

**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, AUGUST 7, 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) City Engineer's Report.

B) 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 July 19, 2023 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on request from Hidalgo County Elections Department to use the Jose "Pepe" Salinas Recreation Center and the Pharr Development and Research Center as Early Voting and Election Day polling locations for the November 7, 2023 Constitutional Amendment Election. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

C) Consideration and action, if any, authorizing City Manager to extend the Supply Contract for the Purchase and Delivery of Aluminum Sulfate & Liquid Ammonium Sulfate with Chemtrade Chemicals US, LLC from Parsippany, NJ. **This item supports IF - Infrastructure.** (PURCHASING)

D) Consideration and action, if any, authorizing City Manager to extend the Supply Contract for the Purchase and Delivery of Chlorine & Calcium Hypo-Chlorite with DPC Industries, Inc. from Corpus Christi, TX **This item supports IF - Infrastructure.** (PURCHASING)

E) Consideration and action, if any, authorizing City Manager to extend the Service Contract for the Police Department Polygraph Services with Purpose Driven Polygraph Investigative Consultant from Weslaco, TX. **This item supports SSC - Safe and Secure Community.** (PURCHASING)

F) Consideration and action, if any, authorizing City Manager to extend the Service Contract for the Installation of Thermoplastic Pavement Markings with Pavement Markings, Inc. from Donna, TX. **This item supports IF - Infrastructure.** (PURCHASING)

G) Consideration and action, if any, authorizing City Manager to extend the subscription services for TeamPharr.Net operations and workforce management software with 3HV Innovations, LLC from Knoxville, TN. **This item supports IF - Infrastructure.** (PURCHASING)

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

1. Edinburg RAM, LLC, dba Khan's Grill, has filed with the Planning and Zoning Commission a request for 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 6A, Jackson Ridge Court Subdivision Phase III – Amended Plat, Pharr, Hidalgo County, Texas. The property's physical address is 1005 South Jackson Road. CUP#18644 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

I) PLATS:

1. Salinas Engineering & Associates, representing Maria Del Carmen Pacheco, Manager for Encarlen, LTD., A Texas Limited Partnership, is requesting final plat approval of the proposed Villa España Estates Phase V Subdivision. The property is legally described as being a 0.22 acre tract of land, more or less, out of and forming a part of Lot 8, Block 9, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 2500 Block of South Salamanca Street. SUB#230203 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

2. Supreme Engineering, PLLC, Consulting Engineers, representing Hugo De La Garza, Owner is requesting final plat approval of the proposed Gardenia Estates Subdivision. The property is legally described as being a 4.00 acre tract of land consisting of all of Lots 13 and 14, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property is located at the 3000 Block of South Gardenia Street. SUB#220413 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

3. R. E. Garcia & Associates, representing Rosana Riojas, President for Rich Heritage Construction, Inc., is requesting preliminary and final plat approval of the proposed Amended Plat of Heritage Estates Subdivision. The property is legally described as being a 6.84 acre tract of land being a portion of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 2200 Block of N. Sugar Road. SUB#230618 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance authorizing the issuance of "City of Pharr, Texas Tax Notes, Series 2023" and levying an annual ad valorem tax, within the limitations prescribed by law, for the payment of the notes; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the notes; authorizing the execution of a paying agent/registrar agreement and a purchase and investment letter; and providing for an effective date. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

B) Consideration, if any, on Ordinance amending Ordinance No. O-2022-37 for budget amendment to the Fiscal Year 2022-2023 budget. (**Adoption on One Reading**) **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

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C) Consideration and action, if any, on Resolution authorizing the Pharr Police Department to submit a grant application to the Edward Byrne Memorial Justice Assistance Grant (JAG) for the "Pharr Police First Offender Program." **This item supports SSC - Safe and Secure Community. (POLICE)**

D) Consideration and action, if any, on Resolution executing an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the I Road Bridge at the South Floodwater Channel, CSJ 0921-02-491. **This item supports IF - Infrastructure. (ENGINEERING)**

E) 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 a 14.88 acre tract of land, out of Lot 5, Closner Subdivision, located on the southeast corner of South Veterans Boulevard and Hi-Line Road, in the City of Pharr's Extraterritorial Jurisdiction (ETJ), Hidalgo County, Texas. **This item supports EV - Economic Vitality. (DEVELOPMENT SERVICES)**

F) 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 IF - Infrastructure. (DEVELOPMENT SERVICES)**

G) Consideration and action, if any, on Resolution declaring the expectation to reimburse expenditures with proceeds of future debt. **This item supports SG - Sound Governance and Fiscal Sustainability. (FINANCE)**

H) Consideration and action, if any, on Resolution appointing/re-appointing three (3) members to the Pharr Economic Development Corporation II Board of Directors. **This item supports SG - Sound Governance and Fiscal Sustainability. (PEDC II)**

7. ADMINISTRATIVE:

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A) Consideration and action, if any, on request from Iradier Adan Hernandez, representing HDZ Holdings, LLC., for a Change of Zone from a Single-Family Residential District (R-1) to a Residential Multi-Family District (R-MF). The property is legally described as 5.275 acres, more or less, out of Lot 129, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3155 North Veterans Boulevard. COZ#230606 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

B) Consideration and action, if any, on proposed toll fee increase for commercial trucks at the Pharr International Bridge. **This item supports EV - Economic Vitality.** (BRIDGE)

C) Submission of Certified Totals for Tax Assessed Values 2023 for Fiscal Year 2023-2024. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

D) Discussion and action for vote on Proposed Tax Rate increase and schedule a Public Hearing. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

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

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to enter into a new agreement with Dr. Raul Barreda from McAllen, TX as the Medical Director for EMS, Fire, and Public Safety Communications. **This item supports SG - Sound Governance and Fiscal Sustainability.** (EMERGENCY MEDICAL SERVICES)

B) Consideration and action, if any, on agreement with Military Water Supply Corporation to allow the City of Pharr to provide Emergency Water Services for Fire Protection. (FIRE)

C) Consideration and action, if any, authorizing City Manager to amend Contract with Burton, McCumber and Longoria from McAllen, TX for External Auditor Services in the amount of \$71,000 and add Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

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9. 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.

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

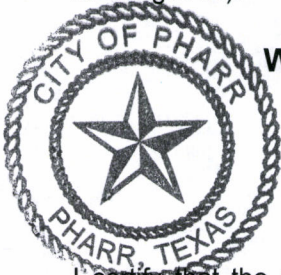
11. ADJOURNMENT:

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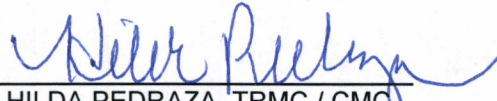
NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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 4th day of August 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 4th day of August 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: _____