



**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 4:20 PM ON
MONDAY, SEPTEMBER 17, 2018**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2015-28. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

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) Proclamation proclaiming Valley Voter Awareness Month.
(ADMINISTRATION)

3. PUBLIC COMMENTS/PUBLIC HEARINGS:

A) PUBLIC COMMENTS: (Ordinance No. O-2015-28) A registered speaker may speak on several items or topics of public concern; however, a speaker may not exceed three (3) minutes as a whole when addressing the board. A registered speaker may not donate time to another speaker. No more than five (5) registered persons may speak at a scheduled meeting. A sign-in form must be filled out prior to the meeting to allow the registered speaker to address the governing body.

B) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: (Ordinance No. O-2015-28). A registered speaker during the public hearing may not exceed three (3) minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.

C) Public Hearing: Solicitation of comments on 2018 Local Edward Byrne Memorial Justice Assistance Grant. (POLICE)

4. 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) Submission of Sales Tax Collection report for September 2018. (FINANCE)
- B) Submission of Tax Collection Report for August 2018. (FINANCE)
- C) City Events of Interest.

5. 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 August 20, 2018 Regular Called Meeting and September 4, 2018 Regular Called Meeting. (ADMINISTRATION)
- B) Consideration and action authorizing City Manager to advertise for bids for the rehabilitation of the Expressway 83 Elevated Water Storage Tank. (ENGINEERING)
- C) Consideration and action on request from PSJA ISD to waive non-profit rental rate fees of Pharr Events Center for Monday, September 24, 2018 for National Voter Registration Day event. (EVENTS CENTER)
- D) Consideration and action on request from Amigos Del Valle, Inc. for sponsorship for \$250.00 for their 44th Annual King & Queen Coronation event on November 14, 2018. (ADMINISTRATION)
- E) Consideration and action on request from St. Margaret Mary Catholic Church for monetary donation in the amount of \$1,000.00. (ADMINISTRATION)
- F) Consideration and action on Development Services Cases:
 - 1. City of Pharr, d/b/a Tierra del Sol Golf Club, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Planned Unit Development District (PUD). The property is legally described as being a tract of land containing 139.37 acres, more or less, out of Lots 225, 226, 238, 239, 240, 241, 242 and 243 and all land comprising of the Golf Course, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 700 East Hall Acres Road. **CUP#160628**

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2. Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). Being Lot A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 South Cage Boulevard, Suites A & B. **CUP#110757**
3. All Square, Inc., represented by Mr. Ramiro Armendariz, d/b/a Jackie's, 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 Colonia Santa Barbara, S150' of Lots 5-10, Block 1, Pharr, Hidalgo County, Texas. The property's physical address is 819 West Ferguson. **CUP#120419**
4. Ramon Roque has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). The property is legally described as being Lot 72, Los Ebanos Subdivision Phase I, Pharr, Hidalgo County, Texas. The property's physical address is 713 East Anaya Road. **CUP#180856**
5. Delfina Villalobos has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). The property is legally described as being Lot 59, San Gabriel Phase I Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 901 West Starr Avenue. **CUP#180539**
6. Benito Lopez has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Oversized Storage Unit (larger than 120 square feet) in a Single-Family Residential District (R-1). The property is legally described as being the N180'-W100', Block U, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property's physical address is 229 West Jones Avenue. **CUP#180860**
7. Elena Ochoa-Gudino has filed with the Planning and Zoning Commission a request for a Special Use Permit to allow the outside storage of materials and/or equipment in an Agricultural and/or Open Space District (A-O). The property is legally described as being a 20.31 acre tract of land, more or less, out of Lots 5 & 6, Block 13, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located between the 1600 and 1900 Block of West Military Highway (281). **SUP#180859**
8. NSGI LLC, a Texas Limited Liability Company, has filed with the Planning and Zoning Commission a request for a change of zone from Neighborhood Commercial District (N-C) to General Business District (C). The property is legally described as being all of Lot 7, Tara Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1032 West Sam Houston. **COZ#180753**
9. Shavi Mahtani/ Domain Development, representing Gary A. Hosmer, Trustee of the Hosmer Living Trust, and Barbara A. Smith, has filed with the Planning and Zoning Commission a request for a change of zone from Agricultural and/or Open Space District (A-O) to Single-Family Residential District (R-1). The property is legally described as being 17.272 acres, more or less, out of Lot 90, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 800 Block of West Minnesota Road. **COZ# 180855**

