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, MARCH 18, 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 April 1, 2014 as National Service Recognition 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 February 2014 Tax Collection Report
   D) Submission of March 2014 Sales Tax Report
   E) City events of interest
   F) 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)*

A) Approval of Minutes for March 6, 2014 – Regular-Special Called Meeting and March 7, 2014 – Special Called Meeting.

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

1. Pappas Restaurants, Inc., d/b/a Pappadeaux Seafood Kitchen is applying 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, Pappas Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1610 W. Expressway 83.

PLATS:

2. A Re-subdivision of Pharr Commercial Park Phase I, being the South 5.77.83 feet of Lot 1, Pharr Commercial Park Phase I, City of Pharr, Hidalgo County, Texas, according to plat recorded in Instrument Number 2343249, Map Records, Hidalgo County.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on an Ordinance amending Chapter 26, "Businesses" by adding Article IX, "Motor Vehicle Sales" to the Code of Ordinances of the City of Pharr, Texas in accordance with the Texas Local Government Code, Subchapter A, Section 215.002; Authorization and procedure for persons engaged primarily or incidentally in the sale or exchange of motor vehicles; to establish licensing and other regulatory requirements for motor vehicle sales operating in the city; mandatory registration fee for each vehicle sold or exchanged; findings; providing for severability; declaring a penalty; providing for appeals; providing for applicability; and providing a savings clause; providing for the publication of the caption hereof, repealing all ordinances in conflict; and ordaining other provisions related to the subject matter hereof. (3rd reading).

B) Consideration and action, if any, on Ordinance amending Ordinance O-2012-03, providing for repealing of conflicting ordinance(s) clause, and providing for an effective date. (2nd reading).

C) Consideration and action, if any, on revised Ordinance for Texas Gas Service Company's franchise agreement.

6. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Memorandum of Understanding between Pharr-San Juan-Alamo Independent School District and the City of Pharr for the Student Volunteer Program.

B) Consideration and action, if any, on Memorandum of Understanding between Hidalgo County, the cities of Pharr, Edinburg, and McAllen, and the University of Texas System for the development of and funding for a medical school in the Lower Rio Grande Valley.

C) Consideration and action, if any, on lease of building located at 213 West Newcombe (Park) Avenue to Pharr Community Theater.

D) Consideration and action, if any, authorizing City Manager to negotiate a lease agreement with the Chamber of Commerce for building located at 308 West Newcombe (Park) Avenue.

7. 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.

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 4 - 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 551.076, 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.

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 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 14th day of March 2014, 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 14TH DAY OF MARCH 2014.

CITY OF PHARR PHARR, TEXAS

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 _____, 2014 by,

_____ Title:_____