

**TAKE NOTICE THAT A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
OF THE CITY OF PHARR, TEXAS
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS
COMMENCING AT 4:00 PM ON
MONDAY, JANUARY 4, 2021**

The City of Pharr has called this meeting as allowed pursuant to Texas law, city charter, and city ordinances. The governing body may recess from day to day when it does not complete consideration of a particularly long subject as authorized by law. All persons desiring to address the governing body must register with the presiding city clerk prior to the scheduled meeting.

In accordance with social distancing guidelines, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of community, city staff, and city council. The meeting will be held via videoconference and broadcast at <http://www.pharr-tx.gov>

1. CALL TO ORDER:

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

2. PUBLIC TESTIMONY: (Ordinance No. O-2019-45). A person intending on addressing the governing body may speak at a scheduled meeting of the governing body following registration with the presiding clerk and prior to the scheduled meeting. A registered speaker may speak only on items on the agenda and may not exceed 1.5 minutes when addressing the board regarding an agenda item. A registered speaker may not donate time to another speaker. A sign-in form for public testimony shall be promulgated by the presiding clerk and be made available at the city clerk's office. A person may sign up for public testimony beginning at the time the agenda is posted for the meeting. A person may not sign up later than one hour before the posted meeting is scheduled to begin. No registered speaker may be allowed to speak regarding an item once the public testimony portion of the agenda has ended.

3. PUBLIC HEARINGS: (Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the presiding clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.

AGENDA REGULAR MEETING
January 4, 2021

A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES: *(Ordinance No. O-2019-31). A registered speaker during the public hearing may not exceed 1.5 minutes when addressing the board. A sign-in form for participation in public a hearing shall be promulgated by the city clerk and be made available at the city clerk's office. The public hearing sign-in form shall include the person or entity's name, address, telephone number, other contact information, organization if applicable, and other notices, authorizations, and acknowledgements as may be allowed by law from time to time. No registered speaker may be allowed to address the governing body once the public hearing has closed.*

4. CITY MANAGER'S REPORTS: *(City Manager's Administrative Reports and discussion, if any, with governing body. The City Manager may also assign a designated spokesperson for any particular listed topic)*

A) City Engineer's Report

5. CONSENT AGENDA: *(All items listed under consent Agenda are considered to be routine and non-controversial by the Governing Body and will be enacted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and vote on the Consent Agenda)*

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

1. R. Gutierrez Engineering Corporation, representing Reynaldo Mata, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD). The property is legally described as being a 1.12-acre tract of land, more or less, out of the west 5 acres of Lot 222, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas. The property's physical address is 400 East Moore Road. **COZ#201156**

2. City of Pharr has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). The property is legally described as being 7.15 acres, more or less, out of Lot 378, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located between the 802 – 1100 Block of West Hi-Line Road. **COZ#201151**

3. Faith Family Church RGV has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). The property is legally described as being a 0.52 acres, more or less, out of Lot 4, 0.92 acres net, L.R. Bell Development Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1215 East Ferguson, Suite A. **CUP#201257**

4. Mariscos El Muelle, LLC, d/b/a Muelle 37, has filed with the Planning and Zoning Commission a request for Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being 0.28 acres, more or less, out of Lot A, H E B Futurama Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1300 East Business Highway 83, Suite 6. **CUP#201258**

AGENDA REGULAR MEETING
January 4, 2021

PLATS:

1. K.C.I. Technologies., representing Joaquin Spamer, owner, is requesting preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park. The property is legally described as being a 1.303 acres, being all of Lot 2, Spamer Business Park, Pharr, Hidalgo County, Texas. The property physical address is 8101 S. Jackson Road. **SUB#201029**

REGULAR AGENDA - OPEN SESSION:

6. ORDINANCES AND RESOLUTIONS:

A) Consideration and action, if any, on Ordinance amending Sign Ordinance O-2014-14. **(3rd and Final Reading)** (ADMINISTRATION)

7. ADMINISTRATIVE:

A) Consideration and action, if any, on petition received by the City of Pharr to contract the City of Pharr's Election with Hidalgo County Elections Department. (ADMINISTRATION)

8. PURCHASING:

A) Consideration, if any, on purchase of uniforms and accessories (outer vest carriers, badges, jackets, Command Staff uniforms) for the Pharr Police Department thru Buyboard Cooperative Contract# 587-19 from Galls out of Lexington, Kentucky. (POLICE)

B) Consideration and action, if any, authorizing City Manager to purchase access control system from DHS Security, LLC dba 3Sixty Integrated from San Antonio, TX, through BuyBoard Cooperative Contract#574-18 (IT)

9. CONTRACTS/AGREEMENTS:

A) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with Delta Industrial Service & Supply from Port Neches, TX for the Purchase & Delivery of Structural Firefighting Personal Protective Equipment (Item 5-Extrication Gloves). (PURCHASING)

B) Consideration and action, if any, authorizing City Manager to extend the Supply Contract with NAFECO, Inc. from Decatur, AL for Structural Firefighting Personal Protective Equipment (Items 1-Turn Out Gear, 4-Structural Gloves, and 6-Protective Hood). (PURCHASING)

AGENDA REGULAR MEETING

January 4, 2021

10. CLOSED SESSION: *In accordance with Chapter 551 of the Texas Gov't. Code, the Pharr Board of Commissioners hereby gives notice that it may meet in a closed (non-public) executive session to discuss the items listed on the public portion of the meeting agenda in accordance with the following below:*

Pursuant to Section 551.071, the Board may convene in a closed, non-public meeting with its attorney and discuss any matters related to **legal advice on pending or contemplated litigation, settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.072, the Board may convene in a closed, non-public meeting to discuss any matters related to **real property and deliberate the purchase, exchange, lease, or value of real property as such would be detrimental to negotiations between the City and a third party in an open meeting.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.074, the Board may convene in a closed, non-public meeting to discuss any matters related to **appointment, employment, evaluation, reassignment, duties and discipline or dismissal of a public officer or employee and to hear any complaints or charges against an officer or employee.** The City and its attorney may also discuss such issues with the appropriate staff including members so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.076, the Board may convene in a closed, non-public meeting to discuss any matters on the **deployment, or specific occasions for implementation, of security personnel or devices.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.084, the Board may convene in a closed, non-public meeting to discuss any matters involving an **investigation and may exclude a witness from hearing during the examination of another witness in the investigation.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

Pursuant to Section 551.087, the Board may convene in a closed, non-public meeting to discuss any matters regarding **economic development issues.** The City and its attorney may also discuss such issues with the appropriate staff so as to obtain necessary and relevant information so that such discussion is informative and developed.

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

12. ADJOURNMENT:

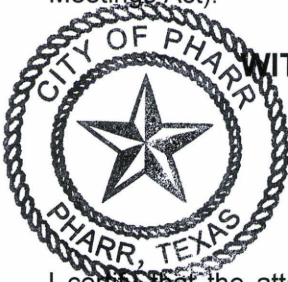
AGENDA REGULAR MEETING

January 4, 2021

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 imelda.barrera@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 December 2020 at 1:00 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 December 2020.


IMELDA BARRERA, TRMC
ASSISTANT CITY CLERK

I certify that the attached notice and agenda of items to be considered by the City Commission was removed from the bulletin board of City Hall on the ____ day of _____, 20__ by,

Title: _____



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 3.A.

DATE SUBMITTED: December 30, 2020

MEETING DATE: January 4, 2021

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Public Hearing on Development Services Cases

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza

Created/Initiated - 12/30/2020



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 4.A.

DATE SUBMITTED: December 30, 2020

MEETING DATE: January 4, 2021

FROM: Omar Anzaldua, City Engineer

DEPARTMENT: Engineering

DIRECTOR: Omar Anzaldua

Agenda Item: City Engineer's Report

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: City Engineer's Report

Fiscal Consideration: N/A

Staff Recommendation: City Engineer's Report

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Omar Anzaldua

Omar Anzaldua

City Management Office

Created/Initiated - 12/30/2020

Approved - 12/30/2020

Final Approval - 12/30/2020

Construction Phase

- ☐  **City Hall Remodeling**
- ☐  **Pharr Bridge Office Expansion Phase II**
- ☐  **Aquatic Facility**
- ☐  **Jones Box Park Phase II West Expansion**
- ☐  **City Wide Drainage Ditch Widening**
- ☐  **Pharr/Reynosa International Bridge Northbound Lane Expansion & 2nd BSIF Exit**
- ☐  **Northside Event Center**

CONSTRUCTION PHASE

Project Name:	City Hall Remodeling		
Engineer	City of Pharr		
Contractor	NM Contracting		
Contract Amount to Date	\$2,349,203	Contract Time (Days)	207
Notice to Proceed	7/23/2020	Contract Time Used:	77.29%

Description: A complete interior renovation of the first floor of City Hall.

Status: Construction is ongoing.

Pictures: Stairs and walls are in place.



CONSTRUCTION PHASE

Project Name:	Pharr Bridge Office Expansion Ph II		
Engineer	The Warren Group Architects Inc.		
Contractor	International Consulting Engineers (ICE)		
Contract Amount to Date	\$1,316,952	Contract Time (Days)	240
Notice to Proceed	TBD	Contract Time Used:	#VALUE!
Description:			
Status: Contract is being executed			
			

CONSTRUCTION PHASE

Project Name:	Aquatic Facility (Project No. 1819-35-510-C011-051)		
Architect	The Warren Group Architects		
Contractor	D. Wilson Construction		
Contract Amount to Date	\$23,165,208.00	Contract Time (Days)	550
Notice to Proceed	11/1/2019	Contract Time Used:	77.27%
Description: The project is a fully enclosed olympic natatorium and diving pool with support facilities. Building area is approximatley 70,400 S.F.			
Status: Construction is ongoing.			
Pictures: Structural forms are in place, and is ongoing.			
			
			

CONSTRUCTION PHASE

Project Name:	Jones Box Park Phase 2 West Expansion (Project No. 1920-01-528-C003-210)		
Engineer	R. Guitierrez Engineering Corporation		
Contractor	Vensor Contractors, LLC		
Contract Amount to Date	\$299,214.24	Contract Time (Days)	170
Notice to Proceed	2/6/2020	Contract Time Used:	192.94%

Description: This project will consist of utility improvements.

Status: Construction is ongoing.

Discharge Permit has been signed and project will continue as normal. Concrete rip-rap for HCDD No. 1 drain ditch outfall has been completed.



CONSTRUCTION PHASE

Project Name:	City Wide Ditch Widening Project		
Engineer	Sigler Winston Greenwood		
Contractor	Saenz Brothers		
Contract Amount to Date	\$2,472,500.00	Contract Time (Days)	145
Notice to Proceed	9/10/2020	Contract Time Used:	76.55%
Description: City Wide Ditch Widening			
Status: Construction is ongoing			
Pictures: Ditch widening in front of E. Sioux Rd. and in front of Raiders Dr.			
			
			

CONSTRUCTION PHASE

Project Name:	Pharr/Reynosa International Bridge Northbound Lane Expansion & 2nd BSIF Exit		
Engineer	TEDSI Infrastructure Group		
Contractor	Jimenez Engineering Solutions		
Contract Amount	\$7,946,724.38	Contract Time (Days)	360
Notice to Proceed	9/8/2020	Contract Time Used:	31.39%
Description: The addition of a northbound truck lane, a superwide north roadway, and a new exit truck lane to the BSIF facility with new secondary inspection booths.			
Status: Construction is ongoing			
Pictures: Compaction of lifts			
			
			

CONSTRUCTION PHASE

Project Name:	Northside Community Center		
Architect	The Warren Group Architects		
Contractor	Davila Construction		
Contract Amount		Contract Time (Days)	
Notice to Proceed	9/8/2020	Contract Time Used:	#DIV/0!
Description: Construction of utilities have started with storm sewer line and the installation of a manhole at the entrance.			
Status: Construction is ongoing			
Pictures:			





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.

DATE SUBMITTED: December 30, 2020

MEETING DATE: January 4, 2021

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: Consideration and action, if any, on Development Services Cases:

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza

Created/Initiated - 12/30/2020



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.1.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: R. Gutierrez Engineering Corporation, representing Reynaldo Mata, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD). The property is legally described as being a 1.12-acre tract of land, more or less, out of the west 5 acres of Lot 222, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas. The property's physical address is 400 East Moore Road. **COZ#201156**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: R. Gutierrez Engineering Corporation, representing Reynaldo Mata, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD). **COZ#201156**

Fiscal Consideration: n/a

Staff Recommendation: Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. The rezoning will allow for a reasonable use of the property and is compatible with adjacent uses. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD) subject to staff's recommendations.

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Iris Mata

Created/Initiated - 12/29/2020

Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020



Pharr

Development Services



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: January 4, 2021

ROUTE TO BOARD:

☒ CITY COMMISSION

AGENDA ITEM: COZ:#201156

☐ PLANNING & ZONING COMMISSION

DATE SUBMITTED: November 30, 2020

1. **Applicant:** R. Gutierrez Engineering Corporation, representing Reynaldo Mata, owner.
2. **Requested Action:** Re-zoning request from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD).
3. **Nature / Intent of Request:** In order to develop and construct apartments on said lot.

4. **Routing to Staff:**

A. **Melanie Cano, Director**

[Signature]
Initials

12/21/20
Date

☒ Approval ☐ Denial

B. **Planning Staff
Recommendations**

[Signature]
Initials

12-29-2020
Date

☒ Approval ☐ Denial

C. **Planning and Zoning
Commission**

Initials

12/28/2020
Date

☒ Approval ☐ Denial

D. **City Attorney**

Initials

Date

☐ Approval ☐ Denial

E. **City Manager**

Initials

Date

☐ Approval ☐ Denial



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JANUARY 4, 2021

TO: MAYOR AND CITY COMMISSION

FROM: DEVELOPMENT SERVICES

THROUGH: EDWARD WYLIE, INTERIM CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District A-O) to Residential Multi-Family High-Density District (R-MFHD): Being a 1.12-acre tract of land, more or less, out of the west 5 acres of Lot 222, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas. The property's physical address is 400 East Moore Road.

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

R. Gutierrez Engineering Corporation, representing Reynaldo Mata, owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD) in order to develop and construct apartments on said lot.

The subject site is located on the south side of East Moore Road with the physical address of 400 East Moore Road. The property is legally described as being a 1.12-acre tract of land, more or less, out of the west 5 acres of Lot 222, Kelly-Pharr Tract, Pharr, Hidalgo County, Texas.

The property fronts East Moore Road, a 60' major collector that runs east and west with a posted speed limit of 30 miles or less per hour as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). On October 27, 2009, the property to the north was zoned to Multi-Family High-Density District (R-MFHD). There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for single-family residential use in the Land Use Plan.

The Residential Multi-Family High Density District is established to provide adequate space and site diversification for medium to high density areas. This may be a zone for transitional areas developed for single-family usage, but because of the need for rehabilitation, or changes in the character of the neighborhood, are now deemed suitable for some multifamily development. This zone allows medium to high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met. R-MFHD uses should not run traffic over long distances of single-family residential-sized streets or neighborhoods and should be located close to arterials or collectors capable of carrying the additional traffic. Multi-family developments are not a buffer between single-family and commercial uses and should be property buffered from nonresidential land uses and traffic, or from pollution and environmental hazards.

Ten (10) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD) as the property meets area requirements and has adequate ingress and egress. The rezoning will allow for a reasonable use of the property and is compatible with adjacent uses. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Residential Multi-Family High-Density District (R-MFHD) subject to staff's recommendations.

CITY COMMISSION OPTIONS:

- 1. Approve the rezoning request;**
- 2. Table the item for:**
 - a) consideration by the full board;**
 - b) additional information;**
 - c) additional time for applicant and adjacent property owners to meet;**
- 3. Disapprove the request.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

Reynaldo Mata, owner.

APPLICANT

400 East Moore Road

ADDRESS

Agricultural and/or Open
Space District (A-O)

CURRENT ZONE

Residential Multi-Family
High-Density District (R-MFHD)

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?	X	
9 Is the proposed change in line with the Future Land Use Plan?		X

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress. The rezoning will allow for a reasonable use of the property and is compatible with adjacent uses. If approved, the owner must comply with all City Ordinances and City Department requirements.

Della Robles

PREPARED BY

December 22, 2020

DATE

Proposed Change of Zone
 The S148' of the N760' and the S148' of the 612'
 of the W5ac of Lot 222, Kelly Pharr
 Reynaldo&Rey Cruz

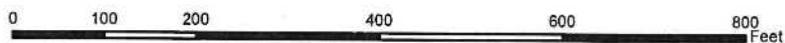


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|---------------------------------------|--------------------|--------------------------|
| Agricultural Open Space | Rail Road R.O.W | Neighborhood Commercial |
| Single Family | Government Owned | Office Professional |
| Single Family Small Lot |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

City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 12/11/2020

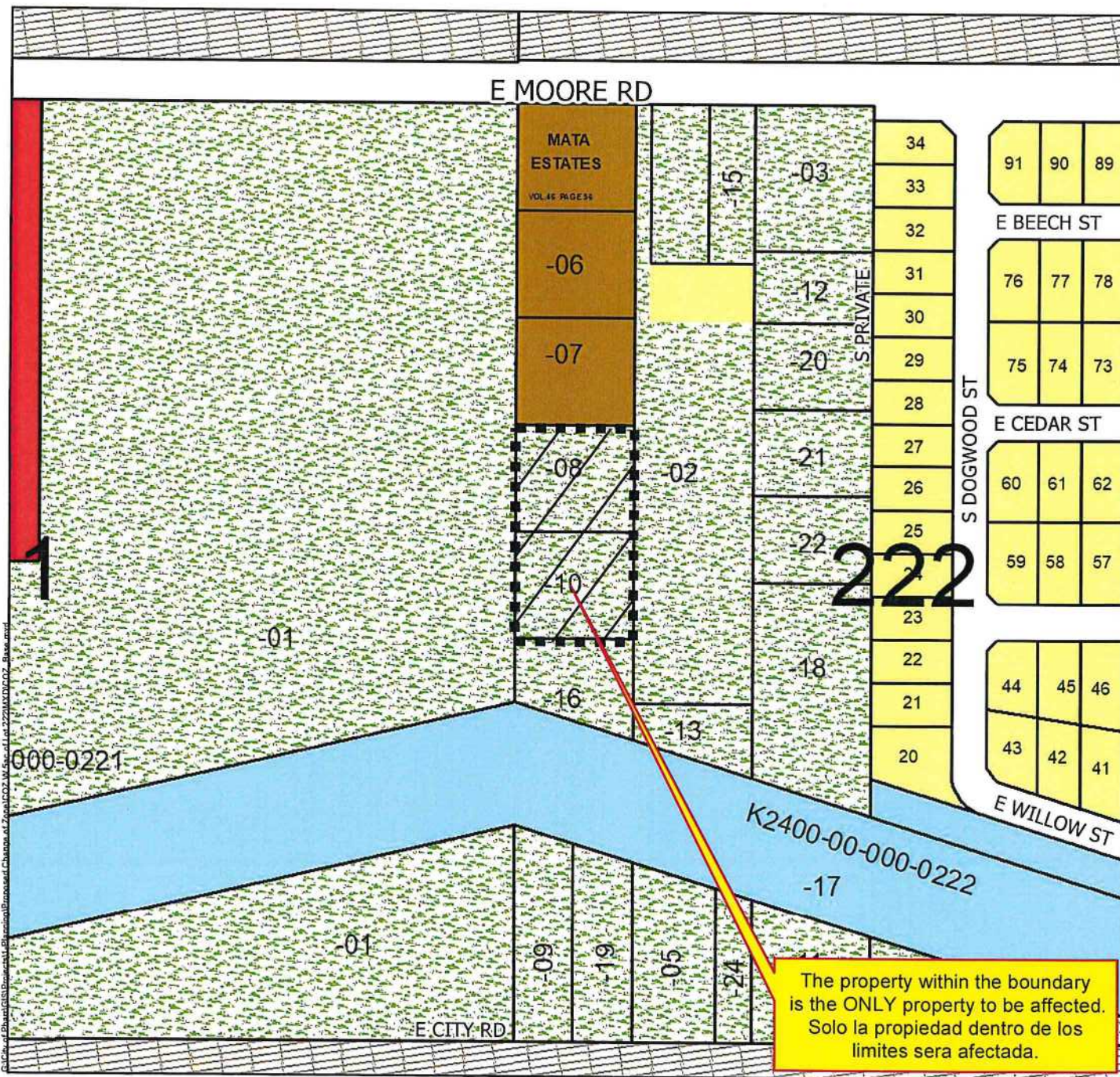
Scale: 1 inch = 200 feet



All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



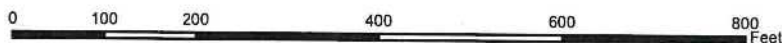
Proposed Change of Zone
 The S148' of the N760' and the S148' of the 612'
 of the W5ac of Lot 222, Kelly Pharr
 Reynaldo&Rey Cruz



- | | | |
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| Mobile Home | Heavy Commercial | Planned Unit Development |
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| HUD Code | Limited Industrial | |

City of Pharr, Texas
 Engineering Department
 956.402.4242

Scale: 1 inch = 200 feet



All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Date: 12/11/2020

[illegible][illegible][illegible][illegible]

1. CONSTRUCTION OF ANY STRUCTURE IS ALLOWED, UNLESS FIRE PROTECTION IS IN PLACE.
2. ALL EXISTING AND NEW CONSTRUCTION SHALL BE LOCATED APPROXIMATELY 11 FEET WEST FROM THE EXISTING EXTERIOR WALL OF THE EXISTING BUILDING AND SHALL BE LOCATED ON THE NORTH SIDE OF JACOB ST.
3. EXISTING "BAY" SHALL BE REMOVED.
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PRINCIPAL CONTACTS			
NAME	ADDRESS	PHONE No.	E-MAIL
MR. RUTHALDO MATA	3402 H. CHENIERE Dr.	(956) 784-2418	
MR. RAMIRO GONZALEZ	130 C. PARK AVE.	(956) 783-7557	roliver@netnet.net
MR. PABLO SOTO JR.	130 C. PARK AVE.	(956) 784-2418	elicio@netnet.net

[illegible]

MATA ESTATES SUBDIVISION
AN ADDITION TO THE CITY OF PHARR,
HIDALGO COUNTY, TEXAS
AS PER MAP RECORDED IN
INSTRUMENT NO. 1391681, M.R.H.C., TEXAS.
AND
2.24 ACRES OUT OF LOT 222,
KELLY-PHARR SUBDIVISION,
HIDALGO COUNTY, TEXAS,
AS PER MAP RECORDED IN
VOLUME 3, PAGES 133-134, D.R.H.C., TEXAS.



CURVE DATA						
CURVE No.	Delta Angle	Radius	Arc Length	Tangent	Chord Length	Chord Bearing
C1	90°00'00"	28.00'	43.58'	28.00'	39.60'	S 53°25'00" W
C2	90°00'00"	29.00'	43.60'	28.00'	39.60'	S 53°25'00" W

[illegible]

DATED: _____

STATE OF TEXAS §
COUNTY OF HOUSTON §

APPROVAL BY PLANNING AND ZONING COMMISSION:

APPROVED AND AUTHORIZED FOR RECORD BY THE PLANNING AND ZONING COMMISSION, CITY OF PHASE, TEXAS, THIS _____ DAY OF _____, 19____.

