



**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
WEDNESDAY, JULY 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 July 2023 as National Berries 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) 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 June 19, 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-2022-36 Municipal Fiber Optic Fee Schedule *(2nd Reading)*. **This item supports SG - Sound Governance and Fiscal Transparency.** (IT)

C) Consideration and action, if any, on Order between City of Pharr and JustFOIA for a records request tracking system. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

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

1. Luis A. Muñoz, representing La Lejua Investments, LLC., has filed with the Planning and Zoning Commission a request for a Change of Zone from Neighborhood Commercial District (N-C) to Single-Family Residential District (R-1). The property is legally described as Lot 109, Villa San Miguel Phase 3 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 906 West Villa Street. COZ#230503 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

2. Mariscos El Muelle, LLC, d/b/a Muelle 37, 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 0.28 acres, more or less, out of Lot A, H E B Futurama Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1300 East Business Highway 83, Suite 6. CUP#201258 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

3. Aiesty, Inc., d/b/a Seoul Asian Market, 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 0.30 acre tract of land, more or less, out of Lot 4A, Replat of Vacated Carmel Subdivision, Vacated El Centro Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite M. CUP#191272 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

AGENDA REGULAR MEETING
July 5, 2023

4. Regency Hall is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a Heavy Commercial District (H-C). The property is legally described as being Lots 10 and 11, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 207 East Ferguson Avenue. CUP#161155 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

5. Pizza Properties, Inc., d/b/a Peter Piper Pizza #63, 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 1, Pleasanton Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1715 South Cage Boulevard. CUP#060104 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Resolution appointing one (1) board member to the Tierra Del Sol Golf Club Advisory Board. **This item supports SG - Sound Governance and Fiscal Sustainability.** (PARKS)

B) Consideration and action, if any, on Resolution appointing/re-appointing two (2) members of the Bridge Board. **This item supports SG - Sound Governance and Fiscal Sustainability.** (BRIDGE)

C) Consideration and action, if any, on Resolution determining a public necessity to acquire certain real property; giving notice of an official determination to acquire real property for a public purpose; establishing procedures for the acquisition of property; determining the estate to be acquired; establishing fair market value for the property to be acquired, and directing the City Manager or designee to communicate offers to owners for purchase of property, appropriating funds, and authorizing condemnation proceedings by City Attorney; ratification of prior acts. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Amendment Number 1 in the amount of \$490,304.93 to the Professional Engineering Services Agreement with Cobb, Fendley & Associates, Inc. for the Pharr City-Wide Fiber Project. **This item supports IF - Infrastructure.** (ENGINEERING)

B) Consideration and action, if any, on Amendment Number 1 in the amount of \$4,000.00 to the Professional Engineering Services Agreement with Alvarado Architects & Associates, Inc. for the City of Pharr-Javelina Drive Monument Signs. **This item supports IF - Infrastructure.** (ENGINEERING)

AGENDA REGULAR MEETING
July 5, 2023

C) Consideration and action, if any, authorizing City Manager to award a contract for the Downtown Park Statue Project to Mata G. Construction from Penitas, TX for the amount of \$39,600.00. **This item supports IF - Infrastructure.** (ENGINEERING)

D) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with GDJ Engineering, LLC, for Professional Engineering Services for Las Milpas Road from Jackson Road to Cage Boulevard and Cage Boulevard to I Road. **This item supports IF - Infrastructure.** (ENGINEERING)

E) Consideration and action, if any, authorizing City Manager to extend the service contract for Performance Management Software with Ascendant Strategy Management Group, LLC dba ClearPoint Strategy from Boston, MA through General Services Administration (GSA) Cooperative Contract number 511210. **This item supports SE - Service Excellence.** (PURCHASING)

F) Consideration and action, if any, authorizing City Manager to enter an agreement with Texas Manufacturing Assistance Center (TMAC) - University of Texas Rio Grande Valley (UTRGV) for the annual strategic plan evaluation. **This item supports SG - Sound Governance and Fiscal Sustainability.** (OSE)

G) Consideration and action, if any, authorizing City Manager to enter into a Service Contract for Residential Fiber Installation labor services for TeamPharr.net with STX Underground LLC from Brownsville, Texas through The Interlocal Purchasing System (TIPS) Cooperative Contract number 211001. **This item supports IF - Infrastructure.** (IT)

9. LEGAL:

A) Consideration and appropriate action to ratify a settlement and release agreement between the City of Pharr, Texas and former City Attorney Patricia A. Rigney. (LEGAL)

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

AGENDA REGULAR MEETING
July 5, 2023

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 30th day of June 2023 at 5:30 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).

AGENDA REGULAR MEETING
July 5, 2023

WITNESS MY HAND AND SEAL, this 30th day of June 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: _____