



**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, NOVEMBER 20, 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 November 15, 2023 as Geographic Information System (GIS) Day.

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) Submission of Sales Tax Collection Report for November 2023. **This item supports SG - Sound Governance and Fiscal Sustainability.** (FINANCE)

B) City Events of Interest

1. Recognition of Pharr Leadership Development Program Graduates.
2. Recognition of EMS Staff for Clinical Excellence Commendation.
3. Presentation by Pharr Police Department on Uniform Crime Reporting (UCR) Statistics.
4. Presentation by Urban Ecologist on 2023 RGV Coastal Expo.

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) Minutes for November 6, 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 a 0.104 acre tract of land out of Lot 1, Block 1, Re-subdivision of Closner Subdivision located on South Veterans Road and Doffing Road, a 1.71 acre tract of land, more or less located on the Right-of-Way of South Veterans Road and Doffing Road, and a 241.56 acre tract of land out of Porcion 71, located on the south side of Doffing Road, in the City of Pharr's Extraterritorial Jurisdiction (ETJ) in Hidalgo County, Texas. *(2nd Reading)* **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

C) Consideration and action, if any, ratifying Resolution No. R-2023-71 entering into an agreement with the Texas Department of Transportation for the closure of U.S. 281 (Cage Blvd.) from Old Business 83 to Kelly Ave. for the Pharr Winter Wonderland from Thursday, November 30, 2023, at 7:00 a.m. until Saturday, December 2, 2023, at 10:00 a.m. **This item supports QL - Quality of Life.** (ADMINISTRATION)

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D) Consideration and action, if any, on Memorandum of Understanding between Pharr Police Department and Tropical Texas Behavioral Health for the mutual commitment to coordinate efforts to service our community. **This item supports SSC - Safe and Secure Community. (POLICE)**

E) Consideration and action, if any, authorizing City Manager to advertise for Request for Proposals for Public Relation Consulting Services. **This item supports SE - Service Excellence. (PURCHASING)**

F) Consideration and action, if any, on request from PSJA ISD for street closure of Kelly Avenue, from Gumwood to Fir Street for their 4th Annual PSJA ISD Family Posada Event on Thursday, December 21, 2023 from 9:00 a.m. to 10:00 p.m. **This item supports QL - Quality of Life. (ADMINISTRATION)**

G) Consideration and action, if any, on release of retainage in the amount of \$2,405.00, and acceptance of the Downtown Park Statue as complete. (Project #2223-40-510-C06-781) **This item supports IF - Infrastructure. (ENGINEERING)**

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

1. Pablo Soto Jr., representing Pablo Quintanilla Salinas & Claribel Salinas, owners, has filed with the Planning and Zoning Commission a request for a Change of Zone from Single-Family Residential District (R-1) to Residential Mobile Home District (R-MH). The property is legally described as being 0.45 acres, more or less, out of Lot 144, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2400 North Veterans Boulevard. COZ#230925 **This item supports EV - Economic Vitality. (DEVELOPMENT SERVICES)**

2. Andres Jorge Zuniga representing Zuko Family Limited Partnership, a Texas Limited Partnership, 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 Industrial District (HI). The property is legally described as being a 14.88 acre tract of land being a portion of Lot 5, Closner Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1700 West Hi-Line Road. COZ#231028 **This item supports EV - Economic Vitality. (DEVELOPMENT SERVICES)**

3. 7-Eleven Inc. DBA 7-Eleven Convenience Store's and Stripes Stores, has filed with the Planning and Zoning Commission a request for a 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 One (1) P&T Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 2710 North Cage Boulevard, Suite 1. CUP#231031 **This item supports EV - Economic Vitality. (DEVELOPMENT SERVICES)**

4. Villa Del Mar Restaurant, has filed with the Planning and Zoning Commission a request for a 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 0.108 acres, more or less, out of Lot 3, Riveraine Subdivision, Pharr, Hidalgo

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County, Texas. The property's physical address is 6502 South Cage Boulevard, Suite 1. CUP#231029 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

5. Texas Nightlife, LLC., DBA Gallinas Locas Bar and Grill, has filed with the Planning and Zoning Commission a request for a 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 187, Valle De La Primavera Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 6905 South Jackson Road. CUP#231030 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

6. Michael Wright, CFO., DBA Parry's Pizza, has filed with the Planning and Zoning Commission a request for a 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 1B of the 2nd Replat of Vacated Car-mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivisions, Pharr, Hidalgo County, Texas. The property is physically located at 550 North Jackson Road. CUP#231032 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

7. 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.** (DEVELOPMENT SERVICES)

8. Stefano's Pizza Express 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 0.06 acres, 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 N-3. CUP#190961 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

I) PLATS:

1. South Texas Infrastructure Group, representing, Rhea Mora, President for Brownstone Consultants, LLC., is requesting final plat approval of the proposed Bstone Park Subdivision. The property is legally described as being 1.52 acres out of Lot 168, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is located within the 1500 Block of North Sugar Road. SUB#211247 **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/reappointing City Clerk and Assistant City Clerk. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Resolution executing an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for Voluntary Maintenance of a Section 130 Project. **This item supports IF - Infrastructure.** (ENGINEERING)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Change Order No. 5 in the amount of \$150,270.25 to the construction contract with International Consulting Engineers (ICE) for the Donations Acceptance Program (DAP) Fiscal Year 2015 Projects. **This item supports IF - Infrastructure.** (ENGINEERING)

B) Consideration and action, if any, authorizing City Manager to negotiate and enter into Right of Entry for Survey and Site Assessment on Tract No's: RGV-WSL-2025 and RGV-WSL-2026 between City of Pharr and United States of America for Border Infrastructure. **This item supports IF - Infrastructure.** (ADMINISTRATION)

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.

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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:

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 17th day of November 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 17th day of November 2023


IMELDA PEREZ, TRMC
ASSISTANT 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: _____