_____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF PHASE, TEXAS.

JOHN WILKIE CHAIRMAN, PLANNING AND ZONING COMMISSION

STATE OF TEXAS §
COUNTY OF HARRIS §

[illegible]

 ATTENDANT

 SECRETARY

 ON _____ AT _____
 A.M./P.M. INSTRUMENT OF
 THE MAP RECORDS OF HALL
 COUNTY, TEXAS
 BY _____ DEPUTY

 FIELD FOR RECORD IN
 HALL COUNTY
 HALL COUNTY CLERK

 PRESIDENT

 and Surveyors
 TEXAS 78577
 782-2558
 MAILING FIRM NO.: 101650-00

Professional Engineers & Land Surveyors
130 E. PARK AVENUE • PHARR, TEXAS 78577
(TEL) 956 782-2557 • (FAX) 956 782-2558
ENGINEERING FIRM No.: 486 • SURVEYING FIRM No.: 101650-00

REGISTERED PROFESSIONAL LAND SURVEYOR No.
4541 ROUTIERREZ ENGINEERING CORP.
130 E. PARK
PHARR, TEXAS 78577
DATE: _____

13316

BY	DATE	REVISION
BY		
DATE		
REVISION		

These documents are for Design Review
and not intended for Construction, Bidding
or Permit Purposes. They are prepared
by or under the supervision of
MAVRO CUTRELL
FIRM NAME

TROPIC STAR No. 2 SUBDIVISION
VOL. 72, PAGES 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890,

LOT 222
KELLY-PHARR SUBDIVISION
VOL. 3, PAGES 132-134, O.R.H.C. TX

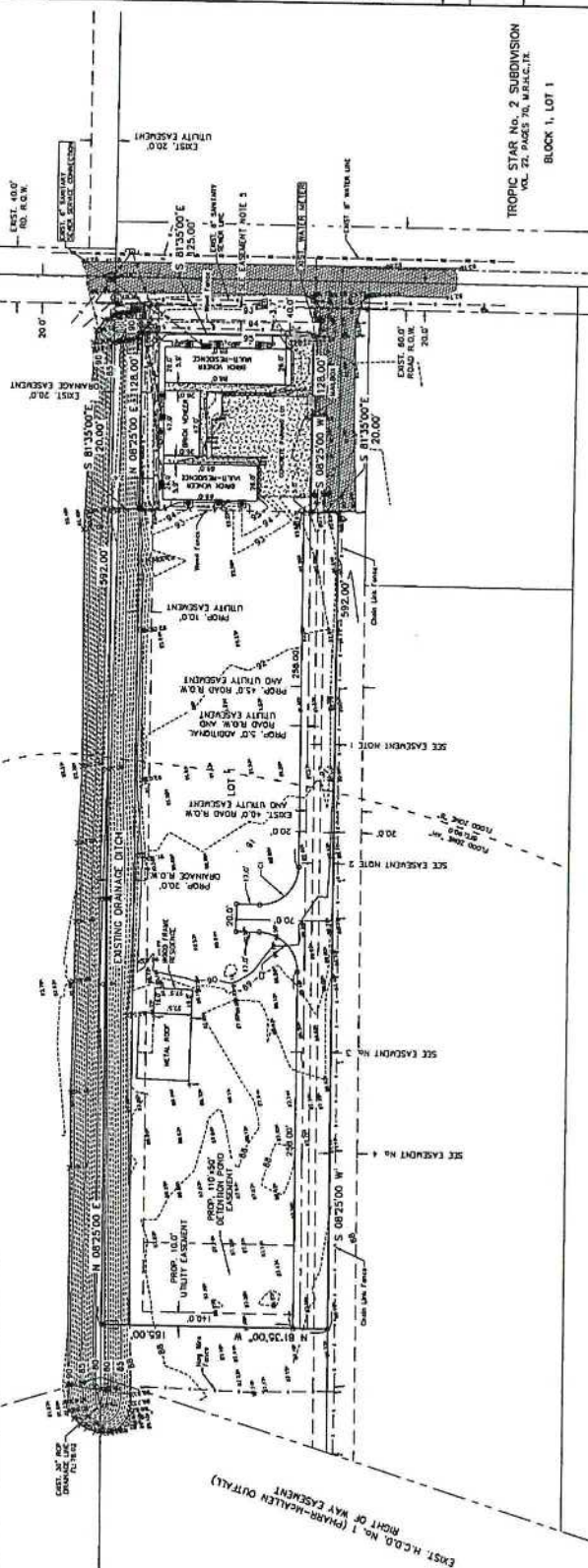
KELLY-PHARR SUBDIVISION
VOL. 3, PAGES 133-134, O.R.M.C., TX.
LOT 221

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LEGEND	
③	SANITARY SINKER HANNOLE
	GRATE INLET
①②③④	POWER MOTOR & LIGHT POLE
⑤	WATER METER
⑥	ELECTRICAL METER
⑦	AC
⑧	CLEAN OUT
⑨	DOWN OUT
⑩	FLAM FREE
⑪	OVERHEAD POWER LINE
⑫	SANITARY SINKER LINE
⑬	WATER LINE
⑭	DRAINAGE LINE
⑮	FTCHD LINE

CURVE DATA					
CURVE No.	Delta Angle	Radius	Arc Length	Tangent	Chord Bearing
C1	90°00'00"	28.00'	43.98'	28.50'	S 53°25'00" W
C2	90°00'00"	28.00'	43.98'	28.00'	S 36°35'00" E





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.2.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: City of Pharr has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). The property is legally described as being 7.15 acres, more or less, out of Lot 378, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located between the 802 – 1100 Block of West Hi-Line Road. **COZ#201151**

Classification: Public Hearing

(* If closed session, City Attorney must review and approve.)

Issue: City of Pharr has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). **COZ#201151**

Fiscal Consideration: n/a

Staff Recommendation: Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements, has adequate ingress and egress, and is in line with the Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) subject to staff's recommendations.

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Iris Mata
Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 12/29/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020



STANDARDIZED RECOMMENDATION FORM

MEETING DATE: January 4, 2021

ROUTE TO BOARD:

☒ CITY COMMISSION

AGENDA ITEM: COZ#201259

☐ PLANNING & ZONING COMMISSION DATE SUBMITTED: November 30, 2020

1. Applicant: The City of Pharr.
2. Requested Action: Re-zoning request from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I).
3. Nature / Intent of Request: Initiating a change of zone for the betterment of the city.

4. Routing to Staff:

A. Melanie Cano, Director

Initials

Date

☒ Approval ☐ Denial

B. Planning Staff
Recommendations

Initials

Date

☒ Approval ☐ Denial

C. Planning and Zoning
Commission

Initials

12/28/2020
Date

☒ Approval ☐ Denial

D. City Attorney

Initials

Date

☐ Approval ☐ Denial

E. City Manager

Initials

Date

☐ Approval ☐ Denial



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JANUARY 4, 2021

TO: MAYOR AND CITY COMMISSION

FROM: DEVELOPMENT SERVICES

THROUGH: EDWARD WYLIE, INTERIM CITY MANAGER

SUBJECT: Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I). The property is legally described as being 7.15 acres, more or less, out of Lot 378, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas. The property is physically located between the 802 – 1100 Block of West Hi-Line Road.

Comprehensive zoning and rezoning regulations and ordinances should be adopted and designed to facilitate, as much as possible, the following items:

1. To lessen congestion;
2. Secure safety from fire, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To protect the overcrowding of land and abutting traffic ways;
6. Avoid undue concentration of population, and;
7. To facilitate the adequate provisions of transportation, water, sewage, schools, parks, and other public requirements as per Local Government Code, Sect. 211.004.

DESCRIPTION OF PROPERTY:

The City of Pharr, for the betterment of the city, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) in order to develop the property for industrial use.

The subject site is located on the south side of West Hi-Line Road and physically located within the 802-1100 Block of West Hi-Line Road. The property is legally described as being

7.15 acres, more or less, out of Lot 378, Kelly Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts West Hi-Line Road, an 80' major collector which runs east and west with a posted speed limit of 30 miles per hour or less as identified in the City of Pharr's Thoroughfare Plan.

The property is currently zoned Agricultural and/or Open Space District (A-O). The properties to the east, west, and south were rezoned to Limited Industrial District (L-I) on September 03, 2013. The property to the north was annexed on June 03, 2003 and was zoned Agricultural and/or Open Space District (A-O). There have been no other zoning requests within the general vicinity of the subject property since that time. The property is generally designated for industrial use in the Land Use Plan.

The Limited Industrial District is intended for industrial parks and larger, cleaner types of industries. The manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and no external effects such as excessive noise or odor should extend beyond the property lines. The sites for such uses are typically a minimum of two acres and average five to ten acres, with a significant amount of land dedicated to landscaping.

Eight (8) letters were mailed out to the surrounding property owners and a legal notice was published in the Advance News Journal. Staff received no response to the letters or the legal notice.

Development Services is recommending approval of the request to re-zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) as the property meets area requirements, has adequate ingress and egress, and is in line with the Future Land Use Plan. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the request for a change of zone from Agricultural and/or Open Space District (A-O) to Limited Industrial District (L-I) subject to staff's recommendations.

CITY COMMISSION OPTIONS:

1. **Approve the rezoning request;**
2. **Table the item for:**
 - a) **consideration by the full board;**
 - b) **additional information;**
 - c) **additional time for applicant and adjacent property owners to meet;**
3. **Disapprove the request.**



Pharr

Development Services



REQUEST FOR CHANGE OF ZONE & AMENDMENT TO LAND USE PLAN

The City of Pharr, for the betterment of the city
APPLICANT

Agricultural and/or Open Space District
(A-O)

CURRENT ZONE

802-1100 Blk of West Hi-Line Rd.
ADDRESS

Limited Industrial District (L-I)

	YES	NO
1 Does the property meet the minimum area requirements for the proposed zone?	X	
2 Does the property have adequate ingress and egress?	X	
3 Will the change of zone be compatible with surrounding properties? (Zoning and Land Use)	X	
4 Is the property located along a major thoroughfare?	X	
5 Will the property have adequate parking for the proposed use?	X	
6 Will the property have adequate landscaping as per City Ordinance?	X	
7 Will the zone change increase the volume of traffic?	X	
8 Will a buffer be required?		X
9 Is the proposed change in line with the Future Land Use Plan?	X	

STAFF RECOMMENDATIONS:

Approval

The property meets area requirements, has adequate ingress and egress, is in line with the Future Land Use Plan.

This zoning would allow for reasonable use of the property, and promote compatibility with the adjacent and nearby uses.

Anaisa Licerio
PREPARED BY

December 22, 2020
DATE



- All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.

0 150 300 600 900 1,200 Feet



The property within the boundary
is the **ONLY** property to be affected.
Solo la propiedad dentro de los
limites sera afectada.



Date: 11/23/2020

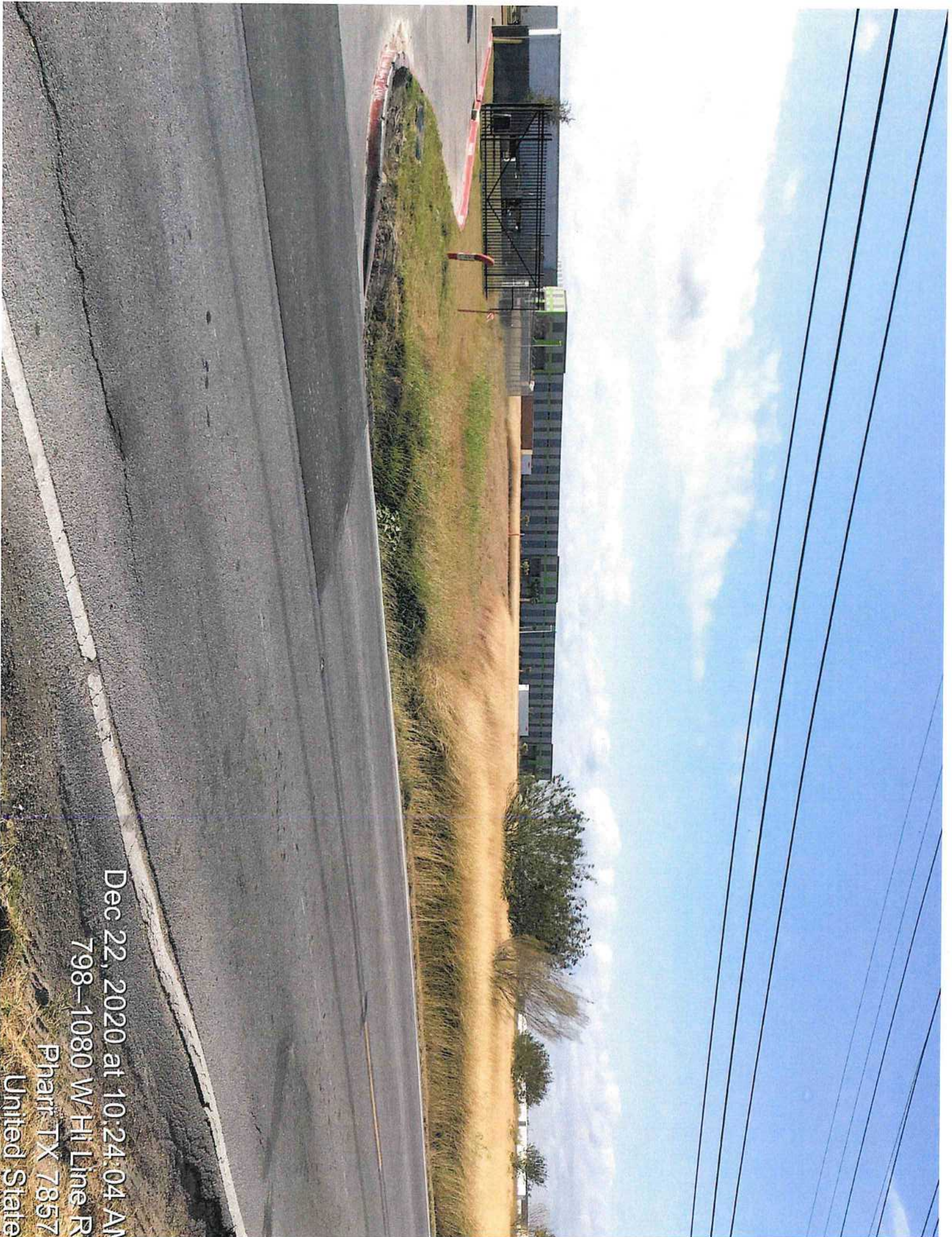


Dec 22, 2020 at 10:24:11 AM

798-1080 W HI Line R

Pharr TX 7857

United State



Dec 22, 2020 at 10:24:04 AM

798-1080 W Hi Line R

Pharr TX 7857

United States



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.3.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Faith Family Church RGV has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). The property is legally described as being a 0.52 acres, more or less, out of Lot 4, 0.92 acres net, L.R. Bell Development Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1215 East Ferguson, Suite A. **CUP#201257**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Faith Family Church RGV has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). **CUP#201257**

Fiscal Consideration: n/a

Staff Recommendation: Development Services is recommending approval of the request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). If approved, this item must comply with the listed conditions.

Planning and Zoning Commission voted unanimously to approve the request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C) subject to staff's recommendations.

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Iris Mata
Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 12/29/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020



MEMORANDUM

DATE: MONDAY, JANUARY 4, 2021
TO: MAYOR AND CITY COMMISSION
FROM: MELANIE CANO, DEVELOPMENT SERVICES DIRECTOR
THROUGH: EDWARD WYLIE, INTERIM CITY MANAGER

SUBJECT: LIFE-OF-THE-USE CONDITIONAL USE PERMIT TO ALLOW A CHURCH FILE NO. CUP#201257 (FAITH FAMILY CHURCH RGV)
--

GENERAL INFORMATION:

APPLICANT: Faith Family Church RGV has filed with the Planning and Zoning Commission a request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being a 0.52 acres, more or less, out of Lot 4, 0.92 acres net, L.R. Bell Development Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1215 East Ferguson, Suite A.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned Residential Multi-Family District (R-MF) to the north, General Business District (C) to the west, General Business District (C) and Agricultural and/or Open Space District (A-O) to the south, and General Business District (C) and Residential Multi-Family High Density District (R-MFHD) to the east. This area is generally designated for commercial use in the Land Use Plan.

COMMENTS:	FIRE DEPARTMENT:	Pending inspection of the Conditional Use Permit.
	CODE COMPLIANCE DIVISION:	Pending inspection of the Conditional Use Permit.
	PLANNING DIVISION:	Pending inspection of the Conditional Use Permit.

**NOTIFICATION
OF PUBLIC:**

Twenty (20) surrounding property owners were notified of the request by letter and a legal notice was published in the Advance News Journal. Staff received no response to the letter or legal notice.

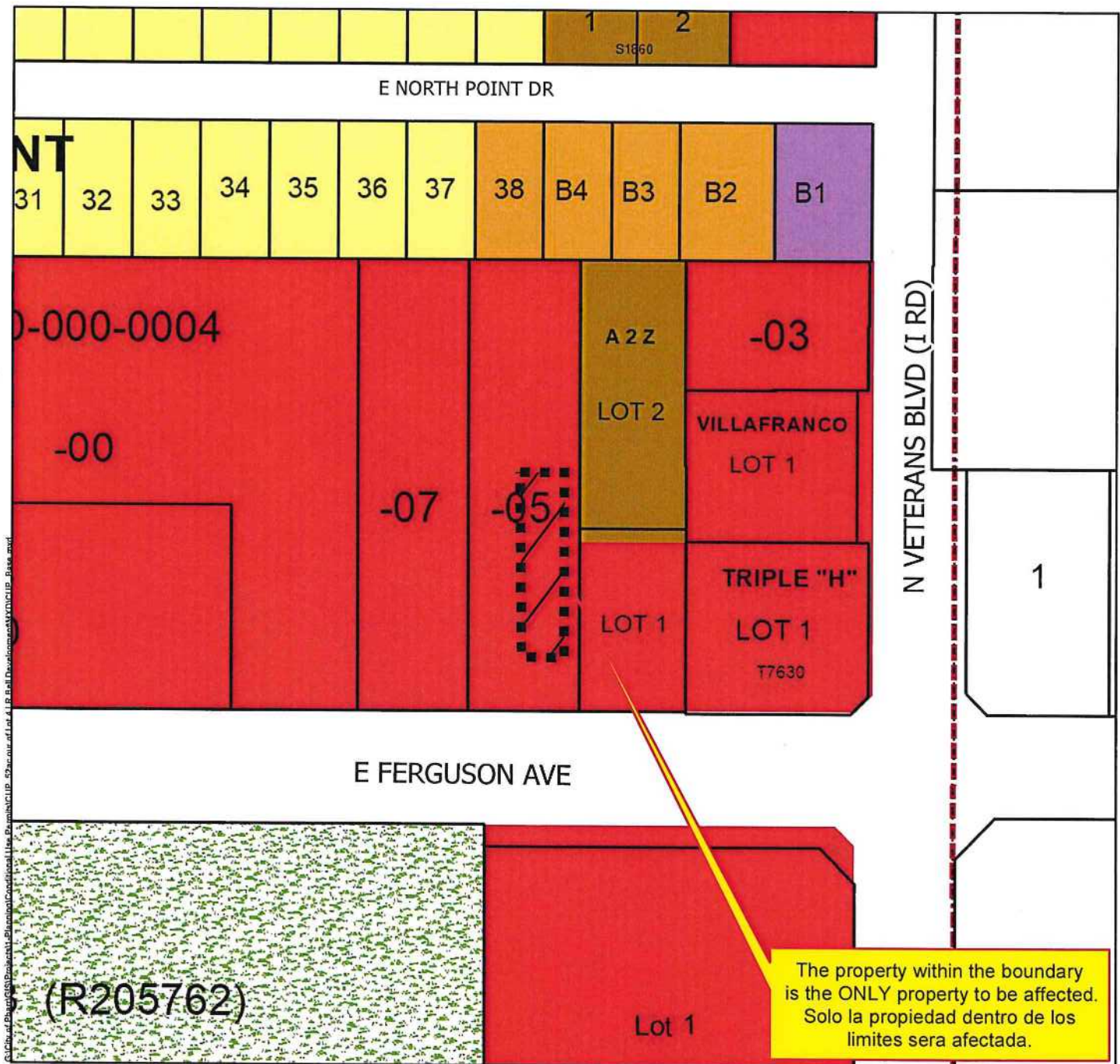
**DEVELOPMENT
SERVICES
RECOMMENDATION:**

Development Services is recommending **approval** of the request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C). If approved, this item must comply with the following conditions:

1. This Conditional Use Permit shall be issued for the Life-of-the-Use and issued to the current owner only;
2. Parking requirements as per Ordinance;
3. If the need arises for expansion, applicant shall advise the city and it will be necessary for the Planning & Zoning Commission to reconsider this permit;
4. The applicant shall comply with the Landscaping and Sign Ordinance;
5. Any change in ownership or applicant conducting business shall terminate this Conditional Use Permit;
6. A building permit and Certificate of Occupancy will be required, and current standard building codes must be observed; if applicable.
7. The following shall be considered as grounds for the revocation of a Conditional Use Permit:
 - Any change in use or change in extent of use, area or location of the building being used.
 - Failure to allow periodic inspections by representatives of the City of Pharr at any reasonable time.
 - Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation

**PLANNING & ZONING
COMMISSION:**

Planning and Zoning Commission voted unanimously to **approve** the request for a Life-of-the-Use Conditional Use Permit to allow a church in a General Business District (C) subject to staff's recommendations.



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

City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 12/11/2020

Scale: 1 inch = 125 feet

0 62.5 125 250 375 500 Feet

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.





Rear Parking (Cement)
8 spaces

Cement Alley to rear

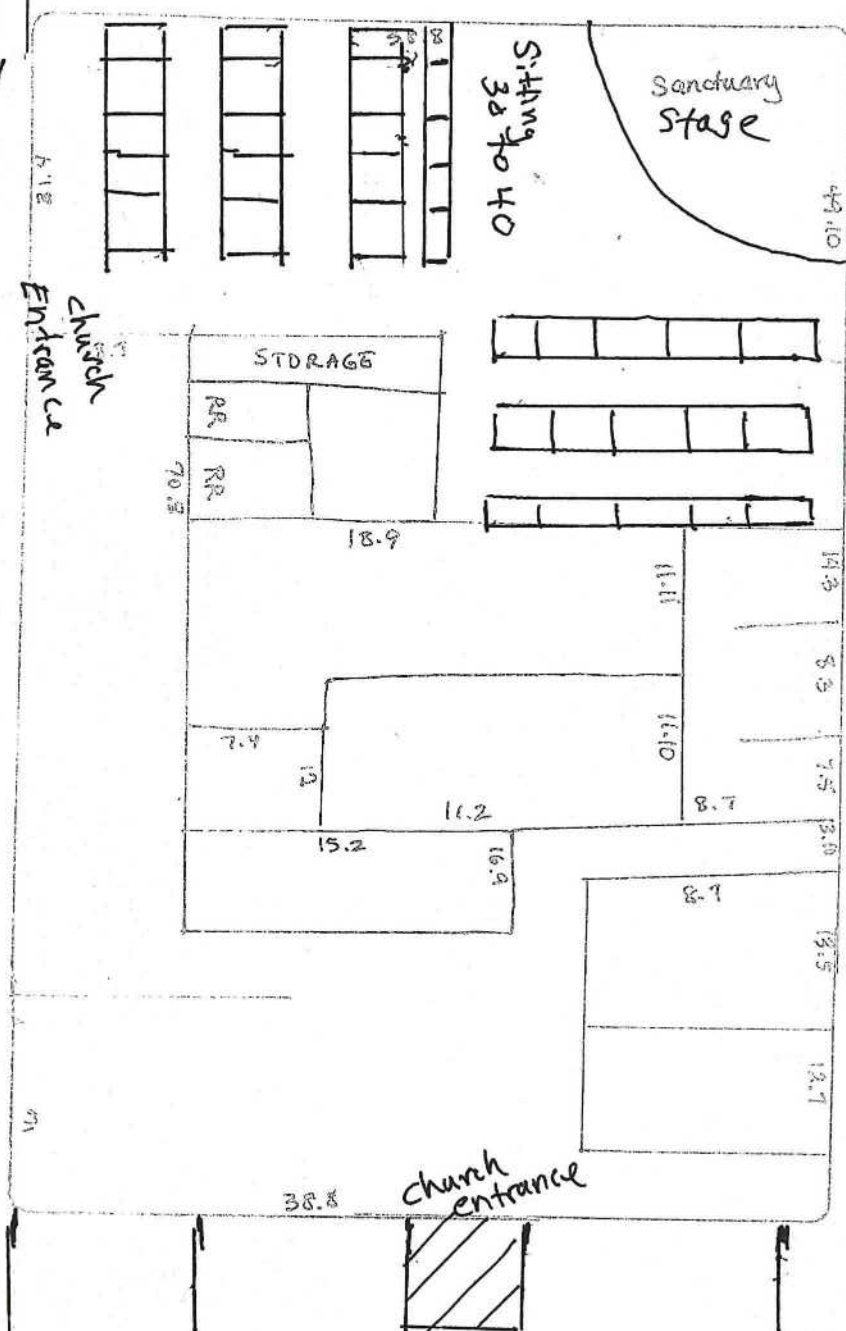
Adjoining Property

Parking entrance

Front parking 13 spaces
(Cement)

Church

Faith Family church
1215 E. Ferguson STE.A
Pharr TX 78577



DECLARATION OF —



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.A.4.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Mariscos El Muelle, LLC, d/b/a Muelle 37, has filed with the Planning and Zoning Commission a request for Conditional Use Permit to allow to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being 0.28 acres, more or less, out of Lot A, H E B Futurama Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 1300 East Business Highway 83, Suite 6. **CUP#201258**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Mariscos El Muelle, LLC, d/b/a Muelle 37, has filed with the Planning and Zoning Commission a request for Conditional Use Permit to allow to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). **CUP#201258**

Fiscal Consideration: n/a

Staff Recommendation: Development Services is recommending approval of the Conditional Use Permit to allow to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C) subject to applicant and site being in compliance with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to approve the request for a Conditional Use 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 Departments requirements.

