



**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 5:30 P.M. ON
TUESDAY, FEBRUARY 3, 2015**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and Ordinance O-2010-32. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. On matters requiring a public hearing, all persons desiring to speak during a public hearing shall sign in with the City Clerk no later than 5:00 p.m. or the close of business on the business day prior to the scheduled public hearing.

1. CALL TO ORDER:

- A) Roll call and possible action on the excusing of any absent member of the governing body.
- B) Pledge of Allegiance/Invocation.

2. 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
- C) Legislative/Project Update

3. 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) Consideration and action, if any, authorizing City Manager to advertise for bids to repair the bridge expansion joints.
- B) Consideration and action, if any, on Resolution authorizing Pharr Police Department to submit a grant application to the Office of the Governor, Criminal Justice Division for the Domestic Violence Coordinator Project.

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- C) Consideration and action, if any, on Resolution authorizing Pharr Police Department to submit a grant application to the Office of the Governor Criminal Justice Division for the Human Trafficking Liaison Project.
- D) Consideration and action, if any, on Resolution authorizing Pharr Police Department to submit a grant application to the Office of the Governor, Criminal Justice Division for the STOP failure to Attend School Project.
- E) Consideration and action on Planning & Zoning Cases:
Public Hearing

1. Mauricio Jaramillo, d/b/a Regency Fiesta, 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 1.01 acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1020 West Ferguson.
2. Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, is requesting 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 Lots 17, 18 & 19, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 917 West Ferguson Street.
3. Xoticas is requesting renewal of a Sexually Oriented Business License in a Limited Industrial District (L-I). The property is legally described as a 0.6081 acre tract of land out of a certain 0.88 acre out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 4502 North Cage Boulevard.
4. Red Tape II, Inc., d/b/a Stiletos Gentlemen's Club is requesting renewal of a Sexually Oriented Business License in a General Business District (C). The property is legally described as all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas. The property's physical address is 1050 North Sugar Road.

REGULAR AGENDA – OPEN SESSION:

4. ORDINANCES AND RESOLUTIONS:

- A) Consideration and action, if any, on Ordinance calling the City of Pharr General Municipal Election for May 9, 2015, for election of Mayor and City Commissioners Places 1, 5, and 6 and designating Election Precincts and Polling Places. (*Consideración y acción, en Ordenanza para ordenar la Elección Municipal General de la Ciudad de Pharr el 9 de mayo de 2015, para elegir un Alcalde y Comisionados Lugares 1, 5, y 6, y la designación de Distritos Electorales y Centros de Votación*)
- B) Consideration and action, if any, on Ordinance appointing an Alternate Municipal Judge for the City of Pharr (unexpired term).

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- C) Consideration and action, if any, on Ordinance amending Ordinance No. O-84-45 (Late Hours Mixed Beverage Permits).
- D) Consideration and action, if any, on Ordinance amending Ordinance No. O-2013-51 (Permitting).
- E) Consideration and action, if any, on Ordinance amending Ordinance Nos. O-2011-56 and O-2008-47 Section E (Conditional Use Permits).
- F) Consideration and action, if any, on Resolution appointing/re-appointing one (1) member to the Civil Service Commission.
- G) Consideration and action, if any, on Resolution creating and appointing the Pharr Into the Future Master Plan Steering Committee.
- H) Consideration and action, if any, on Resolution initiating the procedures to create the City of Pharr – (TIF) Reinvestment Zone #2.
- I) Consideration and action, if any, on Resolution entering into an agreement with Texas Department of Transportation for closure of South US 281 and East Business 83 for the 9th Annual St. Patrick's Day 5K Run/Walk on Saturday, March 14, 2015 from 7:00 a.m. to 11:00 a.m.
- J) Consideration and action, if any, on Resolution in support of the appointment of Aquiles "Jimmy" Garza to the Texas Department of Transportation Commission.

5. ADMINISTRATIVE:

- A) Consideration and action, if any, awarding bid for the Capote Industrial Park and Pharr/Las Milpas Industrial Park Street Improvements Project.

6. CONTRACTS/AGREEMENTS:

- A) Consideration and action, if any, authorizing City Manager to contract with Aldana Engineering and Traffic Design for Engineering Services.

7. LEGAL:

- A) Consideration and action, if any, on Total Commitment, LLC vs. Ron Rock, Individual doing business as Mastercrafters Construction and Development, City of Pharr, and Pharr Economic Development Corporation, II, Cause No. C-501-11-G; and related matters.

8. **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, including items 3 - 7 in accordance with the following below:*

Pursuant to Section 551.071, the City may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on Total Commitment, LLC vs. Ron Rock, Individual doing business as Mastercrafters Construction and Development, City of Pharr, and Pharr Economic Development Corporation, II, Cause No. C-501-11-G; and related matters 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 City 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 City 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 City 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 City 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 City 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.

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

10. **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 1003/1007 or FAX 956/702-5313 or E-mail hilda.pedraza@pharr-tx.gov or sonia.hinojosa@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 January 2015, at 5:00 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 30th DAY OF JANUARY 2015.



HILDA PEDRAZA, TRMC
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 _____, 2015 by,

Title: _____

City Engineer's Report
February 3, 2015

Design Projects:

City of Pharr Bicycle Accessible Improvements

Engineer has completed 90% of the design; 90% has been submitted to TxDOT for review. The environmental consultant is currently working on the environmental document for the project.

City of Pharr Pedestrian Improvements Project – Ridge Road

Plans and Specifications are about 30% completed.

International Trade Center – Bridge

Architect has submitted 100% of construction plans. A meeting with staff was held to review 100% plans.

Owassa Road

TxDOT has reviewed the environmental document for the project and has determined that the document is administratively complete. The document can now proceed to technical review.

Construction Projects:

Capote Industrial Park & Pharr/Las Milpas Industrial Park Street Improvements

A bid opening was held on January 29, 2015. Award recommendation is on the agenda.

Egly & Sugar Drainage Detention Pond-Offsite Improvements

We are currently advertising for this project and a bid opening has been scheduled for February 10, 2015.

Moore Road Driveway at Pharr Police Department

Contractor has completed about 95% of the project; Concrete Island has been completed. A small section of asphalt paving is pending to complete this project. Lumatec Lighting Services has been completed.

Northside Park – Special Needs

Contractor has completed work on the parking lot and is currently working on the installation of the Park Sign and irrigation system. Installation of the playsets will begin soon. Texas Descon is currently 100 days past the completion date. Letters have been sent to Texas Descon to submit a revised schedule but no response.

Single Machine Repaving Project 1st Year Program

Contract has been awarded to Cutler Repaving, Inc. for repaving work and IOC Company for Hot Mix Material. Work will commence late February.

South Pharr Sidewalk Improvements Project

Construction is about 95% completed. A preliminary walk-thru of the project has begun.

Traffic Signal at Sugar & Sioux Road

A bid opening was held on January 30, 2015. Staff is currently reviewing the bids that were received.

Wastewater Treatment Plant – Secondary Clarifier No. 1 Replacement

A bid opening was held on January 23, 2015. One bid was received from Associated Construction Partners, Ltd. Staff is currently reviewing the bid and company's qualifications.



Moore Road Driveway – Police Department



Northside Park – Special Needs



South Pharr Sidewalk Improvements Project



AGENDA ITEM REQUEST

MEETING DATE: 02-03-15

INITIATED BY: FRED BROUWEN DEPARTMENT: BRIDGE

AGENDA ITEM: AUTHORIZATION TO ADVERTISE FOR BIDS TO REPAIR THE BRIDGE EXPANSION JOINTS.

PARTY MAKING THE REQUEST: _____

NATURE OF THE REQUEST: ADVERTISE

BUDGET:

EXPENDITURE REQUIRED: \$ N/A

CURRENT BUDGET: \$ N/A

ADDITIONAL FUNDING: \$ N/A

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: *[Signature]* DATE: 1-22-15

ASSISTANT CITY MANAGER: *[Signature]* DATE: 1/22/15

CITY MANAGER: _____ DATE: _____

STAFF RECOMMENDATION:

THE PHARR BRIDGE IS REQUESTING THE AUTHORIZATION TO ADVERTISE FOR BIDS TO REPAIR THE BRIDGE EXPANSION JOINTS. APPROVED BY BRIDGE BOARD ON JANUARY 21, 2015.



Memorandum

To: Bridge Board

From: William F. Ueckert Jr., P.E. - City Engineer

Date: January 14, 2015

Re: Agenda Item - Consideration and action, if any, authorizing to advertise for bids to repair the bridge expansion joints.

Bridge Board:

I am requesting to advertise for the repair of the bridge expansion joints. The plans and specifications are completed and the estimated construction cost is about \$200,000. See attached estimate from the engineer.

PHARR-REYNOSA INTERNATIONAL BRIDGE / SEALED EXP. JOINT REPAIR
 100% DESIGN SUBMITTAL - OPINION OF PROBABLE COST - NOVEMBER 11, 2014

EST ITEM #	Item Description	QTY	UNIT	UNIT PRICE	EXTENSION
1	SEJ REPAIR TYPE 1	62.8	lf	\$ 750.00	\$ 47,100
2	SEJ REPAIR TYPE 2	107.4	lf	\$ 1,000.00	\$ 107,400
3	MOBILIZATION	1	ls	\$ 17,200.00	\$ 17,200
4	BARRICADES, SIGNS AND TRAFFIC HANDLING	4	mo	\$ 4,500.00	\$ 18,000
	CONSTRUCTION SUBTOTAL				\$ 189,700
	Contingency 5%				\$ 9,485
				Construction Total	\$ 199,185



AGENDA ITEM REQUEST

MEETING DATE: January 28, 2015

INITIATED BY: Ruben Villescas DEPARTMENT: Police

AGENDA ITEM: : Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the "Domestic Violence Coordinator Project"

MAKING THE REQUEST: Chief Ruben Villescas

NATURE OF THE REQUEST: Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the "Domestic Violence Coordinator Project"

BUDGET:

EXPENDITURE REQUIRED: \$ 25-35 % in kind match

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: [Signature] DATE: 01/28/15

STAFF RECOMMENDATION: Recommend Approval



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



To: Mayor and City Commission
Thru: Federico Sandoval, City Manager
From: Ruben Villescás, Police Chief
Date: January 28, 2015
Subj: Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the “Domestic Violence Coordinator Project”

Background:

This request was forwarded to the city manager for consideration by the city commission on Tuesday February 3rd, 2015.

The Pharr Police Department is pursuing funding for the City of Pharr “**Domestic Violence Coordinator Project**” from the Office of the Governor Criminal Justice Division. The project would provide services to victims of domestic violence and include educational programs and strategies to help reduce this type of victimization.

This is a continuation grant request as we have been conducting this project for the past (4) years with Mr. Allan Cantu serving as our Coordinator.

Discussion:

The funding if approved is for the continuation of a domestic violence project presently being conducted in the City of Pharr by this department. There is a requirement of 25-35% match which can be in-kind contributions.

Recommendation:

Based on the foregoing discussion, I hereby recommend that the city commission authorize Police Chief Ruben Villescás to submit an application the Governor’s Office.

PHARR POLICE DEPARTMENT

RESOLUTION 2015-# _____

WHEREAS, The City of Pharr finds it in the best interest of the citizens of Pharr, that the Domestic Violence Coordinator Project be operated for the September 1, 2015 thru August 31, 2016; and

WHEREAS, The City of Pharr City Commission agrees to provide applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division grant application; and

WHEREAS, The City of Pharr City Commission agrees that in the event of loss or misuse of the Criminal Justice Division funds, The City of Pharr City Commission assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, The City of Pharr City Commission designates Ruben Villescás, Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Pharr City Commission approves submission of the grant application for the Domestic Violence Coordinator Project to the Office of the Governor, Criminal Justice Division.

3rd day of January 2015.

Grant Number: _____

APPROVED:

Mayor Leo "Polo" Palacios

Attest:

Hilda Pedraza, City Clerk



AGENDA ITEM REQUEST

MEETING DATE: January 28, 2015

INITIATED BY: Ruben Villescasc DEPARTMENT: Police

AGENDA ITEM: Request for Authorization and Resolution to Allow the Pharr Police Department to submit Grant Application to the Office of the Governor Criminal Justice Division for the "Human Trafficking Liaison Project"

PARTY MAKING THE REQUEST: Chief Ruben Villescasc

NATURE OF THE REQUEST: Request for Authorization and Resolution to Allow the Pharr Police Department to submit Grant Application to the Office of the Governor Criminal Justice Division for the "Human Trafficking Liaison Project"

BUDGET:

EXPENDITURE REQUIRED: \$ 25-30 % in kind match

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: [Signature] DATE: 01/28/15

STAFF RECOMMENDATION: Recommend Approval



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



To: Mayor and City Commission
Thru: Federico Sandoval, City Manager
From: Ruben Villescas, Police Chief
Date: January 28, 2015
Subj: Request for Authorization and Resolution to Allow the Pharr Police Department to submit Grant Application to the Office of the Governor Criminal Justice Division for the "Human Trafficking Liaison Project"

Background:

The Criminal Justice Division of the Governors Office is soliciting applications for projects that provide services to victims of human trafficking. The purpose of the program is to provide services and assistance directly to victims of human trafficking to speed their recovery and aid them through the criminal justice division. Services may include responding to the emotional and physical needs of crime victims, assisting victims in stabilizing their lives after victimization, assisting victims to understand and participate in the criminal justice system and providing victims with safety and security.

On September 2010 the Pharr City Commission authorized this department in partnership with the Child Advocacy Center to submit a similar grant application to the Office of the Governor. We were awarded the funding in February 2011 and immediately implemented this regional project. Subsequently we are awarded 2012, 2013 and 2014 funding for the continuation of the program.

Discussion:

This grant application will allow for the continued services of the existing Human Trafficking Project. This department is seeking to submit a application to the Office of the Governor Criminal Justice Division for funding of the "**Human Trafficking Liaison Project**". This project would allow for the continuation funding of our existing program objectives. There is a projected grant match that can be in-kind contributions but the level is not known but is expected to be 25-30%.

Recommendation:

I recommend that approval be given for the City of Pharr Mayor to Sign a resolution Authorizing Police Chief Ruben Villescas submit a application to the Criminal Justice Division of the Governor's Office for "Human Trafficking Liaison Project"

PHARR POLICE DEPARTMENT

RESOLUTION 2015-# _____

WHEREAS, The City of Pharr finds it in the best interest of the citizens of Pharr, that the Human Trafficking Liaison Project be operated for the September 1, 2015 thru August 31, 2016; and

WHEREAS, The City of Pharr City Commission agrees to provide applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division grant application; and

WHEREAS, The City of Pharr City Commission agrees that in the event of loss or misuse of the Criminal Justice Division funds, The City of Pharr City Commission assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, The City of Pharr City Commission designates Ruben Villescás, Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Pharr City Commission approves submission of the grant application for the Human Trafficking Liaison Project to the Office of the Governor, Criminal Justice Division.

_____ 3rd ___ of February 2015.

Grant Number: _____

APPROVED:

Mayor Leo "Polo" Palacios

Attest:

Hilda Pedraza, City Clerk



AGENDA ITEM REQUEST

MEETING DATE: January 28, 2015

INITIATED BY: Ruben Villescasc DEPARTMENT: Police

AGENDA ITEM: Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the "STOP failure to Attend School Project"

PARTY MAKING THE REQUEST: Chief Ruben Villescasc

NATURE OF THE REQUEST: Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the "STOP failure to Attend School Project"

BUDGET:

EXPENDITURE REQUIRED: \$ 25-30 % in kind match

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: *[Signature]* DATE: 01/28/15

STAFF RECOMMENDATION: Recommend Approval



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



To: Mayor and City Commission
Thru: Federico Sandoval, City Manager
From: Ruben Villescas, Police Chief
Date: January 28, 2015
Subj: Request for Resolution for Authorization to Submit Grant Application to the Office of the Governor, Criminal Justice Division for the "STOP failure to Attend School Project"

Background:

The Pharr Municipal Court thru the Pharr Police Department is pursuing funding for the City of Pharr **"STOP failure to Attend School Project"** from the Office of the Governor Criminal Justice Division. This request is for continuation funding of the project which was originally funded in 2012. The Project is administered through the Pharr Municipal Court under the supervision of Judge Rudolfo Martinez.

Discussion:

The funding if approved is for the continuation of a failure to attend school project presently being conducted in the City of Pharr by this department.

Recommendation:

Based on the foregoing discussion, I hereby recommend that the city commission authorize Police Chief Ruben Villescas to submit an application the Governor's Office.

PHARR POLICE DEPARTMENT

RESOLUTION 2015-# _____

WHEREAS, The City of Pharr finds it in the best interest of the citizens of Pharr, that the **STOP Failure to Attend School Project** be operated for the September 1, 2015 thru August 31, 2016; and

WHEREAS, The City of Pharr City Commission agrees to provide applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division grant application; and

WHEREAS, The City of Pharr City Commission agrees that in the event of loss or misuse of the Criminal Justice Division funds, The City of Pharr City Commission assures that the funds will be returned to the Criminal Justice Division in full.

WHEREAS, The City of Pharr City Commission designates **Ruben Villescás, Chief of Police** as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Pharr City Commission approves submission of the grant application for the **STOP Failure to Attend School Project** to the Office of the Governor, Criminal Justice Division.

3rd of February 2015.

Grant Number: _____

APPROVED:

Mayor Leo "Polo" Palacios

Attest:

Hilda Pedraza, City Clerk



"Triple Crown City"



MAYOR
Leo "Polo" Palacios, Jr.

COMMISSIONERS
Arturo J. Cortez
Roberto "Bobby" Carrillo
Oscar Elozondo, Jr.
Edmund Maldonado, Jr.
Aquiles "Jimmy" Garza
Adan Farias

CITY MANAGER
Fred Sandoval

Executive Summary Letter

February 3, 2015

Conditional Use Permit **Renewal** for ABC –

Regency Fiesta

Background:

Mauricio Jaramillo, d/b/a Regency Fiesta, is requesting renewal of the Conditional Use Permit to allow the sale of alcoholic beverage for on-premise consumption. This request constitutes the 8th renewal for Regency Fiesta.

The property is located at 1020 Wet Ferguson Avenue. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit to allow the sale of alcoholic beverage for on-premise consumption.

