



**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 4:00 PM ON
MONDAY, OCTOBER 1, 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 Fire Prevention Week. (FIRE)
- B) Proclamation proclaiming Red Ribbon Week. (ADMINISTRATION)
- C) Proclamation proclaiming National Cyber Security Awareness Month. (IT)

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.*

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) City Engineer's Report

B) 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 September 17, 2018 Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for closure of U.S. 281 (Cage Blvd.) from Polk Avenue to Kelly Avenue for the 19th Annual Tri-City Red Ribbon Parade on Saturday, October 27, 2018 from 7:00 a.m. to 11:00 am. (POLICE)

C) Consideration and action on request from Make-A-Wish-Foundation of the Rio Grande Valley to waive rental fees of Pharr Events Center for their Christmas Party on Tuesday, December 11, 2018. (EVENTS CENTER)

D) Consideration and action on request to advertise with Inbound Logistics. (Project #1718-70-510-S033-001) (BRIDGE)

E) Consideration and action on request to advertise with Texas Border Business for \$1,248/month for (2) months and \$1,310/month for (10) months. (BRIDGE)

F) Consideration and action on request to advertise with T21 for \$1,784/month for (2) months and \$2,961/month for (4) months. (BRIDGE)

G) Consideration and action authorizing publication in the 2019 National Customs Brokers & Forwarder Association of America Membership Directory for \$2,679. (BRIDGE)

H) Consideration and action on request from PSJA Southwest High School for sponsorship in the amount of \$1,000 for their Javelina Thunder Tournament on Saturday, October 13, 2018. (ADMINISTRATION)

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I) Consideration and action authorizing City Manager to declare No Salvage Value on items inside original Police Department /Municipal Court Building located at 202 E. Clark Ave. and City Storage Building located South of the Events Center on 3000 N. Cage (Project #1718-01-512-IPQ056-001). (PARKS)

J) Consideration and action authorizing City Manager to declare various items submitted by various City departments as "Surplus Items" to be disposed of through the "Public Auction" process. (POLICE)

K) Consideration and action on Development Services Cases:

1. Macumba Paradise, LLC, , d/b/a La Cabaña Sinaloense, 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 being 0.102 acres, more or less, out of Lot 97, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.The property is physically located at 1209 East Nolana Loop. **CUP#160736**

2. Chipotle Texas, LLC, 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 being 0.05 acres, more or less, out of Replat of vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivisions, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite N-1. **CUP#160942**

3. R.G.V. & Associates/Laura L. Garza, d/b/a George's Dance Hall, 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 being Lots 197, 198, and 199, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas.The property's physical address is 6801 South Jackson Road. **CUP#120529**

4. Antonio Rodriguez and Sylvia Rodriguez, d/b/a Verona Event Center II, LLC, are requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C). The property is legally described as being Lots 2 and 3, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 109 East Ferguson Avenue. **CUP#100623**

5. Tropical Island #2 has 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 being all of Lot 2-B, Jackson Ridge Court Subdivision, Pharr, Hidalgo County, Texas.The property's physical address is 1801 West Ridge Road. **CUP#180857**

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6. Tropical Island has 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 Heavy Commercial District (H-C). The property is legally described as being all of Lot B-1, Northpoint Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1911 North Veterans Boulevard. **CUP#180858**

7. Vanguard Academy, Inc. has filed with the Planning and Zoning Commission a request for Life-of-the-Use Conditional Use Permit to allow an Institutional Use (school) in an Office Professional District (O-P). The property is legally described as being Lot 1, Templo Bethel Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 400 South Veterans Boulevard. **CUP#180862**

8. Community Development Institute-Head Start has filed with the Planning and Zoning Commission a request for Life-of-the-Use Conditional Use Permit to allow an Institutional Use (school) in a Single-Family Residential District (R-1). The property is legally described as being all of Lot 20, Las Fuentes Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 210 West Navarro Street. **CUP#180863**

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance O-2018-06. **(2nd & Final Reading)** (PARKS)

B) Consideration and action, if any, on Ordinance amending Ordinance O-2017-41 for budget amendments to the Fiscal Year 2017-2018 Budget. **(Adoption on 1st Reading)** (FINANCE)

