



**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 5:30 P.M. ON
TUESDAY, DECEMBER 16, 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
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of November 2014 Tax Collection Report
- D) Submission of December 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 November 18, 2014 – Regular Called Meeting and November 24, 2014 – Special Called Meeting.

- B) Consideration and action, if any, on Change Order #1 in the amount of \$55,044.00 for additional rubberized surface of the playground equipment for the Northside Park Special Needs Facility (Dr. Long Park).
- C) Consideration and action, if any, on Change Order No. 11 in the additional amount of \$19,686.00 and add 183 days to the contract for the Water Treatment Plant Expansion Project.

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

1. Blanca Lopez, d/b/a Rosita's Mexican Kitchen, 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 S150' of Lots 9 and 10 and all of Lots 11, 12, 13, 14, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 915 West Ferguson.
2. Lauro E. Najera, manager for Nago Group, LLC., d/b/a Mangos Restaurant Bar and Terrazza, 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 a tract of land out of Lot 151, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 700 West Ferguson Avenue.
3. Carlos Lopez, representing Inantel Texas, LP, owner, has filed with the Planning and Zoning Commission a request for a change of zone from a Heavy Commercial District (H-C) to a Limited Industrial District (L-I). The property is legally described as 53.12 acres out of Lots 10, 11 and 12 of the Re-Subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1100 and 1600 Block of East Hi-Line Road.
4. Carlos Garza, AEC Engineering, LLC representing Fernando Cesar Lozano and Blanca Leticia Gutierrez Lozano, d/b/a Fermar Transport & Equipment, LLC, has filed with the Planning and Zoning Commission a request for a change of zone from an Agricultural Open-Space District (A-O) and General Business District (C) to Heavy Commercial District (H-C). The property is legally described as a 0.44 acre tract of land out of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 7210 South Cage Boulevard.

PLATS:

5. Javier Hinojosa Engineering, representing Inantel Texas, L.P., Carlos Lopez, Agent, is requesting preliminary plat approval of the proposed Master Subdivision Plat of Monarch Business Park Subdivision. The property is legally described as being 53.12 acres out of Lots 10, 11 and 12, of the Re-Subdivision of Closner Subdivision, Pharr, Hidalgo County, Texas. The property is located between 1100 and 1600 Block of East Hi-Line Road.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance establishing the position of Deputy City Manager.
- B) Consideration and action, if any, on Resolution cancelling/rescheduling the City Commission Meeting of January 6, 2015.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, on request by Lauro E. Najera, d/b/a Mangos Restaurant Bar & Terrazza for a mixed beverage late hours permit at 700 W. Ferguson Avenue.
- B) Consideration and action, if any, on approval of Pharr Police Selective Traffic Enforcement Policy GP-2014-0001.
- C) Consideration and action, if any, on adoption of the City of Pharr 84th Legislative Agenda.
- D) Consideration and action, if any, on acceptance of Water Treatment Plant Expansion to 19 MGD and release of final payment and retainage in the amount of \$351,203.34.
- E) Consultation with the Board of Commissioners on the appointment of Deputy City Managers.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract with Texas Sportsman to promote and market Tierra Del Sol Golf Course.
- B) Consideration and action, if any, on agreement with Bob and Kay Kurczewski for the use of the Jose "Pepe" Salinas Memorial Civic Center small hall to conduct a Round Dance Program.
- C) Consideration and action, if any, on Interlocal Governmental Agreement between the City of Pharr and the Pharr Housing Authority for storm water detention facility.
- D) Consideration and action, if any, authorizing City Manager to negotiate contract with Bookem Nano LLC for entertainment and showcase entertainment group for HubPhest on April 9-11, 2015.

- E) Consideration and action, if any, on service agreement with Doctors Hospital at Renaissance, LTD for Pharr Fit Healthy Challenge.
- F) Consideration and action, if any, on services agreement with South Texas Health System for Smoking Cessation Program for the City of Pharr.
- G) Consideration and action, if any, on renewal of CodeRED Agreement.

7. LEGAL:

- A) Consideration and action, if any, on City of Pharr v City of Alamo; CL-09-3347-D.

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 3 - 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 City of Pharr v City of Alamo, 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 of Deputy City Managers, 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

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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 12th day of December 2014, at 5:00 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 12TH DAY OF DECEMBER 2014.




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: _____