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Iris Mata
Roland Gomez
Melanie Cano
Patricia Rigney

Created/Initiated - 12/29/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020

City Management Office

Final Approval - 12/30/2020



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JANUARY 4, 2021

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR OF DEVELOPMENT SERVICES

THROUGH: EDWARD WYLIE, INTERIM CITY MANAGER

SUBJECT: CONDITIONAL USE PERMIT FOR ABC FILE NO. CUP#201258 (MUELLE 37)

GENERAL INFORMATION:

APPLICANT: Mariscos El Muelle, LLC, d/b/a Muelle 37, has filed with the Planning and Zoning Commission a request for a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

LEGAL DESCRIPTION: The property is legally described as being 0.28 acres, more or less, out of Lot A, H E B Futurama Subdivision, Pharr, Hidalgo County, Texas.

LOCATION: The property's physical address is 1300 East Business Highway 83, Suite 6.

ZONING: The property is currently zoned General Business District (C). The surrounding area is zoned Heavy Industrial District (H-I) to the north, General Business District (C) to the west, Single-Family Residential District (R-1) and Neighborhood Commercial District (N-C) to the south and City of Pharr limits lie to the east. This area is generally designated for commercial use in the Land Use Plan.

COMMENTS:

POLICE CHIEF:	Pending inspection of the Conditional Use Permit.
FIRE DEPARTMENT:	Recommends approval of the Conditional Use Permit

**CODE COMPLIANCE
DIVISION:**

Pending inspection of
the Conditional Use Permit.

HEALTH DIVISION:

Pending inspection of
the Conditional Use Permit.

PLANNING DIVISION:

Recommends approval of
the Conditional Use Permit.

**HOURS OF
OPERATION:**

Hours of operation will be from every day from 11:00 a.m. to
12:00 midnight.

**NOTIFICATION
OF PUBLIC:**

Fourteen (14) surrounding property owners were notified of the
request by letter and a legal notice was published in the Advance
News Journal. Staff received no response to the letters or the
legal notice.

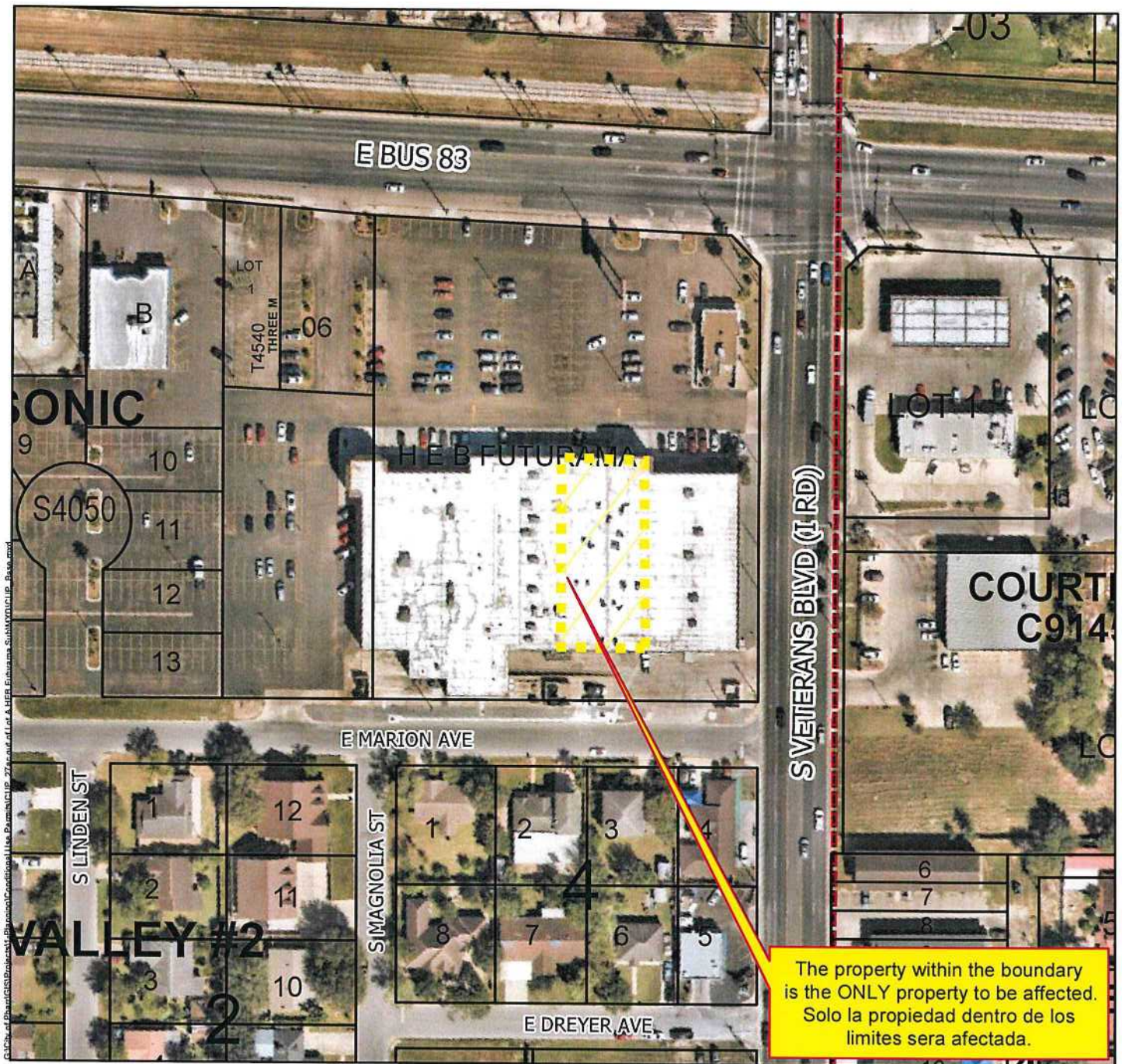
**DEVELOPMENT
SERVICES
RECOMMENDATIONS:**

Development Services is recommending approval of the
Conditional Use Permit to allow to allow the sale of alcoholic
beverages for on-premise consumption in a General Business
District (C) subject to applicant and site being in compliance with
all City Ordinances and City Department requirements.

**PLANNING & ZONING
COMMISSION:**

The Planning and Zoning Commission voted unanimously to
approve the request for a Conditional Use 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 Departments requirements.

Proposed Conditional Use Permit
 .27ac out of Lot A HEB Futurama Subdivision
 Mariscos El Muelle LLC dba Muelle 37

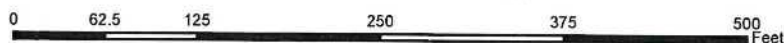


The property within the boundary is the ONLY property to be affected.
 Solo la propiedad dentro de los limites sera afectada.

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

City of Pharr, Texas
 Engineering Department
 956.402.4242

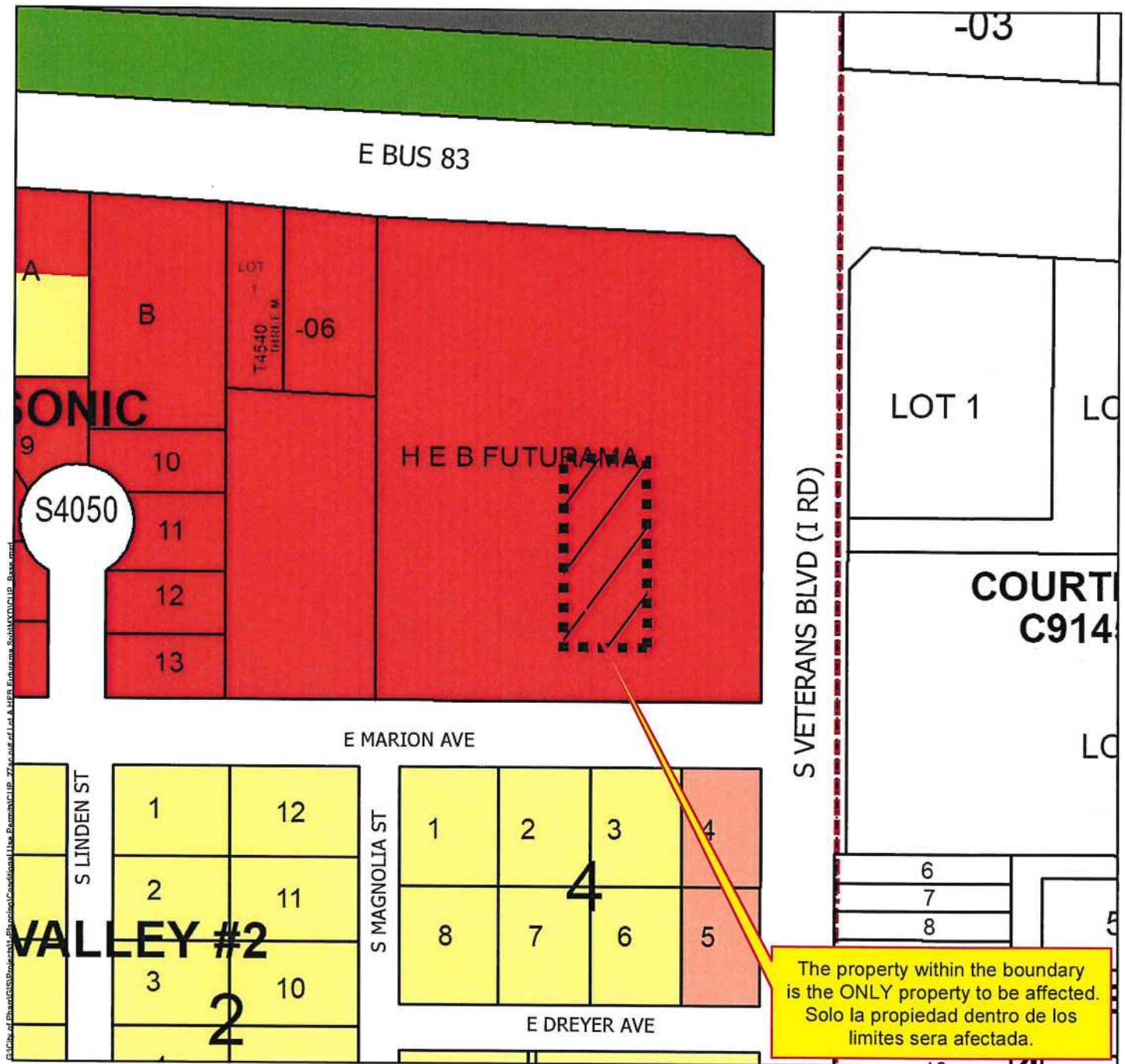
Scale: 1 inch = 125 feet



All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



Date: 12/11/2020



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

City of Pharr, Texas
 Engineering Department
 956.402.4242

Date: 12/11/2020

Scale: 1 inch = 125 feet

0 62.5 125 250 375 500 Feet

All information displayed on this map is subject to verification by field survey or by the agency responsible for maintaining the information. This map is intended for general information only.



SITE GENERAL NOTES

1. ALL WORK SHOWN IS SUBJECT TO THE CITY OF DALLAS, TEXAS, AND THE STATE OF TEXAS.
2. ALL WORK SHOWN IS SUBJECT TO THE CITY OF DALLAS, TEXAS, AND THE STATE OF TEXAS.
3. ALL WORK SHOWN IS SUBJECT TO THE CITY OF DALLAS, TEXAS, AND THE STATE OF TEXAS.
4. ALL WORK SHOWN IS SUBJECT TO THE CITY OF DALLAS, TEXAS, AND THE STATE OF TEXAS.
5. ALL WORK SHOWN IS SUBJECT TO THE CITY OF DALLAS, TEXAS, AND THE STATE OF TEXAS.

NOMA

1300 E. BUSINESS US HWY 83, SUITE B
PHARR, TX 78557
WWW.NOMADDESIGNSTUDIO.COM

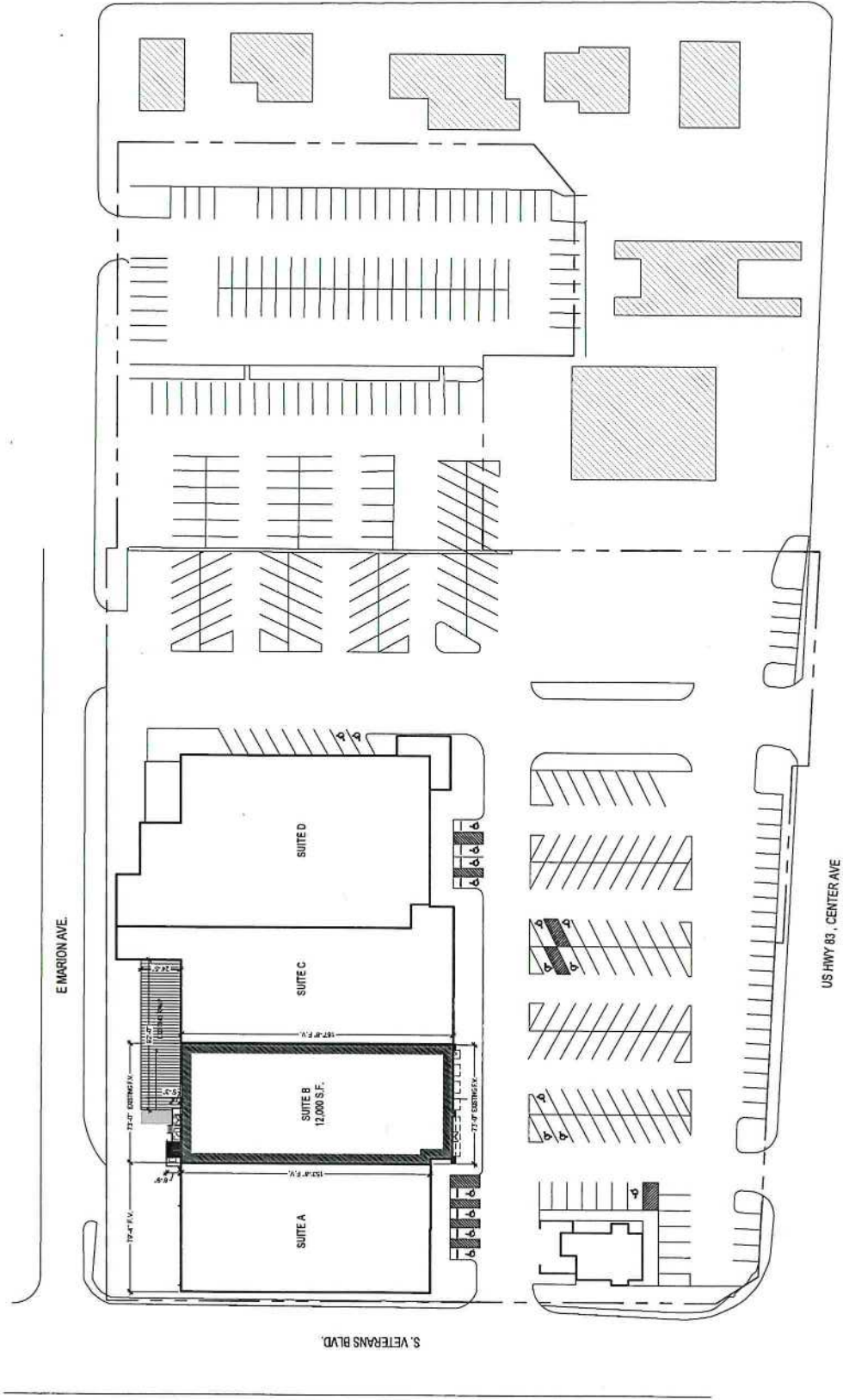
PROJECT NAME
CENTRAL KITCHEN & CORPORATE OFFICE
MUELLE 37-PHARR
1300 E. BUSINESS US HWY 83, SUITE B
PHARR, TX 78557

PROJECT No. #1959
PHASE: CD
ISSUE DATE: 06.19.20
DRAWN BY: VM
REVISION: FA

SHEET

D1.0

COPYRIGHT PROTECTED
NOMA DESIGN STUDIO



1 | SITE PLAN
Scale: 1" = 30'

Pharr Plaza - Leasing Site Plan
1300 E. Business US Hwy 83, Pharr, Texas 78557

Antojitos

ROLLOS DE CAMARON
CAMARONES A LA TOCINETA
CAMARONES AL MADRAZO
FILETE #37
MUELLECITO
CAMARONES Y FAJITA

TU ELECCION
\$ 13.99

TACOS DE CHICHARRON DE PESCADO
TACOS DE CAMARON

\$ 9.99
TU ELECCION

Guarniciones

ARROZ \$ 1.99
PAPAS FRITAS \$ 2.99
AROS DE CEBOLLA \$ 2.99
FRIJOLES REFRITOS \$ 1.99
GUACAMOLE \$ 6.99

Niños

* TIRITAS DE PESCADO
* CAMARONCITOS
* NUGGETS DE POLLO
INCLUYE: PAPAS FRITAS Y REFRESCO

\$ 5.99
TU ELECCION

Pastres

FLAN

\$ 3.99
TU ELECCION

PAY DE QUESO

Bebidas

AGUA DASANI \$ 1.50
REFRESCO DE LA FUENTE \$ 2.50
TE HELADO \$ 2.50
REFRESCO MEXICANO \$ 2.50
LIMONADA NATURAL \$ 2.50
REFRESCO PARA NIÑO \$ 1.50

Limonadas 100% NATURAL

y las Cherves bien Fritas!!!

MICHELADA \$ 6.99
CLAMATO PREPARADO \$ 3.99
DOMESTICA \$ 2.99
IMPORTADA \$ 3.99

* El consumo de pescados y mariscos principalmente crudos son de riesgo para la salud y están sujetos a predisposición, hábitos alimenticios y alergias, siendo de consumo de los mismos, absoluta responsabilidad del consumidor.

* 15% de propina (service) será incluido en grupos de 6 personas o más.



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McAllen • Harlingen • Brownsville

www.muelle37.com

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TOSTADAS DE CÉVICHE \$8.99	JAIBAS RELLENAS \$9.99
ENSALADA DE CAMARÓN \$8.99	AGUACATE RELLENO DE CAMARÓN \$10.99
BOTANITA \$10.99	CAMARONES PARA PELAR \$12.99
CAMARONES DEL MUELLE \$13.99	CAMARONES AGUACHILE \$13.99
OSTIONES EN SU CONCHA (12) \$13.99	

Caldos



MED \$9.99 / CDE \$12.99

PESCADO
MED \$7.99 / CDE \$10.99
CAMARÓN
MED \$8.99 / CDE \$11.99
PESCADO/CAMARÓN
MED \$9.99 / CDE \$12.99

¿Le gusta Tlalpena?
EXTRA
MED \$1.99 / CDE \$2.99

Cocteles

• CAMARÓN • CÉVICHE
• CAMPECHANO • VUELVE A LA VIDA



CHICO
\$ 8.99

MEDIANO
\$ 10.99

GRANDE
\$ 12.99

— UN PESCADITO — al gusto



Huachinango \$125/oz

Tilapia \$11.99

• AL MOJO DE AJO • A LA VERACRUZANA
• FRITO • A LA DIABLA

Relleno de Mariscos
o Camarones
+\$ 3.00

El Sabor del Muelle

INCLUYEN
REFRIGERIO DE LA FUENTE

- 1 3 CHICHARRONES
ARROZ, PAPAS,
ENSALADA \$ 8.99
- 2 2 CHICHARRONES
3 CAMARONES
ARROZ, PAPAS,
ENSALADA \$ 9.99
- 3 CALDO DE PESCADO
3 CHICHARRONES
ARROZ \$ 10.99
- 4 CALDO DE CAMARÓN
3 CHICHARRONES
ARROZ \$ 11.99
- 5 SOPA DE MARISCOS
3 CHICHARRONES
ARROZ \$ 12.99

Mariscadas



MAR Y TIERRA
\$31.99

PASEO POR
EL MUELLE
\$31.99

MARISCADA DE
CAMARONES
\$36.99

Filote de Pescado o Camarones

\$11.99

\$12.99

EMPANIZADO • AL MOJO DE AJO • AL CILANTRO
A LA VERACRUZANA • AL VAPOR • AL CHIPOTLE
A LA DIABLA • A LA PLANCHA

* Combinada \$13.99

Para todos



MUELLE #1	8 CHICHARRONES, 8 CAMARONES	\$27.99
MUELLE #15	15 CHICHARRONES	\$27.99
MUELLE #20	20 CHICHARRONES	\$31.99
MUELLE #25	25 CHICHARRONES	\$36.99

• 2 CONCHONES
UNA ONDA DE ARROZ
FRUTITOS REFRIGERIOS
PAPAS FRITAS
• ARROZ DE CEBOLLAS
• TOSTITOS, TORTILLAS, SALSA Y LIMONES

Pa' que te alivianes

\$ 21.99



SOPA DE MARISCOS
CON EL SABOR DEL MUELLE

CAMARONES
A LA DIABLA

1 MICHELADA

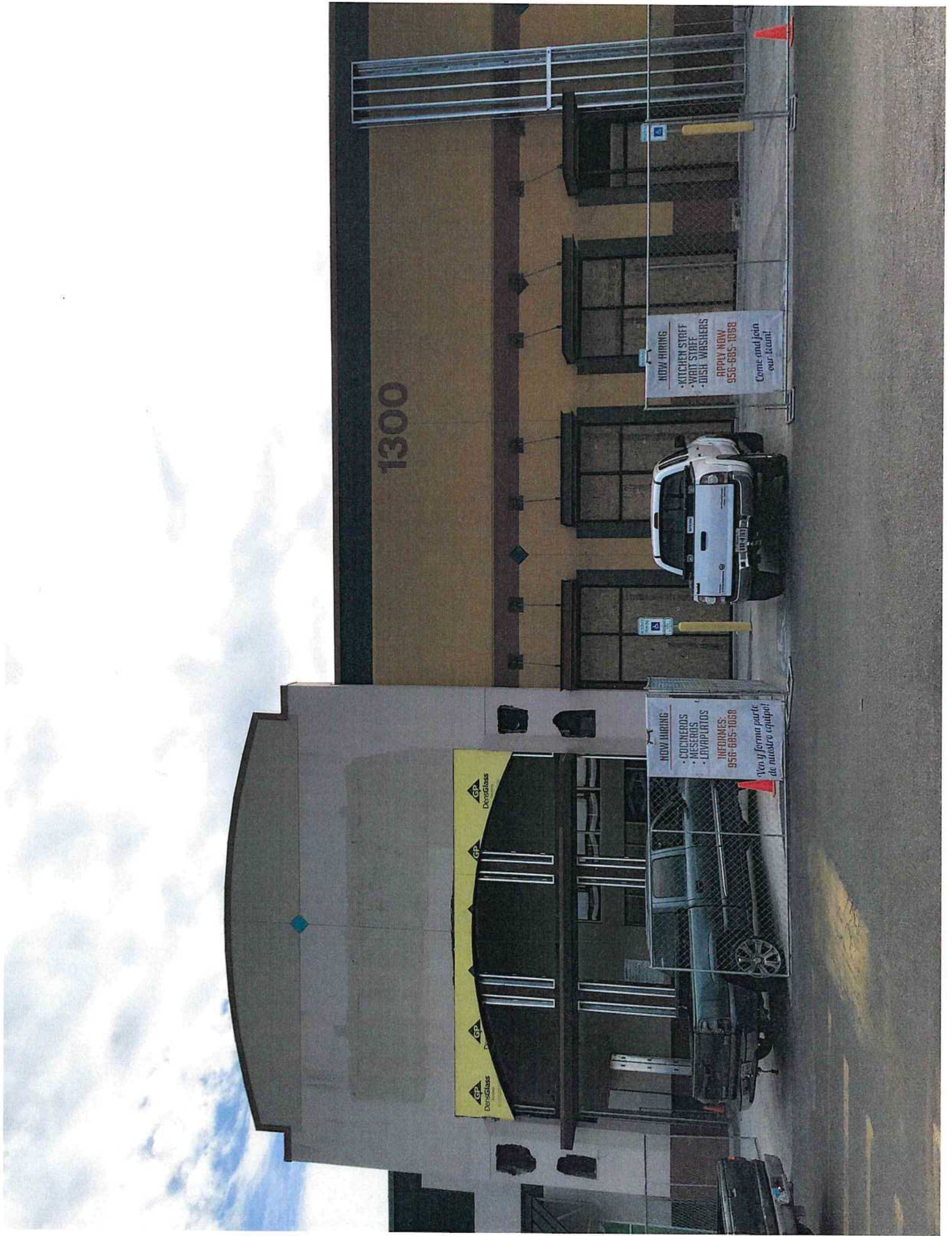
Y DEL CORRAL

También tenemos *Fajitas* y bien ricas!!!

