



**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 6, 2023**

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)*

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A) Submission of Financial Report for the Period ending September 30, 2022. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

B) City Engineer's Report.

C) City Events of Interest.

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) Approval of Minutes for January 16, 2023 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance extending the boundaries of the present corporate limits of the City of Pharr, Texas and annexing new territory into the City of Pharr consisting of approximately 17.425 acres of land, more or less, out of Lots 6 and 7, out of the Re-subdivision of Closner Subdivision, generally located on the northeast corner of South Veterans Boulevard and East Military Highway, Extraterritorial Jurisdiction of the City of Pharr, Texas. *(2nd Reading)* **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, on Resolution authorizing City Manager to submit a grant application to the Federal Emergency Management Agency for the 2022 Assistance to Firefighters Grant Program. **This item supports SSC - Safe and Secure Community.** (FIRE)

D) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit a grant application to the State of Texas Local Border Security Program FY 2023. **This item supports SSC - Safe and Secure Community.** (POLICE)

E) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit grant application to the Office of the Governor-Criminal Justice Division: Pharr Border Bullet Resistant Shields. **This item supports SSC - Safe and Secure Community.** (POLICE)

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F) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit a grant application to the Office of the Governor - Criminal Justice Division for Human Trafficking Liaison Project. **This item supports SSC - Safe and Secure Community.** (POLICE)

G) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit a grant application to the Office of the Governor - Criminal Justice Division for Crime Victim's Liaison Project. **This item supports SSC - Safe and Secure Community.** (POLICE)

H) Consideration and action, if any, authorizing City Manager to advertise for bids for the Sanitary Sewer Collection System Improvements and Lift Station Numbers 1, 29, and 33 Elimination Project. **This item supports IF - Infrastructure.** (ENGINEERING)

I) Consideration and action, if any, rejecting all bids for the Supply contract on Purchasing active wear for the Fire Department and authorizing City Manager to re-advertise. **This item supports SSC - Safe and Secure Community.** (PURCHASING)

J) Consideration and action, if any, rejecting all proposals for the City-Wide Debt Collection Services. **This item supports SG - Sound Governance and Fiscal Sustainability.** (PURCHASING)

K) Consideration and action if any on agreement with the Pharr Economic Development Corporation Foundation. **This item supports EV - Economic Vitality.** (FINANCE)

L) Consideration and action, if any, on the Economically Disadvantaged County (EDC) Program Application for the I Road Bridge Replacement at the South Floodwater Channel (CSJ# 0921-02-491). **This item supports IF - Infrastructure.** (ENGINEERING)

M) Consideration and action, if any, on the Economically Disadvantaged County (EDC) Program Application for I Road from Dicker Road to Military Highway (CSJ# 0921-02-499). **This item supports IF - Infrastructure.** (ENGINEERING)

N) Consideration and action, if any, on the Economically Disadvantaged County (EDC) Program Re-Application for I Road from 0.4-miles south of Rancho Blanco Road (Javelina Drive) to Dicker Road (CSJ# 0921-02-363). **This item supports IF - Infrastructure.** (ENGINEERING)

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

1. R.E. Garcia & Associates, representing Ramiro Rivas, 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 Limited Industrial District (L-I). The property is legally described as being a 2.00 acre tract of land, more or less, out of Lot 375, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1000 West Hi-Line Road. COZ#221271 **This item supports EV - Economic Vitality.**
2. Red Robin 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 Lot 2, Paradise Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 409 South Jackson Road. CUP#030747 **This item supports EV - Economic Vitality.**
3. Las Margaritas Restaurant Inc., 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 all of Lots 7-10, Block 28, Pharr Original Townsite Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 106 North Cage Boulevard. CUP#210740 **This item supports EV - Economic Vitality.**
4. Angel Villarreal and Maria C. Villarreal, representing VIGA Restaurants, Inc., d/b/a Villa del Mar Restaurant, are 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 A, Providence Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 6400 South Cage Boulevard, Suites A & B. CUP#110757 **This item supports EV - Economic Vitality.**

