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, APRIL 1, 2019

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2018-45. 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 National Public Safety Telecommunicators Week. (COMMUNICATIONS)

3. PUBLIC HEARINGS:

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: *(Ordinance No. O-2018-45). 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.*

B) PUBLIC HEARING: Solicitation of comments on City of Pharr Water Conservation and Drought Contingency Plan 2019. (PUBLIC UTILITIES)

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 March 18, 2019 Regular Called Meeting and March 25, 2019 Special Called Meeting. (ADMINISTRATION)

B) Consideration and action on Resolution authorizing the Pharr Fire Department to apply for a FEMA Assistance to Firefighters Grant for Staffing Adequate Fire and Emergency Response (SAFER) Program. (FIRE)

C) Consideration and action on Resolution authorizing the Pharr Police Department to submit an application to the Office of the Attorney General for Victim Coordinator and Liaison Grant. (Application # 2020-00156) (POLICE)

D) Consideration and action on Addendum and Amended Escrow Agreement with Lone Star National Bank for the Public Safety Communications Building. (COMMUNICATIONS)

E) Consideration and action authorizing City Manager to enter into a one-year contract with SmartCom Solution for internet services at the Pharr Memorial Library. (LIBRARY)

F) Consideration and action on street closure request from St. Jude Catholic Church for their Annual Church Festival on Sunday, May 5, 2019 from 6:00 a.m. to 10:00 p.m. (ADMINISTRATION)

G) Consideration and action on Development Services Cases:

1. Yolanda G. Rodriguez has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an Accessory Use Structure (Guest house) in a Two-Family Residential District (R-2). The property is legally described as being Lot 33, Las Milpas Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 408 West Las Milpas Road. **CUP#190211**

2. Sebastian A. Sobczak, dba La Ofrenda, LLC, 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 Limited Industrial District (L-I). The property is legally described as Lot A, Re-Plat of Lots 9 & 10, Steel Horse Industrial Park Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 5704 North Gumwood. **CUP#130109**

3. Raul Fong, d/b/a D's Paradise Lounge, 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 14, Block 1, J. T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 107 East Newcombe Avenue (Park). **CUP#040213**

4. Jose E. Monroy, d/b/a Alicia's Su Cocina, 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 all of Lots 5 and 6, Ferguson Paradise Estates Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 805 East Ferguson Avenue. **CUP#180313**

5. Martin Ramirez has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow an oversize storage unit (larger than 120 square feet) in a Single-Family Residential District (R-1). The property is legally described as being Lot 12, Block 2, Bustamante Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 910 East Eller Avenue. **CUP#190215**

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance appointing Presiding Judge for Precinct Nos. 25 and 36 (Pharr Elementary School) for the General Municipal Election on Saturday, May 4, 2019. ***(Adoption on One Reading)*** (ADMINISTRATION)

B) Consideration and action if any, on Ordinance for a moratorium on the issuance of any permits for individually rented storage units within the City of Pharr. ***(2nd and Final Reading)*** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Ordinance renaming public roadway from Rancho Blanco Road to Javelina Drive. ***(3rd and Final Reading)*** (DEVELOPMENT SERVICES)

D) Consideration and action, if any, on Resolution authorizing emergency hiring of a Crime Analyst. (POLICE)

E) 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)

7. ADMINISTRATIVE:

A) Consideration and action, if any, on acceptance of the Witten Park & Pharr Sports Complex Lighting (Emergency) Project and Release Retainage in the amount of $5,688.75. (ENGINEERING)

B) Consideration and action, if any, on request for waiver for moratorium ordinance relating to individually rented storage units. (DEVELOPMENT SERVICES)

8. PURCHASING:

A) Consideration and action, if any, on deductive Change Order in the amount of $5,800 for Tyler Technologies project code # C1702B07. (POLICE)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on contract with Pyro Shows of Texas for live fireworks display for City of Pharr Independence Day Festival on Saturday, June 29, 2019 with a Rain-Date of Sunday, June 30, 2019. (EVENTS CENTER)

B) Consideration and action, if any, authorizing City Manager to award contract to Johnson Controls through the Buyboard Coorperative for the HVAC Building Automation System Controls at the Police Station and Memorial Library in the amount of $124,000.00. (ENGINEERING)

C) Consideration and action, if any, extending Comprehensive Economic Development Incentive Agreement for McAllen Levcal, LLC to December 31, 2029. (FINANCE)

D) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract for the purchase of Lots #3, 4, 5, and 6 and Lot #7 for additional downtown parking. (GMCD)

E) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract for engineering design services for Lift Station No. 1, No. 29 and No. 33 Elimination Project. (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.

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 29th day of March 2019 at 3:30 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 29th day of March 2019.

CITY OF PHARR PHARR, TEXAS

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: _____