

**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, AUGUST 16, 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.

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 Property Tax Collection Report for July 2021.

B) Submission of Sales Tax Collection Report for August 2021.

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, if any, on Development Services Cases:

1. Las Margaritas Restaurant 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 Business District (C-2). The property is legally described as being all of Lots 7-10, Block 28, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 106 North Cage Boulevard. **CUP#210740** (DEVELOPMENT SERVICES)

2. Gabriela's Heavenly Wings, d/b/a Wingstop, 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 1701 South Cage Boulevard, Suite 105. **CUP#100934** (DEVELOPMENT SERVICES)

3. Mario Alberto Torres d/b/a On the Grill 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 0.075 of an acre, more or less, out of Lot 1, Jackson Ridge Court Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson Road, Suite 7. **CUP#170740** (DEVELOPMENT SERVICES)

4. Smokin' Moon, LLC. 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 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** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance O-2021-17 relating to the number of authorized civil service positions within the Fire and Police Departments. **(3rd and Final Reading)**

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B) Consideration and action, if any, on Ordinance amending Appendix A, Zoning, Article VII, Section 1.70, A(7), to the Code of Ordinances. **(1st Reading)** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Resolution appointing/re-appointing three (3) members to the PEDC II Board of Directors. (PEDC II)

7. ADMINISTRATIVE:

A) Discussion and action for vote on proposed tax rate increase and schedule public hearing. (FINANCE)

8. PURCHASING:

A) Consideration and action, if any, authorizing the Pharr Police Department to purchase two (2) 2020 BMW R1250RT-P Police Motorcycles for a total of \$54,806.72 from Alamo BMW of Boerne, Texas. (POLICE)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to extend Interlocal Agreement with City of Weslaco for Animal Control Operations and Impoundment for an additional year. (PUBLIC WORKS)

B) Consideration and action, authorizing the City Manager to enter into an Affiliation Agreement with the School of EMS, to allow their EMT students to do clinical ride outs with Pharr Emergency Medical Services (EMERGENCY MEDICAL SERVICES)

C) Consideration and action, authorizing the City Manager to enter into an Affiliation Agreement with the Elite Medical Training Solutions, to allow their EMT students to do clinical ride outs with Pharr Emergency Medical Services (EMERGENCY MEDICAL SERVICES)

D) Consideration and action, authorizing the City Manager to enter into a Letter of Understanding (LOU) between the City of Pharr EMS and U.S. Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC) for payment of medical care provided to detainees. (EMERGENCY MEDICAL SERVICES)

E) Consideration and action, authorizing the City Manager to enter into an Affiliation Agreement with the Texas State Technical College, to allow their EMT students to do clinical ride outs with Pharr Emergency Medical Service (EMERGENCY MEDICAL SERVICES)

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F) Consideration and action, if any, authorizing the City Manager to amend the lease agreement Styker for equipment for 7 new ambulances. (EMERGENCY MEDICAL SERVICES)

G) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with Halff Associates for Professional Engineering Services for the Pharr International Bridge Maintenance Master Plan. (ENGINEERING)

H) Consideration and action, if any, authorizing the City Manager to extend the Master Service Agreement for Construction Material Testing (CMT) & Geotech Services with the geotechnical firms currently on the City of Pharr's rotation list. (ENGINEERING)

I) Consideration and action, if any authorizing City Manager to enter into a service agreement with Airgas USA, LLC out of McAllen, TX, to supply oxygen to Pharr EMS through Texas SmartBuy Contract No. 430-M2 (EMERGENCY MEDICAL SERVICES)

J) Consideration and action, if any, on contract with Deep in the Heart Art Foundry for additional work on Goddess of Nike Statue project. (ADMINISTRATION)

10. LEGAL:

A) Consultation with legal, and action, if any regarding *United States of America v. Acres of Land, More or Less,, Situated in Hidalgo County, Texas; Hidalgo County Irrigation District No.2, City of Parr, Et Al.*, (LEGAL)

11. 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.

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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.

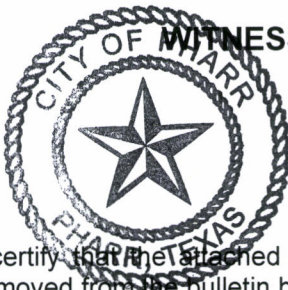
12. RECONVENE: *into Regular Session and consider action, if necessary, on any items(s) discussed in closed session.*

13. 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. 1007 or FAX 956-702-5313 or E-mail 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 13th day of August 2021 at 4:00 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 13th day of August 2021.


IMELDA BARRERA, TRMC
ASSISTANT 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,

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Title: _____