Microsoft Word/Sec:jb C:\MyFiles\CUPS\Renewal-Regency Fiesta



MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

THROUGH: FRED SANDOVAL, CITY MANAGER

DATE: FEBRUARY 3, 2015

RE: CONDITIONAL USE PERMIT **RENEWAL** FOR ABC
FILE NO. CUP#071271 (REGENCY FIESTA)

GENERAL INFORMATION:

APPLICANT: Mauricio Jaramillo, d/b/a Regency Fiesta, 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).

LEGAL DESCRIPTION: The property is legally described as 1.01 acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1020 West Ferguson Avenue.

ZONING: The property is currently zoned General Business District (C). The adjacent zoning is General Business District (C) and Agricultural and/or Open Space District (A-O) to the north and west, General Business District (C) with High Density Multi-Family (R-4) to the east and General Business District (C) with Heavy Commercial District (HC) to the south. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS: **CODE ENFORCEMENT** Recommends approval of the Conditional Use Permit. (See attached memo)

FIRE MARSHAL: Recommends approval of the Conditional Use Permit. (See attached memo)

POLICE CHIEF:

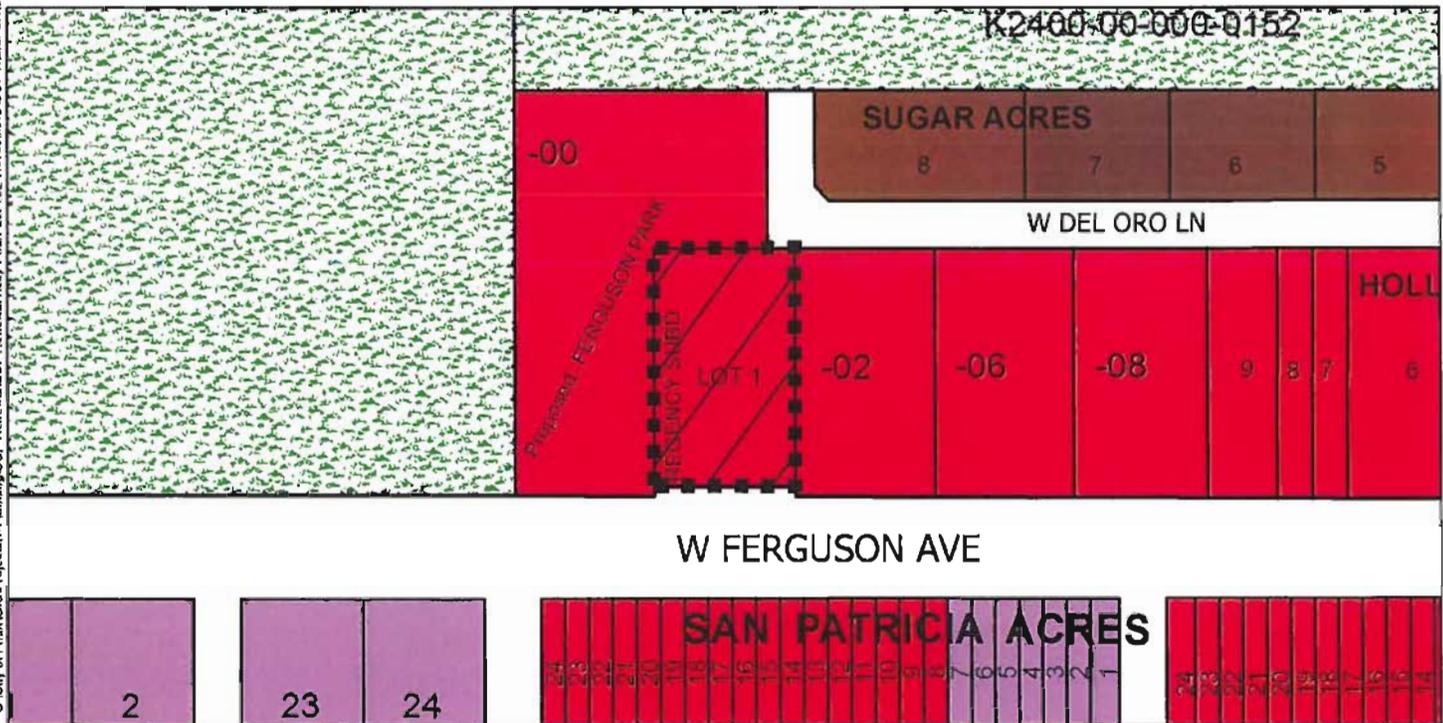
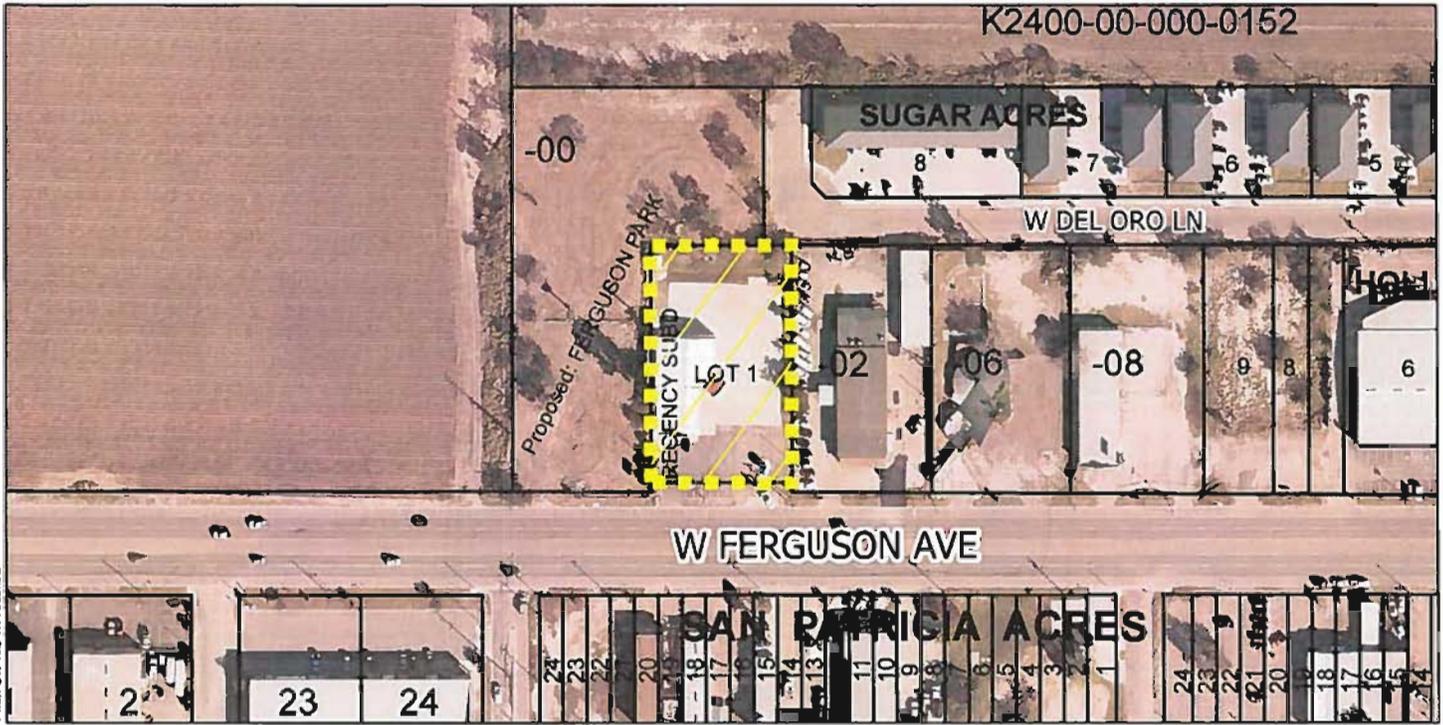
Recommends approval of the Conditional Use Permit.
(See attached memo)

PLANNING DEPT.:

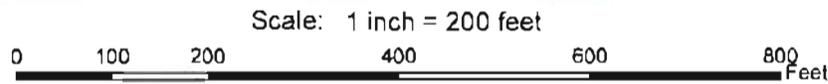
Recommends approval of the Conditional Use Permit.
(See attached memo)

**PLANNING STAFF
RECOMMENDATIONS:**

Planning Staff is recommending approval of the Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to the conditions listed on the attached department reports.



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |



**CITY OF PHARR
COMMUNITY PLANNING & DEVELOPMENT
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT
INSPECTION FORM**

3844

OWNER/APPLICANT: Mauricio Jimenez PHONE: 956-925-9943
 ADDRESS: 1070 W. Ferguson
 TYPE OF BUSINESS: Storage Unit NAME OF BUSINESS: Regency Grande
 LEGAL: 101 Acres out of 1st SUBD.: Kelly Pharr Subd.

EXISTING BUILDING	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
IF YES, PREVIOUS TYPE OF OCCUPANCY(S)		
MIXED OCCUPANCY	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
IF YES, TYPE OF ADJACENT OCCUPANCY(S)		
CHANGE OF OCCUPANCY FROM PREVIOUS?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
IS CHANGE OF WALL ASSEMBLY REQUIRED?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
IS FIRE PROTECTION REQUIRED?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
IF SO, WHAT TYPE?		

BUILDING STATUS/STRUCTURAL:

1. FLOOR	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. WALLS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
- EXTERIOR	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
- INTERIOR	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. CEILING	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. ROOF	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

MEANS OF EGRESS:

1. OCCUPANT LOAD (IF APPLICABLE)	<u>240</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. NUMBER OF EXITS	<u>1</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. MEANS OF EGRESS LIGHTING	<input checked="" type="checkbox"/>	OK	SUBSTANDARD	
4. EXIT SIGNS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD	
5. DOOR HARDWARE	<input checked="" type="checkbox"/>	OK	SUBSTANDARD	

ACCESSIBILITY:

1. RESTROOMS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. PATH OF EGRESS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. RAMPS (HANDRAILS/GUARDS)	<u>N/A</u>	OK	SUBSTANDARD
4. DOORS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

ELECTRICAL:

1. SERVICE ENTRANCE	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. SERVICE EQUIPMENT	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. WIRING SYSTEM	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. LIGHT FIXTURE	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
5. RECEPTACLE OUTLETS (G F C I WHERE REQUIRED)	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

MECHANICAL:

1. REGISTERS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. GRILL	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. DRAIN	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. EQUIPMENT	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

PLUMBING:

1. P TRAPS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. VENTS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. DRAINS	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. PLUMBING FIXTURES	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
5. WATER SERVICE LINE	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
6. DISTRIBUTION LINES	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
7. GREASE TRAP (INTERCEPTOR/SEPARATOR)	<u>N/A</u>	OK	SUBSTANDARD
8. BACKFLOW PREVENTION	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

WATER HEATER:

1. LOCATION	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
2. T.P. VALVE & DRAIN	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. SHUT-OFF VALVE	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. VENT	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

GAS SYSTEM OK SUBSTANDARD
PREMISE OK SUBSTANDARD
GARBAGE CONTAINER OK SUBSTANDARD

BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

PREPARED BY: [Signature] DATE: 1-13-15
 RECEIVED BY: [Signature] DATE: JAN 13 / 15

Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5399 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.

RECEIVED
PHARR DEVELOPMENT SERVICES DEPT.
JAN 14 2015

PASSED

FAILED:

PASSED WITH CONDITIONS:

RE-INSPECT DATE:

OK



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

January 28, 2015

REGENCY FIESTA
1020 W FERGUSON
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Jan 28, 2015 revealed no violations.

Inspection Note Recommend to install emergency lights in both bathrooms.

2960 EDUARDO LUGO
Inspector

Brenda Franco

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

JAN 28 2015



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



OK
✓

To: Edward Wylie, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 01/14/2015
Re: Conditional use Permit Renewal for ABC – File No. CUP#071271 (Regency Fiesta)

Mauricio Jaramillo, (TDL#22997668) d/b/a Regency Fiesta, has applied for 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 more fully described as follows:

Legal Description: 1.01 Acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas

Physical Address: 1020 W. Ferguson

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Mr. Wylie, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tags and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Signed: _____

Date: 01/14/2015

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

Regency Fiesta CUP Renewal Request **JAN 14 2015**

Handwritten initials at the bottom right of the page.



INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

THROUGH: FRED SANDOVAL, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT RENEWAL FOR ABC
FILE NO. CUP#071271 (REGENCY FIESTA)

DATE: JANUARY 3, 2015

Mauricio Jaramillo d/b/a Regency Fiesta, 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 follows:

Legal description: 1.01 Acres out of Lot 152, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

Physical Address: 1020 W. Ferguson

Planning staff is recommending approval of the Conditional Use Permit provided the site is in compliance with all City Ordinances and is in compliance with City Department requirements.



“Triple Crown City”



MAYOR
Leo “Polo” Palacios, Jr.

COMMISSIONERS
Arturo J. Cortez
Roberto “Bobby” Carrillo
Oscar Elozondo, Jr.
Edmund Maldonado, Jr.
Aquiles “Jimmy” Garza
Adan Farias

CITY MANAGER
Fred Sandoval

Executive Summary Letter

February 3, 2015

Conditional Use Permit for ABC –

Doc’s Billiards & Sports Bar

Background:

Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 1st renewal for Doc's Billiards & Sports Bar.

The property is located at 917 West Ferguson Street. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

Recommendations:

Staff recommends **approval** of the renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverage for on-premise consumption.

P:\Admin\MY FILES\CUPs\ABC_J Hernandez dba Docs Billards & Sports Bar_2013



MEMORANDUM

TO: MAYOR AND CITY COMMISSION
FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.
THROUGH: FRED SANDOVAL, CITY MANAGER
DATE: FEBRUARY 3, 2015
RE: CONDITIONAL USE PERMIT & LATE HOURS PERMIT RENEWAL FOR
ABC – FILE NO. CUP#130630 (DOC'S BILLIARDS & SPORTS BAR)

GENERAL INFORMATION:

APPLICANT: Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, is requesting 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).

LEGAL DESCRIPTION: The property is legally described as Lots 17, 18 & 19, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 917 West Ferguson Street.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned General Business District (C) to the north, east and west, and Single-Family Residential District (R-1) to the south. The area is generally designated for commercial use in the Land Use Plan.

COMMENTS: **CODE COMPLIANCE:** Recommends approval of the Conditional Use Permit. (See attached memo)

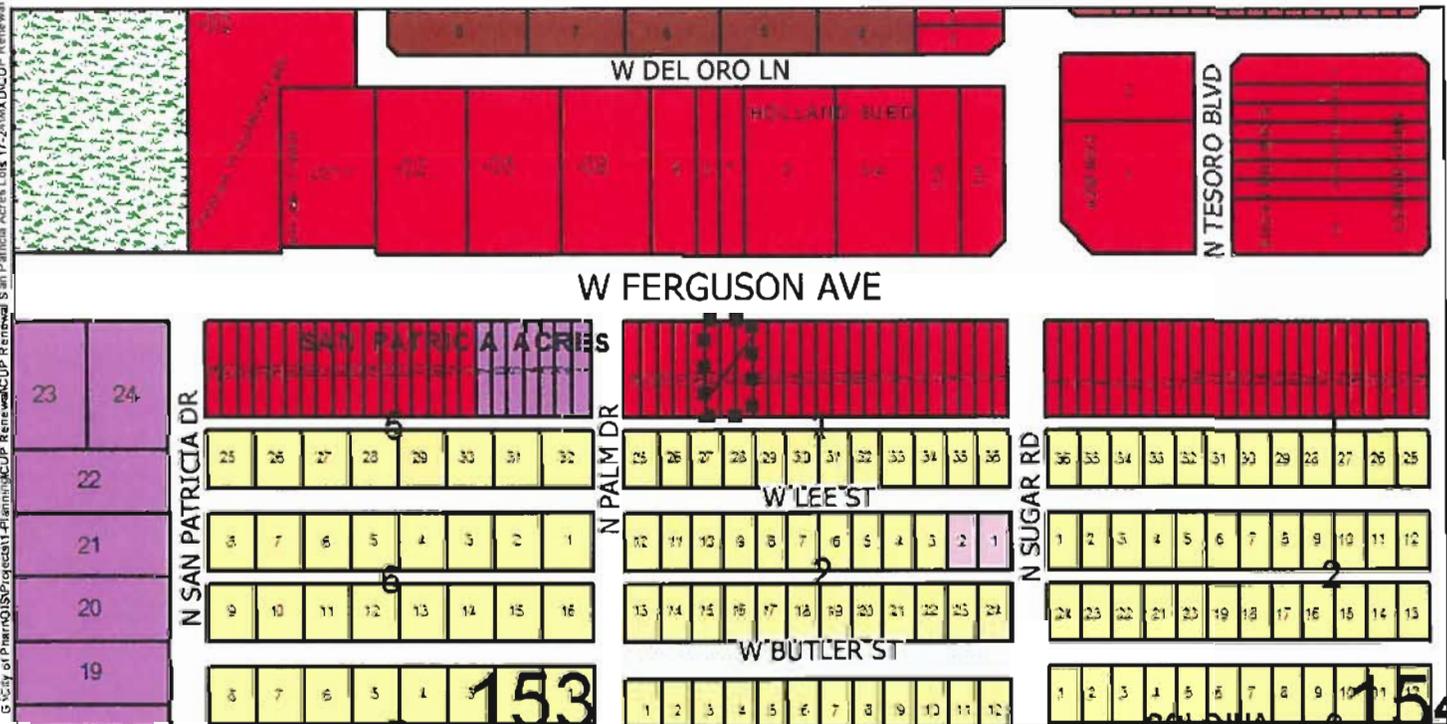
FIRE MARSHAL: Recommends approval of the Conditional Use Permit. (See attached memo)

POLICE CHIEF: Recommends approval of the Conditional Use Permit. (See attached memo)

PLANNING DEPARTMENT: Recommends approval of the Conditional Use Permit. (See attached memo)

PLANNING STAFF RECOMMENDATIONS: Planning Staff is recommending **approval** of the request for a Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to site being in compliance with all City Ordinances and City Department requirements.

