



**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, MAY 22, 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 week of May 19-23, 2014 as National Public Works Week.

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 monthly report – Pharr Municipal Court
- C) Submission of April 2014 Tax Collection Report
- D) Submission of May 2014 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)*

AGENDA REGULAR-SPECIAL MEETING
MAY 22, 2014

- A) Approval of Minutes for May 6, 2014 - Regular Called Meeting.
- B) Consideration and action, if any, on Change Order #7 in the deduct amount of \$26,505.00 for the Pharr Aquatic Facility.
- C) Consideration and action on Planning & Zoning Cases:
Public Hearing
1. Sergio R. Garcia, d/b/a Aragon Music Hall, 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 1, 2 & 4, Replat of Lot 1, Mexican Fiesta Subdivision Unit No. 1 and Lot 1, Mexican Fiesta Subdivision Unit No. 2 Pharr, Hidalgo County, Texas. The property's physical address is 1300 W. Nolana.
 2. Alba Dora Pedraza, d/b/a Sepi's 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 22, Block 30, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 212 W. State Street.
 3. Aurelio Cadena, d/b/a Tejas Restaurant, 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 11, Maco Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1308 Maco Drive.
 4. National Concessions Services, Ltd., c/o Maria E. Megret, 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 1, Tip-O-Tex Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3000 N. Cage Blvd.
 5. 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 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 6903 South Jackson Road.

PLATS:

6. Salinas Engineering & Associates, representing Roberto Guajardo, is requesting final plat approval of the proposed Bienes Guajardo Subdivision. The property is legally described as being the north 102 feet of Lot 1C, Pharr South Subdivision Unit No. 1, Pharr, Hidalgo County, Texas. The property's physical address is 1522 S. Cage Blvd.

REGULAR AGENDA – OPEN SESSION:

PUBLIC HEARING: Solicitation of comments on the use grant funds for the purchase of mobile remoter fingerprint devices.

5. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2014-14 (Sign Ordinance).
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-12 (Noise Ordinance).
- C) Consideration and action, if any, on Ordinance appointing/re-appointing Municipal Court Judges.
- D) Consideration and action, if any, on Ordinance amending Ordinance No. O-2007-56 (sewer base rates for NAWSC customers).
- E) Consideration and action, if any, on Resolution designating venue projects and designating the methods of financing such venue projects, all pursuant to Chapter 334, Texas Local Government code, as amended; and containing other matters related thereto.
- F) Consideration and action, if any, on Resolution authorizing review of Texas Gas Service Company's ("TGS") Cost of Service Adjustment ("COSA") Tariff.
- G) Consideration and action, if any, on Resolution authorizing Police Chief to submit application and accept Edward Byrne Memorial Justice Assistance Grant Program FY 2014 Award for \$21,435 for the purchase of Mobile Remote Fingerprint Devices.
- H) Consideration and action, if any, on Resolution adopting the One Year Action Plan FY2014-2015 for submittal to the U.S. Department of Housing and Urban Development (HUD).
- I) Consideration and action, if any, on Resolution designating the Mayor of the City of Pharr to give notice of intent to reimburse expenditures with proceeds of tax exempt obligations.
- J) Consideration and action, if any, on Resolution accepting the updated Water Conservation and Drought Contingency Plan.

6. ADMINISTRATIVE:

- A) Consideration and action, if any, on acceptance of the Pharr Aquatic Center with Texas Descon, L.P. and release of final payment in the amount of \$ 83,830.51.

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on agreement between North Alamo Water Supply Corporation and the City of Pharr for billing services and rate increase.
- B) Consideration and action, if any, authorizing City Manager to negotiate contract with Beatty, Bangle, Strama (BBS) for legal services for Regional Water Priorities.
- C) Consideration and action, if any, authorizing City Manager to negotiate contract with S&GE, LLC. for engineering services for the Water Treatment Plant.
- D) Consideration and action, if any, on FEMA Community Safe Room design and locations.
- E) Consideration and action, if any, on real estate contract for property legally described as 132.5 acres out of Lot 275, 274, 271 and 12.5 acres out of Lot 270, Kelly-Pharr Tract, Pharr, Hidalgo County Texas.
- F) Consideration and action, if any, on consulting contract with Ramon Tovias.

8. LEGAL:

- A) Consideration and action, if any, on eviction and other legal matters related to Pharr International Services, LLC, Portable Cold Solutions, LLC, Rigoberto Eguia and all occupants including C-0599-14-21.
- B) Consideration and action, if any, on City of Pharr v City of Alamo; CL-09-3347-D.
- C) Consideration and action, if any, on City of Pharr v Kuroy Joint Venture, et al; CL-09-0573-H.

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 eviction and other legal matters related to Pharr International Services, LLC, Portable Cold Solutions, LLC, Rigoberto Eguia and all occupants including C-0599-14-21; on City of Pharr v City of Alamo; CL-09-3347-D; on City of Pharr v Kuroy Joint Venture, et al; CL-09-0573-H 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.

AGENDA REGULAR-SPECIAL MEETING
MAY 22, 2014

I, the undersigned authority, do hereby certify that the above notice of said Regular-Special 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 May 2014, at 11:30 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 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: _____