



**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, NOVEMBER 6, 2017**

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. 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.*

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.

B) City Events of Interest.

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)*

A) Approval of Minutes for October 16, 2017 Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-37 (Rental of City Facilities). **2nd Reading** (PARKS)

C) Consideration and action, if any, on Ordinance amending Ordinance O-87-40 (Floods). **2nd Reading** (ENGINEERING)

D) Consideration and action, if any, on Ordinance amending Zoning Ordinance No. O-82-13 by adding a new section titled Single Family Residential Estate District (R1-E) and amending Sec. 1.20 OP office and professional district. **2nd Reading** (DEVELOPMENT SERVICES)

E) Consideration and action, if any, on Resolution changing the grantee's authorized official for the 2017 STOP Failure to Attend School Project Grant #2546806. (POLICE)

F) Consideration and action, if any, on Resolution changing the grantee's authorized official for the 2017 Crime Victims Liaison Project Grant #2987302. (POLICE)

G) Consideration and action, if any, on Resolution changing the grantee's authorized official for the 2016 Operation Stonegarden Grant #3173102. (POLICE)

H) Consideration and action, if any, on Resolution changing the grantee's authorized official for the 2017 First Offender Program Grant #2903703. (POLICE)

I) Consideration and action, if any, on sponsorship in the amount of \$1,500 for the Texan By Nature Learning Landscapes Luncheon for LRGV Schools on Wednesday, November 8, 2017. (ADMINISTRATION)

J) Consideration and action, if any, on sponsorship in the amount of \$3,000 for the Annual Renaissance Cancer Foundation Gala to be held on Sunday, December 3, 2017. (ADMINISTRATION)

K) Consideration and action, if any, on membership renewal with the Texas International Produce Association (TIPA) for \$2,000. (BRIDGE)

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- L) Consideration and action, if any, on NASCO annual membership dues for \$5,000. (BRIDGE)
- M) Consideration and action, if any, on approval of Deduct Change Order Number 2 and Final Reconciliation of Quantities for the West Moore Road Improvements Project (Bid Number 1617-01-528-025) (ENGINEERING)
- N) Consideration and action, if any, on Economically Disadvantaged County (EDC) Program Application for the Hi-Line Road Project From Cage Blvd. to Veterans Road CSJ#0921-02-375. (ENGINEERING)
- O) Consideration and action, if any, on Economically Disadvantaged County (EDC) Program Application for the Hi-Line Road Project From Jackson Road to Cage Blvd. CSJ#0921-02-376. (ENGINEERING)
- P) Consideration and action, if any, on Economically Disadvantaged County (EDC) Program Application for the Anaya Road Project From Cage Blvd. to Veterans Blvd. CSJ#0921-02-400. (ENGINEERING)
- Q) Consideration and action, if any, on request from Enrique Casas d/b/a Rick's Quick Stop for closing of W. State Street for their Customer Appreciation Day on Saturday, November 18, 2017 from 3:00 p.m. to 6:00 p.m. (ADMINISTRATION)
- R) Consideration and action, if any, authorizing City Manager to advertise for proposals for Capital Lease Financing for Capital Equipment approved for FY 2017-2018. (FINANCE)
- S) Consideration and action, if any, on request from Entravision Communications to waive rental fees of Boggus Ford Events Center for their Anniversary Concert event on Wednesday, November 29, 2017. (EVENTS CENTER)
- T) Consideration and action, if any, on request from the Pharr Economic Development Corporation II to waive rental fees for use of Boggus Ford Events Center for hosting the Fall meeting of the PSJA ISD Advisory Committee Meeting on Tuesday, November 14, 2017 from 2:00 pm - 9:00 pm. (EVENTS CENTER)
- U) Consideration and action, if any, on request from U.S. Customs and Border Protection to waive rental fees of the Boggus Ford Events Center for their Annual Texas Round up event Tuesday, December 12, 2017 and Wednesday, December 13, 2017. (EVENTS CENTER)

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V) Consideration and action, if any, on request from Miracle Kids of South Texas, Inc. for the usage of the Jose "Pepe" Salinas Memorial Civic Center-Large Hall for their Blue Santa Christmas event on Friday, December 22, 2017 from 6:00 p.m. to 8:00 p.m. (PARKS)

W) Consideration and action, if any, on Holt Power System Annual Maintenance Agreement at the Pharr International Bridge for \$3,360. (BRIDGE)

X) Consideration and action, if any, on Development Services Cases:

1. Melden & Hunt, Inc., representing Letitia L. Arnold, owner, is requesting 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 a 17.727 acre tract of land, more or less, out of Lot 90, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located between the 5300 and 5500 Block of North Sugar Road.

2. CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, 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 16.317 acre tract of land out of Lot 3, El Centro Mall No. 3 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road.

3. Gabriela's Heavenly Wings, d/b/a Wingstop 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 being Lot 2, Pleasanton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2211 South Cage Boulevard, Suite 105.

PLATS:

1. Consideration and action, if any, on a plat deferral request for the property physically located on the 5800 Block of S. Jackson Road and legally described as a 1.55 acre tract, more or less, out of Lot 8, Block 11, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas.

2. SAM Engineering & Surveying Inc., representing Hector & Norma Espino are requesting final plat approval of the proposed Espino Subdivision. The property is legally described as being a 1.15 acres, out of Lot 175, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 800 Block of West State Avenue.

REGULAR AGENDA - OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance of the City of Pharr, Texas authorizing the issuance and sale of City of Pharr, Texas Tax Note, Series 2017, awarding the sale of said note, levying a tax in payment thereof; prescribing the form of said note; and enacting other provisions relating to the subject. (FINANCE)

B) Consideration and action, if any, on Resolution submitting entitlement votes for candidate(s) to the Appraisal District Board of Directors 2018-2019. (ADMINISTRATION)

C) 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; establishing fair 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. (ADMINISTRATION)

6. ADMINISTRATIVE:

A) Consideration and action, if any, on request to appeal the additional entrance for West Ridge Estates Subdivision, as requested by the Planning and Zoning Commission. (DEVELOPMENT SERVICES)

B) Consideration and action, if any, on request for Residential Incentive Program for the property legally described as being a 20.00 acre tract of land out of Lot 78, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Change Order Number 1 for the Lift Station 25 and 16" Force Main Improvements (Bid No. 1516-02-582-0028). (ENGINEERING)

D) Consideration and action, if any, awarding proposal for Electric Service (RFP No. 1617-01-511-0037). (ADMINISTRATION)

7. CONTRACTS/AGREEMENTS:

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- A) Consideration and action, if any, authorizing the Pharr Police Department to enter into a contract with Axon Enterprises Inc. for an unlimited TASER Cartridge Plan. (POLICE)
- B) Consideration and action, if any, authorizing City Manager to amend the contract with R. Gutierrez Engineering Corporation for Professional Surveying Services for the West Las Milpas Road Project. (ENGINEERING)
- C) Consideration and action, if any, on TRMI Computerized Toll Collection System Maintenance Agreement for 12 months for a total of \$16,933.20. (BRIDGE)
- D) Consideration and action, if any, authorizing City Manager to amend the contract with Diseño, Inc. for Professional Architectural Services for the Renovations of Jose "Pepe" Salinas Civic Center Project. (ENGINEERING)
- E) Consideration and action, if any, on Interlocal Agreement with Hidalgo County for Hidalgo County Linear Park Project through the City of Pharr. (ADMINISTRATION)
- F) Consideration and action, if any, on Memorandum of Understanding with Frontera Consulting LLC. on consulting services for City/PSJA Wifi Project. (ADMINISTRATION)
- G) Consideration and action, if any, authorizing City Manager to amend the contract with The Warren Group, Inc. for Professional Architectural Services for the City of Pharr-New Fire Station No. 4 Project. (ENGINEERING)
- H) Consideration and action, if any, on sales contract for property legally described as 23.48 acres of land, situated in the City of Pharr, Hidalgo County, Texas, and also being a part or portion of Lots 155-156 Kelly-Pharr Subdivision. (ADMINISTRATION)
- I) Consideration and action, if any, on lease agreement between City of Pharr and St. Judes Church for property at 505 S. Ironwood. (ADMINISTRATION)
- J) Consideration and action, if any, on 380 Stimulus Agreement with TOPGOLF USA PHARR, LLC. (ADMINISTRATION)
- K) Consideration and action, if any, on revised Letter of Intent (LOI) for Project Auto. (PEDC)
- L) Consideration and action, if any, on authorizing City Manager to negotiate and enter into an agreement for Construction Manager at Risk services for various park and fire station projects. (ADMINISTRATION)

8. LEGAL:

A) Consultation with attorney on legal matters concerning Envirolite Solutions (ELS) contract. (LEGAL)

B) Consultation with the City Commission on departmental staff. (ADMINISTRATION)

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.*

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.

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

11. ADJOURNMENT:

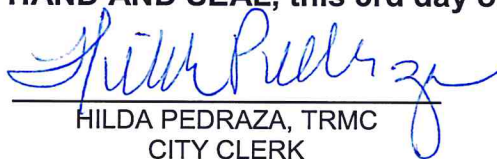
NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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 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 3rd day of November, 2017 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 3rd day of November, 2017.


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 _____, 20__ by,

Title: _____