



**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, JANUARY 21, 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 December 2013 Tax Collection Report
- D) Submission of January 2014 Sales Tax Report
- E) City events of interest – Newspaper Recycling Winners
- 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 January 7, 2014 - Regular Called Meeting.

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

1. Mauricio Jaramillo has applied 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 a Lots 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 East Ferguson Avenue
2. Charles H. Mercer, Jr., d/b/a Carino's Italian Grill, has applied 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 Lots 4A and 5A, Paradise Commercial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 601 South Jackson Road

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

PUBLIC HEARING: Solicitation of comments for the proposed Drinking Water State Revolving Fund (DWSRF) Clean Water Tier II Program for the City of Pharr Water Transmission Expansion Project and Elevated Storage Tank Project.

- A) Consideration and action, if any, on Ordinance regulating mobile food trucks and concession trailers.
- B) Consideration and action, if any, on Resolution approving tax resale on bid received on struck-off property described as 1.00 acre, more or less, out of the southwest corner of Lot 181, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.
- C) Consideration and action, if any, on Resolution authorizing reimbursement of proceeds to U.S. Bancorp to be made in connection with the acquisition and construction of certain capital purchases.
- D) Consideration and action, if any, on Resolution to participate in the Texas Parks and Wildlife Department Recreation Trails Grant Program.

5. ADMINISTRATIVE:

- A) Presentation by Linebarger Goggan Blair and Sampson, LLP on Quarter Delinquent Property Tax Collection Report for the reporting period of October 1, 2013 through December 31, 2013.
- B) Presentation and update on Pharr International Trade Center Building by the Warren Group.

- C) Consideration and action, if any, on letter of support extending H.B. 474 overweight corridor U.S. 281 north to Anaya Road.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on Memorandum of Understanding between City of Pharr, Ameri-Link and Copsync.
- B) Consideration and action, if any, authorizing City Manager to negotiate a contract with CH2M Hill for traffic and revenue study.
- C) Consideration and action, if any, authorizing City Manager to negotiate a contract with S&GE (Sherfey) Engineering for the Waste Water Treatment Plant Clarifier Rehabilitation Project.
- D) Consideration and action, if any, authorizing City Manager to negotiate a contract with Sam Garcia Architects for the design and construction of the new Public Works Recycling Center.

7. LEGAL:

- A) Consideration and action, if any, on *City of Pharr v. Yaro, Inc. and JHMMD Partners, LLC*; CL-10-2401-H.
- B) Consideration and action, if any, on *City of Donna v. City of Pharr*, C-0228-13-l.

- 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. Yaro, Inc. and JHMMD Partners, LLC*, CL-10-2401-H; and *City of Donna v. City of Pharr*, C-0228-13-l, 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,**

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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 17th day of January 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 17TH DAY OF JANUARY 2014.


HILDA PEDRAZA, TRMC
CITY CLERK

_____ 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: _____