



**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 12:00 NOON ON
TUESDAY, OCTOBER 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
- B) Submission of monthly report – Pharr Municipal Court
- C) Submission of September 2014 Tax Collection Report
- D) Submission of October 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 October 7, 2014 – Regular Called Meeting.
- B) Consideration and action, if any, on request from South Texas Walking Club for support and assistance to the Texas Largest Judged Racewalks on Saturday, January 3, 2015.

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- C) Consideration and action, if any, on request from St. Anne's Catholic Church for street closures (Fir, Gumwood, Juarez and Lucas) for their annual fall festival on Saturday, November 1 and Sunday, November 2, 2014.
- D) Consideration and action, if any, on request from Pharr Police Department to close the 100 and 200 blocks of West Newcome Avenue from 6:00 a.m. to 11:00 p.m. on Friday, October 31, 2014 for the Pharr Phall Safety Phestival.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing
 - 1. Yesenia Carlin, d/b/a El Valle Restaurant, 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 2, Cantu-Guerra Subdivision No. 2, Pharr, Hidalgo County, Texas. The property's physical address is 405 North Veterans Boulevard.
 - 2. Hector Guerra, Jr. and Dana Denise Guerra, owners, have filed with the Planning and Zoning Commission a request for a change of zone from Agricultural Open-Space District (A-O) to a Single-Family Residential District (R-1). The property is legally described as a 9.855 acre tract of land out of the South one-half (1/2) of Lot seven (7), Block eight (8), A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1400 Block of West Moore Road.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-41 (Rental fees Pharr Events Center facility).
- B) Consideration and action, if any, on Ordinance amending Appendix A, Zoning, Article III, Section 1.48 (F) "Establishments selling or distributing alcoholic beverages for consumption on premises", and Section 1.93 "Definitions" to the Code of Ordinances of the City of Pharr, Texas.
- C) Consideration and action, if any, on Ordinance amending Chapter 26, "Businesses" by adding Article X, "Credit Access Businesses" to the Code of Ordinances of the City of Pharr.
- D) Consideration and action, if any, on Ordinance establishing an overweight corridor within the City of Pharr.
- E) Consideration and action, if any, on Ordinance amending Ordinance No. O-2014-11 the Department of Development Services fee schedule.

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- F) Consideration and action, if any, on Ordinance setting guidelines and framework for Neighborhood Empowerment Zone / Business Improvement District #1.
- G) Consideration and action, if any, on Resolution designating a certain area of the City as a Neighborhood Empowerment Zone / Business Improvement District #1.
- H) Consideration and action, if any, on Resolution cancelling/rescheduling the City Commission Meeting of November 4, 2014 due to Election Day.
- I) Consideration and action if any on Resolution ratifying meeting time of the City Commission meeting of Tuesday October 21, 2014.
- J) Consideration and action, if any, on Resolution entering into an agreement with TxDOT to close U.S. 281 (Cage Blvd.) on Saturday, November 15, 2014 from 6501 S. Cage Blvd. to 8001 S. Cage Blvd. for the St. Frances Xavier Cabrini Catholic Church parade from 1:00 pm to 4:00 pm.
- K) Consideration and action, if any, on Resolution authorizing the submission of grant application for the TxDOT Impaired Driving Mobilization Grant for \$12,000.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, on request by AJJB L.L.C. d/b/a El Valle Restaurant at for a mixed beverage late hours permit 405 N. Veterans' Boulevard ("I" Road).
- B) Consideration and action, if any, on contribution to run, ride, and share campaign.
- C) Consideration and action, if any, appointing voting delegate and an alternate to cast the city's vote at the National League of Cities Annual Business Meeting on Saturday, November 22, 2014.
- D) Consideration and action, if any, on request from CASA of Hidalgo County, Inc. for use of the Pharr Events Center on Sunday, December 14, 2014 from 12:00 noon to 3:00 p.m. for their annual Christmas party.
- E) Consideration and action, if any, on sponsorship request from Comfort House on their 25 years of caring celebration.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on contract with Insituform to perform smoking test, cleaning, grease removal, videotaping of gravity sewer lines.

- B) Consideration and action, if any, on acceptance of accreditation agreement with American Public Works Association (APWA) for the Public Utilities Department.

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 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 17th day of October 2014, at 4:30 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 OCTOBER, 2014.



Sonia H. Padron, Asst.
for HILDA PEDRAZA, TRMC
CITY CLERK

I hereby 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: _____