



**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 21, 2020**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. 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.

In accordance with social distancing guidelines, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of community, city staff, and city council. The meeting will be held via videoconference and broadcast at <http://www.pharr-tx.gov>

1. CALL TO ORDER:

A) Roll call and possible action on the excusing of any absent member of the governing board.

B) Pledge of Allegiance/Invocation

2. PUBLIC TESTIMONY: (Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.

3. PUBLIC HEARINGS: (Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding 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.

A) Public Hearing on Development Services Cases.

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 Sales Tax Collection Report for December 2020.

B) Submission of Tax Collection Report for November 2020.

C) Submission of Delinquent Tax Collection Report for Fiscal Year 2019-2020.

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) Consideration and action on ratifying Resolution R-2020-65 in support of the Hidalgo County 365 Loop Project. (ADMINISTRATION)

B) Consideration and action on adopting the Tuition Reimbursement Program Policy. (HR)

C) Consideration and action on Development Services Cases:

1. Maria DeLeon has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Single-Family Residential District (R-1). The property is legally described as being Lots 15 and 16, Block 5, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property is physically located 118 East Bell Ave. **COZ#201146** (DEVELOPMENT SERVICES)

2. Lucina G. Gonzalez 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 Lot 207, Villa de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6705 South Jackson Road. **CUP#201148** (DEVELOPMENT SERVICES)

3. 956 Night Life, LLC, d/b/a El Rodeo Bar & Grill, 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 General Business District (C). The property is legally described as being Lot 187, Valle de la Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6905 South Jackson Road. **CUP#201147** (DEVELOPMENT SERVICES)

4. 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** (DEVELOPMENT SERVICES)

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5. 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 being Lot 3A, Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road. **CUP#131046** (DEVELOPMENT SERVICES)

6. Maria Mayela Garza, d/b/a Colonia Cinco Estrellas, L.L.C., 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 Lots 27 through 30, Block 2, Los Marineros Subdivision Phase I, Pharr, Hidalgo County, Texas. The property's physical address is 2200 South Cage Boulevard. **CUP#151169** (DEVELOPMENT SERVICES)

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

D) PLATS:

1. Atlas Consultants, representing Ramiro J. Elizondo is requesting final plat approval of the proposed Elizondo Estates Subdivision. The property is legally described as a Re-plat of the West 120 feet of Lots 1 and 2, Block 9, Hidalgo Park Estates Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 7400 Block of South Cage Boulevard. **SUB#190308** (DEVELOPMENT SERVICES)

2. Melden & Hunt Inc., representing the City of Pharr, is requesting preliminary and final plat approval of the proposed North Side Community Center Subdivision. The property is legally described as being a 8.27 acres consisting of 5.00 acres out of Lot 98, Kelly-Pharr Subdivision and 3.27 acres out of Lot 1, Plaza Sport Center Phase I, Pharr, Hidalgo County, Texas. The property is located within the 1100 Block of E. Nolana Loop. **SUB#201134** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance Amending O-2020-37 Regulating Electioneering in Public or Private Property, City Owned or City Controlled Property Used as Polling Place; Providing for Compliance; Setting a Fine For Violation Thereof; Providing Severability Clause and Providing an Effective Date. **(3rd and Final Reading)** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance amending Sign Ordinance O-2014-14. **(2nd Reading)** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Resolution appointing/re-appointing a Representative and an Alternate for Amigos Del Valle Board of Directors for Fiscal Year 2020-2021. (ADMINISTRATION)

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D) Consideration and action, if any, on Resolution appointing one (1) member to the Parks and Recreation Advisory Board. (PARKS)

E) Consideration and action, if any, on Resolution executing an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the West Hi-Line Road, Jackson Road to Cage Boulevard, CSJ 0921-02-376 (ENGINEERING)

7. ADMINISTRATIVE:

A) Consideration and action, if any, on reconciliation Change Order No. 3 in the amount of \$11,515.89 and final acceptance of the International Bridge Expansion & Renovations Project with International Consulting Engineers. and release of final payment and retainage in the amount of \$71,419.88. (ENGINEERING)

B) Consideration and action, if any, on deductive Change Order No. 1 in the amount of \$40,370.00 and final acceptance of the Hike & Bike Sewer Adjustment and Lift Station No.1 Force Main Diversion Project with Ferguson Service Systems Inc. and release of final payment and retainage in the amount of \$13,213.75 (ENGINEERING)

C) Consideration and action, if any, on deductive Change Order No. 1 in the amount of \$55,727.68 and an increase of 60 calendar days to the contract time for the City of Pharr/PSJA Aquatic Facility Project (ENGINEERING)

D) Consideration and action, if any, on final acceptance of the Design/Build Downtown Light Improvement Project with International Consulting Engineers. and release of final payment and retainage in the amount of \$40,438.85. (ENGINEERING)

E) Consideration and action, if any, amending the Professional Engineering Rotation List for Structural Engineering Projects. (ENGINEERING)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Memorandum of Understanding between Texas Tropical Behavioral Health and the Pharr Police Department to collaborate to better serve the mental health consumer in crisis. (POLICE)

B) Consideration and action, if any, authorizing City Manager to award proposal for the FY 2020-2021 Capital Lease Financing to Banc of America. (FINANCE)

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C) Consideration and action, if any, on renewal of Interlocal agreement between the Pharr Police Department and South Texas Auto Theft Task Force. (POLICE)

D) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with Upper Valley Materials dba CAPA from Palmview, TX for HMAC, Cold Mix, and Caliche (Flexible Base)(Item 1). (PURCHASING)

E) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with Vulcan Construction Materials from San Antonio, TX for HMAC, Cold Mix, Caliche (Flexible Base)(Item 5 & 6). (PURCHASING)

F) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with North Lean dba Printex Express from Pharr, TX for Fire Department Active Wear. (PURCHASING)

G) Consideration and action, if any, authorizing City Manager to award Construction Contract for the Expressway 83 Elevated Storage Tank Rehabilitation Project (ENGINEERING)

H) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with a Construction Manager for Nursing Facility and Texan Hotel projects. (ADMINISTRATION)

I) Consideration and action, if any, on renewal of Camera Services Agreement between the City of Pharr International Bridge and Inmobiliaria Jugas, S.A. de C.V. (BRIDGE)

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 Board 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 Board 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

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appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Board 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 Board 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 Board 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 Board 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 18th day of December 2020 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 18th day of December 2020.




HILDA PEDRAZA, TRMC, CMC
CITY CLERK

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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: _____