



**TAKE NOTICE THAT A REGULAR-SPECIAL 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 12:30 P.M. ON
MONDAY, FEBRUARY 17, 2014**

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 March 4, 2014 as IHOP's National Pancake Day and Shriners Hospitals for Children 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) Submission of monthly report – Pharr Municipal Court
- C) Submission of January 2014 Tax Collection Report
- D) Submission of February 2014 Sales Tax Report
- E) Submission of 2013 Racial Profiling Report
- F) City events of interest
- G) 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)*

AGENDA REGULAR-SPECIAL MEETING
FEBRUARY 17, 2014

- A) Approval of Minutes for February 4, 2014 - Regular Called Meeting.
- B) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the Office of the Governor, Criminal Justice Division for the Domestic Violence Coordinator Project.
- C) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the Office of the Governor Criminal Justice Division for the Human Trafficking Liaison Project.
- D) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit a grant application to the Office of the Governor, Criminal Justice Division for the STOP Failure to Attend School Project.
- E) Consideration and action, if any, on Resolution authorizing the Chief of Police to submit an application to accept the Edward Byrne Memorial Justice Assistance Grant Program FY 2014 Award for \$18,475.00 for the purchase of Mobile Remote Fingerprint ID Project.
- F) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Mauricio Jaramillo, d/b/a Regency Fiesta, 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 1.01 acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1020 West Ferguson.
 - 2. David Ruelas d/b/a El Perico's Bar & Grill, 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 14 & 15, La Quinta Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5826 South Cage Boulevard.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Chapter 62, "Health and Sanitation" by adding Article III, "Mobile Food Vendors" to the Code of Ordinance of the City of Pharr to establish licensing and other regulatory requirements for Mobile Food vendors operating in the city; Providing for publication: providing for severability; Declaring a penalty; providing for the publication of the caption hereof, and ordaining other provisions related to the subject matter hereof.
- B) Consideration and action, if any, on first reading of Ordinance regulating motor vehicles.

AGENDA REGULAR-SPECIAL MEETING
FEBRUARY 17, 2014

- C) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for closure of South US 281 and West Business 83 for Good Samaritan Community Services Annual 5K Run/Walk scheduled for Saturday, April 12, 2014.
- D) Consideration and action, if any, on Resolution cancelling/re-scheduling the City Commission meeting of March 4, 2014 due to Election Day.
- E) Consideration and action, if any, on Resolution supporting Housing Tax Credit Project with Palladium USA International, Inc.
- F) Consideration and action, if any, on Resolution authorizing an economic development loan to Palladium USA International, Inc.
- G) Consideration and action if any on Resolution ratifying re-scheduling the City Commission meeting of Tuesday February 18, 2014.

6. ADMINISTRATIVE:

PUBLIC HEARING: Solicitation of comments on request to extend the current moratorium on Used Motor Vehicle Businesses an additional 90 days

- A) Consideration and action, if any, on request to extend the current moratorium on Used Motor Vehicle Businesses an additional 90 days.
- B) Consideration and action, if any, on CPI rate adjustments for garbage collection services.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract between Kelly Miller Circus and Pharr Fire Department.
- B) Consideration and action, if any, on contract with TTI for bridge valuation study.
- C) Consideration and action, if any, to accept agreement with TxDOT regarding settlement concerning finalization of the release related to the Federal FY 2009-2010 Selective Traffic Enforcement Program.
- D) Consideration and action, if any, on Engagement Agreement between Fulbright & Jaworski LLP and the City of Pharr.
- E) Consideration and action, if any, on Engagement Agreement between Langley & Banack, Inc. and the City of Pharr.

F) Consideration and action, if any, on Letter of Intent with the City of Donna.

8. LEGAL:

A) Consideration and action, if any, on *City of Donna v. City of Pharr*, C-0228-13-I.

B) Consideration and action, if any, on Pharr International Services, LLC related to occupancy and related legal matters.

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 551.076, 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 551.087, 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-Special 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 14th day of February 2014, at 12:30 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 14TH DAY OF FEBRUARY 2014.



Sonia H. Padron

SONIA H. PADRON, TRMC
ASSISTANT CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was posted on the bulletin board of City Hall on the _____ day of _____, 2014 by,

Title: _____