



**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
WEDNESDAY, AUGUST 7, 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. 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.

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) 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)

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- A) Approval of Minutes for July 17, 2019 Regular Called Meeting.
(ADMINISTRATION)
- B) 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.
(ADMINISTRATION)
- C) Consideration and action on request from St. Anne Mother of Mary Church for street closures for their Annual Jamaica on Saturday, November 2, 2019.
(ADMINISTRATION)
- D) Consideration and action on request from Hidalgo County Elections Department to use the Jose "Pepe" Salinas Civic Center, the Pharr Development and Research Center, and the Pharr Memorial Library as polling locations for the upcoming Constitutional Amendment and Local Election on November 5, 2019; Primary Election on March 3, 2020; Primary Runoff Election on May 26, 2020; and General Election on November 3, 2020.
(ADMINISTRATION)
- E) Consideration and action authorizing City Manager to advertise for sealed bids for Polymer usage for the Water and Wastewater Treatment Plant. (Project #1819-60-584-SP004-011) (PUBLIC UTILITIES)
- F) Consideration and action authorizing City Manager to advertise for seal bids for Aluminum Sulfate and Liquid Ammonium Sulfate for the Water Treatment Plant. (Project #1819-60-582-SP005-011) (PUBLIC UTILITIES)
- G) Consideration and action authorizing City Manager to advertise for sealed proposals for the Downtown Park Fountain Sculpture. (Project #1819-01-528-C019-206) (ENGINEERING)
- H) Consideration and action authorizing City Manager to advertise for sealed bids for Jones Box Park Phase II Utility Improvements. (Project #1819-01-528-C018-210) (ENGINEERING)
- I) Consideration and action authorizing City Manager to advertise for sealed bids for the Javelina Drive Monument Signs. (Project #1819-01-528-C016-206) (ENGINEERING)

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J) Consideration and action authorizing City Manager to advertise for sealed bids for the Time Capsule at the Development and Research Center. (Project #1819-01-528-C017-206) (ENGINEERING)

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

L) Consideration and action on renewal of Interlocal Agreement with LRGVDC 9-1-1 and Pharr Police Department for use of Public Safety Answering Point (PSAP) services. (COMMUNICATIONS)

M) Consideration and action on renewal of Interlocal Agreement with LRGVDC 9-1-1 and Pharr Fire Department for use of Public Safety Answering Point (PSAP) services. (COMMUNICATIONS)

N) Consideration and action on Development Services Cases:

1. Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, 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 the S150' of Lots 17, 18 and 19, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 917 West Ferguson Avenue. **CUP#130630**

2. Marta's Bar 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 Business District (C-2). The property is legally described as being all of Lots 13-16, and the W10' out of Lot 12, Block 32, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property is physically located at 410 West State Street, Suite D. **CUP#160737**

3. Smokin' Moon, LLC. has filed with the Planning and Zoning Commission a request for Conditional Use Permit and Late Hours 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 1-A and the east 26.7 feet of Lot 1, Albrad Unit No. 1 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1617 West Polk Avenue. **CUP#180648**

REGULAR AGENDA - OPEN SESSION:

5. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance approving settlement agreement between the City of Pharr and the Texas Gas Service Company ("TGS") regarding the Cost of Service Adjustment ("COSA") Tariff. **(Adoption on 1st Reading)** (ADMINISTRATION)

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- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2018-33 Public Safety Communications Advisory Committee section 2.02.3 and section 2.01.4. **(Adoption on 1st Reading)** (COMMUNICATIONS)
- C) Consideration and action, if any, on Ordinance establishing procedures for public testimony. **(1st Reading)** (ADMINISTRATION)
- D) Consideration and action, if any, on Ordinance amending Ordinance O-2018-45 pertaining to public comments. **(1st Reading)** (ADMINISTRATION)
- E) Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-32 renaming the Pharr Beautification Committee to Keep Pharr Beautiful Committee. **(2nd Reading)** (ADMINISTRATION)
- F) Consideration and action, if any, on Ordinance amending Ordinance No. O-2010-33 regulating business, storage, disposal, registration and haulers for tires. **(2nd Reading)** (PUBLIC WORKS)
- G) Consideration and action, if any, on Ordinance amending Ordinance No. O-2017-12 (animal control). **(2nd Reading)** (PUBLIC WORKS)
- H) Consideration and action, if any, on Resolution appointing/reappointing members to the Toll Bridge Board. **(TABLED)** (BRIDGE)
- I) Consideration and action, if any, on Resolution appointing/re-appointing two (2) members to the South Pharr Outreach Library Board. (LIBRARY)

6. ADMINISTRATIVE:

- A) Consideration and action, if any, on acceptance of counter offer for easement located on the 1500 Block of W. Military Hwy. Pharr, Hidalgo County, Texas. (DEVELOPMENT SERVICES)
- B) Discussion and possible action on City of Pharr Special Election to be held on November 5, 2019. **(TABLED)** (ADMINISTRATION)

7. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing City Manager to award a Purchase and Delivery Contract for Ten (10) 4" Gorman Rupp Pump(s) & Motor Skid Assemblies to the 2nd lowest bidder. (Project# 1819-60-586-P020-013). (PUBLIC UTILITIES)
- B) Consideration and action, if any, authorizing City Manager to award a Supply Contract for the Purchase of Chlorine & Calcium Hypo-Chlorite for DPC Industries from Corpus Christi, Texas (Project# 1819-60-586-SP013-011). (PUBLIC UTILITIES)

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C) Consideration and action, if any, authorizing City Manager to enter into a twelve (12) month service agreement with Smartcom Telephone, LLC for data network connectivity to the Main Library and Police Departments. (Project #1819-01-518-IPQ069-001) (IT)

D) Consideration and action, if any, on agreement between Pharr Police Department and the Commission on Accreditation for Law Enforcement Agencies (CALEA) for Pharr Police Department tier 1 accreditation. (Project #1819-01-512-S033-001) (POLICE)

E) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Alvarado Architects & Associates, Inc. for Professional Architectural Services for the Javelina Drive Monument Signs in the amount of \$16,000. (Project #1718-01-528-S017-244-002) (ENGINEERING)

8. LEGAL:

A) Consultation and action, if any, on 17-CV-00396 and C-0217-18-G, Cabrera v. City of Pharr. (LEGAL)

B) Consultation and action, if any, on 18-CV-00002, Marin v. City of Pharr. (LEGAL)

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 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

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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 2nd day of August 2019 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 2nd day of August 2019.



Hilda Pedraza
HILDA PEDRAZA, TRMC, CMC
CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was posted on the bulletin board of City Hall on the ____ day of _____, 20__ by,

Title: _____