

**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 5, 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 June 2023 as National Cancer Survivor Month.
- B) Proclamation proclaiming June 2023 as Elder Abuse Awareness Month.

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) Presentation by Linebarger Goggan Blair and Sampson, LLP of Delinquent Tax Collection Report FY 2022-2023. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

B) City Engineer's Report (ENGINEERING)

C) 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 May 15, 2023 Special Called Meeting and May 15, 2023 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-09 Rental of Facilities *(3rd and Final Reading)*. **This item supports QL - Quality of Life.** (PARKS)

C) Consideration and action, if any, authorizing Pharr Police Department to partner with Fiber Broker's International for the destruction of 166 Ballistic Vest Panels. **This item supports SSC - Safe and Secure Community.** (POLICE)

D) Consideration and action, if any, on Memorandum of Understanding between the Constituent Agencies of the Texas Anti-Gang (TAG) Center Rio Grande Valley for the transfer of equipment purchased with grant funds. **This item supports SSC - Safe and Secure Community.** (POLICE)

E) Consideration and action, if any, on professional services agreement with Freese Nichols Engineers to conduct a Brackish Groundwater Desalination Title XVI Watersmart Feasibility Report for the City of Pharr. **This item supports IF - Infrastructure.** (PUBLIC UTILITIES)

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

1. Irasema Almazan, representing Martin Almazan and Irasema Salinas, owner (s), has filed with the Planning and Zoning Commission a request for a Change of Zone from Office and Professional District (O-P) to General Business District (C). The property is legally described as being Lot 45, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2621 South Gardenia Street. COZ#230498 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)
2. Ricardo Ramos, representing International Development Properties, LLC., has filed with the Planning and Zoning Commission a request for a Change of Zone from Limited Industrial District (L-I) to General Business District (C). The property is legally described as being Lot 2, Nolana Hampton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 308 West Nolana Loop. COZ#230499 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

G) PLATS:

1. DO-RITE Engineering, LLC. representing Patrick Starnes, Owner and Manager of International Development Properties, LLC. is requesting preliminary and final plat approval of the proposed Lots 2A & 2B, Replat of Lot 2, Nolana Hampton Subdivision. The property is legally described as being a 1.01 acre tract of land, more or less, out of Lot 2, Nolana Hampton Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 308 West Nolana Loop. SUB#230414 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)
2. Pablo Soto, P.E., representing Jaime Arreola, is requesting preliminary plat approval of the proposed Master Plan of Los Pavorreales Subdivision. The property is legally described as being a 5.0 acre tract of land out of Lot 326, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located at 600 West Habitat Circle. SUB#230416 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance appointing/reappointing a Municipal Judge. (*Adoption on One Reading*) **This item supports SG - Sound Governance and Fiscal Sustainability.**
- B) Consideration and action, if any, on Ordinance appointing/re-appointing General Counsel and City Attorney for the City of Pharr (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)
- C) Consideration and action, if any, on Ordinance to establish a fee to defray costs of collecting delinquent fines, fees, court costs, and other debts pursuant to Article 103.0031 of the Texas Code of Criminal Procedure; providing for severability; and establishing an effective date (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

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D) Consideration and action, if any, on Resolution appointing a Mayor Pro Tem and Alternate Mayor Pro Tem. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

E) Consideration and action, if any, on Resolution appointing one (1) member to the Pharr Public Facilities Corporation #1 Board of Directors. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

F) Consideration and action, if any, on Resolution appointing/reappointing seven (7) members to the Pharr Public Facilities Corporation #3 Board of Directors. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

G) Consideration and action, if any, on Resolution appointing/re-appointing four (4) members to the Tax Increment Reinvestment Zone #1. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

H) Consideration and action, if any, on Resolution appointing/re-appointing four (4) members to the Tax Increment Reinvestment Zone #2. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

I) Consideration and action, if any, on Resolution appointing/reappointing four (4) members to the Parks and Recreation Advisory Board. **This item supports SG - Sound Governance and Fiscal Sustainability.** (PARKS)

J) Consideration and action, if any, on Resolution appointing/reappointing two (2) members to the Pharr Memorial Library Board. **This item supports SG - Sound Governance and Fiscal Sustainability.** (LIBRARY)

K) Consideration and action, if any, on Resolution ratifying Amendment Number 1 to the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Dock Expansion Phase II, Control Section Job (CSJ) Number 0921-02-425. **This item supports IF - Infrastructure.** (ENGINEERING)

