



**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
TUESDAY, SEPTEMBER 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 September 2022 as Deaf Awareness Month. (ADMINISTRATION)
- B) Proclamation proclaiming the 21st Anniversary of September 11, 2001 Remembrance Ceremony. (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.*

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A) Public hearing on development services cases.

B) **Public Hearing:** Solicitation of Comments from the general public on the 2022 Tax Year Proposed Property Tax Rate for the City of Pharr. (FINANCE)

C) **Public Hearing:** Solicitation of Comments from the general public on Budget Fiscal Year 2022-2023. (FINANCE)

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 August 15, 2022 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Transparency.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance creating the Department of Building and Code Compliance *(3rd & Final Reading)*. **This item supports QL - Quality of Life.** (ADMINISTRATION)

C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2022-16 Municipal Fiber Optic Fee Schedule *(2nd Reading)*. **This item supports SG - Sound Governance and Fiscal Transparency.** (ADMINISTRATION)

D) Consideration and action, if any, authorizing City Manager to advertise for Request for Proposals (RFP) for Marketing Services for the TeamPharr.net project. **This item supports IF - Infrastructure.** (ADMINISTRATION)

E) Consideration and action, if any, on Development Services Cases: **The items below support EV - Economic Vitality.**

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1. Rudy's Texas Bar-B-Q, L.L.C./Carlos Torres, d/b/a Rudy's Country Store Bar-B-Q, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Limited Industrial District (L-I). The property is legally described as being Lot 1, Los Hoteles Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 209 West Nolana Loop. CUP#040644
2. Erika of Texas, Inc., has filed with the Planning and Zoning Commission a request for a Life of the Use Conditional Use Permit to allow a new telecommunications tower in a Limited Industrial District (L-I). The property is legally described as being 0.00048 acres, out of Lot 2, Pharr Bridge Business Park Phase 3 Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 900 West Zaragosa Drive. CUP#220843
3. Jose Ruben Mendez, d/b/a 100% Antojitos Mexicanos, 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 a 0.04 acre tract of land out of Lot 1, Jackson Ridge Court Phase 2 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1201 South Jackson Road, Suite 9. CUP#140525
4. Carlos R. Elizondo, d/b/a Sepi's, 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 being Lot 22, Block 30, Pharr Original Townsite, Pharr, Hidalgo County, Texas. The property's physical address is 212 West State Street. CUP#190641
5. City of Pharr, for the betterment of the city, 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 0.30 acres, more or less, out of Lot 233, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1207 West Hall Acres Road. COZ#220741
6. Brownstone Consultants LLC., on behalf of Rhea Nannette Mora, 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 District (R-MF). The property is legally described as being a 10.854-acre tract of land, out of the South 1/2, of the South 1/2 of Lot 6, Block 5, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is physically located within the 2300 – 2500 Block of North Jackson Road. COZ#220739
7. Lisandro Espinoza, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Office and Professional District (O-P) to Single Family Residential District (R-1). The property is legally described as being 0.48 acres, more or less, out of Lot 175, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 220 North Sugar Road. COZ#220742

F) PLATS: This item supports EV - Economic Vitality.

1. Melden & Hunt Inc., representing Derrick Merchant, Manager for Via Real Estate, LLC a Wyoming Limited Liability Company, is requesting final plat approval of the proposed Phase I, Lot 1 Go Carwash Pharr Subdivision. The property is legally described as being a 1.470 acres being a part of portion out of Lot 7, Block 12, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 7500 Blk. of South Jackson Rd. SUB#220827

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2021-27 EMS Fee Schedule *(1st Reading)*. **This item supports SG - Sound Governance and Fiscal Transparency.** (EMERGENCY MEDICAL SERVICES)
- B) Consideration and action, if any, on Ordinance adopting Grants Management Policies and Procedures Manual *(1st Reading)*. **This item supports SG - Sound Governance and Fiscal Transparency.** (GMCD)
- C) Consideration and action, if any, on Resolution appointing/re-appointing one (1) member to the Bridge Board. **This item supports SG- Sound Governance and Fiscal Transparency.** **(TABLED)** (BRIDGE)
- D) Consideration and action, if any, on Resolution appointing/re-appointing four (4) members to the Pharr Economic Development Corporation II Board of Directors. **This item supports SG - Sound Governance and Fiscal Transparency.** **(TABLED)** (PEDC II)
- E) Consideration and action, if any, on Resolution adopting the updated City Fiscal and Accounting Management Policies. **This item supports SG - Sound Governance and Fiscal Transparency.** (FINANCE)
- F) Consideration and action, if any, on Resolution to accept petition for voluntary annexation, setting date, time and place for public hearing, authorizing and directing publication of the notice of such public hearing, and directing the City Manager to prepare service plan for approximately 13.12 acres of land, more or less, located South of West Javelina Drive, in the City of Pharr's Extraterritorial Jurisdiction ETJ, Hidalgo County, Texas. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

