

ORDINANCE NO. O-2015- 38

AN ORDINANCE AMENDING ORDINANCES O-2015-11, O-2014- 48, O-2013-41, O-2013-22, O-2012-41; O-2011-50, O-2011-23, O-2009-25, O-97-14, CITY CODE, CHAPTER 30, SECTION 30-26, 30-27, 30-38, 30-40, AND 30-41; ESTABLISHING PROCEDURES AND RATES FOR RENTAL OF CITY FACILITIES; AND ESTABLISHING AN EFFECTIVE DATE

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

SECTION 1: SECTION 30-37 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-37. Rental reservations, advanced reservations, limitations of serial reservations”

To reserve a City facility, renter/lessee must execute a lease agreement and pay the rental and rental deposit as set out in Section 30-41. To maintain the reservation, all rental fees must be paid within the time limitations set out in Section 30-41. Advanced reservations may be made as set out in Section 30-41. If the lessee desires to make a series of reservation, the director shall be authorized to limit the number of serial reservations by a single lessee in order to ensure varied public availability of facilities. (Ord. No. O-94-12, & IV (J), 4-5-94; Ord. No. O-97-14, & 2, 3- 97). Rental fees and charges may be determined by an Interlocal agreement for political subdivisions.

SECTION 2: SECTION 30-40 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-40. Rental fee classes”

For the purpose of the rental fee schedule set out in section 30-41, except for the Pharr Events Center, the following rental fee classes are established:

- (1) **Class I** (Commercial/profit making) shall apply to any and all activities such as exhibitions, sporting events, shows, dances, and all other activities sponsored by private entities for the purpose of profit making, such as through charging of admission fees at the door or in advance. Examples are boxing matches, commercial exhibitions, indoor flea markets, concerts, etc.
- (2) **Class II** (Non-commercial/profit making) shall apply and all activities sponsored by public or private nonprofit entities for the expressed purposes of raising funds either through the charging of admission fees or the soliciting of donations. Examples are dances sponsored by non-profit corporations and church events.

- (3) **Class III (Non-commercial/private)** shall apply to any and all activities sponsored by private entities to which admission might be restricted but to which an admission fee will not be charged and profit making is not intended. These activities may include weddings, quinceñeras, receptions, birthday parties and company banquets, etc.

SECTION 3: SECTION 30-41 OF THE CITY CODE IS AMENDED TO READ AS FOLLOWS:

“Sec. 30-41. Rental fee schedule”

The following rental fees shall be charged for the use of city-owned public facilities, by rental fee classes as defined in this article.

Ancillary charges will be decided by City of Pharr Management and City Police Department. The standard ancillary fees for all locations are as follows:

Ancillary charges:

- Security:
 - \$35/hour per certified City of Pharr Police Officer (minimum of 3 certified officers)
 - Greater of \$15/hour or actual cost per non-certified security personnel
 - \$15/hour Ushers/Custodians/Ticket Takers

(1) PHARR EVENTS CENTER:

		Rate Per Day*	
<u>NON-TICKETED</u> Gala's, Weddings, Quinceaneras, Conventions, Other		June thru August	
		Thursday thru Saturday	Sunday thru Wednesday
		\$5,000	\$5,000
		September thru May	
		Thursday thru Saturday	Sunday thru Wednesday
		\$10,000	\$5,000

NON-PROFIT EVENT

- 501c3 from \$2,500
- Provide letter to City Commission with at least 45 days of notice.

NOTE: Rent does not include ancillary charges required: security

TICKETED
 Concerts/Sporting/Other

Rate Per Day*	
June thru August	
Thursday thru Saturday	Sunday thru Wednesday
\$5,000	\$3,000

September thru May	
Thursday thru Saturday	Sunday thru Wednesday
\$5,000	\$3,000

-All Pre-Box tickets are due when doors open of day of show. Any Pre-Box tickets not turned in are the sole promoter responsibility.

NOTE: Rent does not include ancillary charges required: security

Half-Day Events	Rate
Breakfast - 6am-10am	\$ 1,000
Lunch - 11am - 3pm	\$ 1,000
Dinner - 5pm - 9pm	\$ 1,000

NOTE: Half-Day events will only be allowed so long as they do not interfere with daily rental events. Events that continue in duration than the time stated will incur a charge of \$150/hour over the stated time, starting the first minute over allotted time.

Rate per day includes set-up and/or take down day of use, unless there is no event the day of the set-up and/or take down, at which point it will be \$150/hour.

Day of event is defined as 8:00 a.m. thru 2:00 a.m. DJ events must end at 2:00 a.m.

Charge for the use of the 2 projectors is \$150.00 each, per day. Charge for the use of the pipe drape/booths for Expos is \$1,000.00 per day.

PSJA school graduations and any other events including Church events or dinners non-profits events can be held on Sunday thru Wednesday only.

Any all items brought into the venue for your event must be taken out after the event is over (for example decorations, catering items, etc.)

All Pre-Box tickets must be returned to the box office no LATER than 3:00 p.m. day of the event; any and all tickets not returned will be considered as sold tickets.

a. **House Promoter Exception** Dates may be reserved without deposit and rental fees reduced to \$2,000 for ticketed events so long as the promoter brings twelve (12) events to the Events Center.

b. **Discount for In-Kind Media Rental Event.** Rental fees and security costs will be discounted \$0.50 per dollar in exchange for media promotional coverage of

City and Events Center considered in-kind. Rental fees for media company promotional events will not be limited (rental fee may be \$0).