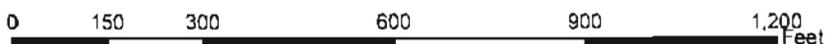
Conditional Use Permit Renewal
 San Patricia Acres Lots 17-24
 Doc's Billiards & Sports Bar/JA Hernandez



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | P.S.J.A ISD | |

City of Pharr, Texas
 Engineering Department
 958 702.5355

Scale: 1 inch = 300 feet



Date: 1/28/2015

G:\City of Pharr\GIS\Projects\1-Planning\CUP Renewal San Patricia Acres Lots 17-24.mxd

**CITY OF PHARR
COMMUNITY PLANNING & DEVELOPMENT
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT
INSPECTION FORM**

3858

OWNER/APPLICANT: Jose Alberto Hernandez PHONE: _____
 ADDRESS: 917 W. Ferguson
 TYPE OF BUSINESS: Sports Bar NAME OF BUSINESS: L. Jax's
 LEGAL: _____ SUBD.: _____

EXISTING BUILDING	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
IF YES, PREVIOUS TYPE OF OCCUPANCY(S)	_____			
MIXED OCCUPANCY	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IF YES, TYPE OF ADJACENT OCCUPANCY(S)	_____			
CHANGE OF OCCUPANCY FROM PREVIOUS?	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IS CHANGE OF WALL ASSEMBLY REQUIRED?	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IS FIRE PROTECTION REQUIRED?	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
IF SO, WHAT TYPE?	_____			

BUILDING STATUS/STRUCTURAL:

1. FLOOR	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. WALLS:				
EXTERIOR	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
INTERIOR	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. CEILING	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. ROOF	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

MEANS OF EGRESS:

1. OCCUPANT LOAD (IF APPLICABLE)	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. NUMBER OF EXITS	<u>2</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
3. MEANS OF EGRESS LIGHTING	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. EXIT SIGNS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
5. DOOR HARDWARE	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

ACCESSIBILITY:

1. RESTROOMS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. PATH OF EGRESS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. RAMPS (HANDRAILS/GUARDS)	<u>N/A</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
4. DOORS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

ELECTRICAL:

1. SERVICE ENTRANCE	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. SERVICE EQUIPMENT	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. WIRING SYSTEM	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. LIGHT FIXTURE	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
5. RECEPTACLE OUTLETS (G F C I WHERE REQUIRED)	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

MECHANICAL:

1. REGISTERS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. GRILL	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. DRAIN	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. EQUIPMENT	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

PLUMBING:

1. P. TRAPS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. VENTS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. DRAINS	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. PLUMBING FIXTURES	<u>broken hand lid</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
5. WATER SERVICE LINE	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
6. DISTRIBUTION LINES	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
7. GREASE TRAP (INTERCEPTOR/SEPARATOR)	<u>N/A</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD
8. BACKFLOW PREVENTION	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD

WATER HEATER:

1. LOCATION	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
2. T.P. VALVE & DRAIN	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
3. SHUT-OFF VALVE	<input checked="" type="checkbox"/>	OK	_____	SUBSTANDARD
4. VENT	<u>elect.</u>	<input checked="" type="checkbox"/>	OK	SUBSTANDARD

GAS SYSTEM N/A OK _____ SUBSTANDARD
PREMISE N/A OK _____ SUBSTANDARD
GARBAGE CONTAINER N/A OK _____ SUBSTANDARD

RECEIVED
 PHARR DEVELOPMENT SERVICES DEPT.
 JAN 28 2015

PASSED

FAILED:

PASSED WITH CONDITIONS:

RE-INSPECT DATE:

BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

PREPARED BY: [Signature] DATE: 1-27-15
 RECEIVED BY: [Signature] DATE: 1-27-15

Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5389 when Improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

January 28, 2015

DOC'S SPORTS CLUB
917 W FERGUSON
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Jan 28, 2015 revealed no violations.

2960 EDUARDO LUGO
Inspector

Jose Hernandez

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

JAN 28 2015



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



To: Edward Wylie, Director City Planning

From: Joel Robles, Asst. Chief of Police

Date: 01/28/2015

Re: Conditional use Permit and Late Hours Permit for ABC – File No. CUP#130630 (Doc's Billiards & Sports Bar)

Jose Alberto Hernandez, (TDL#10105881) d/b/a Doc's Billiards & Sports Bar, is requesting 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 more fully described as follows:

Legal Description: Lots 17, 18, & 19, Block 1, San Patricia Subdivision, Pharr, Hidalgo County, Texas

Physical Address: 917 W. Ferguson

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Mr. Wylie, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tag's and or uniforms that clearly identify them as employees.
2. The owners, managers and or operators must agree not to use any advertisement on the property that is offensive, distasteful and or creates a visual impairment to traffic.
3. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
4. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.

Signed: _____

A handwritten signature in blue ink, appearing to read "Joel Robles", written over a horizontal line.

Date: 01/28/2015



INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

THROUGH: FRED SANDOVAL, CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT & LATE HOURS PERMIT RENEWAL FOR
ABC – FILE NO. CUP#130630 (DOC'S BILLIARDS & SPORTS BAR)

DATE: FEBRUARY 3, 2015

Jose Alberto Hernandez, d/b/a Doc's Billiards & Sports Bar, is requesting 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 more fully described as follows:

Legal Description: Lots 17, 18 & 19, Block 1, San Patricia Acres Subdivision, Pharr, Hidalgo County, Texas.

Physical Address: 917 West Ferguson.

Planning staff is recommending **approval** of the request for a Conditional Use Permit and Late Hours Permit provided applicant and site being in compliance with all City Ordinances and City Department requirements.



“Triple Crown City”



MAYOR
Leo “Polo” Palacios, Jr.

COMMISSIONERS
Arturo J. Cortez
Roberto “Bobby” Carrillo
Oscar Elozondo, Jr.
Edmund Maldonado, Jr.
Aquiles “Jimmy” Garza
Adan Farias

CITY MANAGER
Fred Sandoval

Executive Summary Letter

February 3, 2015

Sexually Oriented Business License **Renewal** for SOB - Xoticas

Background:

Xoticas is requesting renewal of their Sexually Oriented Business License. This request constitutes the 14th renewal for Xoticas.

The property is located at 4502 North Cage Boulevard. It is zoned Limited Industrial District (L-I) and is in conformance with the Future Land Use Plan. All required inspections have been conducted.

Recommendations:

Staff recommends **approval** of the renewal of the Sexually Oriented Business License subject to site being in full compliance with all City Ordinances and all City Department Requirements.

PharrCPD on Cpdserver\Admin\MyFiles\SOBs\Renewal_Xoticas



MEMORANDUM

TO: MAYOR AND CITY COMMISSION
FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.
THROUGH: FRED SANDOVAL, CITY MANAGER
DATE: FEBRUARY 3, 2015
RE: SEXUALLY ORIENTED BUSINESS LICENSE **RENEWAL-**
FILE NO. SOB#010105 (XOTICA'S)

GENERAL INFORMATION:

APPLICANT: Xoticas is requesting renewal of a Sexually Oriented Business License in a Limited Industrial District (L-I).

LEGAL DESCRIPTION: The property is legally described as a 0.6081 acre tract of land out of a certain 0.88 acre out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 4502 North Cage Boulevard.

ZONING: The property is currently zoned Limited Industrial District (L-I). The surrounding area to the north, south and east is zoned Limited Industrial District (L-I) and the property to the west is zoned General Business District (C) and Limited Industrial District (L-I). The area is generally designated for General Business District (C) in the Future Land Use Plan.

COMMENTS:

CODE ENFORCEMENT	Recommends approval of the Conditional Use Permit. (See attached memo)
FIRE MARSHAL:	Recommends approval of the Conditional Use Permit. (See attached memo)

POLICE CHIEF:

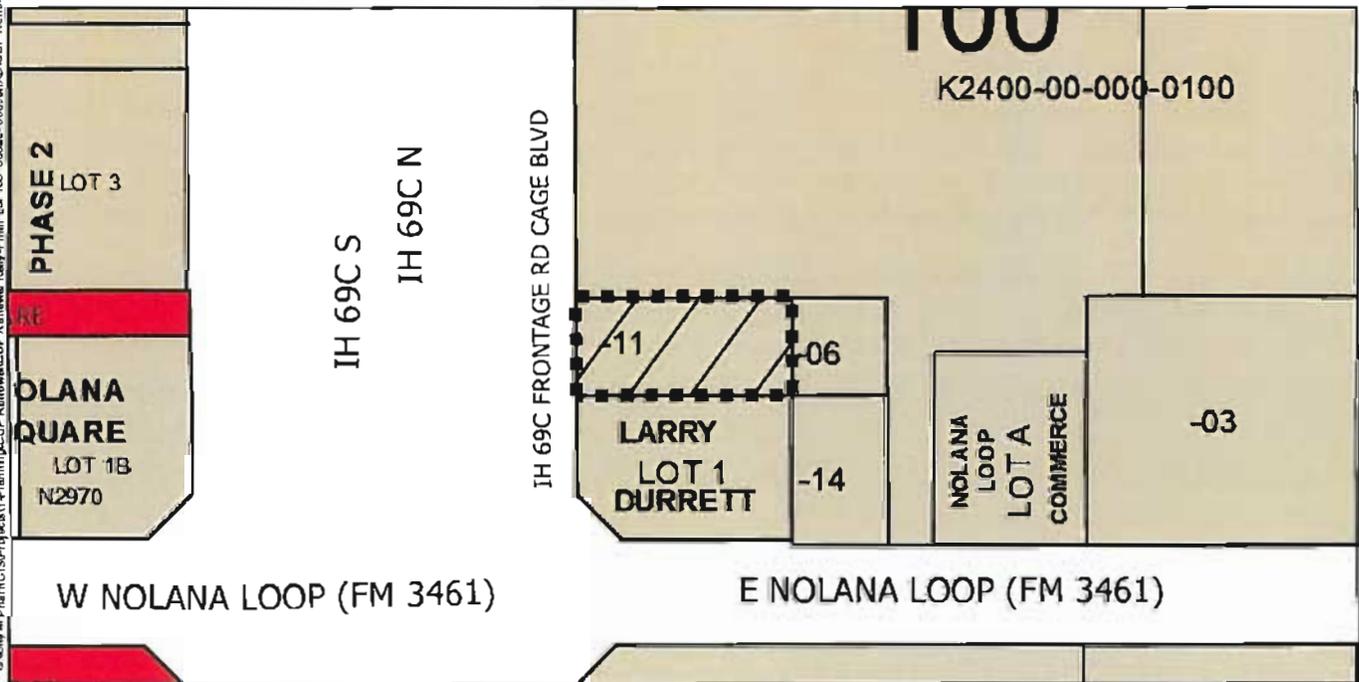
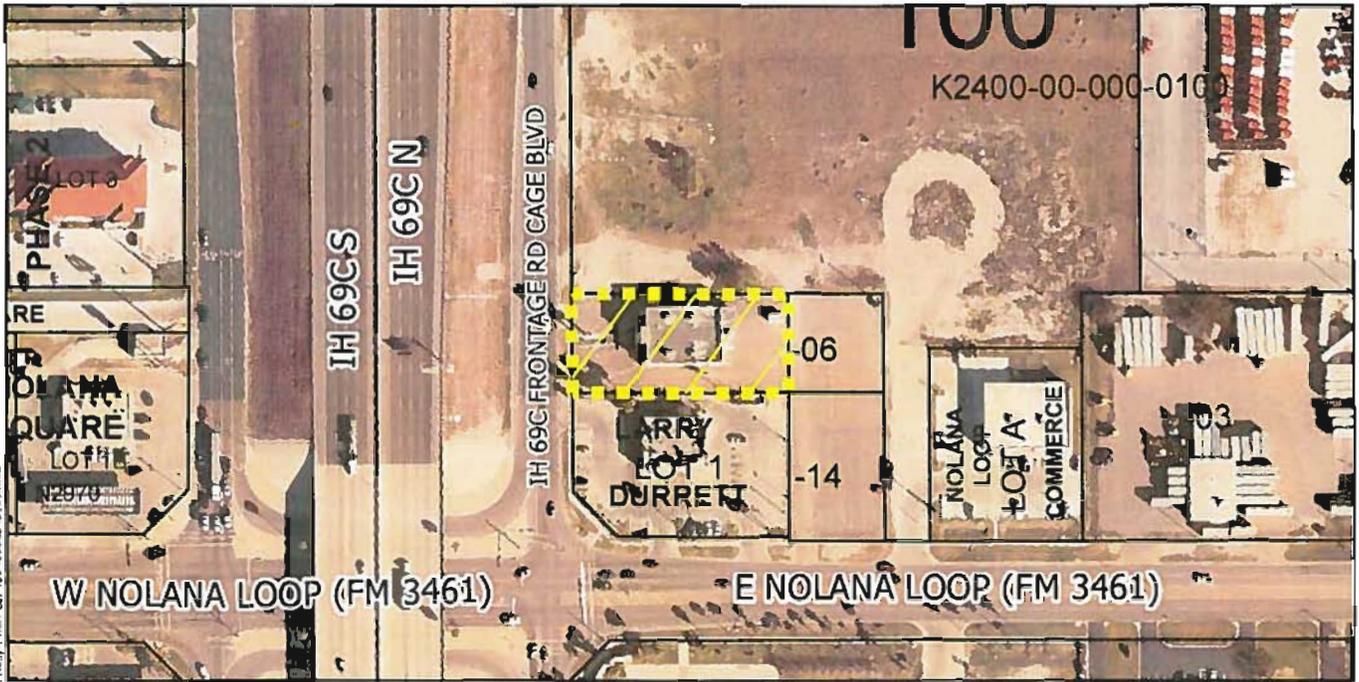
Recommends approval of the Conditional Use Permit. (See attached memo)

PLANNING DEPT.:

Recommends approval of the Conditional Use Permit. (See attached memo)

PLANNING STAFF RECOMMENDATIONS: Planning Staff is recommending approval of the Sexually Oriented Business License subject to the following conditions:

- 1) Applicant shall comply with all Sexually Oriented Business License requirements, any violation will terminate the Sexually Oriented Business License;
- 2) Applicant shall comply with all City of Pharr Ordinance requirements;
- 3) Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Sexually Oriented Business License;
- 4) Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate the Sexually Oriented Business License;
- 5) This Sexually Oriented Business License shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal ninety (90) days before its expiration date;
- 6) An opaque buffer will be required;
- 7) The premise should not have any public display of any sign, banner, flag, pennant, balloon, photograph, symbol, neon light, fluorescent color indicating that the nature of the business may be Sexually Oriented Business; and
- 8) All employees must wear name tags or uniforms identifying them as employees of the establishment.



- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | Government Owned | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | General Business | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Business District | Neighborhood Commercial | Planned Unit Development |
| Two Family | IHUD Code | Drainage Easement | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | Heavy Commercial | PSJA ISD | |

Scale: 1 inch = 200 feet



Date: 1/28/2015

c:\civ\pharr\GIS\Projects\11-Engineering\CIP\Renewal\CIP_Renewal_Kelly-Pharr_Lot_100_608ac-.88ac.mxd

(OK)

CITY OF PHARR
COMMUNITY PLANNING & DEVELOPMENT
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT
INSPECTION FORM

3857

OWNER/APPLICANT: Kenneth D. Smith Jr. PHONE: 976-790-0487
 ADDRESS: 4502 N. Case Blvd
 TYPE OF BUSINESS: S. D.B. NAME OF BUSINESS: Xoticos
 LEGAL: Lot 100 SUBD.: Kelly Plaza Subd.

EXISTING BUILDING	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
IF YES, PREVIOUS TYPE OF OCCUPANCY(S)				
MIXED OCCUPANCY	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IF YES, TYPE OF ADJACENT OCCUPANCY(S)				
CHANGE OF OCCUPANCY FROM PREVIOUS?	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IS CHANGE OF WALL ASSEMBLY REQUIRED?	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
IS FIRE PROTECTION REQUIRED?	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
IF SO, WHAT TYPE?				

BUILDING STATUS/STRUCTURAL:

1. FLOOR		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. WALLS	EXTERIOR	<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
	INTERIOR	<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. CEILING		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. ROOF		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

MEANS OF EGRESS:

1. OCCUPANT LOAD (IF APPLICABLE)	<input checked="" type="checkbox"/>	<u>700</u>	<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. NUMBER OF EXITS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. MEANS OF EGRESS LIGHTING	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. EXIT SIGNS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
5. DOOR HARDWARE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

ACCESSIBILITY:

1. RESTROOMS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. PATH OF EGRESS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. RAMPS (HANDRAILS/GUARDS)	<input checked="" type="checkbox"/>	<u>N/A</u>	<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. DOORS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

ELECTRICAL:

1. SERVICE ENTRANCE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. SERVICE EQUIPMENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. WIRING SYSTEM	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. LIGHT FIXTURE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
5. RECEPTACLE OUTLETS (GFCI WHERE REQUIRED)	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

MECHANICAL:

1. REGISTERS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. GRILL	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. DRAIN	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. EQUIPMENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

PLUMBING:

1. P TRAPS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. VENTS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. DRAINS	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. PLUMBING FIXTURES	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
5. WATER SERVICE LINE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
6. DISTRIBUTION LINES	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
7. GREASE TRAP (INTERCEPTOR/SEPARATOR)	<input checked="" type="checkbox"/>	<u>N/A</u>	<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
8. BACKFLOW PREVENTION	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

WATER HEATER:

1. LOCATION	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
2. T.P. VALVE & DRAIN	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
3. SHUT-OFF VALVE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD
4. VENT	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OK	<input type="checkbox"/>	SUBSTANDARD

GAS SYSTEM N/A OK SUBSTANDARD
PREMISE OK SUBSTANDARD
GARBAGE CONTAINER OK SUBSTANDARD

BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

PREPARED BY: [Signature] DATE: 1-15-15
 RECEIVED BY: [Signature] DATE: 1/15/15

Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5399 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.

RECEIVED
 PHARR DEVELOPMENT
 SERVICES DEPT.
 JAN 15 2015

PASSED

FAILED: _____

PASSED WITH
CONDITIONS: _____

RE-INSPECT
DATE: _____



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

December 18, 2014

XOTICAS
4502 N CAGE
PHARR, TX 78577

OK

INSPECTION STATUS - PASSED

An inspection of your facility on Dec 18, 2014 revealed no violations.

Inspection Note Alarm permit is pending will be paid today.

