



**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, DECEMBER 18, 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. PROCLAMATIONS:

A) Proclamation proclaiming Melden & Hunt, Inc. Day.

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) Submission of December 2017 Sales Tax Report. (FINANCE)
- B) Submission of November 2017 Certified Tax Collection Report.(FINANCE)
- C) City Events of Interest. (ADMINISTRATION)

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 November 20, 2017 Regular City Commission Meeting. (ADMINISTRATION)
- B) Consideration and action if any, on Ordinance amending Ordinance No. O-2017-50 (Rental of City Facilities). **2nd Reading** (PARKS)
- C) Consideration and action, if any, on request from South Texas Agriculture Roundup Gala Committee to waive fees for the use of the Pharr Events Center on Saturday, January 20, 2018 for their Annual Scholarship Fundraiser. (EVENTS CENTER)
- D) Consideration and action, if any, on request from TXDOT for waiver of fees to use Pharr Events Center Thursday February 8, 2018 for Annual Safety Awards Banquet. (EVENTS CENTER)
- E) Consideration and action, if any, on request from PSJA ISD to waive fees for use of Pharr Events Center on Monday, January 15, 2018 for Female Empowerment Conference. (EVENTS CENTER)
- F) Consideration and action, if any, on request from PSJA ISD for waiving of rental fees of Pharr Events Center for Wednesday, January 31, 2018 for 2018 District Career Fair. (EVENTS CENTER)
- G) Consideration and action, if any, on request from Pharr Community Theater for waiving of fees for use of Pharr Events Center on Tuesday, December 19, 2017 for presentation of A Tejano Christmas Carol play. (EVENTS CENTER)

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H) Consideration and action, if any, on request from Pharr Housing Authority for waiving of fees for Pharr Events Center on Friday, December 22, 2017 for A Merry Little Christmas presentation subject to Pharr Housing Authority reimbursing the City of Pharr operating costs for staffing and security. (EVENTS CENTER)

I) Consideration and action, if any, request from Hidalgo County Elections Department for use of the South Pharr Development and Research Center as Early Voting and Election Day polling location for the upcoming Primary, Primary Runoff, and General Elections. (ADMINISTRATION)

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

1. Juanita Muñoz, representing Iglesia Centro de Poder de Dios, has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C).The property is legally described as being 0.05 acre tract of land, more or less out of Lot 1, Pamaad Subdivision, Pharr, Hidalgo County, Texas.The property's physical address is 1603 North Cage Boulevard, Suites 4, 5 and 6. **CUP# 171161**

2. Teresa Flores, representing Hidalgo County Head Start Program (Longoria 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 a 9.05 acre tract of land, more or less out of Lot 142, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.The property's physical address is 2500 North Cypress Street. **CUP# 171162**

3. Teresa Flores, representing Hidalgo County Head Start Program (Palacios 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 an Agricultural and/or Open Space District (A-O) and High Density Multi-Family Residential District (R-4).The property is legally described as being Lot 1, Thomas Road Elementary Subdivision, Pharr, Hidalgo County, Texas.The property's physical address is 801 East Thomas Road. **CUP# 171163**

4. Teresa Flores, representing Hidalgo County Head Start Program (Carmen Anaya 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) Head Start in an Agricultural and/or Open Space District (A-O).The property is legally described as being 18.56 acre tract of land, more or less out of Lot 327, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.The property's physical address is 1000 West Dicker Road. **CUP# 171164**

5. Muy Pizza-Tejas, LLC, dba Pizza Hut, 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 the East 125.0' out of Block 1, Palm Heights Subdivision, Pharr, HidalgoCounty, Texas.The property's physical address is 1001 West Highway 83. **CUP# 171165**

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6. Margaritas Mexican Grill and Cantina, Inc. 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 0.06 acre tract of land, more or less out of Lot 2, CVS Pharmacy No. 10142 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1305 South Cage Boulevard, Suites 1 and 2. **CUP# 171166**

PLATS:

1. Javier Hinojosa Engineering, representing Zaragoza Hinojosa Jr., is requesting final plat approval of the proposed HRES-CK Pharr Subdivision Phase I. The property is legally described as a tract of land containing 2.23 acres of land and also being a part or portion of Lots 13, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1100 and 1200 Block of East Ferguson Avenue. **SUB #170102**

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2016-44 relating to the number of authorized civil service positions within the Fire and Police Department. **Adoption on 1st Reading** (HR)

B) Consideration and action if any, on Ordinance amending O-2016-42 (Pharr Residential Incentive Program) **Adoption on 1st Reading.** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Ordinance amending Ordinance No. O-94-11 relating to Meter Deposits and their reimbursement criteria. **1st Reading** (FINANCE)

D) Consideration and action, if any, on Resolution adopting the updated City Fiscal Policies. (FINANCE)

E) Consideration and action, if any, on Resolution adopting a new city seal. (ADMINISTRATION)

F) Consideration and action, if any, on Resolution authorizing City Manager to negotiate and enter into contracts for the City's HUB Phestival. (ADMINISTRATION)

G) 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)

7. ADMINISTRATIVE:

A) Consideration and action, if any, awarding bid for capital lease financing for FY 2017-2018. (FINANCE)

B) Consideration and action, if any, awarding bid for Executive Search Services for Police Chief RFP No. 1718-01-526-0001.

C) Consideration and action, if any, on nominations for the 2018 Rio Grande Valley Walk of Fame. (ADMINISTRATION)

D) Consideration and action, if any, on request for Residential Incentive Program for the property legally described as being a re-subdivision of 17.727 acres out of Lot 90, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. (DEVELOPMENT SERVICES)

E) Consideration and action, if any, on off-duty employment policy for City of Pharr employees. (ADMINISTRATION)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on K9 policing agreement between Valley View Independent School District and City of Pharr. (POLICE)

B) Consideration and action, if any, on Interlocal Agreement between the City of Pharr and Vanguard Academy for City/School Park. (ADMINISTRATION)

9. LEGAL:

A) Consultation with legal and possible action on Access Easement Agreement with Idea Public Schools. (LEGAL)

B) Consultation with Legal and possible action on Lease Agreement. (LEGAL)

C) Consultation with legal and possible action on Envirolite Solutions. (LEGAL)

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.*

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:

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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 15th day of December, 2017 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 15th day of December 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: _____