



**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, APRIL 4, 2022**

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. PROCLAMATIONS:

- A) Proclamation proclaiming April 3-9, 2022 as National Library Week. (LIBRARY)
- B) Proclamation proclaiming April 10-16, 2022 as National Public Safety Telecommunicators Week. (COMMUNICATIONS)
- C) Proclamation proclaiming April 10-16, 2022 as National Animal Control Officer Appreciation Week. (PUBLIC WORKS)
- D) Proclamation proclaiming April 11-15, 2022 as National Community Development Week. (GMCD)
- E) Proclamation proclaiming April 2022 as Fair Housing Month. (GMCD)
- F) Proclamation proclaiming April 2022 as Autism Awareness Month. (ADMINISTRATION)

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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.*

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.

B) Public hearing on the moratorium on applications and plans for development, permits, plats, verifications, rezoning, site plans and new or revised certificates of occupancy for multifamily developments within the City of Pharr. (DEVELOPMENT SERVICES)

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) City Engineer's Report (ENGINEERING)

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 March 21, 2022 Regular Called Meeting. (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2019-32 increasing the membership of the Keep Pharr Beautiful Committee from five (5) to seven (7) members. **(2nd Reading)** (PARKS)

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

1. Siempre La Pachanga, LLC., d/b/a La Pachanga Restaurant y Buffet has filed with the Planning and Zoning Commission a request for 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 0.0351, more or less, out of Lot A, Medical Ridge Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1401 South Jackson Road, Unit 7 and 8. **CUP#220213** (DEVELOPMENT SERVICES)
2. Eric S. Fantich, representing Fantich Land Holdings & Development, LLC., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from General Business District (C) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 1-acre, more or less, out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1024 West Ferguson Avenue. **COZ#220105** (DEVELOPMENT SERVICES)
3. Fulcrum Consulting Services, representing Zeppelin Texas LLC. has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I). The property is legally described as being 38.773-acres, more or less, out of Lots 382 and 385, Kelly – Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 800 Block of East Hi-Line Road. **COZ#220207** (DEVELOPMENT SERVICES)
4. Fulcrum Consulting Services, representing Delta Properties LLP. has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Heavy Industrial District (H-I). The property is legally described as being 38.632-acres, more or less, out of Lots 382 and 385, Kelly – Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 800 Block of East Hi-Line Road. **COZ#220208** (DEVELOPMENT SERVICES)
5. R. Gutierrez Engineering Corporation, representing Ismelda Montanez has filed with the Planning and Zoning Commission a request for a Change of Zone from Single Family Residential District (R-1) to General Business District (C). The property is legally described as being 0.38-acres, more or less, out of Lot 325, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 224 West Dicker Road. **COZ#220209** (DEVELOPMENT SERVICES)
6. Rich Heritage Construction Inc., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/ or Open Space District (A-O) to Residential Multi-Family High Density District (R-MFHD). The property is legally described as being 7.0-acres, more or less, out of Lot 152 Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 2211 North Sugar Road. **COZ#220214** (DEVELOPMENT SERVICES)
7. Gerardo Guadalupe Garza Jr. has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Residential Multi-Family District (R-MF). The property is legally described as being Lot 1, Block Q, Villa Baez Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 320 East Jones Avenue. **COZ#201149** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance imposing a moratorium on applications and plans for development, permits, plats, verifications, rezoning, site plans and new or revised certificates of occupancy for multifamily developments within the City of Pharr. **(1st Reading)** (DEVELOPMENT SERVICES)

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B) Consideration and action, if any, on Ordinance amending Ordinance O-2021-44 for modifications to the fee schedule for municipal fiber optic services. (IT)

C) Consideration and action, if any, on Resolution removing one (1) board member and appointing one (1) new board member to the Tierra Del Sol Advisory Golf Club. (ADMINISTRATION)

8. ADMINISTRATIVE:

A) Presentation and update by Structural Engineering Associates. (ADMINISTRATION)

9. PURCHASING:

A) Consideration and action, if any, on the purchase of a fuel & lube truck from Rush Truck Center, out of Pharr, Texas through Buyboard Contract No. 601-19, in the amount of \$213,325.16. (PUBLIC WORKS)

10. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with Air Medical Technologies LLC. out of Reno, Nevada for flight dispatch software services for emergency and non-emergency dispatching of the Pharr Emergency Medical Services flight resources. (COMMUNICATIONS)

B) Consideration and action, if any, authorizing City Manager to amend the maintenance agreement with Tyler Technologies New World out of Plano, Texas for updated Performance Dashboard services in the amount of \$5,583.30 (COMMUNICATIONS)

C) Consideration and action, if any, on Amendment Number 2 in the amount of \$50,001 to the Professional Engineering Services Agreement with Structural Engineering Associates, Inc. (SEA) for the Pharr-Reynosa Bridge Expansion Presidential Permit Application. (ENGINEERING)

D) Consideration and action, if any, authorizing City Manager to amend and execute Utility Adjustment Agreement for the I-2 / I-69C Interchange Project. (PUBLIC UTILITIES)

11. LEGAL:

A) Consultation with Legal and consideration and action, if any, on settlement in *City of Pharr, Texas vs. Saenz Utility Contractors, LLC f/k/a Saenz Utility Contractors, Ltd., Sames, Inc., Samuel Maldonado, and Contech Engineered Solutions, LLC*, C-4349-17-B, in the 93rd District Court Hidalgo County, Texas. (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 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.

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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. 1016 / 1007 or FAX 956-702-5313 or E-mail hilda.pedraza@pharr-tx.gov and 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 1st day of April 2022 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 1st day of April 2022

HILDA PEDRAZA, TRMC / CMC
CITY CLERK

I hereby 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: _____