2960 EDUARDO LUGO
Inspector

Monique Gonzalez



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956)781-9163



OK
ew

To: Edward Wylie, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 01/16/2015
Re: Sexually Oriented Business License Renewal – File No. SOB#010105 (Xotica's)

Kenneth D. Smartt Jr. (TDL#09088410) and Elizabeth Jimenez (TDL#16075597) d/b/a Xotica's are requesting renewal of a Sexually Oriented Business License in a Limited Industrial District (L-1). The property is more fully described as follows:

Legal Description: A 0.6081 acres tract of land out of a certain 0.88 acre tract out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas
Physical Address: 4502 N. Cage Blvd.

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Mr. Wylie, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to.
2. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tag's and or uniforms that clearly identify them as employees.
3. All traffic entering or exiting this business must do so by exiting onto US 281 frontage road or onto Nolana Loop. All efforts must be made to prohibit traffic from exiting through private property.
4. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
5. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.
6. The distance between Sexually Oriented Business and residential areas is strictly prohibited.

Signed: _____

Date: 01/16/2015

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

JAN 16 2015



INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COMMISSION
FROM: EDWARD WYLIE, DIRECTOR/DEPUTY E.M.C
THROUGH: FRED SANDOVAL, CITY MANAGER
SUBJECT: SEXUALLY ORIENTED BUSINESS LICENSE **RENEWAL** –
FILE NO. SOB#010105 (XOTICAS)
DATE: FEBRUARY 3, 2015

Xoticas is requesting renewal of the Sexually Oriented Business License in a Limited Industrial District (L-1). The property is more fully described as follows:

Legally description: A 0.6081 acres tract of land out of a certain 0.88 acre tract out of Lot 100, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

Physical address: 4502 North Cage Boulevard.

Planning staff is recommending approval of the Sexually Oriented Business License provided there is full compliance with all City Ordinances and all City Department requirements.



“Triple Crown City”



MAYOR
Leo “Polo” Palacios, Jr.

COMMISSIONERS
Arturo J. Cortez
Roberto “Bobby” Carrillo
Oscar Elozondo, Jr.
Edmund Maldonado, Jr.
Aquiles “Jimmy” Garza
Adan Farias

CITY MANAGER
Fred Sandoval

Executive Summary Letter

February 3, 2015

Sexually Oriented Business License **Renewal** –

Stiletto's Gentlemen's Club

Background:

Red Tape II, Inc., d/b/a Stiletto's Gentlemen's Club, is requesting renewal of the Sexually Oriented Business License. This request constitutes the 15th renewal for Stiletto's Gentlemen's Club.

The property is located at 1050 North Sugar Road. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted.

Recommendations:

Staff recommends **approval** of the renewal of the Sexually Oriented Business License subject to site being in full compliance with all City Ordinances and all City Department Requirements.

Microsoft Word/Sec-jb C:\MyFiles\SOBs\Renewal_Stiletto's



MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

THROUGH: FRED SANDOVAL, CITY MANAGER

DATE: FEBRUARY 3, 2015

RE: SEXUALLY ORIENTED BUSINESS LICENSE **RENEWAL** -
FILE NO. SOB#001254 (STILETTOS GENTLEMEN'S CLUB)

GENERAL INFORMATION:

APPLICANT: Red Tape II, Inc., d/b/a Stiletto's Gentlemen's Club is requesting renewal of a Sexually Oriented Business License in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as all of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1050 North Sugar Road.

ZONING: The property is currently zoned General Business District (C). The surrounding area to the north, south, east and west is zoned General Business District (C). The area is generally designated for commercial use in the Land Use Plan.

COMMENTS: **CODE ENFORCEMENT:** Recommends approval of the Conditional Use Permit. (See attached memo)

FIRE MARSHAL: Recommends approval of the Conditional Use Permit. (See attached memo)

POLICE CHIEF:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

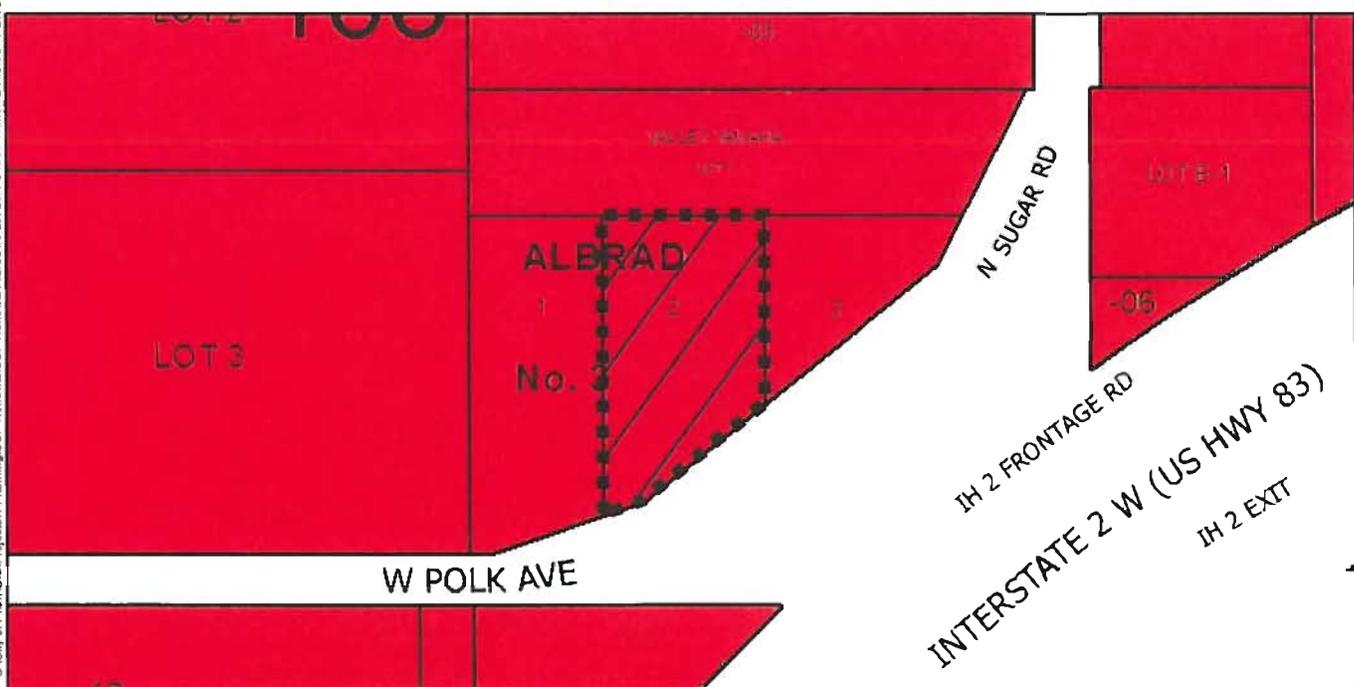
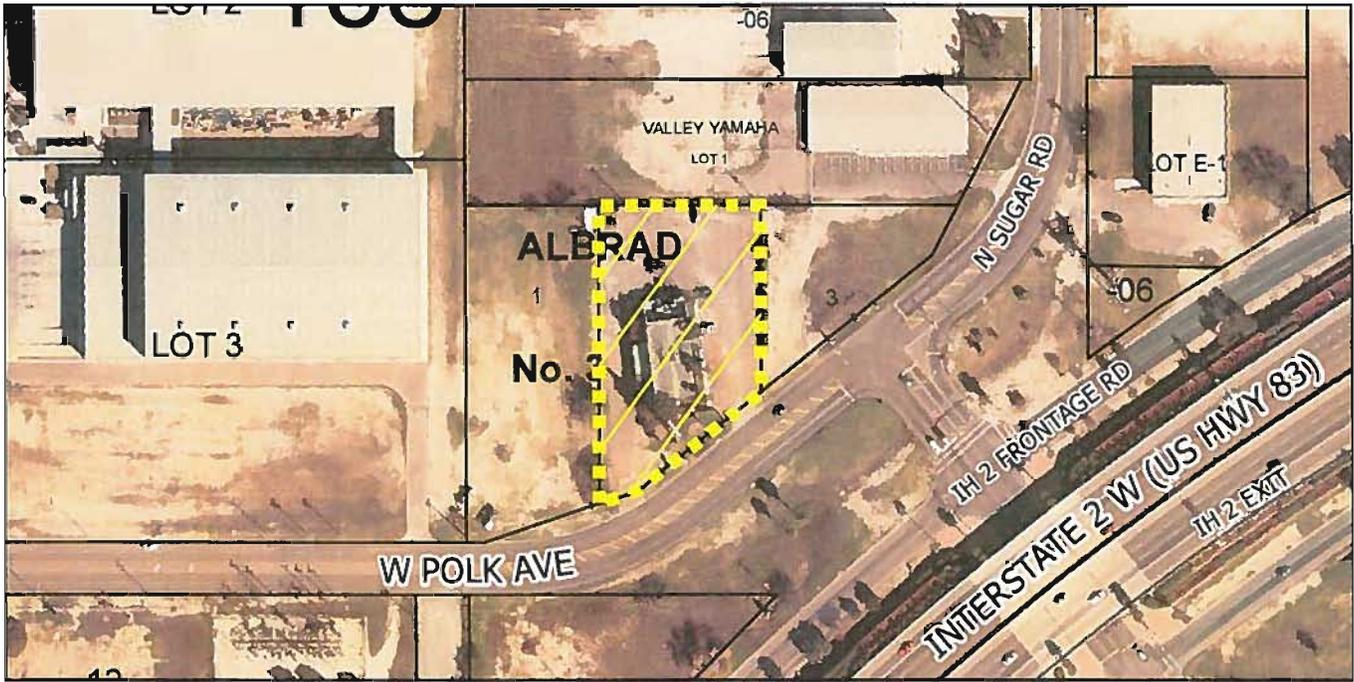
PLANNING DEPT.:

Recommends approval of
the Conditional Use Permit.
(See attached memo)

PLANNING STAFF RECOMMENDATIONS: Planning Staff is recommending approval of the Sexually Oriented Business License subject to the following conditions:

- 1) Applicant shall comply with all Sexually Oriented Business License requirements, any violation will terminate the Sexually Oriented Business License;
- 2) Applicant shall comply with all City of Pharr Ordinance requirements;
- 3) Any request to revise, alter or amend the conditions or requirements shall require the applicant to apply for a new Sexually Oriented Business License;
- 4) Any change in location, change in ownership or business entity owning or carrying out its operation on the property shall terminate the Sexually Oriented Business License;
- 5) This Sexually Oriented Business License shall be issued for a period of one (1) year. It shall be the owner's responsibility to apply for renewal ninety (90) days before its expiration date;
- 6) An opaque buffer will be required;
- 7) The premise should not have any public display of any sign, banner, flag, pennant, balloon, photograph, symbol, neon light, fluorescent color indicating that the nature of the use may be a Sexually Oriented Business; and
- 8) All employees must wear name tags or uniforms identifying them as employees of the establishment

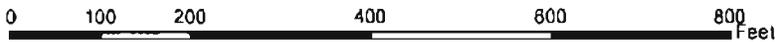
Conditional Use Permit Renewal
 Albrad #3 Lot 2
 Stilletos Cabaret



G:\City of Pharr\GIS\Projects\11-Planning\CUP Renewal\CUP Renewal Albrad #3 Lot 2\WXXDCUP Renewal Albrad #3 Lot 2.mxd

- | | | | | |
|-----------------------------|---------------------------|-------------------|-------------------------|--------------------------|
| Agricultural Open Space | High Density Multi-Family | General Business | Heavy Industrial | Hidalgo ISD |
| Single Family | Mobile Home | Business District | Limited Industrial | Valley View ISD |
| Single Family Small Lot | Townhouse | Drainage Easement | Neighborhood Commercial | Planned Unit Development |
| Two Family | HUD Code | Heavy Commercial | Office Professional | |
| Medium Density Multi-Family | Rail Road R.O.W. | PSJA ISD | | |

Scale: 1 Inch = 200 feet



Date: 1/28/2015

**CITY OF PHARR
COMMUNITY PLANNING & DEVELOPMENT
CERTIFICATE OF OCCUPANCY & CONDITIONAL USE PERMIT
INSPECTION FORM**

3841

OWNER/APPLICANT: Ramiro Hernandez PHONE: 956-778-3911
 ADDRESS: 1050 N. Sugar Rd
 TYPE OF BUSINESS: S.O.B. NAME OF BUSINESS: Stilettoz
 LEGAL: Plot Lot 2 SUBD.: Albanel Subd. Unit 7

EXISTING BUILDING YES NO
 IF YES, PREVIOUS TYPE OF OCCUPANCY(S) _____
 MIXED OCCUPANCY YES NO
 IF YES, TYPE OF ADJACENT OCCUPANCY(S) _____
 CHANGE OF OCCUPANCY FROM PREVIOUS? YES NO
 IS CHANGE OF WALL ASSEMBLY REQUIRED? YES NO
 IS FIRE PROTECTION REQUIRED? YES NO
 IF SO, WHAT TYPE? OK

BUILDING STATUS/STRUCTURAL:
 1. FLOOR OK SUBSTANDARD
 2. WALLS: EXTERIOR OK SUBSTANDARD
 INTERIOR OK SUBSTANDARD
 3. CEILING OK SUBSTANDARD
 4. ROOF OK SUBSTANDARD

MEANS OF EGRESS:
 1. OCCUPANT LOAD (IF APPLICABLE) OK SUBSTANDARD
 2. NUMBER OF EXITS OK SUBSTANDARD
 3. MEANS OF EGRESS LIGHTING OK SUBSTANDARD
 4. EXIT SIGNS OK SUBSTANDARD
 5. DOOR HARDWARE OK SUBSTANDARD

ACCESSIBILITY:
 1. RESTROOMS OK SUBSTANDARD
 2. PATH OF EGRESS OK SUBSTANDARD
 3. RAMPS (HANDRAILS/GUARDS) OK SUBSTANDARD
 4. DOORS OK SUBSTANDARD

ELECTRICAL:
 1. SERVICE ENTRANCE OK SUBSTANDARD
 2. SERVICE EQUIPMENT OK SUBSTANDARD
 3. WIRING SYSTEM OK SUBSTANDARD
 4. LIGHT FIXTURE OK SUBSTANDARD
 5. RECEPTACLE OUTLETS (GFCI WHERE REQUIRED) OK SUBSTANDARD

MECHANICAL:
 1. REGISTERS OK SUBSTANDARD
 2. GRILL OK SUBSTANDARD
 3. DRAIN OK SUBSTANDARD
 4. EQUIPMENT OK SUBSTANDARD

PLUMBING:
 1. P TRAPS OK SUBSTANDARD
 2. VENTS OK SUBSTANDARD
 3. DRAINS OK SUBSTANDARD
 4. PLUMBING FIXTURES OK SUBSTANDARD
 5. WATER SERVICE LINE OK SUBSTANDARD
 6. DISTRIBUTION LINES OK SUBSTANDARD
 7. GREASE TRAP (INTERCEPTOR/SEPARATOR) OK SUBSTANDARD
 8. BACKFLOW PREVENTION OK SUBSTANDARD

WATER HEATER:
 1. LOCATION OK SUBSTANDARD
 2. T.P. VALVE & DRAIN OK SUBSTANDARD
 3. SHUT-OFF VALVE OK SUBSTANDARD
 4. VENT OK SUBSTANDARD

GAS SYSTEM OK SUBSTANDARD
PREMISE OK SUBSTANDARD
GARBAGE CONTAINER OK SUBSTANDARD

PASSED

FAILED:

PASSED WITH CONDITIONS:

RE-INSPECT DATE:

BUILDING/SITE NEEDS IMPROVEMENT TO MEET THE FOLLOWING CONDITIONS:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

PREPARED BY: [Signature] DATE: 1-9-15
 RECEIVED BY: [Signature] DATE: 1-9-15

Please note: Owner/Applicant is responsible to contact the City of Pharr Community Planning & Development Dept. at 702-5399 when improvements have been completed. Any permits with regard to this location will remain on hold until full compliance is met.



Prevention Division
118 S. Cage Blvd., 3rd Fl
Pharr, Texas 78577
Ph: 956-402-4400
Fax: 956-475-3433
fireprevention@pharrfd.net

November 13, 2014

STILETTOS CABARET GENTLEMEN'S CLUB
1050 N SUGAR RD
PHARR, TX 78577

INSPECTION STATUS - PASSED

An inspection of your facility on Nov 13, 2014 revealed no violations.

2960 EDUARDO LUGO
Inspector

Martha Barraza

RECEIVED
PHARR DEVELOPMENT
SERVICES DEPT.

NOV 13 2014

BY: Della @ 357m



Pharr Police Department

1900 S. CAGE • PHARR, TX 78577-6751
PH: (956) 784-7700 • FAX: (956) 781-9163



To: Edward Wylie, Director City Planning
From: Joel Robles, Asst. Chief of Police
Date: 01/26/2015
Re: Sexually Oriented Business License Renewal – File No. SOB#001254 – Red Tape II Inc. (Stilleteo's)

Red Tape II, Inc. representing Ramiro R. Armendariz (TDL#13797045), Fred Henry Feurtado (TDL#13781215) and Raul Adrian Besteiro (TDL#13825821) d/b/a Stilletes Gentlemen's Club are now applying for renewal of a Sexually Oriented Business License in a General Business District (C). The property is more fully described as follows:

Legal Description: All of Lot 2, Albrad Subdivision, Unit #3, Pharr, Hidalgo County, Texas
Physical Address: 1050 N. Sugar Rd.

In keeping with the requirements of ordinance # 0-84-44, I am providing you with the following comments:

REPLY

Mr. Wylie, I have reviewed the proposed application. Based on the information we have on file for this establishment at this time, I recommend approval subject to the following documented requirements.

1. All state and local ordinances that currently exist or that may be enacted in the future that affect this business must be strictly adhered to.
2. Personnel such as bartenders, waitresses and hostesses must be required to wear identifying insignia such as, name tag's and or uniforms that clearly identify them as employees.
3. All traffic entering or exiting this business must do so by exiting on to Polk St. All efforts must be made to prohibit traffic from exiting through private property.
4. In the event that the manner the applicant conducts its business, endangers the general welfare, health, peace, morals, or safety of the community, the Chief of Police will exercise his authority under Section 11.612 of the Texas Alcoholic Beverage Code to recommend the cancellation of any and all permits for the same premises for up to one year after the date of cancellation.
5. The sale of alcoholic beverages to a minor inside the premises or on any area controlled by the aforementioned business will be considered an act that endangers the general welfare, health, peace, morals and or safety of the community.
6. The distance between Sexually Oriented Business and residential areas is strictly prohibited.