TACOS DE FAJITA	\$8.99	c/QUESO \$9.99
HAMBURGUESA ESPECIAL	\$ 9.99	*INCLUYE REFRIGERIO
TACOS A LA PLANCHA	\$10.99	
PANCHOS	\$12.99	
FAJITA TOREADA	\$12.99	
FAJITA A LA MEXICANAA	\$12.99	



BOTANA
DE FAJITA
P/1 \$ 12.99
P/2 \$ 21.99



1300

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• WAIT STAFF
• DISH WASHERS
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956-685-1068
Come and join
our team!

NOW HIRING
• COCINEROS
• MESEROS
• LAVAPLATOS
¡¡¡¡¡
956-685-1068
Ven y forma parte
de nuestro equipo!



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.B.

DATE SUBMITTED: December 30, 2020

MEETING DATE: January 4, 2021

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR:

Agenda Item: PLATS:

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Issue:

Fiscal Consideration:

Staff Recommendation:

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Hilda Pedraza

Created/Initiated - 12/30/2020



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 5.B.1.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Iris Mata, Secretary

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: K.C.I. Technologies., representing Joaquin Spamer, owner, is requesting preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park. The property is legally described as being a 1.303 acres, being all of Lot 2, Spamer Business Park, Pharr, Hidalgo County, Texas. The property physical address is 8101 S. Jackson Road. **SUB#201029**

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: K.C.I. Technologies., representing Joaquin Spamer, owner, is requesting preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park. **SUB#201029**

Fiscal Consideration: n/a

Staff Recommendation: Development Services recommends preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park subject to the listed conditions.

The Planning and Zoning Commission voted unanimously to approve the preliminary and final plat of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park.

Alternatives: n/a

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Iris Mata
Roland Gomez
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 12/29/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020



Pharr

Development Services



MEMORANDUM

DATE: MONDAY, JANUARY 04, 2021

TO: MAYOR AND CITY COMMISSION

FROM: MELANIE CANO, DIRECTOR DEVELOPMENT SERVICES

THROUGH: EDWARD WYLIE, INTERIM CITY MANAGER

SUBJECT: RE-SUBDIVISION PLAT OF LOT 2 SPAMER BUSINESS PARK FILE NO. SUB#201029

GENERAL INFORMATION:

APPLICANT: K.C.I. Technologies., representing Joaquin Spamer, owner, is requesting preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park.

LEGAL DESCRIPTION: The property is legally described as being a 1.303 acres, being all of Lot 2, Spamer Business Park, Pharr, Hidalgo County, Texas.

LOCATION: The property physical address is 8101 S. Jackson Road.

ZONING: The property is currently zoned Limited Industrial District (L-I). The adjacent zones are Limited Industrial District (L-I) to the north and east, Heavy Commercial District (H-C) and Agricultural Open Space District (A-O) to the south and city limits to the west. The property is designated for commercial use in the Land Use Plan.

PROPERTY PROPOSED USE: Retail/wholesale.

VARIANCES: None requested.

RECOMMENDATIONS: Development Services recommends preliminary and final plat approval of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park subject to the following conditions:

**STREETS, PAVING
AND R.O.W.:**

1. In compliance.

EASEMENTS:

1. Show all existing easements.

**SIDEWALK:
ADA:**

1. In compliance.
2. Follow City of Pharr Construction Standards Manual.

FIRE PROTECTION:

1. See attached comments.

WATER:

1. See attached comments.
2. Follow City of Pharr Construction Standards Manual.

SEWER:

1. See attached comments.
2. Follow City of Pharr Construction Standards Manual.

DRAINAGE:

1. Drainage to be reviewed at building permit phase.

OTHER:

1. Remove note #8, from utility sheet.
2. Location map to be legible.
3. Plat note #8, add northing and easting and provide benchmark location description.
4. Line type for property shall be bold.
5. On metes & bounds clear up cut-back and show on plat layout.
6. See staff comments attached.

**PLANNING AND
ZONING
COMMISSION:**

The Planning and Zoning Commission voted unanimously to approve the preliminary and final plat of the proposed Re-Subdivision plat of Lot 2, Spamer Business Park.

PLAT REVIEW FOR:

PROPOSED RE-SUBDIVISION OF LOT 2 SPAMER BUSINESS PARK SUBDIVISION

COMMENTS: Initials: O.D.L. / R. B. DECEMBER 17, 2020

WATER:

- Water services will need to be relocated to the W. of the current location, to avoid conflict with sewer service
- Follow City of Pharr Construction Standards Manual

SEWER:

- Will need to extend sewer Main line to the W.
- Will need to install PVC casing to pass 5' past the edge of the concrete or entrance drive
- Will need to install a M/H on the W. side of the Drive
- Sewer service connection will need to be 15' away from M/H
- Sewer service will need to be 6" SDR 26
- M/H ring and cover will need to be composite base with City Logo
- Follow City of Pharr Construction Standards Manual

Developer/Owner/Responsible Party must comply with the conditions stated above. WATER METERS WILL NOT BE INSTALLED IF THERE IS A failure to comply with ANY OF THE conditions. METERS WILL BE INSTALLED UPON PAYMENT AND COMPLIANCE WITH ALL CONDITIONS STATED. By signing this you understand you must comply with the condition(s) or the water meter(s) will not be installed.

Print Name: _____

Signature: _____

Date: _____



SUBDIVISION REVIEW COMMENTS

PHARR ENGINEERING • 118 S. CAGE BLVD., 1ST FLOOR • PHARR, TX 78577 • 956.402.4221

SUBDIVISION: Re-subdivision plat of Lot 2 **DATE:** December 17, 2020
Spamer Business Park

REVIEW: Preliminary (comments plans dated 12-4-2020)

PLAT

1. Verify City of Pharr northing and easting for benchmark No. 14.
Northing: 16571056.067 & Easting:1078182.056

SITE PLAN

1. Include all pertinent City of Pharr Details. (sanitary sewer service, waterline service)

DRAINAGE

1. Drainage plan to be reviewed and approved at building permit stage.

CLOSEOUT DOCUMENTS

1. All As-builts must have the following requirements:
 - As-builts must reflect current field changes. Mark all field changes as existing.
 - Must be Geo referenced, and in an AUTOCAD file.
 - Submit a physical and electronic copy (USB or CD).

ADDITIONAL COMMENTS



Pharr Public Work



SUBDIVISION: Preliminary Plat Review Meeting for
Spamer Business Park Subdivision
W. Las Milpas Rd
Pharr Tx, 78577

DATE: 12/15/2020

Plat Notes:

- No comment

General Notes:

- Remove line Item #8



Pharr

Fire Department



118 S. Cage Blvd. 3rd Floor
Pharr, Texas 78577

Phone: (956) 402-4400 Fax; (956) 475-3433

Subdivision: SPAMMER SUDIVISON (Preliminar)

Reviewed by: MIKE NAVARRO

December 18, 2020

1. All designed waterlines shall be a minimum of eight (8) inches for residential and eight-twelve (8-12) inches in diameter for commercial and twelve (12) inches or better for industrial areas, unless fire flow requires larger lines for commercial areas.
2. All designed waterlines shall be looped on a Fire Department approved water main (Utilities shall be in place including fire hydrants before any construction above the slab).
3. Fire hydrant shall be installed at a maximum of 300 feet intervals in any mercantile district and every 600 feet in residential areas and shall be FACTORY **YELLOW** from the manufacture with a minimum arrangement being so as to have a hydrant available for distribution to hose to any portion of any building in the premises at distances not exceeding 400 feet, but in no case shall hose lengths be greater than 400 feet. The distance shall be measured on a roadway surface meeting the Fire Department access requirements of 503.1 International Fire Code 2012. Preferably Mueller Brand Fire Hydrant or equivalent.
4. All premises where building or portions of building are located more than 300 feet from a main street fire hydrant system shall be provided with approved on-site fire hydrant(s) and water mains capable of supplying adequate fire flow, approved by the Fire Officials.
5. Shall meet the Fire Flow rate of 20 psi of residual pressure for firefighting.
6. Street names shall be provided prior to or during the pre-construction meeting for review and approval. No street name shall be duplicated within the City of Pharr and its E.T.J. alignment of new streets with existing streets shall take precedence over new street name assignment.
7. During construction, when combustibles are brought on the site in such quantities as deemed hazardous by the Fire Official, access roads and a suitable temporary supply of water acceptable to the Fire Department shall be provided and maintained.
8. A \$25.00 fee for each **BLUE MARKER** to be affixed on payment by city to indicate location of the fire hydrant. FIRE HYDRANT COLOR MUST BE FACTORY **YELLOW** FROM MANUFACTURE PRIOR TO INSTALLATION.
9. Contractor testing waterlines shall dispose highly chlorinated water (Hazardous Waste).
10. Fire lanes must be painted **RED**: 15 feet on each side of hydrant (total of 30 feet). *With lettering at least 3 inches tall (FIRE LANE – TOW AWAY ZONE).
11. Any new subdivision with GATED COMMUNITY SECURITY SYSTEMS must obtain the Fire Department approved Knox Box Switch – Rapid Entry System made by the Knox Company (phone: 800-

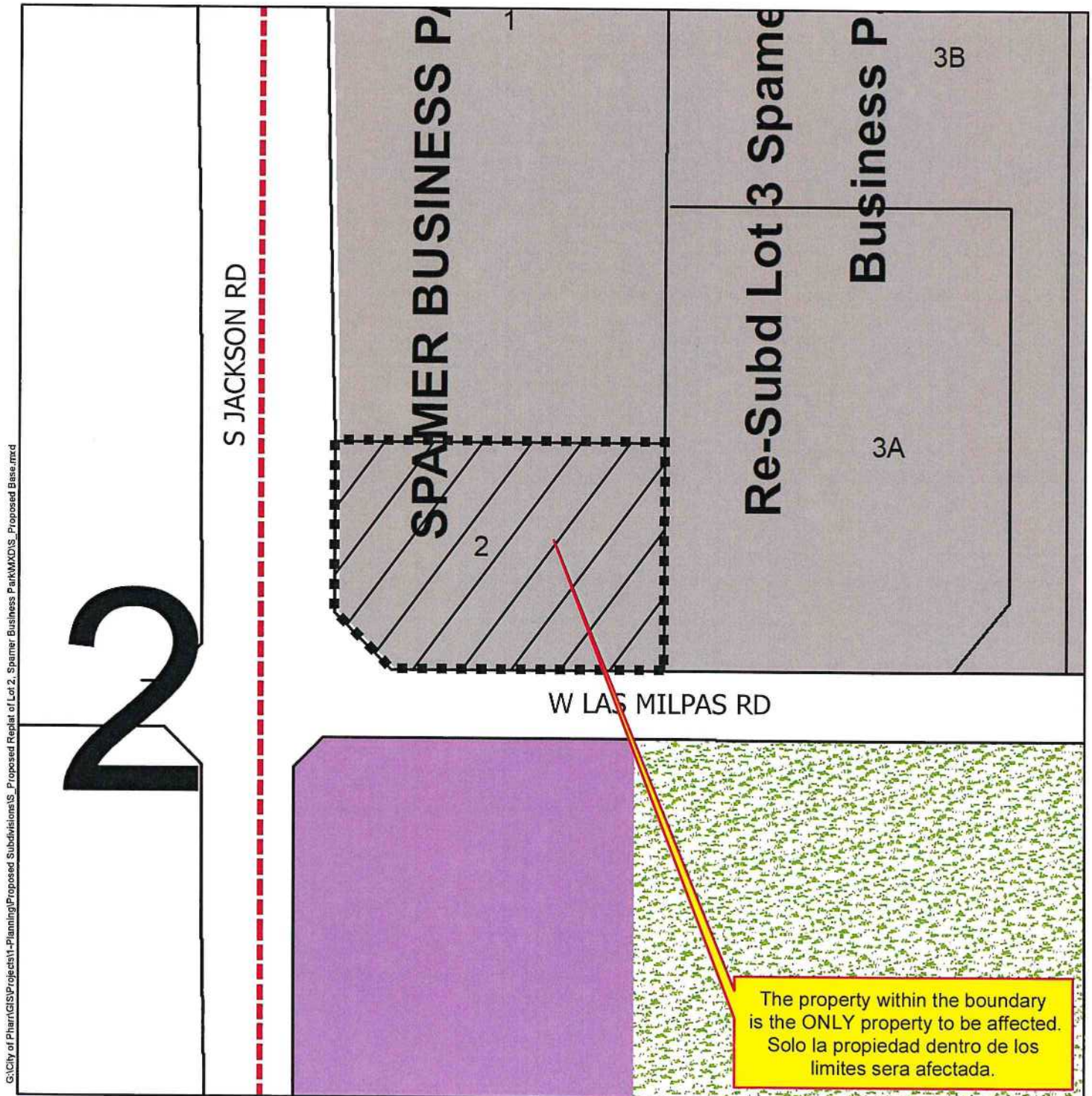
552-5669 * fax: 949-623-4647) or an approved Fire Department siren system before subdivision's final approval of 503.5 in International Fire Code 2012; where security gates are installed, with a minimum of 20 feet (6096 mm) clearance shall be maintained and a means for emergency operations shall be provided and maintained as approved by the Fire Official.

12. Designed fire lanes or roads deemed necessary for Fire Department access by the Fire Official shall be established and maintained in an operable condition. 503.1 International Fire Code 2012; all weather surfaces must be in place before any final inspection is approved. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the department apparatus by the way of an approved fire apparatus access road with an asphalt, or concrete driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
13. Access road width with hydrant; where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
14. All water valves (hydrant and main) shall be open prior to final inspection.
15. Public Utilities personnel must be advised prior to opening and closing existing water valves.
16. Must meet City of Pharr Standards Manual Construction & Development Guide.

Additional Comments:

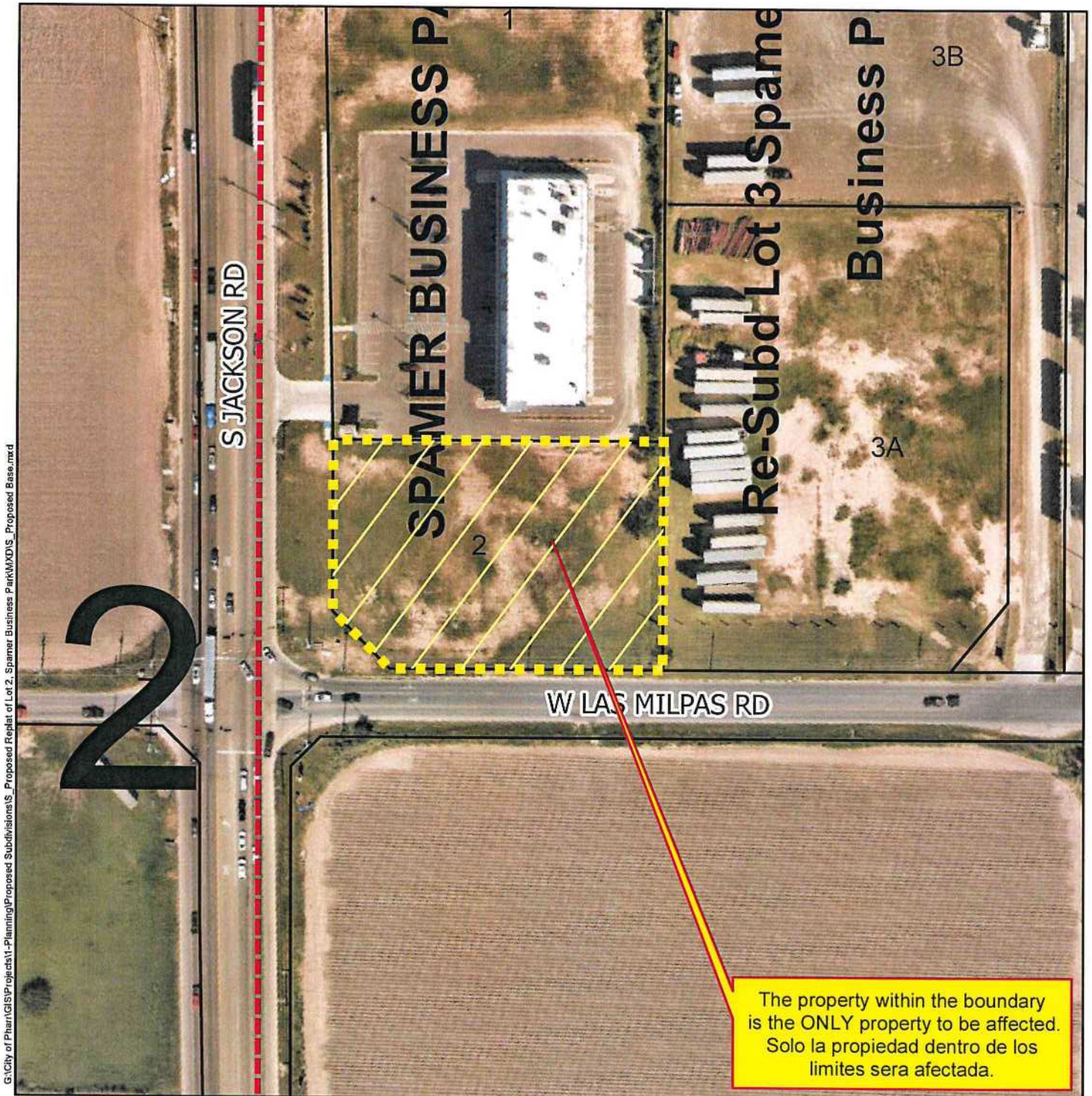
☐ **SHALL LABEL CALL OUT EXISTING FIRE HYDRANT ON PLANS**

☐ **IF SIDEWALK COMPLETED SHALL BE 1 FT AWAY FROM FIRE HYDRANT**



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





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





AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 6.A.

DATE SUBMITTED: December 21, 2020

MEETING DATE: January 4, 2021

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Development Services

DIRECTOR: Melanie Cano

Agenda Item: Consideration and action, if any, on Ordinance amending Sign Ordinance O-2014-14. *(3rd and Final Reading)*

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: An update to the sign ordinance is necessary to continue to promote an aesthetically pleasing, safe and functional community. This ordinance has been revised to 1) incorporate the directive we have in place relating to changeable electronic digital variable message signs, 2) provide guidelines for temporary banner signs and inflatable signs, 3) Update temporary political signs and changes to political signs within public property pursuant to Chapter 259.003 of the Texas Election Code and 4) include signage guidelines for downtown district.

Fiscal Consideration: n/a

Staff Recommendation: Staff recommends approval.

Alternatives: Approve/Deny/Table

Exclude Material from Public Packet? No

Reason: n/a

ROUTING:

Hilda Pedraza
Melanie Cano
Patricia Rigney
City Management Office

Created/Initiated - 12/21/2020
Approved - 12/29/2020
Approved - 12/29/2020
Final Approval - 12/30/2020

ORDINANCE NO.2020-_____

AN ORDINANCE AMENDING ORDINANCE O-2014-21 CHAPTER 106, "SIGNS", ARTICLE II, DIVISION 1, OF THE CODE OF ORDINANCE MANUAL REGARDING SIGN DEFINITION; ADOPTION OF CHAPTER 216 OF THE TEXAS LOCAL GOVERNMENT CODE AND HIGHWAY BEAUTIFICATION ACT 23 U.S.C.A. §131; PURPOSE; OBJECTIVES, ENFORCEMENT OF ARTICLE, RIGHT OF ENTRY, RESTRICTIONS, APPEALS, NON-APPLICABILITY TO MUNICIPAL FUNCTIONS AND ACTIVITIES, PENALTIES, INTERPRETATION, INTENT, CONFLICTING PROVISIONS, REPEALING CLAUSE, SEVERABILITY CLAUSE, PUBLICATION AND PROVIDING FOR AN EFFECTIVE DATE

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

ARTICLE II. SIGN ORDINANCE

DIVISION 1. GENERALLY

Sec. 106-31. Adoption of Chapter 216 of the Texas Local Government Code and adoption of Highway Beautification Act 23 U.S.C.A §131

From the effective date of this Ordinance as required by law and the Pharr City charter, the city adopts for all purposes intended by law and this Ordinance Chapter 216 of the Texas Local Government Code as well as the federal Highway Beautification Act 23 U.S.C.A §131.

Sec. 106-31(a). Sign Definition

A sign is anything described in accordance with Chapter 216 of the Texas Local Government Code, Highway Beautification Act 23 U.S.C.A §131, and any device, structure, fixture or placard using graphics, symbols and/or any written copy designed to inform or attract the attention of persons for the primary purpose of identifying, providing directions or advertising any establishment, product, goods or services. The following shall be deemed to be excluded from the definition of "sign" as it applies to the regulations in this article:

- (1) Signs not exceeding two (2) square feet in area and bearing only property numbers, post box numbers, or names of occupants of premises.
- (2) Flags and insignia of any government, except when displayed in connection with a commercial promotion.
- (3) Public signs of a public or noncommercial nature, which shall include community service information signs, public transit service signs (traffic signs), public utility information signs, safety signs, danger signs, trespassing signs, signs indicating scenic or historical points of interest, and all signs erected by a public officer in the performance of a public duty.

- (4) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- (5) Signs which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and signs located within the inner or outer lobby, court, or entrance of any theatre which are intended solely for information relating to the interior operation of the building in which they are located.
- (6) Memorial plaques or tablets, grave markers, statues and other remembrances of persons or events that is noncommercial in nature.

Sec. 106-32. General definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advertising sign means a sign which identifies or promotes any product, commodity, or service.

Agricultural sign means a sign which identifies the farm or ranch on which it is placed and advertising the products, crops, animals or poultry raised or quartered thereon.

Animates sign means a sign with action or motion, flashing color ranges requiring electrical energy, automatic electronically controlled copy changes, electronic or manufactured sources of supply, but not including wind actuated elements such as flags, banners or special items.

Authorized agent means an architect, builder, developer, engineer or other person empowered to act on behalf of other persons.

Beautification corridors mean the areas along ~~U.S. Expressway 83 from "I" Road to Jackson Road and U.S. Expressway 281 from U.S. 83 to Owassa Road.~~ **Interstate Highway 2 from Veterans Boulevard ("I" Road) to Jackson Road and Interstate Highway 69-C from Interstate Highway 2 to Owassa Road.**

Board means the board of adjustment of the city.

***Building Frontage* means the linear length of a building facing a public way or which contains a public entrance.**

City manager means the city manager or his duly authorized representative, (i.e., assistant city manager, director of planning, building inspector).

District means a part, zone, or geographic area within the city within which certain zoning

or development regulations apply.

Expressway corridors mean the areas along U. S. Expressway 83 from Veterans Road ("I" Road) to Jackson Road and U.S. Expressway 281 from U.S. Expressway 83 to Owassa Road. Interstate Highway 2 from Veterans Boulevard ("I" Road) to Jackson Road and Interstate Highway 69-C from Interstate Highway 2 to Owassa Road.

Extraterritorial jurisdiction (E.T.J) means the area extending one mile beyond the corporate limits of the city.

Gutter flow line means, in lieu of paved curb and gutter, the invisible lines to either side or the paved or used right-of-way of a road at which water will naturally flow parallel on such road.

