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 12:00 NOON ON THURSDAY, JANUARY 22, 2015

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 National Human Trafficking Prevention Month.

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
   B) Submission of monthly report – Pharr Municipal Court
   C) Submission of December 2014 Tax Collection Report
   D) Submission of January 2015 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 December 2, 2014 – Regular Called Meeting, December 16, 2014 – Regular Called Meeting, and January 8, 2015 Regular-Special Called Meeting.

B) Consideration and action, if any, authorizing City Manager to advertise for bids for the financing of paving machines.

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

1. Charles L. Mercer, d/b/a Carino's Italian Grill, 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 Lots 4A and 5A, Paradise Commercial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 601 South Jackson Road.

2. Mauricio Jaramillo, d/b/a Regency Hall, is 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 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 East Ferguson Avenue.

3. Cantina Bar and 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 Lot 187, Valle De La Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6905 South Jackson Road.

4. Rio Laguna, Inc., owner, has filed with the Planning and Zoning Commission a request for a change of zone from a High Density Multi-Family District (R-4) to a General Business District (C). The property is legally described as Lot 1, Empire No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1200 West Hummingbird Court.

5. Gary Edenburn representing Crown Castle International Corporation, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in a General Business District (C). The property is legally described as 0.034 of an acre, more or less, out of Lot 6, Henderson Plaza Subdivision Phase 2, Pharr, Hidalgo County, Texas. The property is physically located at 836 North Cage Boulevard.

6. Gary Edenburn representing Sprint Spectrum, LP, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in a General Business District (C). The property is legally described as 0.034 of an acre, more or less, out of Lot 6, Henderson Plaza Subdivision Phase 2, Pharr, Hidalgo County, Texas. The property is physically located at 836 North Cage Boulevard.

7. Katy Swenson, representing Sprint Spectrum, LP, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment on an existing tower in an Agricultural Open-Space District (A-O). The property is legally described as 0.034 – 1.34 of an acre, more or less, out of Lot 192, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 806 South Veterans Boulevard.

8. Gary Edenburn representing Crown Castle International Corporation, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an existing telecommunication tower in a Single Family Residential District (R-1). The property is legally described as 0.021 of an acre, more or less, out of Lot 184, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1011 West Kelly Avenue.

9. Gary Edenburn representing Sprint Spectrum, LP, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow the co-location of telecommunication equipment in a Single Family Residential District (R-1). The property is legally described as 0.021 of an acre, more or less, out of Lot 184, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1011 West Kelly Avenue.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance establishing the positions of Assistant City Manager and Deputy City Manager.

B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2014-43 for budget amendments to the FY 2014-2015 budget.

C) Consideration and action, if any, on Ordinance directing City Manager to vacate, abandon and close a portion of a 20 foot (not open) alley lying between the east 2.5 feet of Lot 3, all of Lots 4 through 8, inclusive; the west 13 feet of Lot 9, the west 31 feet of Lot 20; all of Lot 21, and the east 46.2 feet of Lot 22, all in Block 1, Eula Young 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 Resolution ratifying re-scheduling the City Commission meeting of Tuesday, January 20, 2015.

E) Consideration and action, if any, on Resolution declaring and clarifying intent for property located within the International Boundary and Water Commission Regulatory Floodway.

6. ADMINISTRATIVE:

A) Consideration and action, if any, on offer to purchase real property, legally described as Lots 25 & 26, Pharr Original Townsite, Pharr, Hidalgo County, Texas.

B) Consideration and action, if any, on sale and/or auction of property legally described as Lot 22, Block 4, Colonia De Amigos, Pharr, Hidalgo County, Texas.

C) Consideration and action, if any, awarding bid for the Purchase & Delivery of Construction Materials (TY "D" HMAC, TY F GR 3 Caliche, Prime Coat MC-30) for E. Anaya Road-CDBG Project.

D) Consideration and action, if any, awarding bid for the Purchase & Delivery of TY "D" HMAC (limestone aggregate) for Single Machine Repaving Project 1st Year Program.

E) Consideration and action, if any, awarding bid for the Single Machine Repaving Project 1st Year Program.

F) Consideration and action, if any, on request from Pharr Police Athletic League to host the 3rd Annual Mid Valley Events "Get Up and Train" 5K and half marathon.

G) Consideration and action, if any, on budget amendment for Pharr Public Facilities Corporation # 1 FY2014-2015.

7. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on agreement between A.C. "Tony" Garcia and City of Pharr for the lease of ten (10) parking spaces

B) Consideration and action, if any, on renewal of Interlocal Cooperation Agreement between Hidalgo County Precinct No. 2 and the City of Pharr for assistance of manpower and equipment on as needed basis.

C) Consideration and action, if any, on agreement with SPA Skateparks for the design and construction of the proposed Pharr Skate Plaza at Victor Garcia Municipal Park.

D) Consideration and action, if any, authorizing City Manager to negotiate contract with The Warren Group for architectural design services for South Pharr Branch Library.

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 19th day of January, 2015, at 11:45 A.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 19th DAY OF JANUARY 2015.

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 _____, 2015 by,

_____ Title:_____