Signed: _____

A handwritten signature in blue ink, appearing to read "Joel Robles".

Date: 01/26/2015



INTEROFFICE MEMORANDUM

TO: MAYOR AND CITY COMMISSION

FROM: EDWARD M. WYLIE, DIRECTOR/DEPUTY E.M.C.

THROUGH: FRED SANDOVAL, CITY MANAGER

SUBJECT: SEXUALLY ORIENTED BUSINESS LICENSE **RENEWAL** –
FILE NO. SOB#001254 - RED TAPE II, INC. (STILETTO'S)

DATE: FEBRUARY 3, 2015

Red Tape II, Inc., d/b/a Stiletto's Gentlemen's Club, is requesting renewal of a Sexually Oriented Business License in a General Business District (C). The property is more fully described as follows:

Legal description: All of Lot 2, Albrad Subdivision Unit #3, Pharr, Hidalgo County, Texas.

Physical address: 1050 North Sugar Road.

Planning staff is recommending approval of the Sexually Oriented Business License provided there is full compliance with all City Ordinances and all requirements of City Departments.

ORDINANCE NO. O-2015-

AN ORDINANCE AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 9, 2015, FOR THE PURPOSE OF ELECTING A MAYOR, COMMISSIONER PLACE 1, COMMISSIONER PLACE 5, AND COMMISSIONER PLACE 6; DESIGNATING ELECTION PRECINCTS; APPOINTING ELECTION OFFICIALS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE iVOTRONIC VOTING SYSTEM; PROVIDING FOR EARLY VOTING; ESTABLISHING REGULAR BUSINESS HOURS OF THE CITY CLERK'S OFFICE ON THE FINAL TWO DAYS OF EARLY VOTING BY PERSONAL APPEARANCE; AND REPEALING ALL ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS:

Section 1. In accordance with the Texas Election Code, the Texas Local Government Code, Constitution of the State of Texas, and City Charter and general State laws a General Election is hereby called and ordered for the second Saturday in May 2015; and

Section 2 That a General Municipal Election is hereby ordered to be held on the 9th day of May, 2015, for the purpose of electing the following city officers:

**Mayor
Commissioner Place # 1
Commissioner Place # 5
Commissioner Place # 6**

Section 3. The hours during which the polling places for each voting precinct are to be open on Election Day shall be from 7:00 o'clock a.m. to 7:00 o'clock p.m.

Section 4. The City Clerk is expressly authorized to obtain election supplies and equipment required by law and necessary to conduct said election.

Section 5. iVotronic Voting System (Direct Recording Electronic {DRE}) equipment shall be used for voting at the foregoing election precincts and electronic counting devices and equipment shall be used for counting the ballots at said election.

Section 6. **Polling Places; Voting Precincts.** The boundaries of each voting precinct and the polling place for each voting precinct for the Election are as follows:

Pharr City Polling Place 1 -

Boundaries:

Those portions of Hidalgo County election Precinct Nos. 61, 116 and 240 located within the City

Polling Place:

For Precinct Nos. 61, 116, and 240:
Pharr Housing Authority
Administration Building, Board Room
104 W. Polk Ave.
Pharr, Texas

Pharr City Polling Place 2-

Boundaries:

Those portions of Hidalgo County election Precinct Nos. 6, 35, and 147 located within the City

Polling Place:

For Precinct Nos. 6, 35, and 147:
Jose "Pepe" Salinas Memorial Civic Center
1011 W. Kelly Ave.
Pharr, Texas

Pharr City Polling Place 3-

Boundaries:

Those portions of Hidalgo County election Precinct Nos. 60, and 115 located within the City

Polling Place:

For Precinct Nos. 60, and 115:
Buckner Elementary School
1001 N. Fir
Pharr, Texas

Pharr City Polling Place 4-

Boundaries:

Those portions of Hidalgo County election Precinct Nos. 25 and 36 located within the City

Polling Place:

For Precinct Nos. 25, and 36:
Pharr Elementary School
500 E. Sam Houston
Pharr, Texas

Pharr City Polling Place 5 -

Boundaries:

Those portions of Hidalgo County election Precinct Nos. 5, 122, 137, 146, and 227 located within the City

Polling Place:

For Precinct Nos. 5, 122, 137, 146, and 227:

Las Milpas Community Center
7107 S. Cage Blvd.
Pharr, Texas

SECTION 7: Early Voting day, dates, hours and polling places: Early Voting shall commence on Monday, April 27, 2015 and terminate on Tuesday, May 5, 2015. The main polling place for early voting by personal appearance shall be at the Jose "Pepe" Salinas Memorial Civic Center, 1011 W. Kelly, Pharr, Texas.

If the Deputy Early Voting Clerk or any clerk appointed hereby to assist the Early Voting Clerk is an employee of the City of Pharr, Texas, then such person shall serve as clerk without additional compensation unless the clerk is required to work on a day which is not a regular city workday or during hours which are not regular city workday hours. In this latter case, the clerk shall be compensated at the person's regular hourly rate for the hours worked that are not part of a regular city work day, properly adjusted for overtime or holiday pay, if applicable.

A temporary branch early voting polling place for early voting by personal appearance shall be at the Las Milpas Community Center, 7107 S. Cage, Blvd., Pharr, Texas. Any voter who is entitled to vote an early voting ballot by personal appearance may do so at the temporary branch early voting polling place. Early voting shall be conducted in accordance with the Texas Election Code on the following days, dates and hours during the early voting period.

<u>Day and Date</u>	<u>Hours</u>
Monday, April 27, 2015	8:00 a.m. to 5:00 p.m.
Tuesday, April 28, 2015	8:00 a.m. to 5:00 p.m.
Wednesday, April 29, 2015	8:00 a.m. to 5:00 p.m.
Thursday, April 30, 2015	8:00 a.m. to 5:00 p.m.
Friday, May 1, 2015	8:00 a.m. to 5:00 p.m.

ORDINANCE NO. O-2015-_____

Saturday, May 2, 2015	9:00 a.m. to 5:00 p.m.
Sunday, May 3, 2015	10:00 a.m. to 3:00 p.m.
Monday, May 4, 2015	7:00 a.m. to 7:00 p.m.
Tuesday, May 5, 2015	7:00 a.m. to 7:00 p.m.

SECTION 8: Early Voting Clerk; Application for Ballot Voted by Mail.

The mailing and physical address of the Early Voting Clerk for the Election where an application for a ballot to be voted by mail is to be submitted shall be as follows:

Early Voting Clerk
City of Pharr, Texas
118 S. Cage 4th Floor
P. O. Box 1729
Pharr, Texas 78577

Or request an application by phone at 956-402-4100; fax at 956-702-5313; or email hilda.pedraza@pharr-tx.gov or sonia.hinojosa@pharr-tx.gov .

Section 9: Notice of Election: Notice of the Election shall be given in the manner prescribed by the Texas Election Code.

Section 10: The election materials as outlined in Section 272.005, Texas Election Code, shall be printed in both English and Spanish for use at the polling places and for early voting for said election.

Section 11: Authorized to Execute: The Mayor is authorized to execute, and the City Clerk is authorized to attest this Election Order on behalf of the Board of City Commissioners. The Mayor is further authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 12: Declaring an Emergency Clause: The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners. This Ordinance shall take effect and be in full force from and after its passage and approval.

ORDINANCE NO. O-2015-_____

**PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF
THE CITY OF PHARR, TEXAS, on this the 3rd day of February, 2015.**

CITY OF PHARR

Leopoldo "Polo" Palacios, Jr., Mayor

ATTEST:

Hilda Pedraza, City Clerk

ORDINANCE NO: O-2015-____

AN ORDINANCE APPOINTING AN ALTERNATE MUNICIPAL JUDGE FOR THE CITY OF PHARR; COMPENSATION; PROBATIONARY PERIOD; HOURS; CUMULATIVE CLAUSE; SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; EFFECTIVE DATE

WHEREAS, in accordance with the City Charter of the City of Pharr, Article IV, Sections 2, 4 and 8, a Municipal Judge and an Alternate Municipal Judge shall be appointed by the Board of Commissioners of the City of Pharr; as soon as practical after the biennial election of the Commission;

WHEREAS, the Municipal Judge and Alternate Municipal Judge shall be appointed for a two year term and shall have the qualifications as set out in the City Charter; and

WHEREAS, the Municipal Judge and Alternate Municipal Judge shall have the duties, responsibilities, and authority as set out in the City Charter, applicable law and City Codes.

WHEREAS, in accordance with Ordinance No. O-2002-57 a second alternate Judge was created to assist the Court as allowed by charter to have the qualifications as set out in the City Charter and other applicable laws related to the Municipal and Alternate Judge.

WHEREAS, Alternate Judge Luis Singleterry has resigned; therefore an Alternate Municipal Judge needs to be appointed at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:

SECTION 1: The following shall hereby be appointed to serve in the capacity indicated below:

1. _____ is hereby each appointed to the Office of Alternate Municipal Judge of the City of Pharr. Compensation for each of these respective positions shall be no less than \$26,000 annually. The position requires a minimum of fifteen (15) work hours per week. The alternate municipal judge shall be part-time position with no benefits.

SECTION 2: Cumulative Clause. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and other ordinances in direct conflict with this Ordinance is herewith repealed and this Ordinance shall supersede and provisions in conflict herewith; all other provisions of the above described ordinance shall remain in full force and effect.

SECTION 3: Severability Clause. If any section, part of provisions of this Ordinance is declared unconstitutional or invalid, and such declaration shall not affect the validity of the remaining sections, parts or provision of this Ordinance.

SECTION 4: Declaring an Emergency Clause; Effective Date. The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners.

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 3rd day of February, 2015.

CITY OF PHARR

LEOPOLDO "POLO" PALACIOS, JR., MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-84-45 REGULATING THE HOURS FOR RETAIL SALE OF BEER, WINE, LIQUOR AND ALL INTOXICATING BEVERAGES FOR ON-PREMISE CONSUMPTION AND OFF-PREMISE CONSUMPTION INCLUDING DISPENSING WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF PHARR, TEXAS, PROVIDING FOR CONFLICTS WITH OTHER ORDINANCES, AND FOR REPEALS THEREOF IN CERTAIN CASES: PROVIDING FOR SEPARABILITY AND AN EFFECTIVE DATE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND PUBLICATION.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS:

SECTION 1.

The On-Premise Retail sale of beer, wine, liquor, mixed drinks and all intoxicating beverages and the Off-Premise sale of beer and wine between the hours of 12:00 o'clock midnight and 7:00 a.m. on weekdays and Saturday and between 1:00 a.m. and 12:00 noon on Sundays within the City of Pharr, Texas is hereby prohibited.

SECTION 2.

Where an application has been made to the Alcoholic Beverage Commission for a Late Hours Mixed Beverage Permit, and a request has been made that the City Secretary approve such application or a request for a renewal, such request shall be presented to the City Commission and the City Commission shall in its discretion approve or deny the request subject to factors including but not limited to: if a person with authority or control has been convicted of a felony or misdemeanor that directly relates to: (a) an alcohol related offense, organized criminal activity, or a crime of moral turpitude; (b) providing alcohol to a minor, sale or transporting of narcotics, (c) the duties and responsibilities for operating a BYOB venue, and (d) any other conviction that makes the person unfit to hold a permit or manage a an establishment or venue. Any request where the application is for a Mixed Beverage Late Hours Permit and the City Commission having so approved, the City Secretary shall appropriately execute the application for Late Hours Mixed Beverages Permit and the retail sale of beer, wine, liquor, mixed drinks and all intoxicating beverages shall be lawful at such establishment for the hours prescribed by a valid Late Hours Mixed Beverage Permit from the Alcoholic Beverage Commission of the State of Texas.

SECTION 3.

The Off-Premise Retail sale of liquor on Christmas Day, on Sunday and on any other day before 10: 00 a .m. or after 9: 00 p.m. within the City of Pharr, Texas is hereby prohibited.

SECTION 4. CONFLICT WITH OTHER ORDINANCES.

Whenever the standards and specifications set forth in this Ordinance conflict with those contained in another Ordinance the standards and specifications of this Ordinance shall prevail.

SECTION 5. SEVERABILITY CLAUSE.

Should any portion of this Ordinance be held for any reason invalid or unenforceable, the same shall not be construed to affect any other valid portion hereof, but all valid portions shall remain in full force and effect.

SECTION 6. ENFORCEMENT; PUNISHMENT; PENALTIES

A. Should any person or business violate the prohibitions contained herein, or allow the commission of any act or condition that proximately resulted in a violation of this ordinance, the City Manager, City Attorney, and other designated personnel may take any action to enforce this or any ordinance to prevent and summarily abate the action and remove or seize any objects used to violate this ordinance. These actions may also include but not be limited to allowing for municipal resources and personnel to: abate any premises or property, closure, condemn, remove any person or thing, court action, suspend, cancel, or void any license or permit issued by the City of Pharr or a state or federal agency, and any and all other relief as may be necessary.

B. Any violation of this Ordinance shall be subject to both civil and criminal penalties. A criminal conviction shall be a Class C misdemeanor. A violator shall also be subject to the maximum penalties allowed by law for failing to appear in Court when charged with an offense as described herein. If conduct constituting an offense under this ordinance also constitutes an offense under another law, the person may be prosecuted under all applicable laws.

C. A liable party shall be subject to a civil penalty up to \$1,000 per violation, or the maximum allowed by law.

D. It shall also be unlawful for the holder of a permit to knowingly conspire to circumvent this ordinance by allowing the use of its permit, facility or property by any person, business, or entity that does not have a legally obtained permit from the City of Pharr.

SECTION 7. **EFFECTIVE DATE.** The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 8. **PROPER NOTICE AND MEETING.**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2015.

CITY OF PHARR

LEOPOLDO "POLO" PALACIOS, JR.,
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2015.

CITY OF PHARR

LEOPOLDO "POLO" PALACIOS, JR.,
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2015.

CITY OF PHARR

LEOPOLDO "POLO" PALACIOS, JR.,
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON SECOND READING on this the 24th day
of July , 1984. CIT~ PHARR

By: ~JP.8~

·FIDENCIO R. BA~RERA1MAYOR

ATTEST:

DORA H. PASSED AND APPROVED ON THIRD READING on this the 31st day of JULY , 1984.

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ORD.NO.O-84-45/7-31-84

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DORA H. GARZA, CITY CLERK

ORDINANCE NO. O-2015-_____

AN ORDINANCE AMENDING ORDINANCE O-2013-51 ESTABLISHING CRITERIA FOR MUNICIPAL SERVICES SUCH AS PERMITTING, CERTIFICATES, OTHER CITY ISSUED AUTHORIZATIONS; PROVIDING FOR PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR PENALTIES BY ORDINANCE AND TEXAS LAWS; REPEALING PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER MATTERS RELATED TO THE SUBJECT HEREOF.

WHEREAS, in accordance with Article I, Section 3 of the Pharr City Charter, the enumeration of powers granted and authorized by the charter shall not be held or deemed exclusive, but shall be in addition to the powers appropriate for the exercise necessary of local self government, and shall all powers granted by law, constitution, and ordinance;

WHEREAS, pursuant to Texas Local Government Code section 51.001, the City has authority to adopt ordinances that are for the good government, peace, or order of the municipality or for the trade and commerce of the municipality and that are necessary to carry out powers granted to the City; and

WHEREAS, pursuant to the Texas Constitution, article XI, section 5, and Texas Local Government Code section 51.072, the City, as a home-rule municipality, has full power of local self government;

*BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS, THAT:*

SECTION 1: AUTHORITY; AREA.

- A. The City of Pharr hereby adopts and enacts this Ordinance that shall be enforceable within the municipality's municipal boundaries and extra territorial jurisdiction. This Ordinance and provisions herewith shall be included in the Pharr Code of Ordinances.
- B. As matters related to the public's health, safety, and welfare is of the utmost concern, the City of Pharr shall be authorized to enforce, through its City Attorney, this Ordinance as may be allowed by law herein.

SECTION 2. ADMINISTRATIVE AUTHORITY. Any department of the City of Pharr and personnel may refuse to contract or deny an application for a permit, certificate, license, service, or other issuance to any person, corporation, company, partnership, association, or organization that is in any way directly, indirectly, or as a result of a person in authority or control of

management or operations, financially indebted to the City or its departments or corporations, is non-compliant with service or contractual obligations with the City or its departments or corporations, has a pending claim against the City or its departments or corporations or any municipal officer or personnel, is the subject of a criminal complaint, or is or may be liable to the City or its departments or corporations for any damage.

SECTION 3. CIRCUMVENTION. It shall be unlawful for an applicant to knowingly conspire to circumvent this ordinance by allowing the use of its name, authority, or official government record, application, or contract to any person, business, or entity that to avoid the provisions, restrictions, and prohibitions of this Ordinance. A violation of this sub-section may subject any violator to criminal penalties as may applicable by law.

SECTION 4. CUMULATIVE CLAUSE; REPEALING CLAUSE.

The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

SECTION 5. PUBLICATION AND EFFECTIVE DATE.

The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 6: PROPER NOTICE AND MEETING.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

APPROVED AND PASSED on the ____ reading the ____ day of _____, 2015, by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk

APPROVED AND PASSED on the _____ reading the ____ day of _____, 2015,
by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk

APPROVED AND PASSED on the _____ reading the ____ day of _____, 2015,
by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk

ORDINANCE NO. O-2015- _____

AN ORDINANCE AMENDING ORDINANCES O-2011-56 and 2008-47 RELATED TO ALCOHOLIC BEVERAGES AND SECTION 10 OF THE PHARR CODE OF ORDINANCES; PROVIDING FOR SAVING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE; PROPER NOTICE OF MEETING; AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS

SECTION 1. AMENDMENTS.

The ordinance amends the sections indicated below:

ARTICLE III. - CONDITIONAL USE PERMITS

Sec. 1.40. - Purpose.

The purpose of the regulations described by this article is to allow the compatible and orderly development, within the city, of uses that may be suitable only in certain locations in a zoning district if developed in a specific way or only for a limited period of time.