Home occupation means a commercial use customarily carried on in the home by members of the occupant family without structural alterations to the principal building or any of its rooms; without the installation of machinery or additional equipment other than that customary to normal household operations; without the employment of additional persons; with a non-illuminated sign that is no larger than eighteen (18) inches by twenty-four (24) inches to advertise the occupation, and which does not cause the generation of other than normal noise and pedestrian and vehicular traffic.

Illuminates sign means any sign illuminated in any manner by an artificial light source.

Institutional sign means a sign which identifies a school, church, hospital or similar publicly owned building.

Nonconforming sign means any sign which does not conform to the regulations of this article.

Non-Expressway Corridor means any commercial area of the City other than the identified and approved Expressway Corridor.

Off-premise sign means a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not conducted or a product not offered or sold upon the premises where such sign is located, e.g., billboards, outdoor advertising, or offsite sign.

On-premise sign means a sign which directs the attention of the general public to a lawful use of the premises on which it is located, including signs and sign devices indicating the business transacted, services rendered, or goods sold or produced on the premises, name of the business, and name of the person occupying the premises.

Premises or site means any platted or un-platted tract or any combination of contiguous lots held under single ownership.

Sexually oriented sign means any sign which attracts attention to sexual activities, promotes sex or exposes sexually explicit parts of the body.

Building Code means that code published by the latest edition of the International Building Code, and adopted under chapter 22, article III, of this Code, and being a set of rules and regulations designed to protect the public's life, health and welfare in the built environment.

Sec. 106-33. Purpose

The purpose of this article is to permit such signs that will not, by reason of their size, location, construction, or manner of display, endanger the public safety of individuals; confuse, mislead, or obstruct the vision necessary for traffic safety; or otherwise endanger public health, safety, and morals; and to permit and regulate signs in such a way as to support and complement the land use objectives as set forth in the zoning ordinance.

Sec. 106-34. Objectives

Primary objective: The primary objective of this article is to ensure that since the Rio Grande Valley area is one of the country's foremost winter resorts, and since the city is a part of this area and wishes to attract and service the winter visitors, that what is seen is inviting and appreciated by both visitors and investors. The city has spent considerable funds in a continuing beautification program and is committed to an overall aesthetic improvement. The visual nuisance presented by an unregulated accumulation of signs within the city limits and its extraterritorial jurisdiction is not conducive to this effort

Secondary objective: This article is designed to eliminate potential safety hazards created by outdoor advertising display devices. For these reasons, the regulations set out in this article are deemed to be imperative.

Sec. 106-35. Enforcement of article; right of entry

The city manager, or his designated representative, is hereby authorized and directed to administer and enforce all the provisions of this article, and shall have the right to enter any premises for inspection purposes during reasonable hours and after reasonable notice has been given in order to ensure the enforcement of this article. This article, in conjunction with the latest edition of the International Building Code and regulations of the state department of highways and public transportation, provides the guidelines and regulations for any and all signs constructed, erected, altered, installed, relocated or renovated within the corporate limits of the city and its extraterritorial jurisdiction.

Sec. 106-36. Restrictions generally

- A)** No more than one (1) permanent sign shall be permitted per frontage road, except for those lots with double frontage, in which case a maximum of 2 (two) permanent signs will be permitted with at least one sign on each frontage. In the event 2 (two) front yards overlap at a corner, the area of overlap shall be designated as only 1 (one) front yard and only 1 (one) sign may be erected. This does not include exempted signs.
- B)** Setbacks shall be measured from the right-of-way (except where otherwise explicitly stated) to the edge of the part of the sign that is nearest the curb. No sign may project over the right-of-way line, except projection, marquee, awning or canopy signs that are attached to a

building that has been built up to the right-of-way. Those signs shall not project farther than a point located two feet back from the curb. Clearance over sidewalks for marquee, canopy and projection signs shall be nine (9) feet;

- C) No site may utilize more than 3 (three) different types of signs (unless otherwise noted in the zoning district) excluding temporary and exempted signs.
- D) Signs shall not create a nuisance to the occupancy or use of other properties as a result of their size, height, brightness or movement.
- E) No sign shall be located within the five (5) foot area surrounding any place of pedestrian ingress or egress to a building or structure or shall be so placed as to prevent free ingress or egress from any window, door, required exit or fire escape.
- F) Signs shall be in harmony with the building, the neighborhood, or other signs in the area (except when such other signs do not meet the objectives of this article).
- G) No sign shall be allowed within the restricted area described as follows:
 - 1.) All of that portion of land lying within a triangular shaped area on each street corner within the city described by metes and bounds as follows: Beginning at the precise corner of the intersection point of the curbs of each of the two streets forming each corner and extending 12 feet along each such curb line from such curb intersection point, the straight line from the ends of such 12-foot extensions, whether such land be privately owned or unpaved or un-traveled street right-of-way.
 - 2.) Where no curbs are in existence at such street intersections, such 12-foot lines shall coincide with the central flow line of the ditches paralleling such uncurbed streets, as shall be determined by the city manager or his duly authorized representative.
- H) Signs shall be designed, constructed and maintained according to the requirements of the latest edition of the International Building Code for use of materials, loads and stresses.
- I) Signs exceeding fifteen (15) feet in height shall have plans sealed by professional engineer licensed to practice in the State of Texas.
- J) No sign of any type shall be placed within the public right-of-way.
- K) Searchlights. Searchlights may be allowed without permit on a temporary basis with the time to be anywhere between 4:00 p.m. and 10:00 p.m. The number of consecutive days when searchlights may be used is limited to 3 (three). The applicant must apply to the city manager or his duly authorized representative for permission to operate a searchlight and must comply with all other state and federal regulations pertaining to their use.

Sec. 106-37. Appeals

Any person contesting any disapproval, interpretation and/or the application of any rule, standard, regulation, determination, requirement, or necessity set forth in this article shall have the right to appeal the decision to the city manager through the board of adjustment by

established procedures. Such appeal shall be requested in writing within five (5) business days of the return of the denied permit application. The board shall have the jurisdiction to grant special variances from the provisions of this article where it is found, upon presentation of adequate proof, that compliance with any provisions of this article will result in an arbitrary and unreasonable taking of property or in the practical closing or elimination of any lawful business, or a substantial financial hardship or inequity, in any case without sufficient corresponding benefit or advantage to the city and its citizens in terms of accomplishing the objectives of this article as set forth herein. The board of adjustment may permit such modifications of the requirements of this article as may be found necessary to avoid inconvenience arising because of the location of existing structures or of topography and is hereby authorized to grant such variances in accordance with the following restrictions:

- 1.) Setback, effective area (face), and height of detached on-premises signs may be decreased or increased as much as 10 (ten) percent.
- 2.) The number of permanent signs on any premises may be increased by not more than one (1).
- 3.) No variance shall be granted past the termination date established pursuant to that provision which permits the continuance of any nonconformity.

In no case may the board authorize a private sign on or over public property unless specifically authorized by this article.

Sec. 106-38. Interpretation, intent

In interpreting and applying the provisions of this article, or any amendments thereto, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this article or any amendment thereto to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulations, except that if this article or any amendment thereto imposes a greater restriction, or higher standard, this article or any amendment thereto shall control.

Sec. 106-39. Conflicting provisions

Whenever the requirements of this article are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

Secs. 106-40- 106-60. Reserved

DIVISION 2. TYPES; CLASSIFICATIONS

Sec. 106-61. Sign types

The various types of signs regulated by this article are hereby defined as follows:

Accessory sign means a sign that is incidental to the effective operation of the enterprise to which it pertains, and is not intended to serve as the primary identification of the premises and does not attract the attention of passersby for the purpose of advertising a product or service available therein.

Banner sign and Banner Flag Pole means any temporary sign intended to be hung either with or without frames, characters, letters, illustrations or ornamentations applied to paper, plastic, or fabric of any kind. Banner signs or flags are not intended to be used as a permanent sign. National flags, flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners for the purpose of this article.

~~*Banner Flags* mean a temporary flag or other piece of cloth bearing a symbol, logo, slogan, characters, letters, illustrations, ornamentations or other message to be hung with frames either vertical or horizontal.~~

Bench sign means a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Billboard sign means any flat surface erected on a framework or on any structure, or attached to posts and used for, or designed to be used for, the display of bills, posters, or other advertising material, for the purpose of advertising a business, organization, event, person, place, or thing not located on the same premises as such advertising material, with one or two parallel and directly opposite signs with their faces oriented in opposite directions and spaced not more than ten (10) feet apart (see definition of off-premises signs, section 106-32).

Canopy sign means a sign that is hung, affixed, or suspended beneath an awning or canopy and is intended to identify a business, product or service primarily for the benefit of pedestrian traffic. A canopy is defined as being a structure, not including a carport, either attached to or detached from any existing structure, having no side walls, consisting of a roof with support columns or posts and being constructed of non-combustible materials to be used solely for the purpose of providing shade and/or for the purpose of providing protection for gasoline and fuel dispensing equipment. For the sake of this article, this definition shall also include canopies used for the purpose of shade and/or protection over a public right-of-way, and further defined as a structure projecting from, extending beyond, and supported by a building.

Changeable copy sign means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign. This does not include those signs having automatic electronically controlled copy changes.

Construction sign means any temporary non-illuminated sign giving the name of architects, engineers, builders, or contractors and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.

Changeable electronic digital variable message sign, CEDVMS (Digital LED Signs) means an electric sign which permits light to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in

use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. A changeable electronic variable message sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administrator as the National Standard.

Director sign means a sign on which the names and location of occupants or the use of a building is given. This shall include office buildings, church directories, and shopping malls.

Ground or pole sign means any sign which is supported by structures or supports in or upon the ground and independent of support from any building, for the purpose of directing attention to the general public to a lawful use of the premises on which it is located and which will not include a billboard sign. (See definition of on-premise sign in section 106-32).

Home occupation sign means any non-illuminated sign that is no larger than eighteen (18) inches by twenty-four (24) inches, indicating the name of the occupant and/or occupation of a customary home occupation as defined in this article.

Marquee sign means any sign attached to and made a part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Monument sign is a ground sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, limestone, stucco or materials similar in appearance as approved by the building official.

Political sign means any sign that contains primarily a political message on a temporary basis.

Portable sign means a movable sign that is not attached to a permanent support, or building, designed to be temporary and mobile. This definition includes signs attached to trailers, but does not include signs permanently placed on the sides of motor vehicles.

Projecting sign means any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

Real Estate sign means any temporary sign which is used to offer for sale, lease, or rent the property upon which the sign is placed. No permit is required if the sign has an area of thirty-two (32) square feet or less.

Roof sign means any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

Snipe sign means any sign of any material whatsoever that is attached in any way to a utility pole, tree, or any object located or situated on public or private property.

Street banner sign means any temporary banner sign which is stretched across and

hung over a public right-of-way.

Subdivision sign means a non-illuminated sign located on the property to be subdivided or recently subdivided.

Temporary sign means any sign not on a permanent foundation, the life of which does not extend beyond that specified for certain uses in this article, such as construction, real estate, political, portable and trailer signs.

Trailer sign means any sign mounted on a vehicle normally licensed by the state as a trailer and used for advertising or promotional purposes.

Wall sign means any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

Window sign means any sign affixed or attached to the interior or exterior of a window, not to exceed in size and surface of the window area.

Sec. 106-62. Sign Classifications

A) Permitted signs. Except as otherwise provided in this article, permitted signs shall be as enumerated in Division 5 of this article, signs permitted by zoning districts.

B) Exempted signs. The following signs shall not require permits under this Article: All signs defined in section 106-31; and:

- 1.) Temporary banner signs three (3) feet or less in width and height.
- 2.) Home occupation signs as allowed by the zoning ordinance.
- 3.) Temporary political signs.
- 4.) Temporary real estate signs having thirty-two (32) square feet or less of face area.
- 5.) Window Signs
- 6.) Construction Signs
- 7.) Signs placed on the side of motor vehicles, unless the vehicle is used as a stationary sign support. Signs that are displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name or the type of business, excluding all banners, that are located on moving vans, delivery trucks, trailers or other commercial vehicles are permitted; but only if the primary purpose of such vehicles is not for the display of the signs thereon, and only if such vehicles are parked or stored in areas appropriate to their use as commercial or delivery vehicles, such as service areas or locations close to the business building away from public traffic areas. Non-working stationary vehicles are prohibited.

- 8.) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter. A sign containing the word "parking" at any parking lot where any person is charged any fee or other monetary consideration for parking shall be considered an advertising sign, not a private traffic directional sign.

9.) ~~Yard sale signs; Garage/Yard Sale signs: provided, that no person shall attach in any way posters, notices or advertisements to utility poles, meter posts, or trees in or along any street right-of-way within the city, and that no person without having first obtained the consent of the owner of such property. The maximum time limit for all yard sale or home sales signs is seven (7) consecutive days.~~ Garage/yard sale signs are permitted only on private property on which the garage/yard sale is being conducted. Such signs are permitted no more than 12 hours prior to a sale and must be removed immediately after such sale. No person shall attach in any way posters, notices or advertisements to utility poles, meter posts, or trees in or along any street right-of-way within the city.

- 10.) Gasoline price signs attached to a permanent fixture or structure not exceeding a total area of twelve (12) square feet.
- 11.) Signs not exceeding three (3) square feet in area attached to gas pumps or gas pump canopies that are informational or directional and do not contain advertising matter.
- 12.) Street banner signs hanging over a public right-of-way for a limited time with permission from the city manager.

C) *Prohibited signs.* It shall be unlawful to erect or maintain any sign which is not included under the types of signs permitted in district regulations. Prohibited signs within the corporate limits of the city and its extraterritorial jurisdiction (E.T.J.) include, but are not limited to, the following:

- 1.) Any signs which resemble an official traffic sign or signal which bear the words "stop," "go slow," "caution," "danger," "warning" or similar words, and which were not placed by proper governmental authority.
- 2.) Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed to be a *traffic* control sign, signal, or device, and which were not placed by proper governmental authority, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign, signal or device.
- 3.) Signs placed on trees, rocks or utility poles.
- 4.) Signs that block other signs, fire escapes, doors and windows.
- 5.) Signs which emit sound, smoke or steam.
- 6.) Signs erected or placed within the public right-of-way shall be removed.

- 7.) It shall be unlawful to erect or maintain any off-premise sign(s), unless they are maintained under the provisions in section 106-62(G).
- 8.) Signs painted on rooftops.
- 9.) Portable or Temporary digital LED or projection advertising signs.
- 10.) Ground pole signs made of any type of combustible material, (plywood, wood posts, etc..)
- 11.) Vehicle signs except as permitted in section 106-62 B (7).
- 12.) Signs containing manual change copy or CEDVMS which are greater than thirty (30) percent of the allowable sign area.

Note: Those existing signs attached to a building or canopy which project into or hang over the public right-of-way shall be allowed to remain; however, they must comply with the latest edition of the International Building Code. Such signs when hung from a marquee or canopy shall be at least eight (8) feet at the lowest level above the sidewalk or ground level. Signs shall not extend outside the line of the canopy. Signs shall not extend more than six (6) feet above or eighteen (18) inches below the canopy and under no circumstances shall the sign have a vertical dimension greater than eight (8) feet.

D) Temporary signs.

- 1.) *Temporary construction signs:* Temporary construction signs shall be permitted on the site of approved projects or developments. Temporary construction signs may be erected and maintained for a period of thirty (30) days prior to commencement of construction and shall be removed by the owner within fifteen (15) days after completion of building on the site. One construction sign for each street frontage of a construction project, not to exceed 24 square feet in sign area in residential zones or 64 square feet in sign area in all other zones.
 - 2.) *Temporary development signs:* One (1) development sign for each street frontage of a development site not to exceed 32 square feet in sign area in residential zones or 450 square feet in sign area in all other zones. Such signs must be removed upon completion of the development.
 - 3.) *Temporary political signs:* Temporary political signs may be placed in all zoning districts; however, such signs may not be placed in the public right-of-way. Such signs shall be removed within fifteen (15) days following the election for which the sign is posted. This section is pursuant to Chapter 259 of the Texas Election Code.
- A)** All signs must also comply with the requirements set forth in Section 259.001 of the Texas Election Code. The following notice must be written, in a clearly visible and legible font of not less than 2" letters, on each political advertising sign:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

4.) ~~Temporary real estate signs: Temporary real estate signs shall be located only upon the premises for sale, lease, or rent. Such signs may be erected no more than thirty (30) days prior to construction and shall be removed within fifteen (15) days following the sale or lease of the premises upon which the sign is located.~~ **Temporary real estate signs:** One (1) non-illuminated real estate sign per lot per street frontage, not to exceed 32 square feet in sign area. Such signs must be removed 15 days following sale, rental or lease.

5.) **Temporary portable and trailer signs:** Temporary portable signs and trailer signs shall be limited to one (1) such sign per business in the N-C neighborhood commercial, C general business, H-C heavy commercial, L-I limited industrial, and H-1 heavy industrial districts. Portable signs shall be permitted once a month for a period of up to seven (7) consecutive days within any calendar month and shall be removed immediately upon the expiration date of the permit. There shall not be more than twelve (12) permits for temporary business signs issued for the same premises within one (1) calendar year. No portable sign shall be placed in a parking space on a lot on which, according to the city zoning ordinance, the required number of parking spaces is not provided. Temporary portable signs and trailer signs, if illuminated, shall be connected to a direct power source (G.F.C.I. required) within a three-foot (3') radius of the sign.

6.) **Temporary commercial banner signs and commercial banner flags:** ~~Temporary banner signs shall be allowed. Banner signs, not exceeding three (3) feet in width, used to attract attention to new residences or businesses shall not require a permit. Banner signs exceeding three (3) feet in width may be used with permission of the city manager or duly authorized representative and shall require a permit.~~ Temporary commercial banner signs and commercial banner flags shall be allowed. All such signs shall be permitted for a period not to exceed sixty (60) consecutive days after which the signs shall be removed and not be replaced for a period of six (6) months. Commercial banner signs having a width and length of more than three (3) feet require a permit. Commercial banner signs having a width and length of three (3) feet or less used to attract attention to new residences or businesses shall not require a permit.

A) A temporary commercial banner sign:

1.) Shall be in good repair;

2.) Shall have a maximum height of 10 feet and maximum width of 15 feet.

3.) Shall have the permit number conspicuously posted in the lower right hand corner of the banner;

4.) Shall advertise only the name of, uses of, or goods or services available

within the building or tenant lease space to which the sign is attached;

- 5.) Shall be mounted parallel to the face of a building or permanent structure;
- 6.) Shall not be located within public road right-of-way of the State of Texas or the City of Pharr;
- 7.) Shall not obstruct any window, door, stairway, or other opening intended for ingress or for needed ventilation or light.

B) A temporary commercial banner flag:

- 1.) Shall be in good repair;
- 2.) Shall have the permit number conspicuously posted in the lower right hand corner of the flag;
- 3.) Shall advertise only the name of, uses of, or goods or services available within the building or tenant lease space to which the sign is attached;
- 4.) Shall not be located within public road right-of-way of the State of Texas or the City of Pharr;
- 5.) Shall not obstruct any window, door, stairway, or other opening intended for ingress or for needed ventilation or light.

7.) Temporary inflatable signs: The temporary display of inflatables is permitted for a maximum period of fifteen (15) days per calendar quarter per platted lot provided they are not placed within the parking lot or in an area that blocks the view of oncoming traffic. Inflatables shall be limited to a height of fifteen (15) and a width of ten (10) feet for the inflatable device, not to include the height of any building or structure on which it might be placed. Temporary inflatable signs, if illuminated, shall be connected to a direct power source (G.F.C.I. required) within a three-foot (3') radius of the sign.

- E) Abandoned signs:** Except as otherwise provided in this article, any sign that is located on property which becomes vacant and is unoccupied for a period of three (3) months or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign, owner of the premises, or the city manager after written notice has been served.
- F) Unsafe signs:** Should any sign become insecure or in danger of falling or otherwise unsafe in the opinion of the city manager, the owner thereof, or the person maintaining such sign, shall upon written notice from the city manager or duly authorized

representative, forthwith in the case of immediate danger and in any case within ten (10) days, secure such sign in a manner to be approved by the city manager, in conformity with the provisions of this article, or remove such sign. If such order is not complied within ten (10) days, the city manager shall remove such sign at the expense of the owner or lessee thereof.

- G) Nonconforming signs.** Allowing nonconforming signs to remain in place indefinitely hamper a primary function of this article of improving the appearance of the community through sign control. For any nonconforming sign requiring removal, the city shall reimburse the owner according to the provisions of state law (H.B. 1330).

H.) Political Signs within Public Property or Private Property used as a polling location: Place or cause to be placed on public property any sign not expressly authorized by the public entity controlling said property. No political candidate signs or political issue signs shall be placed on public or private property used as a polling place that is owned and/or controlled by the city except as provided in this subsection. Notwithstanding the foregoing, no more than two political signs, whether by individual candidate, political slate, and/or political issue signs of not more than nine square feet each may be placed in the areas designated for the placement of such signs on public or private property near the entrance to polling places designated for voting in the election for which the signs are placed. Signs placed pursuant to this subsection may not be placed at any polling location prior to midnight the day of the voting period and shall be removed not later than the second day after the voting on such election or referendum occurs. This section also applies to private property when used as a polling place. Signs placed pursuant to this subsection may not be placed in the right-of-way and must otherwise comply with Chapter 259 of the Texas Election Code.

- 1) All signs must also comply with the requirements set forth in Section 259.001 of the Texas Election Code. The following notice must be written, in a clearly visible and legible font of not less than 2" letters, on each political advertising sign:

"NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE), TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY."

Note: No nonconforming sign shall be repaired or renovated where the effect of such repair or renovation shall be to enlarge or increase the structure of the nonconforming sign. For the purposes of this section, normal maintenance shall not be considered to be repair or renovation.

I) Changeable Electronic Digital Variable Message Sign (CEDVMS)

- A)** CEDVMS signs may be located on either side of a roadway; however, each sign must only be visible from one direction of travel.
- B)** Every message or picture display must remain static for eight (8) seconds and must accomplish a change in display within two (2) seconds or less.
- C)** A change of message must occur simultaneously on the entire sign face.

D) Safety: A CEDVMS sign shall:

- 1.) The sign must contain a default mechanism that freezes the sign in one position if a malfunction occurs.
- 2.) The maximum brightness of the sign shall not exceed 5,000 nits (candelas per square meter) during daylight hours and 500 nits (candelas per square meter) between dusk to dawn. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher allowed illumination level to a lower allowed level for the time period between one-half hour before sunset and one-half hour after sunrise. User must submit documentation of this capability and compliance with sign permit application. The illumination of the sign must remain constant under all lightning conditions and must comply with state regulations.
- 3.) A sign that is proposed adjacent to a thoroughfare with a posted speed limit of less than 55 MPH and is proposed within 1,500 feet of a traffic signal or driveway entrance, may require a traffic safety study, indicating that no negative traffic or safety hazards will result from the CEDVMS sign.

E) Owner responsibilities:

- 1.) The owner and operator of the sign must agree to cooperate with the chief of police or emergency management coordinator to voluntarily display amber alerts and other emergency community notifications as deemed necessary.
- 2.) The sign owner shall provide to the building official contact information for a person who is available to be contacted at any time and who is responsible for the sign operation and programming.
- 3.) If the building official finds that an electronic sign causes glare or otherwise impairs the vision of the driver of a motor vehicle or otherwise interferes with the operation of a motor vehicle, the owner of the sign, within twelve (12) hours of a request by the building official, shall reduce the intensity of the sign to a level acceptable to the building official.

F) Prohibitions; A CEDVMS sign shall not:

- 1.) The CEDVMS shall not display a message or picture that scrolls, fades, blinks, bursts, flashes, travels, or by any other means that does not provide constant illumination. Colors shall not include the red, yellow or green color spectrum used for traffic control devices.
- 2.) No signs may be of such intensity or brilliance as to interfere with the effectiveness of an official traffic sign, device or signal. Signs shall not produce glare or other lighting nuisances.

3.) This section does not authorize off-premise advertising, e.g., a mobile sign located on a truck or trailer.

G) CEDVMS sign is limited to thirty (30) percent of the allowable sign area.

Sec. 106-63-106-85. Reserved

DIVISION 3. COMPLIANCE WITH CODES AND STANDARDS

Sec. 106-86. Compliance required

All signs hereafter erected shall comply with all applicable provisions of this article, with the latest edition of the International Building Code relating to structural design, and to the latest edition of the national electrical code for applicable components and installation and to the auxiliary specifications set forth in this article.

