



**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., 2<sup>ND</sup> FLOOR, PHARR, TEXAS  
COMMENCING AT 5:00 P.M. ON  
TUESDAY, JULY 15, 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) Submission of monthly report – Pharr Municipal Court
- C) Submission of June 2014 Tax Collection Report
- D) Submission of July 2014 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 June 17, 2014 - Regular Called Meeting and June 27, 2014 – Special Called Meeting.

- B) Consideration and action, if any, on 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. (3<sup>rd</sup> and final reading)
- C) 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. (3<sup>rd</sup> and final reading)
- D) Consideration and action, if any, on Ordinance approving a negotiated resolution between the City of Pharr and Texas Gas Service (TGS) for the May 1, 2014 Cost of Service Adjustment ("COSA") Filing.
- E) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of market value for the property to be acquired; establishing fair market value for the property to be acquired; and directing the City Manager or designee to communicate offers to owners for purchase of property, appropriate funds, and authorizing condemnation proceedings by City Attorney, ratification or prior acts.
- F) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of market value for the property to be acquired; establishing fair market value for the property to be acquired; and directing the City Manager or designee to communicate offers to owners for purchase of property, appropriate funds, and authorizing condemnation proceedings by City Attorney, ratification or prior acts.
- G) Consideration and action on Planning & Zoning Cases:  
**Public Hearing**
  - 1. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, 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 General Business District (C). The property is legally described as Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6801 South Jackson Road.

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2. RGV Pizza Hut, LLC d/b/a Pizza Hut of Pharr, 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 East 125.0' of Lot 1, Palm Heights Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1001 West Highway 83.
3. Antonio Rodrigues and Sylvia Rodriguez, d/b/a Verona Event Center II, LLC, formerly known as Bellagio Banquet & Special Events Center, LLC, are requesting renewal of the Conditional Use 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 Lots 2 and 3, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 109 East Ferguson.
4. Araceli Cabanas, representing Francisco F. Rodriguez, d/b/a Roca Sushi Bar, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Business District (C-2). The property is legally described as .06 acres, more or less, out of Lots 23-30, inclusive, Block Two (2), J.T. Doster, Re-Subdivision of Block "B", out of Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property's physical address is 119 East Newcombe Avenue (Park Avenue).
5. Fermin Leija Jr, has filed with the Planning and Zoning Commission a request for a change of zone from Single-Family Residential District (R-1) to Neighborhood Commercial District (N-C). The property is legally described as Lot 5, Block 1, Palo Verde Subdivision Unit #1, Pharr, Hidalgo County, Texas. The property's physical address is 213 West Dicker Road.

PLATS:

6. BIG Engineering, representing Mauricio and Margarita Jaramillo are requesting final plat approval of the proposed Sabrina Estates Subdivision. The property is legally described as the north 2 acres of the west 5 acres of the east 10 acres of land out of Lot 158, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 700 Blk. of E. Ferguson Ave.
7. MAS Engineering L.L.C., representing LBJ Family Limited Partnership, is requesting final plat approval of the proposed Dura Subdivision. The property is legally described as being a 5.00 acre tract of land out of Lot 85, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5513 North Cage Boulevard.
8. Millennium Engineers Group, Inc., representing Rosita and Carlos Juvera are requesting final plat approval of the proposed JCR No. 2 Subdivision. The property is legally described as a re-subdivision of 3.98 acre tract of land, out of lot 1, 2, 3, 4, 5, 6 and 7, Block 3, Van William Subdivision, Pharr Hidalgo County, Texas. The property is located at the 200 Block of West Lauck Avenue.

**REGULAR AGENDA – OPEN SESSION:**

**4. ORDINANCES AND RESOLUTIONS:**

- A) 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)
- B) Consideration and action, if any, on Ordinance amending Chapter 86 “Offenses and Miscellaneous Provisions” of the Code of Ordinances of the City of Pharr, Texas by adding Article VII “Illegal Synthetic Controlled Substances and Related Paraphernalia”.
- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-39 for budget amendments to the FY 2013-2014 budget.
- D) Consideration and action, if any, on Resolution authorizing Mayor and/or City Manager as authorized individuals to execute any and all documents necessary for acquisition of water rights.
- E) Consideration and action, if any, on Resolution in support of My Brother’s Keeper- Building Ladders of Opportunity Initiative.

**5. ADMINISTRATIVE:**

- A) Consideration and action, if any, on budget amendments for Pharr Economic Development Corporation II FY 2013-2014.

**6. CONTRACTS/AGREEMENTS:**

- A) Consideration and action, if any, on consulting services agreement with Hollis Rutledge.
- B) Consideration and action, if any, on contract with Blue Cross Blue Shield for health insurance for FY 2014-2015.
- C) Consideration and action, if any, on contract with Dearborn National for life insurance for FY 2014-2015.

D) Consideration and action, if any, on contract with Ameritas for dental and vision insurance for FY 2014-2015.

E) Consideration and action, if any, on Intergovernmental Cooperative Agreement between the City of Pharr and Palm Valley Animal Center for the operation of a Regional Animal Shelter.

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 551.076, 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](mailto:hilda.pedraza@pharr-tx.gov) or [sonia.hinojosa@pharr-tx.gov](mailto: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](http://www.pharr-tx.gov). This Notice was posted on the 11<sup>th</sup> day of July, 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 11<sup>th</sup> DAY OF JULY, 2014.**



  
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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: \_\_\_\_\_