



**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, JUNE 6, 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 June 3, 2022 as National Gun Violence Awareness Day. (ADMINISTRATION)
- B) Proclamation proclaiming June 19, 2022 as Juneteenth Day. (ADMINISTRATION)

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.

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.

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 May 16, 2022 Regular Called Meeting.
(ADMINISTRATION)

B) Consideration and action, if any, authorizing City Manager to negotiate contract amendment with architect for nursing building. (ADMINISTRATION)

C) Consideration and action, if any, on Ordinance amending Chapter 54 of the Pharr Code of Ordinances by updating the fee schedule for cost recovery; inclusion in Pharr Code of Ordinances; Incorporation of other ordinances; repealing conflicting Ordinances; severability; and effective date.
(2nd Reading) (FIRE)

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

1. Raul Fong, d/b/a Junction Cafe, is requesting renewal of the 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 Lot 1 and the S7' of Lot 2, Block 1, J.T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 11 South Cage Boulevard. **CUP#911291** (DEVELOPMENT SERVICES)

2. Raul Fong, d/b/a D's Paradise Lounge, is requesting renewal of the 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 Lot 14, Block 1, J. T. Doster Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 107 East Park Avenue. **CUP#040213** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance O-2022-19 to modify the fee schedule to add the Pharr Natatorium located at 3001 N. Cage Blvd. **(1st Reading)** (PARKS)

B) Consideration and action, if any, on Resolution declaring surplus items and equipment from various departments and authorizing the sale of such items via a public auction. (PURCHASING)

8. ADMINISTRATIVE:

A) Consideration and action, if any, on request from American Legion Post 101 for the use of the large hall at the Jose 'Pepe' Salinas Recreation Center for multiple dates during the calendar year 2022 and waiver of rental fees. (PARKS)

B) Consideration and action, if any, on request from Pharr Housing Authority for the use of the large hall at the Jose 'Pepe' Salinas Recreation Center on Friday, June 24, 2022, from 8:00 a.m. to 3:00 p.m. and waiver of rental fees. (PARKS)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Amendment Number 3 in the amount of \$88,243.73 to the Professional Engineering Services Agreement with Structural Engineering Associates, Inc (SEA) for the Pharr-Reynosa Bridge Expansion Presidential Permit Application. (ENGINEERING)

B) Consideration and action, if any, on Policing Agreement between City of Pharr and Vanguard Academy for the "School Resource Officer Program" 2022-2023. (POLICE)

C) Consideration and action, if any, on Policing Agreement between City of Pharr and Vanguard Academy for Police K9 services at Vanguard Academy Campuses for 2022-2023.. (POLICE)

D) Consideration and action, if any, authorizing City Manager to enter into an agreement with Cintas Corporation out of Mercedes, Texas for uniforms for the Public Utilities Department through OMNIA contract number R-BB-19002 in the amount not to exceed \$80,000.00. (PUBLIC UTILITIES)

E) Consideration and action, if any, authorizing City Manager to enter into an agreement with Southern Trenchless Solutions out of La Feria, Texas for the 16-Inch Waterline Improvements Project on Hi-Line Road and Cage Boulevard through Buyboard contract #635-21 in the amount of \$277,200.00. (PUBLIC UTILITIES)

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F) Consideration and action, if any, on deductive Change Order No. 1 in the amount of \$12,000.00, final acceptance of the Javelina Drive Monument Signs Project, and release of final payment and retainage in the amount of \$5,616.50 to Facility Solutions Group. (ENGINEERING)

G) Consideration and action, if any, on Final Change Order Number 2 in the amount of \$10,528.55, with an additional 80 days, acceptance of the Wastewater Treatment Plant (WWTP) Oxidation Ditch Number 2 and Electrical Improvements Phase 1, and release of final payment and retainage in the amount of \$53,901.43 to Ferguson Service Systems, Inc. (ENGINEERING)

H) Consideration and action, if any, on deductive Change Order Number 1 in the amount of \$53,419.18 and acceptance of the Single Machine Repaving Year 6 Project and release of final payment and retainage in the amount of \$83,229.29 to Cutler Repaving, Inc. (ENGINEERING)

I) Consideration and action, if any, on Interlocal Agreement between City of Pharr and Hidalgo County Drainage District Number 1 for the East Las Milpas Road Stormwater Improvements Project. (ENGINEERING)

J) Consideration and action, if any, authorizing City Manager to execute service order with Smartcom Telephone, LLC for data network connectivity at Vanguard Academy Van Gogh campus for Police Department staff. (IT)

K) Consideration and action, if any, authorizing City Manager to execute service order with Smartcom Telephone, LLC for data network connectivity at Pharr EMS McAllen office. (IT)

L) Consideration and action, if any, on Amendment Number 1 in the amount of \$592,000.00 to the Construction Management Services Agreement with Brownstone Consultants, LLC for the Pharr/University of Texas-Rio Grande Valley School of Nursing Project (ENGINEERING)

10. LEGAL:

A) Attorney consultation pursuant to Section 551.071, Texas Gov't Code to receive legal advice and counsel pertaining to pending litigation styled and numbered, is William F. Ueckert, Jr. vs. City of Pharr; Civil Action No. 7:18-CV-00302 (USDC - McAllen Division) and related legal issues. (LEGAL)

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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.

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:

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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. 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 3rd day of June 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 3rd day of June, 2022

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: _____