



**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 4:10 PM ON
MONDAY, APRIL 3, 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. PROCLAMATIONS:

- A) Proclamation proclaiming April 09-15, 2023 as National Public Safety Telecommunicators Week (COMMUNICATIONS)
- B) Proclamation proclaiming April 10 - 14, 2023 as National Community Development Week. (GMCD)
- C) Proclamation proclaiming April 2023 as Fair Housing Month. (GMCD)
- D) Proclamation proclaiming the Month of April 2023 as National Child Abuse Prevention Month. (POLICE)
- E) Proclamation proclaiming the Month of April 2023 at National Sexual Assault Awareness Month. (POLICE)

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.

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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.

B) City Events of Interest.

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 20, 2023 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance creating the Pharr Health Department (3rd and Final Reading). **This item supports SE - Service Excellence.** (ADMINISTRATION)

C) Consideration and action, if any, on request from St. Margaret Mary Church for city assistance for the re-enactment of the Way of the Cross on Friday, April 7, 2023 from 3:00 p.m. to 5:00 p.m. **This item supports QL - Quality of Life.** (ADMINISTRATION)

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

1. Melden and Hunt, Inc., representing 3100 Sugar Subdivision, Ltd., 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 Heavy Commercial District (H-C). The property is legally described as being 5.458 acres, more or less, out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3106 N. Sugar Road. COZ#230278 **This item supports EV - Economic Vitality.**

2. Quinta Real Events, 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 General Business District (C). The property is legally described as being Lots 1 and 2, save and except the South 32 ft. out of Lot 2, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2620 South Gardenia Street. CUP#201042 **This item supports EV - Economic Vitality.**

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3. Shots Main Event, LLC., d/b/a Main Event Entertainment, 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 General Business District (C). The property is legally described as being a 1.34 acre tract of land more or less, out of Lot 4A, Replat of vacated Car-Mel Subdivision, vacated El Centro Mall No. 3 & 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite C. CUP#14101 **This item supports EV - Economic Vitality.**

4. CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, 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 General Business District (C). The property is legally described as being Lot 3A, Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road. CUP#131046 **This item supports EV - Economic Vitality.**

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-11 appointing Presiding and Alternate Judges for the General Municipal Election on Saturday, May 6, 2023 (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Resolution authorizing emergency hiring for the Public Utilities Department. **This item supports IF - Infrastructure.** (HR)

8. ADMINISTRATIVE:

A) Consideration and action, if any, on the Revised Proposed Expenditure Allocation Budget from the American Rescue Plan Act (ARPA) funding. **This item supports SG - Sound Governance and Fiscal Transparency.** (FINANCE)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on 380 Comprehensive Economic Stimulus Agreement as part of the Residential Incentive Program for the property legally described as Arnold Grove Subdivision, Pharr, Hidalgo County, Texas. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

B) Consideration and action, if any, on Change Order No. 2 with Asago Construction, LLC in the amount of \$121,359.62 for the PSJA Tri-City Sidewalk Safety Pedestrian Safety Improvements Project Phase I. **This item supports 1F - Infrastructure.** (ENGINEERING)

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C) Consideration and action, if any, on agreement with Blazestack, Inc. for a subscription for fire investigation case management software for use by the fire department in the amount of \$2,000.00. **This item supports SSC - Safe and Secure Community.** (FIRE)

D) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with STX Underground LLC. from Brownsville, Texas for the Fiber Optic Network Phase VI Project through The Interlocal Purchasing System (TIPS) Cooperative Contract 211001. **This item supports QL - Quality of Life.** (PURCHASING)

E) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic signal study for the intersection of Sugar Rd. and Minnesota Rd. **This item supports IF - Infrastructure.** (ENGINEERING)

F) Consideration and action, if any, authorizing City Manager to negotiate and enter into agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic study for the intersection of FM 495 and Veterans Blvd. **This item supports IF - Infrastructure.** (ENGINEERING)

G) Consideration and action, if any, on JotForm Software service agreement for digital form software in the amount of \$10,224.00. **This item supports SG - Sound Governance and Fiscal Sustainability.** (COMMUNICATIONS)

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 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.

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 31st day of March 2023 at 4:05 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 31st day of March 2023


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: _____