Sec. 1.41. - Permit required.

A use permit is required for all conditional uses as set forth in the conditional use paragraph of each use district. At no time may a structure or property be adapted to a conditional use without first obtaining a use permit. The conditional use permit is issued to the property owner, or to an individual with written permission from the owner authorizing such individual to use such property for the purpose for which the conditional use permit is being requested, and is not transferable. Any addition to or change in a structure which constitutes a percentage of the structure greater than set out in section 1.79.C.3 herein, and any change in location, change in ownership or business entity owning or carrying out its operation on the property terminates the conditional use permit.

(Ord. No. 84-44, § II, 7-31-84)

Sec. 1.42. - Approval, procedure, responsibility, and appeals.

The city's planning director shall have the responsibility for processing all use permits required for conditional uses and presenting them to the planning and zoning

commission for processing as described below. The following procedures shall be complied with prior to the approval or denial of any use permit:

- A. Notice to all owners of real property within 300 feet of the property for which application has been made shall be mailed, but in no case shall this notification occur less than ten working days prior to consideration at a meeting of the planning and zoning commission to consider such application.
- B. Application concerning use permits for those uses which are conditional shall be automatically referred to the planning and zoning commission for a public hearing. The planning director shall investigate, note the adjacent property owners, and provide necessary professional advice. The planning and zoning commission may deny an application for a use permit after a public hearing if the proposed use fails to meet one of the criteria set forth in requirements for approval.
- C. The planning and zoning commission must obtain recommendations from the police chief, the planning director, the code enforcement officer [head building inspector], and the fire marshal for all applications for business establishments which will be selling alcoholic beverages for on-premises consumption. After recommendations from each of the officers referred to above have been received, the planning and zoning commission shall hear the application and make a recommendation and then the application for conditional use shall be presented to the city commission for approval. A permit may be denied, rescinded, or modified if any entity or person that is in any way directly, indirectly, or as a result of a person in authority or control of management or operations is the subject of a criminal complaint, has committed acts or omissions allowing criminal activity or in any way jeopardizes the health, safety, welfare of the general public, patrons, or bystanders.
- D. Appeal shall be in accordance with section 1.92, subsection B4, of this chapter [ordinance].

(Ord. No. 84-44, § III, 7-31-84)

Sec 1.43. - Application, filing procedures, and fees.

The property owner or certified agent shall make application on a form prescribed by the city and such application shall provide drawings as set forth in "Site Plans Required," section 1.44. Obtaining a use permit does not exempt the applicant from complying with requirements of the building code or other ordinances. The fee for a use permit shall be recommended by the city planning and zoning commission and approved by the city commission. Payment of such fees shall not be refundable in whole or in part.

Sec. 1.44. - Site plans required.

- A. *Purpose:* The purpose of the site plan is to ensure compliance with the zoning ordinance and to assist in the orderly and harmonious development of the city, to protect and enhance the general welfare, and to help prevent the impairment or

depreciation of land values and development by the erection of structures, additions, or alteration thereto without proper attention to site planning.

- B. *Recording*: The applicant shall file with the director of planning three copies of his site plan. The director of planning shall keep one copy in his files. The duplicate copies shall be used during the investigation of the case and for review of the commission in the event a hearing is required.
- C. *Contents*: The site plan shall contain drawings to scale to indicate as needed:
 - 1. The location of all structures on the subject property and on adjoining property;
 - 2. Landscaping and/or fencing of yards and setback areas and proposed changes;
 - 3. Design of ingress and egress;
 - 4. Off-street parking and loading facilities;
 - 5. Height of all structures;
 - 6. Proposed uses; and
 - 7. The location and types of all signs, including lighting and heights.

Sec. 1.45. - Requirements for approval.

- A. The planning and zoning commission may permit a conditional use subject to appropriate conditions and safeguards when the commission finds:
 - 1. That the proposed use meets all the minimum standards established in this ordinance and other applicable ordinances.
 - 2. That the proposed use meets the intent of the district in which it is located, and is in accordance with the comprehensive plan.
 - 3. That the proposed use will not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to the neighboring property.
- B. Appeal of a decision of the planning and zoning commission shall be in accordance with section 1.92, subsection B4, of this chapter [ordinance].

Sec. 1.46. - Development, revocation, and/or automatic cancellation of permit.

- A. The building official shall ensure compliance with this ordinance and the permit. He shall:
 - 1. Make inspections to determine compliance with the provisions of this ordinance and the permit, and initiate appropriate action if necessary.
 - 2. Investigate thoroughly any complaints of noncompliance concerning a permitted special use, and keep a record of all complaints, indicating any action taken. These records shall be made available at the time of renewal of the permit.
- B. Upon determination of noncompliance with the provisions of the conditional use permit, the building official shall take action as follows:

1. Give written notice to the permit holder of the nature of the violation, the necessary action to remedy the violation, and the time period, not less than ten days nor more than 30 days after the date of notification, within which to comply.
 2. Notify the planning and zoning commission of the noncompliance if the violations have not been corrected within the prescribed time period.
- C. The planning and zoning commission, after due hearing, may revoke any conditional use permit that has been reported in violation by the building official. Continued use without a permit will be a violation of the zoning ordinance and subject to the same penalties provided therein.
- D. If within six months after the date granted, a use permit has not been used, or a building permit has not been obtained, where construction is necessary, the permit is automatically canceled.
- E. If the property owner in whose name the permit is issued transfers ownership of the property utilized by the conditional use, the permit is automatically canceled.
- F. Appeal of a decision of the planning and zoning commission shall be in accordance with section 1.92, subsection B4, of this chapter [ordinance].

Sec. 1.47. - Period of conditional use and renewal.

- A. A conditional use permit shall have a time limit of not more than one year unless otherwise approved by the board of commissioners [city commission]. If the conditional use permit does have a time limit other than one year, the expiration date shall be set forth in the permit. Any permittee wishing a renewal of such permit for successive time periods shall make application for renewal to the director of planning or his designated representative, not less than 30 days before the permit expires. If after proper inspection, the staff finds that the conditions of the original permit are being met, and there have not been any signed complaints of noncompliance, the place for uses, other than for establishments selling or distributing alcoholic beverages for consumption on premises, may be renewed by the staff for the same time period as approved by the planning and zoning commission originally. If there is evidence of or complaints of noncompliance, then renewal of the permit must follow the same procedures and notification as the issuance of a new permit, and may be renewed by the planning and zoning commission.
- B. Renewals of conditional use permits for establishments selling or distributing alcoholic beverages for consumption on premises must be approved by the board of commissioners [city commission] after obtaining recommendations from the police chief, planning director, code enforcement officer [head building inspector] and fire marshal. After recommendations from each of the officers referred to above have been received, the board of commissioners [city commission] shall hear the application and either extend the conditional use permit or refuse to extend such permit.

- C. If any request is made by the establishment selling or distributing alcoholic beverages to alter, revise or amend any conditions or requirements under which such establishment has operated under the prior permit, such request shall constitute a request for a new conditional use permit and must follow all the procedures established for a new request.
- D. If a permittee who has previously held a permit for an establishment selling or distributing alcoholic beverages for a minimum of two years and the permit has lapsed wishes to reapply for a permit for the same location as the permit was previously held, and there have been no negative incidents or reports to the Pharr police department or Texas alcoholic beverage commission during such two-year period, the city commission may authorize a 60-day provisional permit during which period the applicant may reapply for a conditional use permit.

The applicant must meet all requirements for a conditional use permit within the next 60 days in order to maintain the permit but upon approval of the 60-day provisional permit by the city commission, the city secretary is authorized to execute the application with a limitation of "60 days only" upon such application.

(Ord. No. 84-44, § IV, 7-31-84; Ord. No. 86-39, § 1, 12-20-86)

Sec. 1.48. - Conditions of conditional use.

A. *Home occupations:*

- 1. The area used in conducting the home occupation will be clearly secondary to the residential use.
- 2. A nonilluminated sign not more than 18 inches by 24 inches identifying the name of the owner and his title or occupation may be permitted when attached flush to the main building.
- 3. There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling.
- 4. There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises.
- 5. There shall be no outside storage of materials or products.
- 6. The permitted use shall not create frequent or heavy traffic, greater than ten percent of the average load per hour, per street.

B. *Mobile homes or portable buildings:*

- 1. One mobile home may be placed on an unsubdivided tract of land when (1) it is to be occupied by the owner, (2) the tract is five acres or larger, and (3) the only use of the land is for agricultural purposes.
- 2. The mobile home or portable building must be located in such a manner as to have access to public right-of-way within 200 feet.
- 3. The mobile home must be connected to an approved water distribution and sewage disposal system. Portable buildings, if approved for occupancy by

industrial, commercial and residential use, must have an approved water distribution and sewage disposal system available for its use.

4. There must be a provision for garbage and trash collection and disposal.
5. The mobile home must be tied down and meet all other applicable provisions of the Mobile Home Ordinance [chapter 78 of the Code of Ordinances].

C. *Guesthouses, garage apartments, and separate servants' quarters:*

1. The above-mentioned uses require a 12,000-square-foot lot in all districts except the R-3 and R-4 districts. They must otherwise comply with all area requirements of the district in which they are located.
2. With the exception of the R-3 and R-4 districts, none of the above-mentioned uses may be made available or used for lease, rent, or hire, and the owner of such use may not receive remuneration for the use of one of the above. In addition, in no district shall such uses be sold or conveyed separately without meeting the requirements of the subdivision ordinance.

D. *[Existing railroads and private utilities:]* Existing railroads and private utilities, including telephone service, may continue to be operated and maintained in residential and commercial districts but no new railroad or utility structure other than the usual poles, wires, underground utilities and lift stations shall be established in such district without a special use permit.

E. *[Churches, schools, railroads and other conditional uses:]* Churches, schools, railroads and other conditional uses automatically allowed in each district by state law, but required within a district to obtain a conditional use permit, must be issued a conditional use permit subject to the use meeting reasonable requirements imposed in section 1.45

F. *Establishments selling or distributing alcoholic beverages for consumption on premises:*

1. An establishment that's sells or allows the on premises consumption of alcoholic beverages in the City of Pharr shall operate in a "C" zone, general business district; "HC" zone, heavy commercial; "LI" zone, limited industrial; "HI" zone, heavy industrial; or in recreational facilities located within private development.
2. In addition to the restricted locations as stated above, the above-mentioned establishments may be allowed to sell or allow the on premises consumption of alcoholic beverages within 300 feet of a church, public or private school, or public hospital.
3. The establishment shall notify the church, public or private school, or public hospital, and the City of Pharr's Planning and Zoning department in written form of their interest in selling or consuming alcoholic beverages within 300 feet of such locations. If the church or school objects to the request, the City of Pharr's authorized designee may deny the request.

4. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:
 - (A) In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - (B) If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
5. For premises where minors are prohibited from entering the premises under V.T.C.A., Alcoholic Beverage Code § 109.53, the measurement of the distance between the premises and a public school shall be:
 - (A) In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - (B) If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
6. In accordance with V.T.C.A., Alcoholic Beverage Code § 109.32, the above mentioned establishment businesses shall be not less than 300 feet from the nearest residential zone, unless located within a private development, or publicly owned building shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections, measured in a straight line or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from such residential zone or publicly owned building and must be designed to prevent disruption of the character of adjacent residential areas. As applies to this provision, a street or alley does not constitute buffering and sound insulation. The above-mentioned businesses, unless located within a private development, must be adjacent to or abutting a minor arterial street or a street of larger classification.
7. The above-mentioned establishment must meet lot size requirements in the zoning ordinance for all uses within this zone.
8. The above-mentioned establishment must provide parking sufficient to comply with all ordinance requirements.

9. The above-mentioned establishment shall restrict the number of persons within the building to those allowed by the city commission with the recommendation of the planning and zoning commission at the time of permit issuance, which number shall be determined by the commission after having taken into account the recommendations of the fire marshal, code enforcement officer [head building inspector], and director of planning. This number cannot exceed the number provided for in existing city ordinances.
 10. The above-mentioned establishment shall take action to prevent and be designed to discourage criminal activities and vandalism both on site and on adjacent property by means of sufficient lighting, elimination of dark areas, and the orientation of the building such that it provides maximum visibility from a public street, unless located within a private development.
 11. The above-mentioned businesses must make provisions to keep litter from being spread to adjacent streets and property.
 12. No church or religious institution will be allowed within a 1,000 foot radius from another church; the measurement of the distance between church properties shall be from the nearest property line to property line on which church sits, owns or rents.
 13. The city reserves the right to approve, amend, deny, or rescind any permit that may be allowed by the Texas Alcoholic and Beverage Code as may be amended from time to time. The City of Pharr shall also be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as may be allowed by law. Should any person or establishment be found to have committed acts, or allowed the commission of any act or condition found by the City of Pharr to be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within corporate boundaries, the City of Pharr shall be authorized to take any action allowed by ordinance, state or federal law, or other regulation. These actions may include but not limited to: quarantine, abatement of premises, closure, condemning, removal of dangerous substances and persons, and other preventive measures and actions.
- G. *Additional restrictions or conditions:* The planning and zoning commission may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this section and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, buffering, and additional improvements such as curbing and sidewalks.

(Ord. No. 84-44, §§ V, VI, 7-31-84; Ord. No. 86-12, §§ 1—4, 4-1-86; Ord. No. O-2008-47, § 4, 10-7-08)

Sec. 1.49. - Telephone, radio, cellular, television and/or other telecommunication towers and antennas.

Effective January 25, 2003, all telephone, radio, cellular, television and/or other telecommunication towers and antennas shall be required to obtain a conditional use permit pursuant to the terms of this section:

- A. *Purpose.* The purpose of the ordinance described in this section is to:
1. Allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district;
 2. Establish guidelines for the setting of all telephone, radio, cellular, television and/or other telecommunication towers and antennas;
 3. Accommodate the needs of residents and business while protecting the public health, safety, and general welfare of the community;
 4. Facilitate the provision of wireless telecommunication services to the residents and businesses of the city;
 5. Encourage the location of towers and antennas in nonresidential areas;
 6. Minimize the total number of towers and antennas within the community necessary to provide adequate personal wireless services to residents and avoid potential damage to adjacent properties from tower or antenna failure through structural standards and setback requirements;
 7. Maximize the use of existing and approved towers and antennas to accommodate new wireless telecommunications in order to reduce the number of towers and antennas needed to serve the community;
 8. Minimize adverse visual effects of towers and antennas through careful design and siting standards;
 9. Locate telecommunication towers and antennas in areas where adverse impacts on the community are minimized;
 10. Enhance the ability of the providers of telecommunications services to deliver such services to the community effectively and efficiently.
- B. *Definitions.* Except as specifically defined herein, all words used in this section shall be defined in The New Illustrated Book of Development Definitions, (1993, Rutgers). Words not defined herein or in the referenced text shall be construed to have the meaning given by common and ordinary use and shall be interpreted within the context of the sentence in which they occur. For the purpose of clarification, certain words or terms used herein shall be defined as follows: Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future tense.
1. The word "erected" includes the words "constructed", "located", or "relocated".
 2. The word "map" or "zoning map" means the zoning map.
 3. The word "parcel" includes the word "plot" or "lot".

4. The word "person" includes the words "individuals", "firms", "partnerships", "corporations", "associations", "governmental bodies", and all other legal entities.
5. The word "shall" is always mandatory, never discretionary.
6. The word "used" or "occupied" include the words "intended, arranged, or designated to be used or occupied".
7. *Antenna or antenna array.* An exterior apparatus made of one or more rods, panels, discs, or similar devices for wireless communication. Used in the transmission or reception of radio frequency signals and/or electromagnetic waves. Antennas may include omni-directional antennas (rod), directional antenna (panel) and parabolic antenna (disc).
8. *Attached wireless communication facility.* An antenna that is attached to an existing building or structure, which shall include, but not limited to, utility poles, signs, water towers, with any accompanying pole or device which attaches the antenna to the building or structure.
9. *Co-location or site sharing.* Use of a common tower or site by two or more wireless holders.
10. *FAA.* Federal Aviation Administration.
11. *FCC.* Federal Communication Commission.
12. *Geographic antenna placement area.* The general vicinity within which the placement of an antenna is necessary to meet the engineering requirements of an applicant's network or broadcasting need.
13. *Governing authority.* City of Pharr Board of Commissioners.
14. *Height.* When referring to a tower, antenna or structure, shall mean the distance measured from ground level to the highest point of the tower, antenna or structure.
15. *Lattice tower.* A guyed or self-supporting three or four-sided open steel frame structure used to support telecommunication equipment.
16. *Monopole tower.* A structure composed of a single spire used to support telecommunication equipment.
17. *Temporary wireless communication facility.* A wireless communication facility to be placed in use for 120 or fewer days.
18. *Tower.* A stand alone structure that is designed and constructed for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telecommunication towers, with accessory buildings/structures and other similar structures.
19. *Wireless communication.* Any personal wireless services as defined in the Telecommunications Act of 1996, which includes FCC licensed commercial

wireless telecommunication services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.

20. *Wireless communication facility (WCF).* Any unstaffed facility for the transmission and/or reception of wireless telecommunication services usually consisting of an antenna, cables, and a support structure to achieve the necessary elevation.

C. *Application of section.*

1. *Preexisting towers and antennas.* Towers and antennas for which a permit has been issued prior to the effective date of this section shall not be required to meet the requirements as specified below.
2. *Relationship to other ordinances.* This section shall supercede all conflicting requirements of other codes and ordinances regarding the locating and permitting of towers and antennas.
3. *[Location map.]* The planning department shall create a map indicating preexisting towers and antennas and shall maintain map of new structures as they enter the city.
4. *District height limitations.* Except as set forth in this section, the requirements of this ordinance shall govern the location of telecommunications towers that exceed, and antennas that are installed at a height in excess of 50 feet.
5. *Amateur radio facilities.* This section shall not govern any tower or antenna that is 75 feet or less in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive-only antenna.
6. *[Fencing and landscaping.]* If an additional tower or antenna is co-located upon a preexisting tower or site after the adoption of this section, then fencing and landscaping requirements shall be met as part of the permitting process.