C) Consideration and action, if any, on Ordinance authorizing and ordering the Issuance of City of Pharr, Texas Combination Tax and Revenue Certificates of Obligation, Series 2018 in the maximum aggregate principal amount of \$20,000,000.00 for the acquisition, construction and improvements of certain public works; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; and making other provisions regarding such certificates, including use of the proceeds thereof; and matters incident thereto. **(Adoption on 1st Reading)** (FINANCE)

D) Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-55 relating to the number of authorized civil service positions within the Fire and Police Department. **(1st Reading)** (HR)

E) Consideration and action if any, on Ordinance creating an annual registration and inspection process for multi-family dwellings. **(1st Reading)** (DEVELOPMENT SERVICES)

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F) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for public purpose; establishing procedures for the acquisition of market value for the property to be acquired; and directing the City Manager or designee to communicate offers to owners for purchase of property, appropriate funds, and authorizing condemnation proceeding by City Attorney, contingent on available funding. (DEVELOPMENT SERVICES)

G) Consideration and action, if any, on Resolution appointing/re-appointing one (1) member to the Beautification Committee. (PUBLIC WORKS)

H) Consideration and action, if any, on Resolution declaring the Sanitary Sewer Line Improvements along Moore Rd as an "Emergency Construction" and authorize City Manager to negotiate and enter into a contract not to exceed the budget amount. (ENGINEERING)

7. ADMINISTRATIVE:

A) Presentation of Annual Financial Budget for Fiscal Year 2018-2019. (FINANCE)

B) Presentation of Five-Year Budget Plan for FY 2019-2023. (FINANCE)

C) Consideration and action, if any, on monument signage on the 1800 block of Interstate 2 West. Allowing City Manager to expend funds, negotiate and enter into a contract for the construction of a monument sign. (PARKS)

D) 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 award a Service Contract for the Printing of City of Pharr Business Cards (Project #1718-01-513-IPQ046-139). (PURCHASING)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Aldana Engineering & Traffic Design, LLC. to perform a traffic engineering study for Las Milpas Rd. between Jackson Rd. and Veterans Rd. (Project #1718-39-510-S032-001) (ENGINEERING)

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B) Consideration and action, if any, authorizing City Manager to solicit a scope and fee proposal and negotiate and enter into a contract with an architectural firm for Professional Architectural Services for the renovations of the Tierra Del Sol Golf Course Club House (Project #1718-01-528-S017-244-001). (ENGINEERING)

C) Consideration and action, if any, authorizing City Manager to amend the agreement with the Construction Manager at Risk (CMAR) for various parks projects. (ENGINEERING)

D) Consideration and action, if any, authorizing City Manager to extend the service contract with CERES Environmental Services, Inc. for Catastrophic Event Debris Removal services in the City of Pharr (Project #1718-01-517-S032-001). (PUBLIC WORKS)

E) Consideration and action, if any, on Agreement between the City of Pharr and the Pharr Community Theater FY2018-19. (Project #1718-01-520-IPQ054-001) (LIBRARY)

F) Consideration and action, if any, on Interlocal Agreement between the City of Pharr and the City of Edinburg for transferring of reclaimed road base materials to the City of Edinburg Landfill as per TCEQ requirements. (PUBLIC WORKS)

G) Consideration and action, if any, on Interlocal Agreement between the City of Pharr and the City of Mission for the purchase of traffic control devices and equipment (Project #1718-01-510-IPQ055-001). (PUBLIC WORKS)

H) Consideration and action, if any, authorizing the City Manager to enter into a contract with Bond & Bond Auctioneers, LLC. conduct a Public Auction selling Surplus Vehicles, Furniture, Equipment, Tools and Miscellaneous Items (Project #1718-01-512-IPQ057-002). (POLICE)

I) Consideration and action, if any, on Interlocal Agreement between the City of Pharr and the City of Penitas for Emergency Service Dispatch. (ADMINISTRATION)

10. LEGAL:

A) Consultation and action, if any, on Dahlia Ybarra v. City of Pharr, Gary Rodriguez, C-4849-16-F. (LEGAL)

B) Consultation and action, if any, on representation agreement in City of Pharr vs. Texas Municipal League, Littleton Group, C-2246-15-A (LEGAL)

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11. 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.

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.

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

13. 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 28th day of September 2018 at 3:45 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 28th day of September 2018.


HILDA PEDRAZA, TRMC, CMC
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 _____, 20__ by,

Title: _____