



**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, JULY 1, 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. 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

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 June 3, 2014 – Regular Called Meeting
- B) Consideration and action on Planning & Zoning Cases:

Public Hearing

1. Dann C. Narveson, Director of SCI Management representing The Practice Tee Driving Range and Golf Learning Center, LLC. has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a cemetery in an Agricultural Open-Space District (A-O). The property is legally described as being a 26.032 acre tract of land being part or portion of Lots 7 and 8, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1100 West Nolana. (TABLED)
2. Dann C. Narveson, Director of SCI Management, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a cemetery in an Agricultural Open-Space District (A-O). The property is legally described as being a 26.032 acre tract of land being part or portion of Lots 7 and 8, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1100 West Nolana.
3. Ruben Meza, d/b/a Hukah Lounge, 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 Lot 9, Block 1, Amended Plat of Mayfair Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3914 North Jackson Road.
4. Luz Maria Regis de Tapia & Mariel Navarro, representing Avocado Investments, LLC, d/b/a Los Molcajetes Restaurant, have 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 Lot 1, Sam Houston Heights Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 West Sam Houston.
5. Rommel Organista, d/b/a Kurai Chinese & Sushi Restaurant, 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 1, Jackson Ridge Court Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson, Suite 1.

Plats:

6. Hinojosa Engineering, Inc., representing Pharr-San Juan-Alamo I.S.D., is requesting final plat approval of the proposed Thomas Road Elementary Subdivision. The property is legally described as being a 27.12 acre tract of land being the west 895 feet of Lot 306, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 800 Block of East Thomas Road.
7. SAMES Engineering, Inc., representing Ricardo Q. Gonzalez, is requesting final plat approval of the proposed Falcon Freight Subdivision. The property is legally described as a 2.53 acre tract of land out of the south 24.19 acres of Lot 5, Block 12, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 9500 Block of South Jackson Road.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2010-19 (Burglar Alarm Ordinance).
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-83-29 (Pharr Police Reserve Ordinance).
- C) Consideration and action, if any, Ordinance directing the City Manager to vacate, abandon and close a 4000 square foot (40'x100') portion of street Right-of-Way lying between Block 1, Lot 15 and Block 4, Lot 1, Huasteca Subdivision, Pharr, Hidalgo County, Texas; finding that said Right-of-Way is no longer needed; and establishing an effective date.
- D) Consideration and action, if any, on Ordinance directing the City Manager to vacate, abandon and close an approximately thirteen thousand and seventy-seven (13,077) square foot portion of street Right-of-Way, being a portion of South Bluebonnet Street lying between Block 3, Lot 1 of Van Williams Subdivision, Pharr, Hidalgo County, Texas and track 16 out of Kelly-Pharr Subdivision Lot 188, Pharr, Hidalgo County, Texas; finding that said Right-of-Way is no longer needed; and establishing an effective date.
- E) Consideration and action, if any, on Ordinance amending Ordinance No. O-2014-22 defining the area and prohibiting the operation of any device, machine, apparatus or instrument to intensify or amplify or reproduce the human voice or other sound on any public street or in any building whereby the sound therefrom is cast directly upon the public streets in the City of Pharr, to preserve the quiet and good order of the city, and to prevent the disturbance of persons owning, using or occupying property adjacent to or nearby the public streets, and providing a penalty for violation thereof; definitions; prohibited acts; method of sound measurement; enforcement; exceptions; penalties; repealer; severability; publication and effective date; proper notice and meeting. (Noise Ordinance)
- F) Consideration and action, if any, on Ordinance authorizing the transfer of real property to the Pharr Economic Development Corporation II.
- G) Consideration and action, if any, on Resolution appointing/re-appointing members to the Pharr Public Facilities Corporation #1 Board of Directors.
- H) Consideration and action, if any, on Resolution appointing/re-appointing members to the Pharr Public Facilities Corporation #2 Board of Directors.

- I) Consideration and action, if any, on Resolution appointing/re-appointing members to the Pharr Public Facilities Corporation #3 Board of Directors.
- J) Consideration and action, if any, on Resolution appointing/re-appointing (2) alternate members to the Board of Adjustment.
- K) Consideration and action, if any, on Resolution authorizing an amendment to the Interlocal Cooperation Agreement with Hidalgo County for participation of the City of Pharr Police Department in Operation Stonegarden 2011 and acceptance of grant funding.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, on request by Avocado investments, LLC d/b/a Los Molcajetes Restaurant for a mixed beverage late hours permit at 1201 W. Sam Houston.
- B) Consideration and action, if any, on letter of support for participation in the RGV Regional Alert System.
- C) Consideration and action, if any, authorizing City Manager to accept a grant in the amount of another \$30,000 from the Lower Rio Grande Valley Development Council (LRGVDC) to Pharr Public Works Environmental Services Division (Recycling).
- D) Consideration and action, if any, approving list and public auction of City of Pharr Departments Surplus, Awarded, Unclaimed and Seized Property.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing City Manager to enter into a Memorandum of Understanding with Enviro-Lite Solutions, LLC to conduct a light and energy study.
- B) Consideration and action, if any, on contract between the City of Pharr and Sprint/Nextel for the purpose of complying with federal requirements for rebanding.

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 4 - 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 551.076, 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.

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.

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 June 2014, at 4:30 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 27th DAY OF JUNE 2014.



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 _____, 2014 by, _____
Title: _____