D. *General provisions; co-location.*

1. *Inventory of existing sites.* To facilitate the co-location of towers and/or antennas, each applicant seeking to locate a new tower or antenna, relocate an existing tower or antenna, modify any such existing structures, shall provide to the department of planning and community development an inventory of its existing towers or alternative tower structures. The inventory shall include all such structures that are within the corporate limit of the City of Pharr and its extra-territorial jurisdiction. Inventory shall include specific information about the location. Information may include, but is not limited to:
 - a. Latitude and longitude coordinates.
 - b. Degrees.

- c. Minutes and seconds.
 - d. Height.
 - e. Design.
 - f. Tower type.
 - g. General suitability for co-location.
 - h. Any other information that may be requested by the department.
2. *Design requirements.* In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following:
- a. Towers up to 100 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers.
 - b. Towers greater than 100 feet in height, the structure and fenced compound shall be designed to accommodate at least three providers.
 - c. Towers greater than 125 feet in height, the structure and fenced compound shall be designed to accommodate at least four providers.
 - d. Towers of more than 50 feet in height shall be designed and engineered to withstand a 110 mph maximum gust wind. Such wind load capacity may be changed at the discretion of the building official.
3. *Availability of suitable existing structures.* No new structures, except amateur radio towers, shall be permitted unless the applicant demonstrates that no existing tower or tower structure can accommodate the applicant's proposal. Evidence submitted to demonstrate that no existing tower or tower structure can accommodate the proposed antenna shall consist of one or more of the following:
- a. No suitable tower or tower structures are located within the geographic antenna placement area required to meet the applicant's networking requirements.
 - b. The applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing towers or structures, or the antenna on the existing tower or structure would cause interference with the applicant's proposed antenna.
 - c. The cost or contractual provisions required by the tower or structure owner to share or adapt an existing tower or structure are unreasonable.
 - d. The applicant adequately demonstrates that there are other limiting factors that render existing towers or structures unsuitable.

E. *Aesthetics, landscaping and materials.*

1. All towers and antennas shall maintain a galvanized finish or concrete finish. They may also be subject to any applicable standards of the FAA, and be painted in the neutral color so as to reduce visual obtrusiveness.
 2. All tower sites shall be surrounded by a chain-link fence with some privacy covering six feet in height from finish grade. Access to the site shall be through a locked gate. Barbed wire may be allowed along the top of the fence if it is necessary to prevent unauthorized access to the site.
 3. The fence shall be landscaped along the perimeter by drought tolerant plants or shrubbery or plants native to South Texas.
 4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
 5. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized.
- F. *Permitted use.* Constructing a new tower or antenna or the relocation of an existing tower or antenna may be allowed in any zoning district provided that all structures meet the setbacks, screening and buffer requirements contained herein:
1. *Residential Districts (R1), (R1A), (RTH), (R2), (R3), (R4), (RMH), (RHCMH).*
 - a. Only towers of monopole construction will be allowed in any residential district.
 - b. Monopole towers shall have a front setback of 25 feet or one-third the street right-of-way width on which the property fronts, whichever is greater.
 - c. Monopole towers shall have a rear setback of 15 feet.
 - d. Monopole towers shall have a side setback of ten feet or 15 feet abutting a street.
 - e. Towers and antennas shall be a minimum of 200 feet from any residential structure. Distances shall be measured along a single-straight line between the center of the tower base and the nearest point on any property line.
 - f. Towers 100 feet or over in height shall not be located closer than 1,000 feet from any existing tower that is 100 feet or over in height. Distances shall be measured along a single straight-line between the center of the two tower bases.
 - g. The tower shall be erected and operated in compliance with current Federal Communications Commission and other applicable federal, state and county standards.

2. *Commercial, Agricultural and Industrial Districts (OP), (NC), (C2), (C), (HC), (LI), and (AO).*
 - a. Towers and antennas aforementioned in this ordinance shall be allowed in any commercial, agricultural or industrial district.
 - b. Towers and tower structures shall not exceed:
 - (1) 100 feet, if the tower is at least 200 feet from any residential district.
 - (2) 125 feet, if the tower is at least 250 feet from any residential district.
 - (3) 150 feet or more if the tower is (double the height of tower) from any residential district.
 - c. The antenna shall not exceed the tower height by more than 20 feet.
 - d. All guys and guy anchors are set back a minimum of 25 feet from any property line.
 - e. All towers shall have a front setback of 25 feet or one-third the street right-of-way width on which the street right-of-way width on which the property fronts, whichever is greater.
 - f. All towers shall have a rear setback of 15 feet.
 - g. All towers shall have a side setback of ten feet or 15 feet abutting the street.
 - h. Towers 100 feet or over in height shall not be located closer than 1,000 feet from any existing tower that is 100 feet or over in height. Distance shall be measured along a single straight line between the center of two tower bases.
 - i. If the tower erected is to be used by a public agency for police, fire, EMS, 911, or other similar public emergency communications for the city, then the requirements of subsection F.(1)a. shall be waived.
 - j. The tower is erected and operated in compliance with current Federal Communications Commission or other applicable federal, state, and county standards.

G. *Approval procedures.* See Article III, sections 1.40 through 1.47

H. *Removal of abandoned tower and antenna.* Any tower or antenna that is not operated for a continuous period of 12 months shall be considered abandoned, and the owners of such antenna or tower shall remove the structure within 90 days of receipt of notice from the city notifying the owner of such abandonment. If said tower or antenna is not removed within the 90 days grace period, the head building official may, in the manner provided in the Code of Ordinance of the City of Pharr, remove such tower or antenna at the owner's expense.

I. *Nonconforming towers and antennas.* Towers and antennas in existence prior to the date of adoption of this section [January 7, 2003] which do not comply with the requirements aforementioned are subject to the following provisions:

1. Nonconforming towers and antennas may continue in use for the purpose currently used, but may not be expanded without complying with the provisions of this section.
 2. Nonconforming towers and antennas which are damaged less than 50 percent, due to any reason or cause, may be repaired and restored to their former use, location and physical dimensions.
- J. *Penalty.* Anyone who violates this section shall upon conviction thereof be fined not to exceed \$200.00 each day that the violation continues to exist in a separate offense.

(Ord. No. O-2003-04, §§ 1—10, 13, 1-7-03)

SECTION 2. CUMULATIVE CLAUSE; REPEALING CLAUSE.

The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

SECTION 3. PUBLICATION AND EFFECTIVE DATE.

The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

SECTION 4: PROPER NOTICE AND MEETING.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

APPROVED AND PASSED on the _____ reading the ____ day of _____, 2015,
by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk

APPROVED AND PASSED on the _____ reading the ____ day of _____, 2015,
by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk

APPROVED AND PASSED on the _____ reading the ____ day of _____, 2015,
by the Board of City Commissioners of the City of Pharr, Texas.

CITY OF PHARR

Mayor Leo "Polo" Palacios, Mayor

ATTEST:

City Clerk



AGENDA ITEM REQUEST

MEETING DATE: February 3, 2015

INITIATED BY: Aida Vega DEPARTMENT: Administration

AGENDA ITEM: Resolution confirming the appointment/re-appointment of Civil Service Commission Member

PARTY MAKING THE REQUEST: Aida Vega

NATURE OF THE REQUEST: Expired term

BUDGET: N/A

EXPENDITURE REQUIRED: \$

CURRENT BUDGET: \$

ADDITIONAL FUNDING: \$

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: _____ DATE: _____

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: [Signature] DATE: 01/28/15

STAFF RECOMMENDATION: Reappointment. Ms. Rodriguez has a 100% attendance and has advised she would like to continue.



AGENDA ITEM REQUEST

MEETING DATE: 2-3-15

INITIATED BY: Edward Wylie DEPARTMENT: Development Services

AGENDA ITEM: Resolution to create and appoint the Pharr Into the Future Master Plan Steering Committee

PARTY MAKING THE REQUEST: Development Services

NATURE OF THE REQUEST: Resolution Adoption

BUDGET:

EXPENDITURE REQUIRED: \$0

CURRENT BUDGET: \$0

ADDITIONAL FUNDING: \$0

ROUTING:

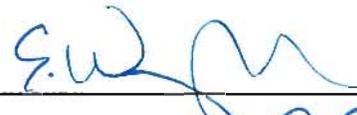
LEGAL: _____

DATE: _____

FINANCE/PURCHASING: _____

DATE: _____

APPROVAL:

DEPT. HEAD: 

DATE: 1-28-15

ASSISTANT CITY MANAGER: 

DATE: 1/28/15

CITY MANAGER: _____

DATE: _____

STAFF RECOMMENDATION:

Staff is recommending approval of the Resolution to Create and Appoint a Pharr into the Future Master Plan Steering Committee

STATE OF TEXAS

§

CITY OF PHARR

§

§

RESOLUTION

NO: _____

WHEREAS, Appendix A, Zoning Ordinance No. 82-13, of the City of Pharr Code of Ordinances states that a comprehensive master plan shall be enacted to promote the safety, health and general welfare of the community; and

WHEREAS, the previous Land Use and Throughfare Plan prepared in 2000 is out of date due to changing conditions and does not address other elements of long-range planning in details such as land use, transportation, economic development, housing and the extra-territorial jurisdiction; and

WHEREAS, on January 22, 2015. The City entered into an Inter-local Agreement with Texas A&M university for general oversight and preparation of an update to the Pharr Into the Future Comprehensive Master Plan; and

WHEREAS, the City of Pharr City Commission hereby creates a Master Plan Steering Committee, to serve without compensation and at the pleasure of the City Commission; and

WHEREAS, City of Pharr City Commission seeks to appoint the members of the Master Plan Steering Committee, which is to be a temporary advisory board to the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

The City of Pharr City Commission hereby officially creates and appoints a 15 member Master Plan Steering Committee, and designates the following persons as members of such Committee, one (1) of which shall be the Director of Development Services. The Committee shall be appointed as follows: 2 members appointed by each elected City Commissioner in Places 1 thru 6 and 2 members appointed by the elected Mayor.

The following residents of the City of Pharr are hereby appointed as members of the Pharr into the Future Master Plans Steering Committee.

NAME:

LENGTH OF TERM

- 1.
- 2.
- 3.

- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.

PASSED, APPROVED AND MADE EFFECTIVE BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 20__.

CITY OF PHARR

Leopoldo "Polo" Palacios, Jr., Mayor

ATTEST

Hilda Pedraza, City Clerk

RESOLUTION NO. R-2015-

A RESOLUTION CREATING A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE, "CITY OF PHARR -TIF REINVESTMENT ZONE #2" ("TIF Zone #2") TO INCLUDE SELECTED TRACTS OF LAND LOCATED IN THE CITY OF PHARR AND ITS EXTRA TERRITORIAL JURISTITION (ETJ), FOR THE PURPOSE OF SUPPORTING ECONOMIC DEVELOPMENT IN THE CITY OF PHARR, PROVIDING FOR COMMERCIAL GROWTH, AFFORDABLE HOUSING, AND OTHER AMENITIES FOR THE AREA.

WHEREAS, the City of Pharr, Texas believes in improving the quality of life of its citizens; and

WHEREAS, the City of Pharr, Texas understands that providing incentives to attract high quality development to Pharr is an important tool in economic development; and

WHEREAS, Chapter 311 of the Texas tax code provides for the City of Pharr to create a Tax Increment Financing Reinvestment Zone for the development and re-development of the City of Pharr; and

WHEREAS, the application proposes Economic Development Incentives and Infrastructure improvements for TIF Zone #2 including but not limited to; Street Construction & Reconstruction, Right of Way Acquisition, Municipal Facilities Acquisition/Construction, Parks: (*Soccer Fields, Other*), Storm Water Pollution Prevention Drainage & Drainage Detention, Wastewater Treatment Plant Expansion, Wastewater Collection System Improvements, Water Rights Acquisition, Utility Relocations and Open Space Improvements, Grant Matching Funds, and Economic Development Incentives; and

WHEREAS, approval of this resolution would initiate and authorize the process for designation of TIF reinvestment zone and by providing written notice of the City's intent to all effected taxing entities; and

WHEREAS, approval of this resolution will not have a direct financial impact.

WHEREAS, creation of the zone is necessary to further the public health, safety, morals, and welfare as a result of substandard conditions, inadequate streets, unsanitary conditions, and the predominant existence of undeveloped area substantially impairing growth.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS:

SECTION 1. The City hereby expresses its intent, based on preliminary review of TIF Zone #2 application, to designate, at a future time, the areas to be selected as a Tax

Increment Financing Reinvestment Zone.

SECTION 2. The City's expression of this intent does not constitute actual designation of the Zone and is based on a preliminary review of the information provided in the application.

SECTION 3. This resolution indicates the intent of the City for the purpose of proceeding in the process of designating a TIF Reinvestment Zone, including providing notice of this intent to taxing entities that would be affected if a TIF Reinvestment Zone was designated.

SECTION 4. This resolution does not preclude the City from continuing its evaluation of the TIF Zone #2 application or requesting additional information from the applicant.

CONSIDERED AND ADOPTED THIS ___ day of _____, 2015 at a regular meeting of the City of Pharr, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF PHARR

Leopoldo "Polo" Palacios, Jr., Mayor

ATTEST

Hilda Pedraza, City Clerk



AGENDA ITEM REQUEST

MEETING DATE: 1-28-15

INITIATED BY: Francisco Marin DEPARTMENT: Parks and Recreation

AGENDA ITEM: Request for Approval to Close Streets to Conduct the 9th Annual 5K St. Patrick's Day Run/Walk (See Attachment).

PARTY MAKING THE REQUEST: The Pharr Parks and Recreation Department.

NATURE OF THE REQUEST: Request for Approval of Street Closures.

BUDGET:

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

ROUTING:

LEGAL: _____

DATE: _____

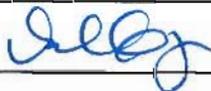
FINANCE/PURCHASING: _____

DATE: _____

APPROVAL:

DEPT. HEAD: _____

DATE: _____

ASSISTANT CITY MANAGER: 

DATE: 1/28/15

CITY MANAGER: _____

DATE: _____

STAFF RECOMMENDATION: Staff recommends that the city approve of this item.

RESOLUTION R-2015-__

A RESOLUTION OF THE CITY OF PHARR TEXAS, AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC TRANSPORTATION FOR PUBLIC EVENT IN THE CITY LIMITS OF PHARR

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS;

That the City of Pharr wishes to enter into an agreement with the State of Texas, acting by and through the Texas Department of Transportation for temporary closure of a street for public event.

That the closure of South U.S.281 (Cage Blvd.) and East Business 83 for purpose of conducting the 9th Annual St. Patrick's Day 5K Run/Walk on Saturday, March 14, 2015 from 7:00 a.m. to 11:00 a.m.

That all rules and procedures of 43 Tex, Adm. Code, Section 22.12 have been established for the temporary closure of a segment of the State highway system and this agreement has been developed in accordance with the rules and procedures.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 3rd day of February, 2015, by the Board of Commissioners of the City of Pharr, Texas.

CITY OF PHARR

LEOPOLDO "POLO" PALACIOS, JR.
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

MEMORANDUM

DATE: January 28, 2015

TO: Mayor Palacios,
City Commissioners

THROUGH: Fred Sandoval, City Manager

FROM: Francisco Marin, Director of Parks and Recreation

SUBJECT: Request for Street Closures to Conduct the 9th Annual St. Patrick's Day
5K Run/Walk

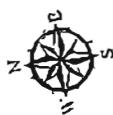
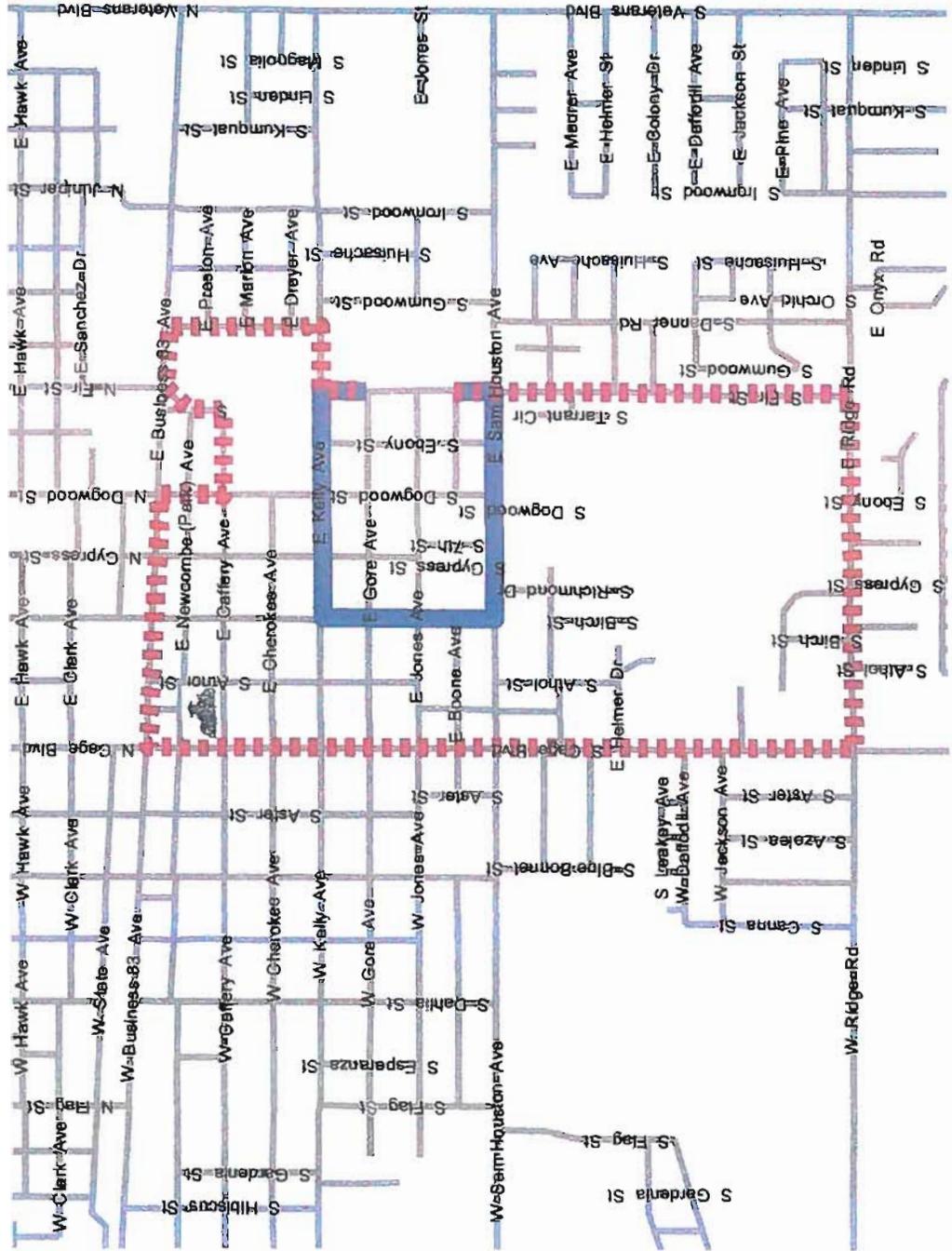
This memorandum serves as a request to close the following streets for the 9th Annual St. Patrick's Day 5K Day Run/Walk scheduled for Saturday, March 14, 2015, from 7:00 a.m. to 11:00 a.m. The requested street closures are as follows and attached is a copy of the proposed 5K route:

- East Sam Houston between Cage Blvd. and Danner
- East Boone St. between Cage Blvd. and Fir St.
- East Jones St. between Cage Blvd. and Fir St.
- East Gore St. between Cage Blvd. and Fir St.
- East Kelly St. between Gumwood
- East Tarrant St.
- East Helmer St.
- East Freida St.
- East Ridge Rd. between Cage Blvd. and Danner
- South Birch St. and East Ridge Rd.
- South Cypress St. and East Ridge Rd.
- East Condesa St. and Cage Blvd.
- East McDonald Ave. and Cage Blvd.
- East Cherokee St.
- East Caffery St.
- East Newcombe St.
- South Arhol St. and East Business 83
- South Birch St. and East Business 83
- South Cypress St. and East Business 83
- South Dogwood St. and East Business 83
- South Fir St. and East Business 83
- South Gumwood St. and East Business 83
- South Gumwood St. and East Preston Ave.
- South Gumwood St. and East Marion Ave.
- South Gumwood St. and East Dreyer Ave.
- South Veterans Blvd. "I Road" and East Sam Houston

RECOMMENDATION:

Staff recommends that the City Commission consider the approval of this item.