Sec. 106-87. Auxiliary specifications

- 1.) *Obstruction to exits.* No sign shall be erected so as to obstruct any fire escape, or required exit, window, or door opening intended as a means of egress.
- 2.) *Obstruction to ventilation.* No sign shall be erected which interferes with any opening required for ventilation.
- 3.) *Clearance from electrical power and communication lines.* Signs shall maintain all clearances from electrical conductors in accordance with the city electrical code and from all communications equipment or lines located within the city.
- 4.) *Clearance from surface and underground facilities.* Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. Furthermore, placement shall not interfere with natural or artificial drainage or surface or underground water.
- 5.) *Drainage.* The roofs of canopies exceeding twenty-five (25) square feet shall be drained to prevent dripping onto neighboring property, public sidewalks or streets.

Sec. 106-88. Structural and design requirements

- 1.) *Design and stress diagrams.* Before a permit shall be granted, the erector of every outdoor advertising sign, with the exception of temporary signs, shall submit to the city manager or duly authorized representative a design and stress diagram or plan containing the design and stress specifications for such design.
- 2.) *Wind pressure.* All outdoor advertising displays shall be constructed to withstand the wind pressure as specified by the current edition of the International Building Code.

- 3.) *Plastic materials.* All outdoor advertising displays using plastic materials, wholly or partially, shall comply with specifications stipulated in the current edition of the International Building Code.
- 4.) *Measurement of sign area.* The size of a sign shall be measured from the outside dimensions of the sign and frame. A sign may have one (1) or more display faces, unless otherwise specified. For off-premises signs which are double-faced, each face is considered a separate sign in computing the face area. For on-premises signs which are double-faced, each face is considered a separate sign in computing the face area if each face is advertising a different business on the property. If the face area of an on-premises sign is identical on both sides, then the face area is computed by measuring one (1) side only.
- 5.) *Setbacks.* For purposes of this article, setbacks shall be measured from the outside frame of the sign if the sign face is parallel to the property line. Setbacks are determined according to the type of sign and the zone in which the sign is to be located; (see signs permitted by zoning districts, Division 5 of this article). Under no circumstances shall a private sign be allowed to project into a public right-of-way unless otherwise authorized by this article.

Sec. 106-89. Jurisdiction of state department of transportation

All signs, other than those placed by the state, within the city and its extraterritorial jurisdiction, which are controlled by the state, shall comply with standards and requirements as set down by the state department of transportation, or the city, whichever is the more restrictive. This includes but is not limited to signs within the highway right-of-way, public parks, public playgrounds or scenic areas, interchanges and intersections.

Sec. 106-90. Inspections

To assure compliance with this article, the city manager or duly authorized representative shall have the right to enter any premises for inspection purposes during reasonable hours and after reasonable notice has been given at intervals as required. Also, the city manager, upon notification of the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or the placement of the sign or shall notify the permit holder or the agent wherein the sign fails to comply with this article.

- 1.) *Foundation inspection.* A foundation inspection *is required of* all permanent outdoor advertising displays constructed of block or brick or for which footings are required. Such inspections shall be made after trenches are excavated and any reinforcing steel is in place and prior to the placing of concrete.
- 2.) *Setbacks inspection.* A setback inspection *is required of* all signs, permanent and temporary. Setbacks shall be inspected at the time the foundation inspection is made for permanent signs and prior to the placing of concrete and after placement for temporary signs.

- 3.) *Electrical inspection.* An electrical inspection is required of all illuminated signs. All electrical work shall be done by a master, licensed electrician. It shall be the responsibility of the electrician to call for the required inspection.

Work shall not be done on any part of the sign installation beyond the point indicated in each successive inspection without first obtaining the approval of the city manager or duly authorized representative. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated under subsection (1) to (3) of this section.

Sec. 106-91. Permit identification

Any sign for which a permit is required by this article shall bear a seal of compliance. This information shall be affixed to the sign.

Sec. 106-92. Maintenance; replacement or repair

- 1.) *Maintenance.* All signs for which a permit is required by this article, together with all their supports, braces, guys and anchors, shall be kept in repair and unless of galvanized or non-corroding metal shall be thoroughly painted at least once every two (2) years. The city manager or duly authorized representative may order the removal of any sign that is not maintained in accordance with the provisions of this section. Such removal shall be at the expense of the owner or lessee.
- 2.) *Replacement or repair.* When any sign or a substantial part of any sign is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign, it may not be re-erected, reconstructed, or rebuilt except in full conformance with the provisions and requirements of this article. The property owner/occupant shall maintain the sign in a condition appropriate to its intended use and to all city standards and has a continuing obligation to comply with all building code requirements. It shall be a violation of this section if any of the following conditions exist:
 - a) Elements of the sign have portions of the finished material missing, broken or otherwise illegible.
 - b) Any elements of the sign are inoperable, bent, twisted, dented, cracked, splintered, torn, or leaning at angles other than those at which it was originally erected.
 - c) The sign is partially disassembled.
 - d) The sign display area must display information that is current, or a blank sign panel must be installed.
 - e) If the sign is deemed by the city to be in an unsafe condition, the owner/occupant of the business shall be notified in writing, and shall, within 48 hours of receipt of such notification, respond to the city with a plan to correct the unsafe condition, remove the unsafe sign, or cause it to be removed. If after ten days, the unsafe condition has not been corrected through repair or removal, the city may refer the

matter to the building official as an unsafe structure to be remedied.

f) Whenever any sign, either conforming or nonconforming to these regulations, is required to be repaired, repainted, refinished or cleaned, the same may be done without a permit or without any payment of fees provided that all of the following conditions are met:

1.) The sign is not being refaced to display a new occupant, replace a panel or display new items of information;

2.) There is no alteration or remodeling to the structure or the mounting of the sign itself;

3.) There is no enlargement or increase in any of the dimensions of the sign or its structure; and

4.) The sign is accessory to a legally permitted, conditional or nonconforming use.

For purposes of this subsection, a sign or substantial part of a sign is considered to have been destroyed only if the cost of repairing such sign is more than 50 percent (50%) of the replacement cost of the existing sign at the same location.

Sec. 106-93. Removal of sign by city manager

- 1.) In accordance with Chapter 216 of the Texas Local Government Code as well as the federal Highway Beautification Act 23 U.S.C.A §131 and Chapter 259 of the Texas Election Code, the city manager, or duly authorized representative, shall cause to be relocated, reconstructed, or removed any sign that violates this Ordinance, endangers the public safety, such as an abandoned, dangerous, or materially, electrically, or structurally defective sign, or a sign for which no permit has been issued. A notice shall be prepared which shall describe the sign and specify the violation involved, and which shall state that, if the sign is not removed or the violation is not corrected within ten (10) days, the sign shall be removed in accordance with the provisions of this section.
- 2.) All notices mailed by the ~~planning department~~ Department of Development Services under this section shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail. For all other signs, the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If such address is known, or with reasonable care should be known, the notice shall be mailed to or delivered to the owner of the sign and the occupant of the property.
- 3.) Any person having an interest in the sign to be removed pursuant to this section or the property where such sign is situated may appeal the determination of the city manager or duly authorized representative ordering removal or compliance by filing a written notice of appeal with the city board of adjustment within thirty (30) days after the date of mailing the notice, or within thirty (30) days after receipt of the notice if the notice was not mailed.

- 4.) Notwithstanding the provisions of this section, in cases of emergency, the city manager or duly authorized representative may cause the immediate removal of a dangerous or defective sign without notice.
- 5.) In lieu of paying compensation, a violator may be exempt from required relocation, reconstruction, or removal those signs lawfully in place on the effective date of the requirement.

Sec. 106-94-106-115. Reserved

DIVISION 4. LICENSES; PERMITS; BONDS; INSURANCE

Sec. 106-116. Licensing of contractors

- 1.) *Required.* No person shall engage or continue in the business of erecting, maintaining or replacing any sign or advertising structure, or perform any such acts for compensation, without first having obtained a license from the code enforcement division of the community planning and development department of the city.
- 2.) *Fees; term; renewal.* A license fee in the amount of \$25.00 shall be assessed for each license issued under the provisions of this section. This license shall be valid for a period of twelve (12) months from the date of issuance, after which it shall be renewed every year.
- 3.) *Application.* Application for licenses required by this section shall be made on forms furnished by the code enforcement compliance division and shall contain such information as the code enforcement division may require, including but not limited to:
 - A) The name of the applicant and, if representing a partnership or a corporation, the name of all partners or directors;
 - B) The permanent local business address; and
 - C) A listing of all persons employed by the person applying for such license.

All sign permit applications shall bear the license numbers of the contractor who will actually be performing the work for which the permit is required.

- 4.) *Revocation of license.* The code enforcement compliance division shall have the right, after thirty (30) days' notice in writing to the licensee, to revoke any license granted under this section where it shall find that the information provided on the application is knowingly false or misleading or that the licensee has violated any of the provisions of this section, unless such licensee shall, before the expiration of such thirty (30) days, correct such information and comply with the provisions of this section.

Sec. 106-117. Permits

- 1.) *Required; application.* It shall be unlawful to display, erect, relocate, rebuild, reconstruct or alter any sign without first filing with the city manager or duly authorized representative an application in writing and obtaining a sign permit,
 - A) The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, *or the* authorized agent, *or a sign* contractor licensed by *the* city. Such applications shall be made in writing on forms furnished by the code enforcement division and shall be signed by the applicant.
 - B) The city manager or duly authorized representative shall, within five (5) working days of the date of the application, either approve or deny the application or refer the application back to the applicant in any instance where insufficient information has been furnished.
- 2.) *Plans:* Every application for a permit under this section shall be accompanied by a plan or plans drawn to scale of the proposed sign and all existing signs maintained on the premises, and shall include:
 - A) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached;
 - B) The dimensions of the sign's supporting members;
 - C) The maximum and minimum height of the sign; (if sign exceeds fifteen (15), feet in height, it shall have plans sealed by professional engineer licensed to practice in the State of Texas);
 - D) The proposed location of the sign in relation to the face of the building, in front of which or above which it is to be erected;
 - E) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated, existing buildings and any other signs on the property;
 - F) Where the sign is to be attached to an existing building, a current photograph of the face of the building to which the sign is to be attached;
 - G) The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector;
 - H) The location by street address or the proposed sign structure;
 - I) The legal description of the property on which the sign is to be located;
 - J) Application for an electrical permit for all electric signs if the person building the sign is to make the electrical connection;
 - K) A statement of valuation;

L) All sign permit application shall bear the license numbers of the contractor(s) who will actually be performing the work for which the permit is required; and

M) Signs shall be designed, constructed and maintained according to the latest edition of the International Building Code.

3.) On-Premise Sign Fees. The applicant for an on-premise sign permit shall tender the required fee according to the following schedule:

Value	Fee	Fee if Electrified
\$0.00 - \$100.00	\$15.00	\$50.00
\$101.00 - \$500.00	\$30.00	\$60.00
\$501.00 - \$1,000.00	\$50.00	\$90.00
Over \$1,000.00	\$50.00 plus \$5.00 for each additional \$1,000.00 valuation or portion thereof	Add \$70.00

4.) Registration of Off-Premise Signs: It shall be unlawful for any person to maintain any existing off-premises billboard sign on any premises within the corporate city limits of the City of Pharr without having a valid registration tag affixed thereto.

1.) Application: To register an existing off-premises billboard sign, an application shall be made to the Department of Development Services on forms provided for that purpose. The application shall be accompanied by the payment of an application fee and shall contain the name and address of the owner of the sign, the size of the sign, the exact location of the sign, the date of placement and any other information reasonably required by the department.

2.) Issuance of registration tag: Upon issuance of a registration tag, the owner of the sign shall affix the tag in a conspicuous place on the corresponding registered existing off-premises billboard sign.

3.) Change in ownership: The purchaser of a sign shall be responsible for notification of a change in ownership of said sign within 60 days of completion of the purchase.

4.) Invalidation of registration: The Director of Development Services or his/her designee shall invalidate any registration tag for an existing off-premises billboard sign when:

A) The sign is removed from the premises for any reason;

B) The sign has been damaged or destroyed such that a new existing off-premises billboard sign must be erected.

5.) Existing Off-Premise Billboard Sign Fees: The applicant for an existing off-premise billboard sign permit shall tender the required fee according to the following schedule:

Size of Sign	Amount
Small (0 to 72 Sq. Ft.)	\$100.00 Per Year
Medium (73 to 300 Sq. Ft.)	\$150.00 Per Year
Large (301 to 672 Sq. Ft.)	\$200.00 Per Year
Small Digital (0 to 382 Sq. Ft.)	\$300.00 Per Year
Large Digital (383 to 672 Sq. Ft.)	\$500.00 Per Year

Should any person(s) actually begin any work for which a permit is required by the city without taking out a permit therefore, the applicant shall pay, in addition to the fees set out in this subsection, an additional amount equal to one hundred percent (100%) of such fees (double fine fees).

- 6.) *Deviation from permit terms.* When a sign permit has been issued by the city manager or duly authorized representative, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of such permit without prior approval. A written record of such approval shall be entered upon the original permit application and maintained in the files of the code enforcement division. Permits, once approved, cannot be transferred to another sign, and the sign may not be moved to another location.
- 7.) *Time limit for obtaining.* If a permit required by this section is not obtained within ninety (90) days after the applicant has been notified that the plans are approved, the city manager or his duly authorized representative shall assume that the application is withdrawn and may destroy the plans, specifications and calculations without recourse. Renewed action shall require a new plan.
- 8.) *Time limit for completion.* If the work authorized under a sign permit has not been completed within six months after the date of issuance, such permit shall become null and void, and there shall be no refund of any fee required by this section. If there is a justifiable reason to warrant an extension, the city manager may grant such extension up to six (6) months, provided the request is made prior to the expiration of the permit.

Sec. 106-118. Bonds and insurance

- 1.) Every applicant for a license required by section 106-116 shall, before such license is granted, file with the code enforcement division a continuing bond in the penal sum of \$2,000.00 executed by the applicant and a surety company to be approved by the city manager or designee. Such bond shall assure the faithful observance of the provisions of this article and all amendments thereto, and of all state laws and city codes relating to signs and/or advertising structures, and shall indemnify and hold harmless the city and its officials from any and all claims, damages, liabilities, losses, actions, suits, or judgments which may be presented, sustained, brought, or secured against the city or any of its officials by reason of the granting of such license or on account of the erection, maintenance, alteration, or removal of any sign, or by reason of any accident caused by or resulting therefrom.

- 2.) Prior to the issuance of any sign permit and before any sign is erected, every applicant shall, on the sign permit application form provided, consent in writing to indemnify and to hold the city harmless from any and all damages, liability, judgments, costs, or expense that the city may incur or suffer as to such signs or advertising structures, and shall at the same time offer proof of liability insurance in an amount not less than \$300,000.00 by an insurance company authorized to do business in the state, to be in force for the entire time of the validity of the permit.

Sec. 106-119-106-140. Reserved

DIVISION 5. SIGNS PERMITTED BY ZONING DISTRICTS

Sec. 106-141. Agricultural and/or open space district (A-O)

This section specifies which signs are permitted in the A-O agricultural-open space zoned area as classified by the city, except for areas located along the city's expressway corridor, as outlined in section 106-145.

- 1.) Generally, all signs defined in section 106-31 and section 106-62(B); and all signs listed in this section, as defined in section 106-61 and under the restrictions as provided in this section.
- 2.) *On-premises* signs. The following on-premises signs shall be limited to a combination of any two of the following permanent signs per business and/or site, unless otherwise specified.

A) Accessory sign.

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: sixteen (16) square feet.
- 3.) Maximum height: ten (10) feet.

B) Directory sign:

- 1.) Minimum setback: five (5) feet from any property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: twenty (20) feet.

C) Ground/pole sign:

- 1.) Minimum setback: five (5) feet from any property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: thirty (30) feet,

D) Subdivision sign:

- 1.) Minimum setback: attached to fence or wall at the entrance of a subdivision. (if no fence or wall, then it shall be considered a construction sign in which case

section 106-141(3)(B) will apply.

- 2.) Maximum size: sixteen (16) square feet on each side of entrance to subdivision.
- 3.) Maximum height: ten (10) feet.

E) Wall sign: shall be limited to four (4) such signs per premises, of which there shall be no more than one (1) facing each direction. Wall signs shall comply with the latest edition of the International Building Code.

- 1.) Minimum setback: attached or painted to a fence or wall.
- 2.) Maximum size: sixteen (16) square feet of wall or fence.

3.) Temporary signs. Temporary signs shall be permitted as allowed in this subsection. Such signs shall be limited to one temporary sign per site and shall comply with section 106-62(D).

A) Banner sign and Banner Flag **Pole:** shall be limited to two (2) temporary banner signs per lot or two (2) temporary banner flags per lot and shall not exceed three (3) feet in width. ~~Such signs may be displayed for a period of no more than sixty (60) consecutive days, after which the sign will be removed and may not be replaced for a period of six (6) months. In the case of a multi-tenant building only one (1) temporary banner sign or one (1) temporary banner flag will be allowed.~~ All such signs shall be permitted for a period not to exceed thirty (30) consecutive days after which the signs shall be removed and not be replaced for a period of six (6) months. Banners having a width and length of more than three (3) feet require a permit. Banners having a width and length of three (3) feet or less do not require a permit.

B) Construction sign: may be erected no more than thirty (30) days prior to construction and shall comply with section 106-62 (D)(1).

- 1.) Minimum setback: five (5) feet from any property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

C) Home occupation sign:

- 1.) Minimum setback: shall be attached flush against the building.
- 2.) Maximum size: eighteen by twenty-four inches (18" x 24").
- 3.) Maximum height: eight (8) feet.

D) Portable sign:

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

E) Real estate sign: shall comply with section 106-62(D)(5).

- 1.) Minimum setback: five (5) feet from any property line.
- 2.) Maximum size: thirty-two (32) square feet.

3.) Maximum height: ten (10) feet.

F) Trailer signs: Must be removed immediately following the event or election or it will be considered advertising.

1.) Minimum setback: five (5) feet from any property line.

2.) Maximum size: thirty-two (32) square feet.

3.) Maximum height: ten (10) feet.

4.) *Off-Premise signs*: Off-premise signs are prohibited in a residential district.

5.) Additional requirements.

1.) No sign shall have less than a minimum setback of five (5) feet from any property line, except as listed in this section.

2.) No permanent sign shall have a face larger than thirty-two (32) square feet, except as listed in this section.

3.) No sign shall exceed thirty (30) feet in height, except as listed in this section.

4.) When computing the face area of an on-premises sign, the measurement thereof shall be as outlined in section 106-88(4).

Sec. 106-142. Residential districts

This section specifies which signs are permitted in residential zoned areas as classified by the city. They are as follows: R-1: Single Family Residential, R-1A: Single Family Residential for Small Lots, **R-1E: Single Family Residential Estate**, R-TH: Townhouse Residential, R-3: Medium Density Multi-Family Residential, R-4: High Density Multi-Family Residential, R-MH: Mobile Home Residential and R-HCMH: HUD-Code manufactured Mobile Home.

1.) *Generally*. All signs defined in section 106-31 and section 106-62(B); and all signs listed in this section, as defined in section 106-61 and under the restriction as provided in this section.

2.) *On-Premise Signs*: The following on-premise signs shall be limited to one (1) permanent sign per site in a single-family residential zone as allowed by the City of Pharr zoning ordinance.

A) Ground/pole sign:

1.) Minimum setback: five (5) feet from any property line.

2.) Maximum size: thirty-two (32) square feet.

3.) Maximum height: fifteen (15) feet,

Wall signs: shall be limited to two (2) per premises and are restricted to entrances to subdivision only. Wall signs shall comply with the latest edition of the International Building Code.

- 1.) Maximum size: sixteen (16) square feet of wall or fences.
 - 2.) Minimum setback: attached or painted to fence or wall.
- 3.) *Temporary Signs:* Temporary signs shall be permitted as allowed in this subsection. Such signs shall be limited to one (1) temporary sign per site and shall comply with section 106-62(D).
- A) Banner Signs and Banner Flag Poles: shall be limited to one (1) temporary banner per lot and shall not exceed three (3) feet in width and length. Such signs may be displayed for a period of no more than sixty (60) consecutive days, after which the sign will be removed and may not be replaced for a period of six (6) months. No permit will be required.
 - B) Construction sign: may be erected no more than thirty (30) days prior to construction. Such signs shall comply with section 106- 62(D)(1).
 - 1.) Minimum setback: five (5) feet from property line.
 - 2.) Maximum size: sixteen (16) square feet.
 - 3.) Maximum height: ten (10) feet.
 - C) Real estate sign: shall comply with section 106-62(D)(5).
 - 1.) Minimum setback: inside property line.
 - 2.) Maximum size: sixteen (16) square feet.
 - 3.) Maximum height: ten (10) feet.
- 4.) *Home Occupation Signs:* Home occupation signs shall be permitted as allowed in this subsection.
- A) Minimum setback: sign shall be placed flush against a wall.
 - B) Maximum size: eighteen inches by twenty-four inches (18"x24").
 - C) Maximum height: eight (8) feet.
- 5.) *Off-Premise signs:* Off-premise signs are prohibited in a residential district.
- 6.) Additional requirements.
- A) No sign shall have less than a minimum setback of five (5) feet from any property line, except as listed in this section.
 - B) No permanent sign shall have a face larger than thirty-two (32) square feet, except as listed in this section.
 - C) No sign shall exceed fifteen (15) feet in height; except as listed in this section.
 - D) No sign or part of any sign in the residential districts shall move, flash, rotate

or change its illumination. Temporary holiday decorations are permitted.

- E) When computing the face area of an on-premises sign, it shall be computed as outlined in section 106-88(4).

Sec. 106-143. Neighborhood-Commercial District; Office-Professional District

This section specifies which signs are permitted in the N-C (Neighborhood Commercial) and O-P (Office Professional) districts as classified by the city, except for zoning areas located along the city's expressway corridors as outlined in section 106-145.

- 1.) *Generally.* All signs defined in section 106-31 and section 106-62(B); and all signs listed in this section, as defined in section 106-61 and under the restrictions as provided in this section.
- 2.) *On-premise signs.* The following on-premises signs shall be limited to a combination of any two (2) of the following permanent signs per business and/or site, unless otherwise specified.

Accessory Sign:

A) Accessory Sign:

- 1.) Minimum setback: five (5) feet from the property line.
- 2.) Maximum size: sixteen (16) square feet.
- 3.) Maximum height: ten (10) feet.

- B) Canopy Sign:** shall be limited to one (1) permanent sign per business and shall comply with the latest edition of the International Building Code.

C) Changeable Copy Sign:

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: fifteen (15) feet.

D) Directory Sign:

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: fifteen (15) feet.

- E) Ground/Pole Sign:** shall be limited to one (1) permanent sign per site. In the case of a multi-unit building, one (1) ground or pole sign will be allowed per site along with a wall sign, canopy or roof sign for each business as permitted in this subsection.

1.) Office Professional District

- A) Minimum setback: five (5) feet from property line.
- B) Maximum size: thirty-two (32) square feet.
- C) Maximum height: thirty (30) feet in the office and professional zone.

2.) Neighborhood Commercial

- A) Minimum setback: five (5) feet from property line.
- B) Maximum size: thirty two (32) square feet.
- C) Maximum height: fifteen (15) feet.

F) Subdivision sign:

- 1.) Minimum setback: attached to a fence or wall at the entrance of a subdivision.
- 2.) Maximum size: sixteen (16) square feet on each side of the entrance to the subdivision
- 3.) Maximum height: ten (10) feet.

G) Wall sign: shall be limited to two (2) per site, of which there shall be no more than one (1) facing in each direction. Wall signs shall comply with the latest edition of the International Building Code.

- 1.) Minimum setback: attached or painted on wall or fence.
- 2.) Maximum size: thirty two (32) square feet of wall or fence.

3.) *Temporary signs.* Temporary signs shall be permitted as allowed in this subsection. Such signs shall be limited to one (1) temporary sign per site and shall comply with section 106-62 (D).

