LLC, 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 3, Replat of Lot 1, Mexican Fiesta Subdivision, and Lot 1, Mexican Fiesta Unit #2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1302 W. Nolana.

REGULAR AGENDA – OPEN SESSION:

4. 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 establishing a Juvenile Case Manager Fee; creating a Juvenile Case Manager Fund; authorizing creation of Juvenile Case Manager Position; and authorizing appointment of a Juvenile Case Manager.

- C) Consideration and action, if any, on Resolution nominating candidate(s) for the 2014-2015 Hidalgo County Appraisal District Board of Directors.
- D) Consideration and action, if any, on Resolution cancelling/re-scheduling the City Commission meeting of November 5, 2013 due to election day.
- F) Consideration and action, if any, on Resolution entering into an agreement with TXDOT for closure of U.S. 281 (Cage Blvd.) on Saturday, November 9th, 2013 from Polk Avenue south to Kelly Avenue for the All-America Salute to Veteran's Parade from 2:00 p.m. to 9:00 p.m.
- G) Consideration and action, if any, on Resolution establishing the creation of the City of Pharr Employee Benefits Trust and appointment of trustees.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, on City of Pharr Employee Benefits Declaration of Trust.
- B) Consideration and action, if any, on adoption of the City of Pharr Public Works Standard Operating Procedures, Animal Control division: Animal Shelter.
- C) Consideration and action, if any, awarding bid for sludge management services for the Water Treatment Plant and Wastewater Treatment Plant.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract with Grupo Pesado for the City of Pharr Hub Phest.
- B) Consideration and action, if any, terminating agreement with Portable Cold Solutions, LLC.
- C) Consideration and action, if any, on contract with Pharr International Services, LLC.

7. **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 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.

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

9. **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.

AGENDA REGULAR MEETING
SEPTEMBER 17, 2013

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 13th day of September, 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 13th DAY OF SEPTEMBER 2013.



HILDA PEDRAZA, TRMC
CITY CLERK

I hereby 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: _____