City of Pharr - Parks and Recreation 5K on St. Patrick's Day Run/Walk



Run Route
█ 1 Mile Fun Run
█ 5K Route

RESOLUTION NO. R-2015-

**A RESOLUTION IN SUPPORT OF THE APPOINTMENT OF
AQUILES "JIMMY" GARZA TO THE TEXAS TRANSPORTATION COMMISSION**

WHEREAS, only two representatives from the Rio Grande Valley have ever been appointed to the Texas Transportation Commission and it has been over 20 years since a commissioner from the Rio Grande Valley has held a position on the board; and

WHEREAS, the Governor of the State of Texas, as authorized under Texas Administrative Code, has the authority to appoint members to the Texas Transportation Commission whose purpose is to oversee the Texas Department of Transportation to ensure the transportation needs of the State of Texas are met; and

WHEREAS, it is anticipated that during the current legislative session Governor Greg Abbot will appoint several new commissioners to serve on the Texas Transportation Commission and ask the Senate of the State of Texas to confirm the appointment of those commissioners; and

WHEREAS, representation by an individual with knowledge of transportation infrastructure in South Texas is essential to ensure that the needs of the entire state, specifically improving connectivity and mobility in the ever growing Rio Grande Valley and the Hidalgo County Transportation Management area, are met; and

WHEREAS, the commissioner would be responsible for planning and making policies for the location; construction and maintenance of state highways; overseeing the design, construction, maintenance and operation of the state highway system; and developing a statewide transportation plan that contains all modes of transportation, including highways and turnpikes, aviation, mass transportation, railroads, high- speed railroads and water traffic; and

WHEREAS, Aquiles "Jimmy" Garza, currently serving as City Commissioner for the City of Pharr since 2010 and as an advisory board member for the Pharr-Reynosa International Bridge, has the knowledge and demonstrated understanding of the mobility needs of Hidalgo County and the greater region of South Texas by being an advocate for interstate connectivity to the Rio Grande Valley and the remainder of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, THAT:

SECTION 1: The City of Pharr City Commission hereby supports the resolution for the appointment of Aquiles "Jimmy" Garza to the Texas Transportation Commission.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR this the 3rd day of February, 2015.

CITY OF PHARR

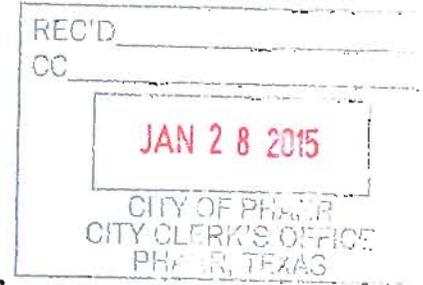
LEOPOLDO "POLO" PALACIOS, JR.,
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA ITEM REQUEST



MEETING DATE: January 8, 2015

INITIATED BY: William F Ueckert Jr. DEPARTMENT: Engineering

AGENDA ITEM:

PARTY MAKING THE REQUEST: William F. Ueckert Jr., P.E. - City Engineer

NATURE OF THE REQUEST: Consideration and action, if any, on awarding bid for the Capote Industrial Park and Pharr/Las Milpas Industrial Park Street Improvements Project.

BUDGET:

EXPENDITURE REQUIRED: \$ 2,300,000

CURRENT BUDGET:

ADDITIONAL FUNDING:

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:

DEPT. HEAD: _____ DATE: _____

ASSISTANT CITY MANAGER: [Signature] DATE: 1/28/15

CITY MANAGER: _____ DATE: _____

STAFF RECOMMENDATION:

Staff recommends awarding contract for Capote Industrial Park and Pharr/Las Milpas Industrial Park Street Improvements Project to XXX Company in the amount of



Memorandum

To: Fred Sandoval – City Manager

From: William F. Ueckert Jr., P.E. - City Engineer
Dora Robles – E.I.T

Date: January 30, 2015

Re: **Agenda Item - Consideration and action, if any, on awarding bid for the Capote Industrial Park and Pharr/Las Milpas Industrial Park Street Improvements Project.**

Fred:

A total of five (5) bids were received for the above referenced project. Attached is the bid tabulation for this project.

I recommend awarding the Capote Industrial Park and Pharr/Las Milpas Industrial Park Street Improvements contract to Foremost Paving, Inc. **\$1,617,323.00.**



OFFICIAL ITEMIZED BID TABULATION

PROJECT: CAPOTE INDUSTRIAL PARK AND PHARRULAS MILPAS INDUSTRIAL PARK STREET IMPROVEMENTS

BID NO: 1415-01-528-0008

DATE: January 29, 2015

TIME: 2:30 PM

LOCATION: CITY COMMISSION RM 2ND FLOOR, PHARR CITY HALL

ITEM NO	DESCRIPTION	ESTIMATE		FURNEST PAVING		TEXAS CURBIA CONSTRUCTION		IDOC COMPANY		L&G CONSTRUCTION		GARCO INDUSTRIES			
		QTY	UNITS	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL		
BASE BID															
CAPOTE INDUSTRIAL PARK															
1	REMOVAL OF EXISTING ASPHALT PAVEMENT, REMOVAL OF EXISTING CALICHE BASE MATERIAL AND STOCKPILE AT INDICATED LOCATION	15,138	SY	\$5.00	\$75,690.00	\$1.95	\$29,519.10	\$3.60	\$54,496.80	\$4.00	\$60,552.00	\$10.00	\$151,330.00		
2	1 1/2" (ONE) STABILIZED SUBGRADE (6% FINE), TO INCLUDE ALL MIXING, PULVERIZATION, WATERING, DISKING, GRADING, SHAPING AND COMPACTION, ALL COMPLETE IN PLACE	15,138	SY	\$7.00	\$105,966.00	\$4.50	\$68,127.00	\$7.50	\$113,535.00	\$9.30	\$140,783.40	\$10.50	\$158,949.00		
3	16" FLEXIBLE BASE (CALICHE) TO BE BLENDED WITH THE EXISTING STOCKPILED CALICHE MATERIAL INCLUDING INSTALLATION, COMPACTION AND SHAPING TO FINAL GRADE. ALL COMPLETE IN PLACE (8" LIFTS)	3,276	TON	\$15.00	\$49,140.00	\$14.00	\$45,864.00	\$12.00	\$39,312.00	\$14.00	\$45,864.00	\$17.50	\$57,330.00		
4	11.5" FLEXIBLE BASE (CALICHE) TO BE BLENDED WITH THE EXISTING STOCKPILED CALICHE MATERIAL INCLUDING INSTALLATION, COMPACTION AND SHAPING TO FINAL GRADE. ALL COMPLETE IN PLACE (CONCRETE WORK)	11,242	SY	\$4.00	\$44,968.00	\$2.25	\$25,294.50	\$5.30	\$59,582.60	\$9.20	\$103,426.40	\$6.00	\$67,452.00		
5	FINAL GRADE ALL COMPLETE IN PLACE (CONCRETE WORK)	3,896	SY	\$1.00	\$3,896.00	\$1.00	\$3,896.00	\$1.15	\$4,470.40	\$6.40	\$24,937.60	\$6.00	\$23,376.00		
6	PRIME COAT (MC-30) (0.20 GAL/SY) ALL COMPLETE IN PLACE	11,242	SY	\$1.00	\$11,242.00	\$1.00	\$11,242.00	\$1.15	\$12,928.30	\$1.00	\$11,242.00	\$1.49	\$16,750.33		
7	4" HWAC (TY O LIMESTONE AGGR) (60 LB/SY) IN TWO (2) 2" LIFTS (280 LB/SY) ALL COMPLETE IN PLACE	11,242	SY	\$17.00	\$191,114.00	\$25.00	\$281,050.00	\$20.00	\$224,840.00	\$22.00	\$247,324.00	\$20.50	\$230,461.00		
8	CONCRETE INTERSECTIONS WITH 8.5" OF 4,000 PSI CONCRETE, REMOVAL OF EXISTING CURB, PLACEMENT OF NEW CURB, 15 MIL PLASTIC FILM AND STEEL REINFORCEMENT. ALL COMPLETE IN PLACE	3,896	SY	\$48.00	\$187,128.00	\$50.00	\$194,880.00	\$65.00	\$253,240.00	\$48.95	\$190,709.20	\$59.90	\$233,370.40		
9	24" CONCRETE CURB & GUTTER TO INCLUDE EXPANSION JOINTS, TOOLED JOINTS AND REINFORCING STEEL. ALL COMPLETE IN PLACE	1,145	LF	\$14.00	\$16,030.00	\$14.00	\$16,030.00	\$12.25	\$14,026.25	\$11.65	\$13,329.25	\$16.20	\$18,549.00		
10	CONCRETE DRIVEWAY ENTRANCES	6,712	SF	\$3.50	\$23,492.00	\$5.40	\$36,252.80	\$5.55	\$37,279.75	\$8.00	\$53,696.00	\$9.00	\$60,408.00		
11	EROSION AND SEDIMENTATION CONTROL, TO INCLUDE BUT NOT LIMITED TO STABILIZED CONSTRUCTION ENTRANCE, SILT FENCE, INLET PROTECTION, ETC.	1	LS	\$9,700.00	\$9,700.00	\$3,300.00	\$3,300.00	\$35,000.00	\$35,000.00	\$17,000.00	\$17,000.00	\$500.00	\$4,500.00		
12	ADJUST MANHOLES	5	EA	\$700.00	\$3,500.00	\$630.00	\$3,150.00	\$1,350.00	\$6,750.00	\$350.00	\$1,750.00	\$500.00	\$4,500.00		
13	ADJUST VALVES	8	EA	\$650.00	\$5,200.00	\$3,250.00	\$26,000.00	\$575.00	\$4,600.00	\$110.00	\$880.00	\$75.00	\$600.00		
PHARRULAS MILPAS INDUSTRIAL PARK															
14	REMOVAL OF EXISTING ASPHALT PAVEMENT, REMOVAL OF EXISTING CALICHE BASE MATERIAL AND STOCKPILE AT INDICATED LOCATION	20,274	SY	\$5.00	\$101,370.00	\$1.95	\$39,534.30	\$3.60	\$72,986.40	\$4.00	\$81,096.00	\$10.00	\$202,740.00		
15	1 1/2" (ONE) STABILIZED SUBGRADE (6% FINE), TO INCLUDE ALL MIXING, PULVERIZATION, WATERING, DISKING, GRADING, SHAPING AND COMPACTION, ALL COMPLETE IN PLACE	20,274	SY	\$7.00	\$141,918.00	\$4.50	\$91,242.00	\$7.50	\$152,055.00	\$9.30	\$188,548.20	\$10.50	\$212,877.00		
16	16" FLEXIBLE BASE (CALICHE) TO BE BLENDED WITH THE EXISTING STOCKPILED CALICHE MATERIAL INCLUDING INSTALLATION, COMPACTION AND SHAPING TO FINAL GRADE. ALL COMPLETE IN PLACE (8" LIFTS)	4,652	TON	\$15.00	\$69,780.00	\$14.00	\$65,128.00	\$12.00	\$55,824.00	\$14.00	\$65,128.00	\$17.00	\$79,084.00		
17	11.5" FLEXIBLE BASE (CALICHE) TO BE BLENDED WITH THE EXISTING STOCKPILED CALICHE MATERIAL INCLUDING INSTALLATION, COMPACTION AND SHAPING TO FINAL GRADE. ALL COMPLETE IN PLACE (CONCRETE WORK)	19,095	SY	\$4.00	\$76,380.00	\$2.25	\$42,963.75	\$5.30	\$101,203.50	\$9.20	\$175,674.00	\$6.00	\$114,570.00		
18	FINAL GRADE ALL COMPLETE IN PLACE (CONCRETE WORK)	1,129	SY	\$3.00	\$3,387.00	\$2.00	\$2,258.00	\$5.15	\$5,816.35	\$6.40	\$7,228.40	\$6.00	\$6,774.00		
19	PRIME COAT (MC-30) (0.20 GAL/SY) ALL COMPLETE IN PLACE	19,095	SY	\$1.00	\$19,095.00	\$1.00	\$19,095.00	\$1.15	\$21,959.25	\$1.00	\$19,095.00	\$1.49	\$28,451.55		
20	4" HWAC (TY O LIMESTONE AGGR) (60 LB/SY) IN TWO (2) 2" LIFTS (280 LB/SY) ALL COMPLETE IN PLACE	19,095	SY	\$17.00	\$324,615.00	\$25.00	\$477,375.00	\$20.00	\$381,900.00	\$22.00	\$420,090.00	\$20.50	\$391,447.50		
21	CONCRETE INTERSECTIONS WITH 8.5" OF 4,000 PSI CONCRETE, REMOVAL OF EXISTING CURB, PLACEMENT OF NEW CURB, 15 MIL PLASTIC FILM AND STEEL REINFORCEMENT. ALL COMPLETE IN PLACE	1,129	SY	\$48.00	\$53,792.00	\$50.00	\$56,450.00	\$65.00	\$73,471.75	\$48.95	\$54,771.05	\$59.90	\$67,422.10		
22	24" CONCRETE CURB & GUTTER TO INCLUDE EXPANSION JOINTS, TOOLED JOINTS AND REINFORCING STEEL. ALL COMPLETE IN PLACE	1,500	LF	\$14.00	\$21,000.00	\$13.00	\$19,500.00	\$12.25	\$18,375.00	\$11.65	\$17,475.00	\$16.20	\$24,300.00		
23	CONCRETE DRIVEWAY ENTRANCES	17,079	SF	\$3.50	\$59,776.50	\$5.40	\$92,026.60	\$5.55	\$95,283.45	\$8.00	\$136,632.00	\$9.00	\$153,713.10		
24	EROSION AND SEDIMENTATION CONTROL, TO INCLUDE BUT NOT LIMITED TO STABILIZED CONSTRUCTION ENTRANCE, SILT FENCE, INLET PROTECTION, ETC.	1	LS	\$9,700.00	\$9,700.00	\$3,300.00	\$3,300.00	\$35,000.00	\$35,000.00	\$17,000.00	\$17,000.00	\$500.00	\$4,500.00		
25	ADJUST MANHOLES	14	EA	\$700.00	\$9,800.00	\$630.00	\$8,820.00	\$1,350.00	\$18,900.00	\$350.00	\$4,900.00	\$500.00	\$7,000.00		
26	ADJUST VALVES	16	EA	\$650.00	\$10,400.00	\$3,250.00	\$52,000.00	\$575.00	\$9,200.00	\$110.00	\$1,760.00	\$75.00	\$1,200.00		
				\$1,617,323.00				\$1,800,000.00				\$2,090,000.00			
				TOTAL BASE BID AMOUNT:				\$1,944,419.95				\$2,333,370.53			



AGENDA ITEM REQUEST

MEETING DATE: January 30, 2015

INITIATED BY: Roy Garcia DEPARTMENT: Public Works

AGENDA ITEM: Consideration and action allowing City Manager to contract Aldana Engineering & Traffic Design.

PARTY MAKING THE REQUEST: Public Works

NATURE OF THE REQUEST: Traffic engineer firm to provide specifications and bid packet for the purchase and installation of downtown signalization improvements (Traffic Control Boxes, Signal Heads, and Synchronization Radio System). Limits: Polk Ave to Ridge Rd on Cage Blvd.

BUDGET: \$300,000.00

EXPENDITURE REQUIRED: \$0

CURRENT BUDGET: \$300,000.00

ADDITIONAL FUNDING: \$0

ROUTING:

LEGAL: _____ DATE: _____

FINANCE/PURCHASING: _____ DATE: _____

APPROVAL:DEPT. HEAD: *Roy Garcia* DATE: 1/15/15

ASSISTANT CITY MANAGER: _____ DATE: _____

CITY MANAGER: _____ DATE: _____

STAFF RECOMMENDATION: Approval



interoffice
MEMORANDUM

To: Mayor and City Commission

From: Hilda Pedraza, TRMC City Clerk

Subject: Agenda Item – Total Commitment, LLC vs. Ron Rock, Individual doing business as Mastercrafters Construction and Development, City of Pharr, and Pharr Economic Development Corporation, II, Cause No. C-501-11-G; and related matters

Date: February 3, 2015

This item will be discussed in closed session.

Thank you.