A) Banner sign and Banner Flag **Poles**: ~~shall be limited to one (1) temporary banner sign per lot or one (1) temporary banner flag per lot and shall not exceed three (3) feet in width. Such signs may be displayed for a period of no more than sixty (60) consecutive days, after which the sign will be removed and may not be replaced for a period of six (6) months. In the case of multi-tenant building only one (1) temporary banner sign or one (1) temporary banner flag will be allowed.~~ **shall be permitted for a period of thirty (30) days at one time after which such signs shall be removed and not replaced for a period of six (6) months. Banners three (3) feet or less in width and length do not require a permit.**

B) Construction sign: shall be limited to one (1) temporary sign per site and shall comply with section 106-62(D)(1).

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

C) Portable sign: shall comply with section 106-62(D)(6).

- 1.) Minimum setback: five (5) feet from property line.

- 2.) Maximum size: thirty-two (32) square feet.
 - 3.) Maximum height: ten (10) feet.
- D) Real estate sign: shall be limited to one (1) temporary, non-illuminated sign per site and shall comply with section 106-62(D)(5).
- 1.) Minimum setback: five (5) feet from property line.
 - 2.) Maximum size: thirty-two (32) square feet.
 - 3.) Maximum height: ten (10) feet.
- E) Street banner sign: shall be allowed on special occasion with the permission of the city manager; such signs shall in no way affect the traffic flow visibility.
- F) Trailer sign: must be removed seven (7) days following the event or election or it will be considered advertising.
- 1.) Minimum setbacks: five (5) feet from property line.
 - 2.) Maximum size: thirty-two (32) square feet.
 - 3.) Maximum height: ten (10) feet.
- G) *Off-Premise signs*: Off-premise signs are prohibited in a residential district.
- H) *Additional requirements*.
- 1.) No sign shall have less than a minimum setback of five (5) feet from any property line, except as listed in this section.
 - 2.) No permanent sign shall have a face larger than sixty four (64) square feet, except as listed in this section.
 - 3.) No sign shall exceed thirty (30) feet in height, excepted as listed in this section.
 - 4.) When computing the face of off-premises and on-premises sign(s), it shall be computed as outlined in section 106-88 (4).

Sec. 106-144 – Downtown District, Historic Main Street District

This section specifies which signs are permitted in the Downtown and Historic Main Street District. All signs within these districts shall be designed, constructed and affixed so as to promote and not visually obscure the significant architectural features of the district and its buildings.

- 1.) Special Restrictions – The following special restrictions shall apply in the Downtown and Historic Main Street District.

A) Exterior neon signs are prohibited.

B) No sign shall be displayed from the parapet or roof of any building.

- C)** No sign shall be erected, constructed, placed, attached, located, hand carried or displayed by any means unless the sign relates to or advertises a bona fide business conducted in or on the premises to which the sign adjoins.
 - D)** Interior illuminated signs are prohibited on the exterior of a building.
 - E)** The light source for exterior illumination shall be a steady light concealed by a hood or other acceptable method of indirect lighting.
 - F)** Sandwich signs may be placed outside only when the business is open and must be properly anchored or weighted against the wind. The maximum height of any sandwich sign is 36 inches and a minimum clearance of six feet must be maintained on the sidewalk for pedestrian access. No other portable signs are permitted.
 - G)** Awning and canopy signs must be painted or applied flat against the awning or canopy surface, and may not use over 70 percent of the lineal footage of the awning or canopy.
 - H)** Permanent signs painted on glass windows shall cover no more than 25 percent of the total glass area of the window upon which they are placed, and may not contain words or characters greater than 12 inches in height. For purposes of this subsection, the area of any such sign shall be calculated as the area of an imaginary square or rectangle that encompasses the entire sign and its graphics.
 - I)** Daylight fluorescence pigmented materials or paints are not allowed.
 - J)** With the exception of donor plaques, advertising on planters, trash receptacles, park benches or other street amenities is not allowed.
 - K)** No sign shall be displayed above the second level of any building.
 - L)** No building may have signage on more than two facades.
 - M)** Permanent signs shall not be constructed of core-plast or banner material. Existing signs made from core-plast or banner material may remain but cannot be altered or replaced except by signs and materials meeting the requirements of this Code.
- 2.) On-Premise Signs** – The following on-premise signs shall be permitted, limited to a combination of any two (2) of the following permanent signs per business and/or site, unless otherwise specified.
- A)** Monument Sign: allowed as required
 - 1.) Minimum Setback: five (5) feet from property line
 - 2.) Maximum Size: 60 square feet
 - 3.) Maximum Height: 6 feet

Maximum allowable size of sign is calculated by 0.4 square feet multiplied by 1 linear foot of lot

frontage (but not to exceed 60 square feet).

Example: 150 linear feet of lot frontage X 0.4 square feet of sign = 60 square feet of monument sign.

B) Wall Sign: shall be limited to one (1) per premise. Wall signs shall comply with the latest addition to the International Building Code.

- 1.) Maximum Setback: attached or painted to wall.
- 2.) Maximum Size: 32 square feet
- 3.) Maximum Size of Letters: 10 inches
- 4.) Maximum Height: 4 feet

C) Window Signs: allowed as required

- 1.) Maximum Setback: Can be painted or applied directly to glass.
- 2.) Maximum Size: Can cover up to 25% of glass area.
- 3.) Maximum Size of Letters: 10 Inches

D) Sidewalk Sandwich Signs: can only be placed on the sidewalk during business hours. Must be properly anchored or weighted against the wind.

- 1.) Maximum Setback: Must maintain 6 feet of sidewalk clearance for pedestrians.
- 2.) Maximum Height: 4 feet
- 3.) Maximum Width: 3 feet

E) Awning Signs: allowed as required

- 1.) Maximum Setback: Can be painted or applied flat on the canopy or awning surface.
- 2.) Maximum Size: Can use up to 70% of the lineal footage of the awning.

Sec. 106-145. Business districts; heavy commercial and industrial districts

This section specifies which signs are permitted in the business, heavy commercial and industrial zoned areas as classified in the city zoning ordinance, except for zoning areas located along the city's expressway corridors as outlined in section 106-145. Such districts are as follows: C (General Business), C-2 (Business District), H-C (Heavy Commercial), L-I (Limited Industrial) and H-I (Heavy Industrial) districts.

- 1.) *Generally.* All signs defined in section 106-31 and section 106-62(B); and all signs listed in this section, as defined in section 106-61 and under the restrictions as provided in this section.
- 2.) *On-premises signs.* The following on-premises signs shall be permitted, limited to a combination of any two (2) of the following permanent signs per business and/or site, unless otherwise specified.

A) Accessory sign: allowed as required.

- 1.) Minimum setback: five (5) feet from property line.
 - 2.) Maximum size: sixteen (16) square feet.
 - 3.) Maximum height: ten (10) feet.
- B)** Canopy sign: shall be limited to one (1) permanent sign per business and shall comply with the latest edition of the International Building Code.
- C)** Changeable copy sign:
- 1.) Minimum setback: five (5) feet from property line.
 - 2.) Maximum size: thirty-two (32) square feet.
 - 3.) Maximum height: twenty (20) feet.
- D)** Directory sign:
- 1.) Minimum setback: five (5) feet from property line.
 - 2.) Maximum size: thirty-two (32) square feet.
 - 3.) Maximum height: twenty (20) feet.
- E)** Ground or pole sign: In the case of a multi-unit building, one (1) ground pole or pole sign will be allowed per site, provided that an additional sign shall be permitted for each 300 feet of frontage for a premises, not to exceed 1.5 square feet in sign area for each linear foot of primary street frontage up to a maximum of 300 square feet. Such signs shall not exceed a height of 30 feet, except where such signs are within 300 feet of Expressway Corridors in which case they may have a maximum height of 60 feet and up to 800 square feet of sign area.
- 1.) Non-Expressway Corridor
 - A)** Minimum setback: five (5) feet from property line.
 - B)** Maximum size: up to three hundred (300) square feet.
 - C)** Maximum height: thirty (30) feet.
 - 2.) Expressway Corridor
 - A)** Minimum setback: ten (10) feet from property line.
 - B)** Maximum size: eight hundred (800) square feet.
 - C)** Maximum height: sixty (60) feet.
- F)** Marquee sign: shall be limited to one (1) permanent sign per site and shall comply with the latest edition of the International Building Code. Size of marquee cannot exceed eight (8) feet in width and thirty-two (32) feet in length,
- G)** Roof sign: shall be limited to one (1) permanent sign per site and shall comply with the latest edition of the International Building Code. Size of roof sign cannot exceed four (4) feet in height and sixteen (16) feet in length.

H) Subdivision sign:

- 1.) Minimum setback: attached to fence or wall at the entrance of a subdivision.
- 2.) Maximum size: sixteen (16) square feet on each side of the entrance to the subdivision.
- 3.) Maximum height: ten (10) feet.

I) Wall sign: shall be limited to four (4) per premises, of which there shall be no more than one (1) facing each direction. Wall signs shall comply with the latest edition of the International Building Code.

- 1.) Minimum size: sixty-four (64) square feet of wall.
- 2.) Maximum setback: attached or painted to wall.

3.) Temporary signs: Temporary signs shall be permitted as listed in this subsection. Such signs shall be limited to one (1) temporary sign per site and shall comply with section 106-62 (D).

A) Banner sign and Banner Flag Poles: shall be limited to two (2) temporary banner signs per lot **business** and shall not exceed three (3) feet in width. ~~Such signs may be displayed for a period of no more than sixty (60) consecutive days, after which the sign will be removed and may not be replaced for a period of six (6) months. In the case of a multitenant building only one (1) temporary banner sign or one (1) temporary banner flag will be allowed.~~ **Banner shall be permitted for a period of thirty (30) consecutive days, after which they shall be removed and not be replaced for a period of six (6) months. Banners which are less than three (3) feet in width and height shall be not require a permit.**

B) Construction sign: shall be limited to one (1) temporary construction sign for each project or development, and shall comply with section 106-62(D)(1).

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

C) Portable sign: shall comply with section 106-62(D)(6).

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

D) Real estate sign: shall be limited to one (1) temporary sign per approved site. Such signs may be erected no more than thirty (30) days prior to construction and shall comply with section 106-62(D)(5).

- 1.) Minimum setback: five (5) feet from property line.
- 2.) Maximum size: thirty-two (32) square feet.
- 3.) Maximum height: ten (10) feet.

E) Street banner sign: shall be allowed on special occasion with the permission of the city manager. Such signs shall in no way affect traffic flow or visibility.

F) Trailer sign: must be removed seven (7) days following the event or election and advertising.

1.) Minimum setback: five (5) feet from the property line.

2.) Maximum size: thirty-two (32) square feet.

3.) Maximum height: ten (10) feet.

4.) Off-Premise signs: Off-premise signs are prohibited in a residential district.

5.) Additional Requirements:

A) No sign shall have less than a minimum setback of five (5) feet from any property line, except as listed in this section.

B) No sign shall have a face larger than eight hundred (800) square feet, except as listed in this section.

1.) No sign shall exceed sixty (60) feet in height, except as listed in this section.

2.) When computing the face area of an on-premise sign, it shall be computed as outlined in section 106-88(4).

3.) Signs shall be designed, constructed and maintained according to the latest edition of the International Building Code for use of materials, loads and stresses.

4.) Signs exceeding fifteen (15) feet in height shall have plans sealed by professional engineer licensed to practice in the State of Texas.

Sec. 106-146. Planned Unit Developments

This section specifies which signs are permitted in a planned unit development.

1.) All signs defined in section 106-31 and section 106-62(B).

2.) All signs allowed in each zoning district which makes up the planned unit development according to the regulations of each district. Applicant's signs are to be approved as part of the required site plan.

Off-premises signs shall not be permitted in planned unit developments.

Sec. 106-147. Non-Applicability to Municipal Functions and Activities

1.) The City hereby orders that municipal ordinances shall not apply to restrict or otherwise

prohibit the City of Pharr, its departments, divisions, and corporations, from performing in furtherance of municipal interests through its functions and activities including but not limited to property use and other regulations.

- 2.) This ordinance shall not alleviate the City of Pharr of any obligations, duties, and commitment required by Charter, and shall not alleviate the City of Pharr from ordinances stipulating budgetary and financial appropriations.

Sec. 106-148. Penalty

Any person, organization or entity that violates this ordinance shall have the following penalties imposed:

Upon conviction, a fine of not less ONE-HUNDRED DOLLARS (\$100.00) nor more than ONE-THOUSAND (\$1,000.00) per day per violation may be imposed. Each day will be a separate violation.

Sec. 106-149. Effective Date; Publication

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.

Sec. 106-150. Repealing Clause

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. 106-151. Cumulative

This ordinance shall be cumulative of all ordinances of the City of Pharr, Texas, and of all laws of the State of Texas.

Sec. 106-152: Severability Clause

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

Sec. 106-153. 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 COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2020.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2020.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the ____ day of _____, 2021.

CITY OF PHARR

AMBROSIO HERNANDEZ
MAYOR

ATTEST:

HILDA PEDRAZA, CITY CLERK



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 7.A.

DATE SUBMITTED: December 22, 2020

MEETING DATE: January 4, 2021

FROM: Hilda Pedraza, City Clerk

DEPARTMENT: Administration

DIRECTOR: Patricia Rigney

Agenda Item: Consideration and action, if any, on petition received by the City of Pharr to contract the City of Pharr's Election with Hidalgo County Elections Department.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: On December 17, 2020, the City of Pharr received a Petition for Election Services Contract with Hidalgo County signed by 52 individuals. The petition has been reviewed by the City Clerk and City Attorney and was forwarded to the Hidalgo County Elections Administrator to verify the names on the petition as requested by voters residing in the city of Pharr.

The Hidalgo County Elections Administrator determined that of the 52 signatures

0 did not live in Pharr

1 are not registered voters (not found)

51 live in the City of Pharr and are registered voters

Section 31.092 states that a political subdivision, located in a county with a population of more than 500,000 that does not contain a municipality with a population of more than 150,000, that is served by a County Elections Administrator is required to contract with a county if it receives a petition, requesting the contract, signed by 1% of the total votes cast in the most recent general election held by the political subdivision.

The most recent general election held in Pharr was May 4, 2019. The total number of votes cast was 2,787. One percent would equal to 28.

The City of Pharr now must request an election services contract with the County Elections Administrator to conduct a uniform/general Election to be held in 2021.

Fiscal Consideration: \$50,000

Staff Recommendation: Staff recommends accepting the petition.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Hilda Pedraza

Patricia Rigney

City Management Office

Created/Initiated - 12/22/2020

Approved - 12/22/2020

Final Approval - 12/30/2020



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.A.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Andrew Harvey, Chief

DEPARTMENT: Police

DIRECTOR: Andrew Harvey

Agenda Item: Consideration, if any, on purchase of uniforms and accessories (outer vest carriers, badges, jackets, Command Staff uniforms) for the Pharr Police Department thru Buyboard Cooperative Contract# 587-19 from Galls out of Lexington, Kentucky.

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Consideration, if any, to purchase uniforms and accessories (outer vest carriers, badges, jackets, Command Staff uniforms) for the Pharr Police Department. This is a bulk purchase in the amount of \$54,284.65.

Fiscal Consideration: Outer vests for the amount of \$5,632.00 were budgeted and will be purchased from Account #01-51200-2204-001

Accessories in the amount of \$48,652.65 were not budgeted and will be purchased from Asset Forfeiture Funds Account #01-51200-2204-00

The total amount for this purchase order is \$54,284.65.

Staff Recommendation: I recommend approval for this purchase.

Alternatives: There are no alternatives.

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Andrew Harvey

Andrew Harvey

Ignacio Amezcua

Karla Saavedra

Anali Alanis

City Management Office

Created/Initiated - 12/29/2020

Approved - 12/29/2020

Approved - 12/29/2020

Approved - 12/30/2020

Approved - 12/30/2020

Final Approval - 12/30/2020



Pharr

Purchasing

PURCHASE REQUEST FORM (REQUISITION)



PO# 178574

DEPARTMENT: POLICE

DIVISION:

DATE: 12/16/2020

SUGGESTED VENDORS:

VENDOR#1 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE
GALL'S	1340 RUSSELL CAVE ROAD LEXINGTON, KY 40505	(800) 876-4242	\$ 29,145.29
VENDOR#2 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE
VENDOR#3 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE

RECOMMENDED VENDOR:

JUSTIFICATION FOR PURCHASE: **REQUIRED**

JACKETS AND COATS; BUYBOARD 587-19

QTY	UOM	CLASS / COMMODITY DESCRIPTION / PROJECT # / TITLE ITEM NUMBER (NOUN 1ST)	UNIT PRICE	TOTAL PER LINE ITEM
130.00		JA775 NVLR LG REG THIRLLER SX 5 IN 1 JACKET W/WARRIOR SOFTSHELL	\$ 180.00	\$ 23,400.00
520.00		EN17038 AC1000945988 PHARR POLICE DEPT. SHOULD PATCH	\$ 2.00	\$ 1,040.00
7.00		JX657 GP34 REG MENS SINGLE BREASTED 4 BUTTON P/W COAT	\$ 241.11	\$ 1,687.77
7.00		LA151 WP RANK STRIPE 1 ROW	\$ 17.49	\$ 122.43
14.00		UE161 MTGD 3/8 IN POLY BRAID PANT STRIPING	\$ 8.99	\$ 125.86
2.00		JX657 GP 34 REG MENS SINGLE BREASTED 4 BUTTON P/W COAT	\$ 241.11	\$ 482.22
4.00		LA152 WP RANK STRIPE 2 ROWS	\$ 8.99	\$ 35.96
1.00		JX657 GP 34 REG MENS SINGLE BREASTED 4 BUTTON P/W COAT	\$ 241.11	\$ 241.11
1.00		LA153 WP RANK STRIPE 3 ROWS	\$ 24.99	\$ 24.99
2.00		UE161 MTGD 3/8 IN POLY BRAID PANT STRIPPING	\$ 8.99	\$ 17.98
10.00		SH018 WHT 16 35 MENS L/S DAC COTTON SHIRT	\$ 43.99	\$ 439.90
10.00		TR618 NAV 36 OB MENS POLY/WOOL UNIFORM DRESS TROUSERS	\$ 87.99	\$ 879.90
9.00		HD114 DKNV 7 134MF MIDLON FRAME PLAIN 5STAR CAP	\$ 47.51	\$ 427.59
1.00		HW2904 NAV 7 5 STAR CAP W/BLK MESH FRAME/ GB19 ARMY	\$ 143.00	\$ 143.00
1.00		SHIPPING	\$ 35.00	\$ 35.00
2.00		LA153 WP RANK STRIPE 2 ROWS	\$ 20.79	\$ 41.58

GRAND TOTAL FOR ALL ITEMS \$

\$ 29,145.29

TO BE FILLED OUT BY DEPARTMENTS: **BUDGET FUNDS AVAILABLE**

BUDGETED

ACCOUNTS #	CURRENT BALANCE	TOTAL EXPENSE	AFTER BALANCE	YES / NO
21-51200-2204-001	\$ 653,249.82	(\$ 29,145.29)	\$ 624,104.53	
			\$ 0.00	

DIVISION HEAD: _____

DATE: _____

NOTE: ALL REQUESTS UNLESS APPROVED BY DIRECTOR AS AN EMERGENCY, MUST BE REQUESTED AND SUBMITTED THREE (3) DAYS IN ADVANCE AND MUST HAVE A MONETARY AMOUNT UNLESS IT IS AN UNPREDICTABLE EXPENSE.

DIRECTOR: CHIEF A. HARVEY JR. _____

DEPUTY CITY MANAGER: _____

(To be routed by Purchasing >\$25,000)

DATE: 12/16/2020

DATE: _____

PURCHASING: _____

CITY MANAGER: _____

DATE: _____

DATE: _____



Quote

Customer: (1000945988) PHARR POLICE DEPT
Date: 12/02/2020
Sales Rep: HANNAH SIMPKIN

Page 1 of 1
Quote Number: 17117790
Quote Expiration: 03/02/2021

Sold To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577-3995
MARITZA QUINTANILLA

Ship To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577
JOEL ROBLES

Line	Item	Description	Qty	Retail	Your Price	Ext Total
1	JX657 GP 34 REG	MENS SINGLE BREASTED 4 BUTTON P/W COAT W /BUTTON CHOICE	7		241.11	1,687.77
1.1	LA151 WP	RANK STRIPE 1 ROW	7		17.49	122.43
1.2	UE161 MTGD	3/8 IN POLY BRAID PANT STRIPING	14		8.99	125.86
2	JX657 GP 34 REG	MENS SINGLE BREASTED 4 BUTTON P/W COAT W /BUTTON CHOICE	2		241.11	482.22
2.1	LA152 WP	RANK STRIPE 2 ROWS	2		20.79	41.58
2.2	UE161 MTGD	3/8 IN POLY BRAID PANT STRIPING	4		8.99	35.96
3	JX657 GP 34 REG	MENS SINGLE BREASTED 4 BUTTON P/W COAT W /BUTTON CHOICE	1		241.11	241.11
3.1	LA153 WP	RANK STRIPE 3 ROWS	1		24.99	24.99
3.2	UE161 MTGD	3/8 IN POLY BRAID PANT STRIPING	2		8.99	17.98
4	SH018 WHT 16 35	MENS L/S DAC/COTTON SHIRT	10		43.99	439.90
5	TR618 NAV 36 OB	MENS POLY/WOOL UNIFORM DRESS TROUSERS	10		87.99	879.90
6	HD114 DKNV 7	134MF MIDLON FRAME PLAIN 5STAR CAP	9		47.51	427.59
7	HW2904 NAV 7	5 STAR CAP W/BLK MESH FRAME/ GB19 ARMY GLD BULLION VISOR/ GOLD P BUTTONS/ GOLD VELLUM FRT STRP	1		143.00	143.00
8	JA775 NVLR LG REG	THRILLER SX 5-IN-1 JACKET W/WARRIOR SOFTSHELL	130		180.00	23,400.00
9	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5 BUYBOARD#587-19	520		2.00	1,040.00

Quote is valid for 90 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 29,110.29
SHIPPING: 35.00
TAX.....
TOTAL...: 29,145.29

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd
Lexington, KY 40505
Tel: 800-876-4242 Fax: 877-914-2557



Pharr

Purchasing

PURCHASE REQUEST FORM (REQUISITION)



PO# 178573

DEPARTMENT: POLICE

DIVISION:

DATE: 12/10/2020

SUGGESTED VENDORS:

VENDOR#1 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE
GALL'S	1340 RUSSELL CAVE ROAD LEXINGTON, KY 40505	(800) 876-4242	\$ 25,099.36
VENDOR#2 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE
VENDOR#3 NAME	CONTACT NAME / COMPANY ADDRESS	PHONE	PRICE QUOTE

RECOMMENDED VENDOR:

JUSTIFICATION FOR PURCHASE: **REQUIRED**

NEW BADGES; UNIFORMS; BUY BOARD 587-19

QTY	UOM	CLASS / COMMODITY ITEM NUMBER	DESCRIPTION / PROJECT # / TITLE (NOUN 1ST)	UNIT PRICE	TOTAL PER LINE ITEM
					\$ 0.00
32.00		SH3592 DKNV MD REG	FLEX RS SS SUPERSHIRT	\$ 52.99	\$ 1,695.68
32.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 64.00
32.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 64.00
32.00		TR2254 DKNV 34 REG		\$ 59.99	\$ 1,919.68
2.00		SHO35 DKNV 155 33		\$ 42.00	\$ 84.00
2.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 4.00
2.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 4.00
6.00		SH035 DKNV 155 33	BLAUER CLASS ACT ZIPPERED POLY L/S SHIRT	\$ 42.00	\$ 252.00
6.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 12.00
6.00		EN17038 AC1000945988	PHARR POLICE DEPT. SHOULDER PATCH	\$ 2.00	\$ 12.00
3.00		TR2057 DKNV 34 OB		\$ 40.00	\$ 120.00
5.00		TR2057 DKNV 34 OB		\$ 40.00	\$ 200.00
26.00		IFQUOTE GOLRAY CUSTOM	PHARR PD BADGE	\$ 100.00	\$ 2,600.00
114.00		IFQUOTE ITEM NO. TBD TWO TONE	CUSTOM PHARR PD BADGE	\$ 109.00	\$ 12,426.00
1.00		SHIPPING		\$ 50.00	\$ 50.00
GRAND TOTAL FOR ALL ITEMS \$					\$ 19,507.36

TO BE FILLED OUT BY DEPARTMENTS: **BUDGET FUNDS AVAILABLE**

BUDGETED

ACCOUNTS #	CURRENT BALANCE	TOTAL EXPENSE	AFTER BALANCE	YES / NO
21-51200-2204-001	\$ 653,279.82	(\$ 19,507.36)	\$ 633,772.46	
			\$ 0.00	

DIVISION HEAD:

DATE:

NOTE: ALL REQUESTS UNLESS APPROVED BY DIRECTOR AS AN EMERGENCY, MUST BE REQUESTED AND SUBMITTED THREE (3) DAYS IN ADVANCE AND MUST HAVE A MONETARY AMOUNT UNLESS IT IS AN UNPREDICTABLE EXPENSE.