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance calling the City of Pharr General Municipal Election for May 6, 2023, for election of Mayor, City Commissioners Places 1, 5, and 6 and designating Election Precincts and Polling Places. (*Consideración y acción, en Ordenanza para ordenar la Elección Municipal General de la Ciudad de Pharr el 6 de mayo de 2023 para elegir al Alcalde, Comisionados Lugares 1, 5, y 6, y la designación de Distritos Electorales y Centros de Votación*). (Adoption on 1st Reading) **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)
- B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2019-42 Rental of City Facilities (*1st Reading*). **This item supports QL - Quality of Life.** (ADMINISTRATION)

C) Consideration and action, if any, on Ordinance directing the City Manager to vacate, abandon, and close a 30 ft. by 633.97 ft. Street Right-of-Way, consisting of 0.437 of an acre (19,019.10 square feet) located on the east side of Lot 1, Pharr Logistics Center Phase I Subdivision, Pharr, Hidalgo County, Texas *(1st Reading)*. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

D) Consideration and action, if any, on Resolution authorizing the City of Pharr to enter into an agreement with the Texas Department of Transportation to close state roadways for public events. **This item supports QL - Quality of Life.** (ADMINISTRATION)

E) Consideration and action, if any, on Resolution appointing/re-appointing two (2) regular members to the Tierra Del Sol Golf Club Advisory Board. **This item supports SG - Sound Governance and Fiscal Sustainability.** (PARKS)

7. ADMINISTRATIVE:

A) Consultation with the Board of Commissioners on the hiring of Department Directors. **This item supports SE - Service Excellence.** (ADMINISTRATION)

8. PURCHASING:

A) Consideration and action, if any, authorizing City Manager to award Request for Proposal (RFP) for Capital Lease Financing for Fiscal Year 2022-2023 and enter into contract with US Bancorp Government Leasing & Finance, Inc. from Denver, CO. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Change Order No. 1 in the amount of \$598,863.20 to the Professional Engineering Services Agreement with Cobb Fendley & Associates, Inc. for the City Wide Fiber Optic Project, TeamPharr.Net for additional scope of work **(TABLED)**. **This item supports IF - Infrastructure.** (IT)

B) Consideration and action, if any, on Memorandum of Understanding between the City of Pharr and the City of McAllen for a roll-off container for collection of recyclable plastics for a \$75.00 fee per service. **This item supports QL - Quality of Life.** (PUBLIC WORKS)

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C) Consideration and action, if any, on Interlocal Agreement between the Pharr Police Department and the Office of the Criminal District Attorney of Hidalgo for forfeiture cases filed pursuant to Article 59 of the Texas Code of Criminal Procedures. **This item supports SSC - Safe and Secure Community.** (POLICE)

D) Consideration and action, if any, on service agreement with Lexipol, LLC, for the purchase of an annual subscription service for policies/procedures and a learning platform for use by the Fire Department utilizing Sourcewell Cooperative Purchasing Agreement Contract Number 011822-LXP in the amount of \$17,418.25. **This item supports SSC - Safe and Secure Community.** (FIRE)

E) Consideration and action, if any, authorizing City Manager to enter into agreement with Bud Griffin Customer Support from San Antonio, TX. for the Preventative Maintenance Services at the City of Pharr Emergency Center. **This item supports SSC - Safe and Secure Community.** (PARKS)

F) Consideration and action, if any, authorizing City Manager to enter into agreement with Texas Manufacturing Assistance Center (TMAC) for Pharr International Bridge Strategic Planning Services. **This item supports EV - Economic Vitality.** (BRIDGE)

G) Consideration and action, if any, authorizing City Manager to enter into agreement with Benevate, Inc. dba Neighborly Software from Atlanta, GA for Neighborly Software's Comprehensive Housing, Economic and Community Development focus software for the amount of \$17,000.00. **This item supports SE - Service Excellence.** (GMCD)

H) Consideration and action, if any, authorizing City Manager to enter into an agreement with Doctors Hospital at Renaissance, LTD. for wellness lab screening services. **This item supports QL - Quality of Life.** (ADMINISTRATION)

10. 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

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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.

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

12. 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.perez@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 February 2023 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).

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WITNESS MY HAND AND SEAL, this 3rd day of February 2023


HILDA PEDRAZA, TRMC / GMC
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: _____