



**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, FEBRUARY 19, 2024**

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 National Engineers Week.

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 February 2024. **This item supports SG - Sound Governance and Fiscal Sustainability.**

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 February 5, 2024 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-2020-06 to adopt new and updated Personnel Policies. **(2nd Reading) This item supports SE - Service Excellence.** (HR)

C) Consideration and action, if any, on Ordinance amending Ordinance No. O-2021-38 to adopt an updated Purchasing Policy Manual. **(2nd Reading) This item supports SE - Service Excellence.** (PURCHASING)

D) Consideration and action, if any, on Ordinance adopting a new Procurement Card Policy Manual. **(2nd Reading) This item supports SE - Service Excellence.** (PURCHASING)

E) Consideration and action, if any, on Memorandum of Understanding between the Texas Department of Public Safety and Pharr Police Department for certification of commercial vehicles and weight enforcement. **This item supports SSC - Safe and Secure Community.** (POLICE)

F) Consideration and action, if any, ratifying the purchase of a 2024 Mercedes Sprinter Van for \$82,491.88 from ED Hicks Imports, LTD. from Corpus Christi, TX. **This item supports SE - Service Excellence.** (PURCHASING)

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

1. The City of Pharr, 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 General Business District (C). The property is legally described as being 3.4 acres, more or less, out of Lot 7, Block 4, A.J. McColl Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 4800 North Jackson Road. COZ#240103 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

2. Cross Development CC Pharr, LLC., representing Heavy Investments, 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 General Business District (C). The property is legally described as being 2.09 acres, more or less, out of Lots 13 and 14, L.R. Bell Development "E" Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is located at 1400 East Ferguson Avenue. COZ#240101 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

3. Diana L. Bojorquez De Robles, DBA Royal Garden, 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. The property is legally described as being 0.21 acres, more or less, out of Lots 12 and 13, Maco Business Center Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 213 East Ferguson Avenue, Suite C. CUP#240101 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

4. 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. The property is legally described as being 0.3 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)

5. Topgolf USA Pharr, LLC., is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being a 1.27 acre tract of land, more or less, out of Lot 1, Top Golf Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1901 West Interstate Highway 2. CUP#170846 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

6. Sr. Cruda Ceviche and Micheladas, LLC., is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being 0.035 acres, more or less, out of Lot 1, Tropic Star Commercial Plaza, Phase I Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1501 South Cage Boulevard, Suite A. CUP#211065 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

7. 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. 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)

8. O & C Bar B Que, LLC, d/b/a Bar B Cutie Smokehouse, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. The property is legally described as being Lot 2B, Pharr Commercial Park Phase II Subdivision, Pharr, Hidalgo County, Texas. The property is physically located at 1933 West Interstate 2. CUP#160633 **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

AGENDA REGULAR MEETING
February 19, 2024

9. Regency Hall is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption. 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)

REGULAR AGENDA - OPEN SESSION:

7. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance approving the extension of the boundaries of Tax Increment Reinvestment Zone (TIRZ) #2. **This item supports QL - Quality of Life.** (ADMINISTRATION)

B) Consideration and action, if any, on Resolution in support of Citrus Village, L.P. to submit an application to the Texas Department of Housing and Community Affairs for 2024 Competitive 9% Housing Tax Credits for Citrus Village Apartments. **(TABLED)** **This item supports QL - Quality of Life.** (ADMINISTRATION)

C) Consideration and action, if any, on Resolution designating members to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

D) Consideration and action, if any, on Resolution declaring eight (8) vehicles from the Pharr Police Department Fleet as surplus property and authorizing the sale of said vehicles, via GovDeals.com. **This item supports SSC - Safe and Secure Community.** (POLICE)

E) Consideration and action, if any, on Resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation, Series 2024, for the design, acquisition, construction and improvement of certain public works, and authorizing certain other matters relating thereto. **This item supports IF - Infrastructure.** (ADMINISTRATION)

8. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, on Change Order No. 3 with Asago Construction, LLC for the amount of \$12,647.34 and an additional 158 work week days for the PSJA Tri-City Sidewalk Safety Pedestrian Improvements Phase I. (ENGINEERING)

AGENDA REGULAR MEETING
February 19, 2024

B) Consideration and action, if any, on release of Final Payment and Retainage in the amount of \$125,109.57 to Castle Enterprises, LLC and acceptance of the Fir Avenue Paving Improvements Project as complete. (ENGINEERING)

C) Consideration and action, if any, on Memorandum of Understanding between the City of Pharr and Nueva Luz Foundation for the implementation of a Wellness Program for Pharr employees. **This item supports QL - Quality of Life.** (ADMINISTRATION)

D) Consideration and action, if any, authorizing City Manager to enter into a Service Contract subscription with Carbyne, Inc. from New York, NY for next generation video for 9-1-1 services for Pharr Public Safety Communications (NPPGov Cooperative Purchasing Program and Contract No. PS20300). **This item supports SSC - Safe and Secure Community.** (PURCHASING)

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.

AGENDA REGULAR MEETING
February 19, 2024

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 16th day of February 2024 at 3:45 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 16th day of February 2024

Hilda Pedraza
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: _____