DIRECTOR: Chief A. Harvey Jr.

DEPUTY CITY MANAGER:

(To be routed by Purchasing >\$25,000)

DATE: 12/10/2020

DATE:

PURCHASING:

CITY MANAGER:

DATE:

DATE:



Quote

Customer: (1000945988) PHARR POLICE DEPT
 Date: 12/02/2020
 Sales Rep: HANNAH SIMPKIN

Page 1 of 2
 Quote Number: 17117779
 Quote Expiration: 03/02/2021

Sold To:
 PHARR POLICE DEPT
 1900 S CAGE BLVD
 PHARR, TX 78577-3995
 MARITZA QUINTANILLA

Ship To:
 PHARR POLICE DEPT
 1900 S CAGE BLVD
 PHARR, TX 78577
 JOEL ROBLES

Line	Item	Description	Qty	Retail	Your Price	Ext Total
2	SH3592 DKNV MD REG	FLEX RS SS SUPERSHIRT	32		52.99	1,695.68
2.1	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	32		2.00	64.00
2.2	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	32		2.00	64.00
3	TR2254 DKNV 34 REG	FLEXRS COVERT TACTICAL PANT	32		59.99	1,919.68
4	SH035 DKNV 155 33	BLAUER CLASS ACT ZIPPERED POLY L/S SHIRT	2		42.00	84.00
4.1	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	2		2.00	4.00
4.2	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	2		2.00	4.00
5	SH035 DKNV 155 33	BLAUER CLASS ACT ZIPPERED POLY L/S SHIRT	6		42.00	252.00
5.1	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	6		2.00	12.00
5.2	EN17038	AC1000945988 PHARR POLICE DEPT. SHOULDER PATCH NAV/GLD/WHT/GRN/LTBLU/GRY 3.625 X 5	6		2.00	12.00
6	TR2057 DKNV 34 OB	MEN'S 4-PKT POLYESTER TROUSERS W/TUNNEL WAISTBAND	3		40.00	120.00



Quote

Customer: (1000945988) PHARR POLICE DEPT
Date: 12/02/2020
Sales Rep: HANNAH SIMPKIN

Page 2 of 2
Quote Number: 17117779
Quote Expiration: 03/02/2021

Sold To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577-3995
MARITZA QUINTANILLA

Ship To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577
JOEL ROBLES

Line	Item	Description	Qty	Retail	Your Price	Ext Total
7	TR2057 DKNV 34 OB	MEN'S 4-PKT POLYESTER TROUSERS W/TUNNEL WAISTBAND BUYBOARD#587-19	5		40.00	200.00
8	REGUPC	MERCHANDISE UPCHARGE GolRay Custom Pharr PD Badge	26		100.00	2,600.00
9	REGUPC	MERCHANDISE UPCHARGE Two-Tone Custom Pharr PD Badge BUYBOARD #587-19	114		109.00	12,426.00

Quote is valid for 90 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 19,457.36
SHIPPING: 50.00
TAX.....
TOTAL.... 19,507.36

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd
Lexington, KY 40505
Tel: 800-876-4242 Fax: 877-914-2557



Quote

Customer: (1000945988) PHARR POLICE DEPT
Date: 12/15/2020
Sales Rep: HANNAH SIMPKIN

Page 1 of 1
Quote Number: 17219395
Quote Expiration: 03/15/2021

Sold To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577-3995
MARITZA QUINTANILLA

Ship To:
PHARR POLICE DEPT
1900 S CAGE BLVD
PHARR, TX 78577-3995
JOEL ROBLES

Line	Item	Description	Qty	Retail	Your Price	Ext Total
1	BL809 NAV CTM 00	AXII W/ 1 HI LITE CARRIER BUYBOARD#587-19	8		699.00	5,592.00

Quote is valid for 90 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 5,592.00
SHIPPING: 40.00
TAX.....
TOTAL...: 5,632.00

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd
Lexington, KY 40505
Tel: 800-876-4242 Fax: 877-914-2557

Galls, LLC Invoice Credit Terms and Conditions of Sale

Payment - Invoices for items delivered pursuant to any sales order are payable only in United States currency. You, your business, and/or your agency (the "Buyer") understand that Galls, LLC (the "Seller") may impose and charge a finance charge that is the greater of 1.5% per month or the highest rate allowed by law on any amount which becomes past due and delinquent. Returned checks may be assessed a \$25.00 service fee. Additionally, Buyer shall be responsible for all collection costs, court costs, and reasonable attorney's fees in connection with the recovery of delinquent amounts.

All sales are made pursuant to these Credit Terms and Conditions of Sale, and Seller objects to any different or additional terms or conditions contained in Buyer's purchase order or any other document submitted by Seller. Payments may be applied against open balances at the sole discretion of Seller and may be applied across accounts if Buyer has more than one account with Seller. Credit memos are non-refundable and may be applied to open invoices at Seller's sole discretion.

Credit Terms - Any extension of credit is based upon all amounts payable on or before the due date on any written, quoted, or agreed terms, and shall be paid in accordance with such terms. If not paid on or before such date, accounts shall be considered delinquent and subject to the additional finance charges as set forth herein.

Buyer agrees to provide Seller, upon request, with an updated credit application as a condition to the continued extension of credit. Buyer acknowledges and agrees that Seller may utilize outside credit reporting services and financial institutions to obtain information on the Buyer as a condition precedent to or for continued extension of credit. Seller may terminate any credit availability within its sole discretion and without prior notice. Buyer's continued solvency is a precondition to any sale made by Seller.

Delays - Where a specific shipping date is not designated on the face hereof or in a subsequent writing signed by the Seller, the Seller shall not be responsible for any delays, nor shall Seller be liable for any loss or damages resulting from such delays. Seller shall not be liable for any delays in filling this order caused by accidents to machinery, differences with employees, strikes, labor shortage, fire, floods, priorities requested or required by an instrumentality of the United States Government or the government of any state, delays in transportation, restrictions imposed by any federal, state or municipal law or regulation, whether valid or invalid, or causes beyond the control of the Seller.

Warranty - Seller shall pass through to Buyer all manufacturer warranties and return policies applicable to Buyer's order. Seller shall take all reasonable actions to ensure that Buyer receives the benefit of such pass through warranties and return policies. Buyer's sole remedies for any goods sold hereunder shall be as provided in such warranties and return policies and shall be solely against the applicable manufacturer. SELLER, ON BEHALF OF ITSELF, DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, RELATING TO SUCH GOODS.

Restocking - If a cancellation of an order or a return by Buyer is accepted or initiated by Seller and/or the manufacturer, it may be subject to a restocking charge at the discretion of Seller.

Delivery and Transportation - Products sold herein are sold FOB at the place indicated on the face of this sales order unless otherwise agreed to in writing by Seller and Buyer. The method and agency of transportation and the routing will be designated by the Seller. In the event the Buyer requests alternative shipment or routing, all extra packing, shipping and transportation charges thereby resulting will be for the Buyer's account.

Waiver - No provision herein shall be deemed a waiver by reason of any previous waiver, and no breach of any provision shall be deemed a waiver by reason of any previous breach.

Governing Law - The sole jurisdiction and venue shall be the courts of the Commonwealth of Kentucky.

Export Restrictions - This transaction may contain commodities restricted in the United States International Trade Regulations. If at a later date the Buyer decides these commodities will be exported from the United States please reference the United States Department of Commerce Bureau of Industry and Security Export Administration Regulations (15 CFR 730-774), the United States Department of State International Traffic in Arms Regulations (22 CFR 120-130) as well as any other applicable laws. These laws apply to private, commercial, and government agency export transactions. As an exporter, the Buyer will be responsible for compliance with all U.S. laws relating to the export of these items.

*Designates this item is on the Galls GSA Contract (GS-07F-0157M) all other items are OPEN MARKET.



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 8.B.

DATE SUBMITTED: December 30, 2020

MEETING DATE: January 4, 2021

FROM: Rick Castro, IT Assistant Director

DEPARTMENT: IT

DIRECTOR: Jose Pena

Agenda Item: Consideration and action, if any, authorizing City Manager to purchase access control system from DHS Security, LLC dba 3Sixty Integrated from San Antonio, TX, through BuyBoard Cooperative Contract #574-18

Classification: Regular

(* If closed session, City Attorney must review and approve.)

Issue: Purchase of access control system for the City Hall building in the amount of \$60,015.00. This new system is an open source access control solution so that we are not locked into a specific software or support service provider. (Project #2021-01-518-P006-001)

Fiscal Consideration: \$60,015.00.

Staff Recommendation: Staff recommends award of purchase contract to DHS Security, LLC dba 3Sixty Intergrated from San Antonio, TX, through BuyBoard Contract #574-18 in the amount of \$60,015.00.

Alternatives:

Exclude Material from Public Packet? No

Reason:

ROUTING:

Rick Castro
Ignacio Amezcua
Patricia Rigney
Karla Saavedra
Anali Alanis
City Management Office

Created/Initiated - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020



Date:	December 18, 2020	Quote:	RE OO 6669
Client:	City of Pharr 100 W. Ferguson City of Pharr, Texas 78577	Project:	City Hall Open Options Access Control (1 st and 2 nd Floor Only)
Attn:	Jose Pena IT and Media Director jose.pena@pharr-tx.gov	From:	David Cruz Account Executive dcruz@3sixtyintegrated.com office: (210) 545-1770 ext. 119 cell: (210) 363-1212 3Sixty Integrated 1218 Arion Parkway, Suite 120 San Antonio, Texas 78216

1.0 INTRODUCTION

We are pleased to provide this proposal for your consideration. Our team welcomes this opportunity as not only a standalone project but as the continuation of a long-term partnership with the City of Pharr. We are poised to support you in all areas of electronic security.

2.0 SCOPE OF WORK

2.1 Description of Work

3Sixty Integrated will provide and install Open Option access control. This will include access control enclosures with access control boards. 3Sixty Integrated will provide and install card readers, door contacts, electrified hardware, request-to-exit devices and cabling at doors designated for new access control on the First Floor, one new door on the Second Floor and access control at two elevators.

Any existing access control devices (card readers, door contacts and electrified hardware with integral request-to-exit switches) will be the responsibility of the City of Pharr. Any existing access control cabling will be the responsibility of the City of Pharr. 3Sixty Integrated will provide two new card readers for the two designated elevators. The card readers will be used for access into the elevators. Card readers for the elevators are not be used for floor control.

Per the request from the City of Pharr, the following scope is defined for the City Hall location.

First Floor:

- Installation of LifeSafety Power enclosures with Open Options access control boards.
- Installation of (23) card readers and associated cabling.
- Installation of (1) card reader and associated access control cabling at elevator.
- City of Pharr will provide and install door contacts and electrified hardware for (23) new access control doors on the First Floor. City of Pharr will also have the associated access control cabling installed for (23) new access control doors. This cabling will be coiled at the door (not above ceiling) and readily available for new card reader terminations.
- The existing access control devices (card readers, door contacts and electrified door hardware) will be the responsibility of the City of Pharr.
- The existing access control cabling will be the responsibility of the City of Pharr.

Second Floor:

- Installation of LifeSafety Power enclosures with Open Options access control boards.
- Installation of (1) access control door to include card reader, door contact, magnetic lock, motion request-to-exit device, push-to-exit-button and access control cabling.
- Installation of (1) card reader and associated access control cabling at elevator.
- The existing access control doors will be the responsibility of the City of Pharr.
- The existing access control devices (card readers, door contacts and electrified door hardware) will be the responsibility of the City of Pharr.
- The existing access control cabling will be the responsibility of the City of Pharr.

This access control system, as designed, will communicate with the existing access control server through network switches located within the IDF closets at this location.

3.0 RESPONSIBILITY MATRIX

Please see below for a comprehensive list of the responsibilities 3Sixty Integrated will have on this project.

RESPONSIBILITY MATRIX	
RESPONSIBILITY: 3SIXTY INTEGRATED	RESPONSIBILITY: CITY OF PHARR
Site walk with City of Pharr to determine access control system.	Primary 120v power.
Access control enclosures with boards.	Conduit, conduit sleeves, junction boxes, and all door pathways.
Card readers, door contacts, and electrified hardware at designated access control doors.	Network and PoE switches.
Card readers at designated elevators.	Inner connectivity equipment and cabling between City of Pharr facilities.
Access control cabling.	Access control server and workstations.
Access control programming.	Access control badge printer and credentials.
	Electrified door hardware and associated power supplies.
	Existing access control devices.
	Existing access control cabling is assumed to be working condition and able to be reused.
	Elevator travel cable.
	Sufficient wall space for new access control enclosures.

4.0 ASSUMPTIONS

1. 3Sixty Integrated has a current (3) week minimum lead time for onsite deployment (from date of contract execution). During this time, our team will perform project preparation duties, such as but not limited to: CAD drawings, equipment procurement, project kick-off coordination and additional miscellaneous tasks.
2. Network and PoE switches will be provided, installed, and programmed by the City of Pharr.
3. Access control server is existing by the City of Pharr.
4. Access control workstations (including but not limited to CPU, monitor, keyboard, and mouse) provided and installed by City of Pharr.
5. The existing card readers, door contacts, electrified hardware, door power supplies, and access control cabling are assumed to be in working condition and will be reused. If existing devices are found to be nonfunctional, a separate proposal will be issued to replace nonfunctional devices.
6. Cable pathways will be provided by the City of Pharr.
7. Conduit, conduit sleeves, junction boxes, and door pathways will be provided and installed by the City of Pharr.
8. Access control for elevators is for access into the elevators and not for floor control.
9. Elevator travel cable provided, installed, and terminated by The City of Pharr.
10. Termination into elevator panel provided by elevator contractor.
11. No coordination meeting between 3Sixty Integrated, the door hardware contractor and the electrical contractor was scheduled therefore this may have a cost impact. A separate proposal will be issued for potential cost impacts.

5.0 EXCLUSIONS

1. Any equipment damaged by vandalism or Acts of God will not be covered under the standard manufacturer's warranty for all hardware installed by 3Sixty Integrated.
2. Electrical installation, permits, and fees.
3. UPS system for new access control system.

PROPOSAL

CITY HALL OPEN OPTIONS ACCESS CONTROL, CITY OF PHARR



6.0 BILL OF MATERIALS AND QUOTE

The list below specifies the equipment to be deployed by 3Sixty Integrated on this project and associated costs for parts and labor.

CLIENT

City of Pharr
Jose Pena
100 W. Ferguson
City of Pharr, TX 78577

QUOTE DETAILS

Date: 12/18/2020
Quote: RE OO 6669
Expiration: 3/18/2021
Buy Board: 574-18

INVESTMENT BREAKOUT

City of Pharr - City Hall
Open Options Access Control (1st and 2nd Floor)

DESCRIPTION	MFG	QTY	UNIT PRICE	PRICE EXTENDED
Access Control License	Open Options	1	\$ 1,226.67	\$ 1,226.67
Access Control Enclosure (8 Door)	LifeSafety Power	5	\$ 1,037.63	\$ 5,188.15
Battery	Yussa	28	\$ 19.33	\$ 541.24
Access Control Controller Board	Open Options	2	\$ 1,280.00	\$ 2,560.00
Access Control Sub Controller Board	Open Options	12	\$ 580.00	\$ 6,960.00
Card Reader	HID	26	\$ 219.99	\$ 5,719.74
Door Contact	GRI	1	\$ 15.37	\$ 15.37
Request-To-Exit Device	Bosch	5	\$ 69.11	\$ 345.55
Magnetic Lock	Assa	1	\$ 399.51	\$ 399.51
Filler Plate for Magnetic Lock	Assa	1	\$ 34.76	\$ 34.76
Push-To-Exit Button	Assa	1	\$ 53.17	\$ 53.17
Composite Cable	Tappan	6	\$ 640.00	\$ 3,840.00
4 Conductor Cable	Superior Essex	2	\$ 178.33	\$ 356.66
6 Conductor Cable	Superior Essex	1	\$ 312.01	\$ 312.01
Labells	Dynamo	2	\$ 41.33	\$ 82.66
Jhooks	Erico Caddy	100	\$ 3.37	\$ 337.00
Velcro	TYT	2	\$ 68.16	\$ 136.32
Fire Stop	MC	2	\$ 16.83	\$ 33.66

MATERIALS TOTAL	\$ 28,142.47
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LABOR TOTAL	\$ 31,872.53
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TOTAL	\$ 60,015.00
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GENERAL TERMS

Equipment and labor are invoiced as delivered.
Payment terms are NET 30.
Pricing Excludes Sales Tax, if applicable.

PROPOSAL

CITY HALL OPEN OPTIONS ACCESS CONTROL, CITY OF PHARR



7.0 SUMMARY

Total Project Investment: \$60,015.00

Thank you for considering 3Sixty Integrated for your electronic security needs. Please sign below to approve and proceed the scope of work as outlined in this proposal.

If you have any questions or would like additional information, please contact us immediately. Thank you.

--

I hereby certify, I am the authorized representative and by signing below, I accept this proposal and agree to the scope of work, price and specifications as noted. 3Sixty Integrated is authorized to do the work as specified.

Authorized Representative Signature

Date

Authorized Representative Name

Title



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 9.A.

DATE SUBMITTED: December 28, 2020

MEETING DATE: January 4, 2021

FROM: Veronica Gutierrez, Purchasing Supervisor

DEPARTMENT: Purchasing

DIRECTOR: Ignacio Amezcua

Agenda Item: Consideration and action, if any, authorizing City Manager to extend the Supply Contract with Delta Industrial Service & Supply from Port Neches, TX for the Purchase & Delivery of Structural Firefighting Personal Protective Equipment (Item 5-Extrication Gloves).

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Issue: Contract Extension with Delta Industrial Service & Supply for the Purchase & Delivery of Structural Firefighting Personal Protective Gear (Item 5-Extrication Gloves). Project #1920-01-515-SP005-102 (Year 2 of 3)

Fiscal Consideration: The department budgeted this equipment for this fiscal year.

Staff Recommendation: Staff recommends approval to extend the supply contract with Delta Industrial Service & Supply from Port Neches, TX, for an additional year. This will be the second 1 year extension of a possible three (3) year contract.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Veronica Gutierrez

Ignacio Amezcua

Patricia Rigney

Karla Saavedra

Anali Alanis

City Management Office

Created/Initiated - 12/28/2020

Approved - 12/28/2020

Approved - 12/28/2020

Approved - 12/30/2020

Approved - 12/30/2020

Final Approval - 12/30/2020

**EXTENSION OF AGREEMENT
FOR THE PURCHASE & DELIVERY OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE GEAR**

THIS EXTENSION OF AGREEMENT FOR THE PURCHASE & DELIVERY OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE GEAR (ITEM 5), made and entered into the 17 day December, 2020 by and between the **City of Pharr** hereinafter referred to as "CITY" and having its principal place of business at 118 S. Cage, P.O. Box 1729, Pharr TX 78577 AND **Delta Industrial Service & Supply**, hereinafter referred to as "CONTRACTOR" and having its principal place of business at 3159 Summit Drive, Port Neches, TX 77651.

WITNESSETH:

WHEREAS, CITY and CONTRACTOR entered into an Agreement for the Purchase & Delivery of Structural Firefighting Personal Protective Gear dated, January 6, 2020 by which CONTRACTOR serves as the primary vendor to provide all the protective gear and equipment required for the Purchase & Delivery of Structural Firefighting Personal Protective Gear to the CITY on an as-needed basis pursuant to Request for Proposals numbered; **Project #1920-01-515-SP005-102** and

WHEREAS, CITY and CONTRACTOR desire to modify the Agreement so as to extend the term.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. Term of the Agreement is hereby modified so as to extend the term thereof until day of January 6, 2022. The CITY reserves the right to extend for one (1) additional year.

IN WITNESS WHEREOF this extension of Agreement for the Purchase & Delivery of Structural Firefighting Personal Protective Gear has been signed and sealed, in duplicate, by the respective parties hereto.

DATED this _____ day of _____, 20____ by the CITY of Pharr.

CITY OF PHARR

By: _____
Ed Wylie, Interim City Manager

By: _____
Attest

DATED this 17 day of December, 2020 by DELTA INDUSTRIAL SERVICE & SUPPLY

DELTA INDUSTRIAL SERVICE & SUPPLY

By: Marissa Guena
Vice President
Title


Witness
Caleb Currie
Print Name



AGENDA MEMORANDUM



BOARD: City Commission

AGENDA ITEM #: 9.B.

DATE SUBMITTED: December 29, 2020

MEETING DATE: January 4, 2021

FROM: Veronica Gutierrez, Purchasing Supervisor

DEPARTMENT: Purchasing

DIRECTOR: Ignacio Amezcua

Agenda Item: Consideration and action, if any, authorizing City Manager to extend the Supply Contract with NAFECO, Inc. from Decatur, AL for Structural Firefighting Personal Protective Equipment (Items 1-Turn Out Gear, 4-Structural Gloves, and 6-Protective Hood).

Classification: Consent

(* If closed session, City Attorney must review and approve.)

Issue: Contract Extension with NAFECO for Structural Firefighting Personal Protective Equipment (Items 1-Turn Out Gear, 4-Structural Gloves, and 6-Protective Hood). Project #1920-01-515-SP005-102 (Year 2 of 3)

Fiscal Consideration: The department budgeted this equipment for this fiscal year.

Staff Recommendation: Staff recommend approval to extend the supply contract with NAFECO from Decatur, AL, for an additional year. This will be the second 1 year extension of a possible three (3) year contract.

Alternatives: N/A

Exclude Material from Public Packet? No

Reason: N/A

ROUTING:

Veronica Gutierrez
Ignacio Amezcua
Patricia Rigney
Karla Saavedra
Anali Alanis
City Management Office

Created/Initiated - 12/29/2020
Approved - 12/29/2020
Approved - 12/29/2020
Approved - 12/30/2020
Approved - 12/30/2020
Final Approval - 12/30/2020

**EXTENSION OF AGREEMENT
FOR THE PURCHASE & DELIVERY OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE
EQUIPMENT**

THIS EXTENSION OF AGREEMENT FOR THE PURCHASE & DELIVERY OF STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT, made and entered into the _____ day _____, 20____ by and between the **City of Pharr** hereinafter referred to as "CITY" and having its principal place of business at 118 S. Cage, P.O. Box 1729, Pharr TX 78577 AND **NAFECO Inc.**, hereinafter referred to as "CONTRACTOR" and having its principal place of business at 1515 W. Moulton St., Decatur, AL 35601.

WITNESSETH:

WHEREAS, CITY and CONTRACTOR entered into an Agreement for the Purchase & Delivery of Structural Firefighting Personal Protective Equipment dated, January 6, 2020 by which CONTRACTOR serves as the primary vendor to provide all uniforms required for the Purchase & Delivery of Structural Firefighting Personal Protective Equipment to the CITY on an as-needed basis pursuant to Request for Proposals numbered; **Project #1920-01-515-SP005-102** and

WHEREAS, CITY and CONTRACTOR desire to modify the Agreement so as to extend the term.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. Term of the Agreement is hereby modified so as to extend the term thereof until day of January 6, 2022. The CITY reserves the right to extend for one (1) additional year.

IN WITNESS WHEREOF this extension of Agreement for the Purchase & Delivery of Structural Firefighting Personal Protective Equipment has been signed and sealed, in duplicate, by the respective parties hereto.

DATED this _____ day of _____, 20____ by the CITY of Pharr.

CITY OF PHARR

By: _____
Ed Wylie, Interim City Manager

By: _____
Attest

DATED this 29th day of December, 2020 by NAFECO, INC.

NAFECO, INC.

By: Ronald Woodall
Ronald Woodall
Vice President
Title



Jessica E Franks
Witness

Jessica E Franks
Print Name