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10. The City of Pharr, for the betterment of the city, has filed a request for a change of zone from Agricultural and/or Open Space District (A-O) to General Business District (C). The property is legally described as the North Ten (N10) acres of the West One-Half (W ½) of Lot No. Two Hundred Twenty-One (221), Kelly-Pharr Subdivision, Hidalgo County, Texas. The property's physical address is 1801 South Cage Boulevard. **COZ#180861** (DEVELOPMENT SERVICES)

PLATS:

1. R. Gutierrez Engineering Corporation, representing Cano Enterprises, LLC, is requesting preliminary plat approval of the proposed Grande Produce Warehouse No. 2 Subdivision. The property is legally described as being 5.10 acres of land out of the west 200.00 feet of Lot 9, Block 16, John Closner ET. AL Subdivision, San Juan, Hidalgo County, Texas. The property is located within the 2900 Block of West Dicker Road.

2. Melden & Hunt, Inc., representing Shavi Mahtani, President of Domain Development Corp., is requesting final plat approval of the proposed West Ridge Estates Subdivision. The property is legally described as being a re-subdivision of 17.727 acres out of Lot 90, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 5100 Block of North Sugar Road. **SUB#170410** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance creating the Public Safety Communications Advisory Committee and setting By-Laws. **(3rd and Final Reading)** (COMMUNICATIONS)

B) Consideration and action, if any, on Ordinance setting forth the purpose of establishing a curfew for Minors. **(3rd and Final Reading)** (POLICE)

C) Consideration and action, if any, on Ordinance amending Ordinance O-2018-06. **(1st Reading)** (PARKS)

D) Consideration and action, if any, on Ordinance adopting Tax Rate for FY 2018-2019. **(Adoption on 1st Reading)** (FINANCE)

E) Consideration and action, if any, on Ordinance adopting and approving the Budget for year beginning October 1, 2018 and ending September 30, 2019. **(Adoption on 1st Reading)** (FINANCE)

F) Consideration and action, if any, on Resolution in support of strengthening the Texas Trauma Network. (ADMINISTRATION)

7. ADMINISTRATIVE:

- A) Consideration and action, if any, on Budget for Pharr Economic Development Corporation II for Fiscal Year 2018-2019. (FINANCE)
- B) Consideration and action, if any, on Budget for Tax Increment Reinvestment Zone No. 1 for Fiscal Year 2018-2019. (FINANCE)
- C) Consideration and action, if any, on Budget for Tax Increment Reinvestment Zone No. 2 for Fiscal Year 2018-2019. (FINANCE)
- D) Consideration and action, if any, on Budget for Pharr Housing Finance Corporation for Fiscal Year 2018-2019. (FINANCE)
- E) Consideration and action, if any, on Budget for Pharr Housing Finance Corporation Jackson Place Apartments for Fiscal Year 2018-2019. (FINANCE)
- F) Consideration and action, if any, on Change Order # 1 for upgrades for Hazardous Material Pumper with Municipal Fire Apparatus Specialists LLC for the amount of \$24,626.00. (PROJECT #1718-01-515-P008-003) (FIRE)
- G) Update on Golf Course Operations. (ADMINISTRATION)
- H) Consultation with the Board of Commissioners on review of the City's Organizational Structure. (ADMINISTRATION)

8. PURCHASING:

- A) Consideration and action, if any, authorizing City Manager to execute a Purchase and Installation Contract for the replacement of an MCIFlowtronex PLC Pump Station Control Panel in the amount of \$59,362.85 for Tierra del Sol Golf Club.(Project #1718-75-510-P027-001) (PARKS)

9. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, on agreement with Hollis Rutledge and Associates, Inc. for lobbying services. (Project #1718-01-510-S027-001) (ADMINISTRATION)
- B) Consideration and action, if any, authorizing City Manager to enter into an Interlocal Agreement with the City of Weslaco for Animal Shelter services. (Project #1718-01-517-S030-001) (PUBLIC WORKS)

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C) Consideration and action, if any, on Interlocal Agreement and payment of Palm Valley Animal Center invoices for Animal Shelter Services provided to the City of Pharr for FY17-18. (Project #1718-01-517-S004-001) (PUBLIC WORKS)

D) Consideration and action if any, on Interlocal Agreement with the South Texas Auto Theft Task Force for FY 2018-2019. (Grant # 608-16-0310100) (POLICE)

E) Consideration and action, if any, authorizing City Manager to execute a Product License Agreement with Nearmap US Inc. for high resolution aerial imagery. (Project #1718-01-528-IPQ049-001) (ENGINEERING)

F) Consideration and action, if any, authorizing City Manager to amend the contract with R. Gutierrez Engineering Corporation for Professional Engineering Services for the Jones Box Park Phase II- West Expansion Project. (Project No. 1718-01-510-IPQ005-001) (ENGINEERING)

G) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Millennium Engineers Group, Inc. for Construction Material Testing Services for the Pharr Bridge Business Park Paving Improvements. (Project #1718-01-528-S028-001) (ENGINEERING)

H) Consideration and action, if any, authorizing City Manager to award Supply Contract(s) for the Purchase & Delivery of RCP, Manholes, and Inlets to multiple vendors. (Project #1718-01-528-IPQ033-242) (PUBLIC WORKS)

I) Consideration and action, if any, authorizing City Manager to award Supply Contract for the Purchase & Delivery of HMA, Cold Mix, and Caliche. (Project#1718-01-528-SP007-115) (PUBLIC WORKS)

J) Consideration and action, if any, authorizing City Manager to award Construction Materials Public Works Prime Coat MC-30 and RC250 Tack Coat (Project#1718-01-528-IPQ031-139). (PUBLIC WORKS)

K) Consideration and action, if any, authorizing City Manager to award Thomas Road Left Turn Lanes Construction Project. (Project No. 1718-39-510-C009-252) (ENGINEERING)

L) Consideration and action, if any, authorizing City Manager to award Construction Contract for Jackson Road Right Turn Lanes. (Project No. 1718-40-510-C010-252) (ENGINEERING)

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M) Consideration and action, if any, authorizing City Manager to terminate contract with Marco A. Arredondo, Inc. for energy consulting services. (ADMINISTRATION)

N) Consideration and action, if any, authorizing City Manager to terminate contract with Rio Regional Infrastructure Services LLC. (BRIDGE)

O) Consideration and action, if any, amending Professional Service Agreement and Lobbying Services with Border Infrastructure Consulting LLC. (Project #1718-70-510-S029-001) (BRIDGE)

P) Consideration and action, if any, amending the City of Pharr's Economic Development Policy to include the utilization of the state law exception(s) to competitive bidding (as provided by Section 272.001 Texas Local Government Code) for the sale and conveyance, lease, or trade of certain real property through a negotiated process to promotes quality development and expansion of the City's existing business tax base. Therefore, the City does hereby adopt and amend a policy and program as part of its economic development and business incentives that the Board of Commissioners, upon receipt of a written recommendation from the City Manager, may sell or exchange land without competitive bidding and at or below market value pursuant to the state law exception(s) as specified in an Economic Incentive Agreement for Project Exchange. (ADMINISTRATION)

Q) Consideration and action, if any, on contract amendment and extension with Waste Management of Texas. (ADMINISTRATION)

10. 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 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.

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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.

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

12. 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 imelda.barrera@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 14th day of September 2018 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 14th day of September 2018

Hilda Pedraza
HILDA PEDRAZA, TRMC, CMC
CITY CLERK

I declare 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 _____, 20____ by,

Title: _____