L) Consideration and action, if any, on Resolution ratifying Amendment Number 1 to the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Agricultural Laboratory and Training Center (Ag Lab), Control Section Job (CSJ) Number 0921-02-433. **This item supports IF - Infrastructure.** (ENGINEERING)

8. ADMINISTRATIVE:

A) Consideration and action, if any, authorizing the Bridge Department to participate in the 2023 Global Produce & Floral Show (formerly known as PMA) Texas Town Pavilion for an amount not to exceed \$27,000. **This item supports EV - Economic Vitality.** (BRIDGE)

B) Consultation with the Board of Commissioners on the City's Organizational Structure. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

C) Consideration and action, if any, on appointment of Police Chief. **This item supports SSC - Safe and Secure Community.** (ADMINISTRATION)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on proposal from XOANA Entertainment Company for road/traffic and promotional commercial route signs in Reynosa for \$11,000. **This item supports EV - Economic Vitality.** (BRIDGE)

B) Consideration and action, if any, authorizing City Manager to extend the Supply contract for the Purchase and Delivery of Fuel with Gold Star Petroleum, Inc. from Spring, Texas. **This item supports IF - Infrastructure.** (PURCHASING)

C) Consideration and action, if any, authorizing City Manager to extend the Service Contract for Residential Fiber Installation labor services for TeamPharr.net with JSJ Rodriguez, Inc. dba Tele-Pro Communications from Mission, Texas through The Interlocal Purchasing System (TIPS) Cooperative Contract number 230105. **This item supports IF - Infrastructure.** (PURCHASING)

D) Consideration and action, if any, authorizing City Manager to award the Supply Contract for the Purchase and Delivery of HMAC, Cold Mix, and Caliche to Frontera Materials, Inc. from Elsa, Texas. **This item supports IF - Infrastructure.** (PURCHASING)

E) Consideration and action, if any, authorizing City Manager to extend the Professional Architectural Services Agreements with the firms currently on the City of Pharr's rotation list. **This item supports IF - Infrastructure.** (PURCHASING)

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F) Consideration and action, if any, authorizing City Manager to extend the Professional Engineering Services Agreements with the firms currently on the City of Pharr's rotation list. **This item supports IF - Infrastructure.** (PURCHASING)

G) Consideration and action, if any, authorizing City Manager to extend the Professional Engineering Services Agreements for Water and Wastewater Improvement Projects with the firms currently on the City of Pharr's rotation list. **This item supports IF - Infrastructure.** (PURCHASING)

H) Consideration and action, if any, authorizing City Manager to extend the Professional Surveying Services Agreements to the firms currently on the City of Pharr's rotation list. **This item supports IF - Infrastructure.** (PURCHASING)

I) Consideration and action, if any, authorizing City Manager to enter into an agreement with Grant Mercantile Agency for Emergency Medical Services unpaid collection services. **This item supports SG - Sound Governance and Fiscal Sustainability..** (EMERGENCY MEDICAL SERVICES)

J) Consideration and action, if any, ratifying Interlocal Agreement between City of Pharr, Pharr Economic Development Corporation II, and Pharr-San Juan-Alamo Independent School District for use of land known as Los Conquistadores. **This item supports QL - Quality of Life.** (ADMINISTRATION)

K) Consideration and action, if any, ratifying Interlocal Agreement between the City of Pharr and Pharr-San Juan- Alamo Independent School District for broadband internet services. **This item supports QL - Quality of Life.** (ADMINISTRATION)

L) Consideration and action, if any, ratifying First Amendment to Lease and Joint Use Management Agreement between City of Pharr and Pharr-San Juan-Alamo Independent School District. **This item supports QL - Quality of Life.** (ADMINISTRATION)

M) Consideration and action, if any, adopting written findings as to collection services contract and approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP pursuant to Article 103.001, Texas Code of Criminal Procedure. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

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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.

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.*

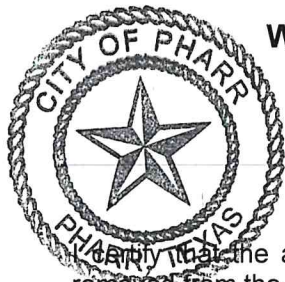
12. ADJOURNMENT:

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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.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 2nd day of June 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).



WITNESS MY HAND AND SEAL, this 2nd day of June 2023


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: _____