8. ADMINISTRATIVE:

- A) Consideration pursuant to Section 551.074, Texas Gov't Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager. **(TABLED)** (ADMINISTRATION)
- B) Consideration and appropriate action, if any, regarding the appointment, evaluation, reassignment, duties, discipline, or dismissal of City Manager. **(TABLED)** (ADMINISTRATION)
- C) Consideration and action, if any, appointing Interim City Manager. **(TABLED)** (ADMINISTRATION)

9. PURCHASING:

A) Consideration and action, if any, authorizing City Manager to purchase surveillance camera upgrades for Police Department towers from A3 Communications, Inc. dba 3Sixty Integrated from San Antonio, Texas through GSA Cooperative Contract #GS-07F-0200W in an amount not to exceed \$95,615.15. **This item supports SSC - Safe and Secure Community.** (IT)

10. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Agreement between the City of Pharr and Axon Enterprise, Inc. for the purchase of 152 Axon Taser 7 devices through Buyboard Contract No. 648-21 in the amount of \$105,719.36 for year 2022 and for each additional year until August 2026 for a total of \$528,595.20 for the Pharr Police Department-Patrol Operations. **This item supports SSC - Safe and Secure Community.** (POLICE)

B) Consideration and action, if any, on Lease Agreement with Stryker Sales, LLC, out of Redmond, WA for Lucas 3.1 Chest Compression Systems for use by the Fire Department. **This item supports SSC - Safe and Secure Community.** (FIRE)

C) Consideration and action, if any, authorizing City Manager to award a contract for the PSJA Tri-City Pedestrian Safety Improvements Project Phase I to ASAGO, LLC, out of Mission, Texas in the amount of \$2,325,300.55. **This item supports QL - Quality of Life.** (ENGINEERING)

D) Consideration and action, if any, on Amendment Number 1 to the Interlocal Agreement between the City of Pharr and Hidalgo County Drainage District Number 1 (HCDD #1) for the East Las Milpas Road Stormwater Improvements Project. **This item supports IF - Infrastructure.** (ENGINEERING)

E) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with Casco Industries out of La Porte, Texas for the purchase of structural firefighting helmets. **This item supports SSC - Safe and Secure Community.** (PURCHASING)

F) Consideration and action, if any, authorizing City Manager to extend Service Contract for the City Wide Electrical On-Call and Maintenance Services Rotation List. **This item supports IF - Infrastructure.** (PURCHASING)

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G) Consideration and action, if any, authorizing City Manager to extend the Supply Contract for the purchase and application of Prime Coat and Tack Coat with Asphalt Oil Express out of Edinburg, Texas. **This item supports IF - Infrastructure.** (PURCHASING)

H) Consideration and action, if any, authorizing City Manager to award Supply Contract for the purchase and delivery of chlorine and calcium hypo-chlorite to DPC Industries, Inc. from Corpus Christi, Texas. **This item supports IF - Infrastructure.** (PURCHASING)

I) Consideration and action, if any, authorizing City Manager to enter into an agreement with Workforce Solutions for the Texas Internship Initiative program. **This item supports EV - Economic Vitality.** (IT)

J) Consideration and action, if any, on Amendment Number 1 to the Fiber Construction Management Contract. **This item supports IF - Infrastructure.** (ADMINISTRATION)

11. LEGAL:

A) Attorney consultation pursuant to Section 551.071, Texas Gov't Code to receive legal advice and counsel in connection with the City Commission's legal rights and obligations pertaining to the supervision and management of a public officer or employee and related legal issues. (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

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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. 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 2nd day of September 2022 at 4:30 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 2nd day of September 2022.



Hilda Pedraza
HILDA PEDRAZA, TRMC / OMC
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: _____