



**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, MAY 6, 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. PROCLAMATIONS:

- A) Presentation of Proclamation proclaiming the month of May as National Bike Month and Bicycle Safety Month.
- B) Presentation of Proclamation proclaiming the month of May as Motorcycle Safety and Awareness Month.
- C) Presentation of Proclamation proclaiming Valley View Soccer Team State Finalists Day.

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 – Bill Ueckert
- B) Submission of Quarterly Report ending March 31, 2014
- C) City Events of Interest
- D) 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 April 15, 2014 - Regular Called Meeting.
- B) Consideration and action, if any, on Change Order # 3 in the amount of \$12,762.65 for Sam Houston Project CSJ: 0921-02-256.
- C) Consideration and action, if any, authorizing City Manager to advertise for street rehabilitation and paving improvements at Capote Central, Toro Avenue, and Matador Street located in Capote Industrial Park and Lamar Drive in the Las Milpas Industrial Park.
- D) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Luby's Bevco Inc. d/b/a Luby's Cafeteria, is requesting the 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 more fully described as Lot 1, El Centro Mall No. 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1900 W. Expressway 83.
 - 2. Ramiro Armendariz, d/b/a Jackie's Bar and Grill, 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 the S150' of Lots 5-10, Block 1, Colonia Santa Barbara Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 819 W. Ferguson.
 - 3. Red Tape VI, represented by Mr. Ramiro Armendariz, d/b/a Stiletto's Gentlemen's Club, 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 Lot 2, Albrad Subdivision Unit #3 Pharr, Hidalgo County, Texas. The property's physical address is 1050 N. Sugar Rd.
 - 4. R.G.V. & Associates, d/b/a Kids Kastle Event Center, 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 200, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6719 S. Jackson Rd.
 - 5. Oscar Barrera, d/b/a Texas Theater Ballroom, is requesting renewal of the 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 Lots 10-12 and N11.5' of Lot 13, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 115 E. Newcombe (Park) Ave.

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6. Raul Martinez, d/b/a The Fraternal Order of Eagles of Pharr, Texas, is requesting renewal of the 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 Lot 3, Block 58, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 305 S. Cage Blvd.
7. Laura V. Terrazas and Juan Terrazas, d/b/a Para Tacos La Chilanga, 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 2, CVS Pharmacy No. 10142 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1305 South Cage Boulevard, Suites 1 & 2.
8. Dann C. Narveson, Director of SCI Management representing Esponjas Development Ltd., has filed with the Planning and Zoning Commission a request for a change of zone from a Heavy Commercial District (H-C) to an Agricultural Open-Space District (A-O). The property is legally described as the South 15.0 feet of Lot 17, street right of way and all of Lots 18-22, Amended Valley Cathedral Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 4600 Block of North Sugar Road.
9. Dann C. Narveson, Director of SCI Management representing Esponjas Development Ltd., 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 the South 15.0 feet of Lot 17, street right of way and all of Lots 18-22, Amended Valley Cathedral Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 4600 Block of North Sugar Road.

REGULAR AGENDA – OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-25 Parks and Recreation Department's Aquatic Center Fee Schedule.
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2014-14 (Sign Ordinance).
- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-12 (Noise Ordinance).
- D) Consideration and action, if any, on Resolution adopting City of Pharr Investment Policy.
- E) Consideration and action, if any, on Resolution appointing/re-appointing City Clerk and Assistant City Clerk.
- F) Consideration and action, if any, on Resolution writing off tax obligations and expenditure of funds for tax sale.

- G) Consideration and action, if any, on Resolution cancelling/rescheduling the City Commission Meeting of May 20, 2014.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, authorizing City Manager to submit a letter of support for HCRMA Tiger Grant Application for State Highway 365 Project.
- B) Consideration and action, if any, on acceptance of the Lower Rio Grande Valley Development Council Grant funds in the amount of \$30,000 for the operations of the Pharr Public Works Recycling Division.
- C) Presentation by Bluestem Enterprises, Inc. on PayCheck Direct program.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on agreement between City of Pharr and Bluestem Enterprises, Inc. d/b/a PayCheck Direct.
- B) Consideration and action, if any, amending Occupancy Agreement between the City of Pharr and Oscar Vera for 207 W. Newcombe Avenue.
- C) Consideration and action, if any, on contract with David V. Aguilar (Partner) Global Intelligence & Security Strategies for feasibility study on the I-69 Corridor.
- D) Consideration and action, if any, on contractual agreement with Purpose Driven Polygraph Investigative Consultants LLC for professional services.
- E) Consideration and action, if any, authorizing City Manager to extend contract for one year with TAG Grinding Services for Catastrophic Event Debris Removal.
- F) Consideration and action, if any, authorizing City Manager to negotiate contract with Aldana Engineering for Design Traffic Signal at Sugar Road and Sioux Road.
- G) Consideration and action, if any, authorizing City Manager to negotiate contract with Aldana Engineering & Traffic Design, LCC for a traffic study analysis for Traffic Signal into the Pharr Produce District Subdivision at US Military Road and Sugar Road.
- H) Consideration and action, if any, authorizing City Manager to negotiate contract with TEDSI Infrastructure Group, Inc. for professional services for Owassa Road (Jackson to US 281).

8. LEGAL:

A) Consideration and action, if any, on *City of Donna v. City of Pharr*, C-0228-13-I.

9. **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 - 8 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 Donna v. City of Pharr*, C-0228-13-I; 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.

10. **RECONVENE** into Regular Session, and consider action, if necessary on any item(s) discussed in closed session.

11. 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 2nd day of May 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 2ND DAY OF MAY 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: _____