



**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, FEBRUARY 15, 2021**

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. PROCLAMATIONS:

- A) Proclamation proclaiming Bibiana Morales Day. (ADMINISTRATION)
- B) Proclamation proclaiming Engineers Week. (ENGINEERING)

3. 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.

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4. 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: *(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 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.*

5. 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 February 2021.

6. 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 February 1, 2021 Regular Called Meeting.
(ADMINISTRATION)

B) Consideration and action on Resolution authorizing City of Pharr to submit application for the Office of the Governor, Criminal Justice Division FY22 State Criminal Justice Planning Funds-Juvenile Justice & Truancy Prevention Grant Program. Grant Number 4206101. (MUNICIPAL COURT)

C) Consideration and action authorizing City Manager to extend the Supply Contract with Galls, LLC from Lexington, KY for Fire Department Uniforms.
(PURCHASING)

D) Consideration and action authorizing City Manager to extend the Supply Contract with Casco Industries, Inc. from La Porte, TX for Fire Department Uniforms. (PURCHASING)

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E) Consideration and action authorizing City Manager to extend the Supply Contract with Casco Industries, LLC from La Porte, TX for Structural Firefighting Personal Protective Gear. (PURCHASING)

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

1. Melden & Hunt Inc., representing Adelante Holdings, Ltd., owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) and Residential Townhouse District (R-TH) to Residential Multi-Family High-Density District (R-MFHD). The property is legally described as being a 2.17 acre tract of land, more or less, out of Lot 151, Kelly Pharr Tract, Pharr, Hidalgo County, Texas. The property's physical address is 2605 North Sugar Road. **COZ#210103** (DEVELOPMENT SERVICES)

2. D&Gs, L.L.C., d/b/a El Tóxico Drive Thru, has filed with the Planning and Zoning Commission a request for Conditional Use 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 0.05 of an acre, more or less, out of Lot 203, Valle De La Primavera Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6713 South Jackson Road. **CUP#210101** (DEVELOPMENT SERVICES)

3. Jose Martinez, Vice President of UMOS Migrant and Community Programs, representing United Migrant Opportunity Services/UMOS, Inc., has filed with the Planning and Zoning Commission a request for Life-of-the-Use Conditional Use Permit to allow an Institutional in a Single-Family Residential District (R-1). The property is legally described as being Lot 20, Las Fuentes Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 210 West Navarro Street. **CUP#210102** (DEVELOPMENT SERVICES)

4. Pizza Properties, Inc., d/b/a Peter Piper Pizza #63, 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 Lot 1, Pleasanton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1715 South Cage Boulevard. **CUP#060104** (DEVELOPMENT SERVICES)

5. Regency Hall is requesting renewal of the Conditional Use 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 Lots 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 East Ferguson Avenue. **CUP#161155** (DEVELOPMENT SERVICES)

6. Fuera De Lugar, LLC, d/b/a Fuera De Lugar 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 0.071 of an acre tract of land, more or less, out of Plaza Sports Center Phase 1 Lot 1 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1101 East Nolana Loop. **CUP#150101** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2006-47 Standards Manual Construction and Development Guide. (*2nd Reading*) (DEVELOPMENT SERVICES)

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B) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for the closure of South U.S. 281 and East Old Business 83 for the 15th Annual St. Patrick's Day 5K Run/Walk on Saturday, March 13, 2021 from 7:00 a.m. to 11:00 a.m. (PARKS)

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; 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)

8. ADMINISTRATIVE:

A) Consideration and action, if any, on Change Order No. 1 in the amount of \$27,415 for the City of Pharr Monument Sign. (ENGINEERING)

B) Consideration and action, if any, on Change Order No. 1 in the amount of \$28,191.00 and final acceptance of the Jones Box Park Phase 2 Utility improvements with Venser Construction, LLC , Inc. and release of final payment and retainage in the amount of \$15,231.33 (ENGINEERING)

C) Presentation on The Enclave Tax Credit Project. (ADMINISTRATION)

D) Presentation on Pueblo de Azucar Tax Credit Project.(ADMINISTRATION)

E) Presentation on Dahlia Villas Tax Credit Project. (ADMINISTRATION)

F) Consideration and action, if any, authorizing City Manager to review and approve one (1) housing tax credit project for calendar year 2021. (ADMINISTRATION)

G) Consideration and action, if any, authorizing the City Manager to negotiate and enter into a contract for construction management services for city wide broadband services from the pool of pre-qualified firms. (ADMINISTRATION)

9. PURCHASING:

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A) Consideration and action, if any, authorizing City Manager to negotiate and purchase 900 acre-ft. of municipal water rights from Hidalgo County Irrigation No. 16. (PUBLIC UTILITIES)

10. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Interlocal Agreement with Hidalgo County and the City of Pharr for library services for county calendar year 2021.

B) Consideration and action, if any, on award of contract for the City of Pharr Lift Station 30 Rehabilitation Project. (ENGINEERING)

C) Consideration and action, if any, authorizing City Manager to negotiate and enter into an incentive agreement with Pharr Logistic Center. (ADMINISTRATION)

11. LEGAL:

A) Consultation with attorney regarding legal aspects of election administration and law suit City of McAllen, Texas and City of Pharr, Texas vs. The State of Texas; Hon. Ruth R. Hughs, Texas Secretary of State, in her official capacity, CAUSE NO. D-1-GN-21-000489. (LEGAL)

12. 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 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**

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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.

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

14. 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 12th day of February 2021 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 12th day of February 2021


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: _____