- c. **Rental Deposit and Payment (Non-House Promoters).** Twenty-five percent (25%) of the rent must be paid to reserve a rental date. The full amount of the rental fee must be paid at least 30 days prior to reserved date. Failure to timely pay in full may result in cancellation of the event without refund.
- d. **Conflicting Reservation Date.** When two or more renters want to reserve the same date, priority will be given to the renter with a signed contract by the artist (or the artist's manager) that will be performing. If a deposit was provided and the date revoked due to the conflicting reservation date, the deposit will be returned. Costs incurred to move the event to another venue will not be the responsibility of the City.
- e. **Security Personnel.** All activities involving dancing, and the selling, serving and/or consumption of alcoholic beverages will require a minimum of three certified City of Pharr Police Officers to be contracted by the renter. The City of Pharr Police Department will designate the number of certified police officers required for functions. If more than 3 officers are required, they may be either certified police officers and/or security personnel from a licensed and bonded security company.
- f. **Support Personnel Included in the Price.** Included in the price, if needed, the venue will provide each promoter/renter with the following personnel at the venue: three Box Office, two Ticket Scanners, two Ushers, and a crew of 4 to set-up and/or take-down the layout for the event. Any additional staff will incur the greater of \$15/hour or actual cost. Layout will be discussed on a one to one basis one week prior to event. If layout needs changes after the layout has been done, this will fall solely on the rental party not on the venue employees. Venue staff will do the changing of the layout for an additional \$150/hour.
- g. **Additional Rent Discount (Hotel Use).** The Rent Fee can be further discounted dollar for dollar on every hotel/motel room paid for the renter's occasion, limited to the night of the event. This discount is limited to no more than \$1,000. The Hotel/Motel must be located in Pharr city limits. A receipt must be provided identifying the PAYMENT of the rooms.
- h. **Rental Rates 30 Days From Event (Non-Ticketed Events Only).** If there are no "Ticketed" events scheduled 30 days from the day of the proposed "Non-Ticketed" event, the "Non-Ticketed" rental rate will be \$5,000. Venue reserves the right to move any "Non-Ticketed" event 30 days prior to the event.
- i. The City of Pharr will withhold between 150-200 General admission/Standing room only comp tickets. These comp tickets will offset the volunteer costs for the Pharr Events Center. The volunteer program staff will be subjected to fill out a

criminal background check within the City of Pharr/Human Resource Department.

(2) **TIERRA DEL SOL:** (Hall and Bar Area)

a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.

Rental Period	Time	Deposit	Class I	Class II	Class III
Sunday-Thursday	8:00 a.m. – 1:00 p.m.	\$200.	\$400.	\$350.	\$300.
	8:00 a.m. – 7:00 p.m.	\$200.	\$900.	\$800.	\$700.
	1:00 p.m. – 12 MID.	\$200.	\$900.	\$800.	\$700.
Friday	8:00 a.m. – 1:00 p.m.	\$200.	\$500.	\$450.	\$400.
	8:00 a.m. – 7:00 p.m.	\$200.	\$1000.	\$900.	\$800.
	1:00 p.m. – 12 MID.	\$200.	\$1000.	\$900.	\$800.
Saturday	8:00 a.m. – 1:00 p.m.	\$200.	\$500.	\$450.	\$400.
	8:00 a.m. – 7:00 p.m.	\$200.	\$1100.	\$1000.	\$900.
	1:00 p.m. – 1:00 a.m.	\$200.	\$1200.	\$1100.	\$1000.

b. **Rental and damage deposit.** \$200.00 to be paid at the time reservation is made. This deposit will be deducted from the total amount due.

c. **Security personnel.** All activities involving dancing, and the selling, serving and/or consumption of alcoholic beverages will require a minimum of three certified City of Pharr Police Officers to be contracted by the renter. The City of Pharr Police Department will designate the number of certified police officers required for functions. If more than 3 officers are required, they may be either certified police officers and/or security personnel from a licensed and bonded security company.

d. **Advanced reservations.** Class I reservations will be accepted for up to two years to the month in advance of the reserved date. Class II and III reservations will not be accepted more than one year to the month in advance of reserved date.

(3) LAS MILPAS COMMUNITY CENTER:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Sunday	8 a.m.-12 MID.	\$50.	\$50. Per hr.

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- c. **Restricted usage.** No alcoholic beverages will be allowed on premises.

(4) VICTOR GARCIA MUNICIPAL PARK:

Rental Period	Time	Deposit (not refunded)	Rental Rate
MUNICIPAL PARK 205 W. Polk Monday-Sunday	1 p.m.-10 p.m.	\$25.	\$100.

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- e. **Restricted usage.** No Class I or Class II activities will be allowed. No activity which involve dancing and/or the live playing of electronically amplified music will be permitted. The playing of prerecorded is allowed provided the volume is not such as to disturb nearby residents.

(5) PHARR SPORTS COMPLEX:

Rental Period	Time	Deposit (not refunded)	Rental Rate
Monday-Thursday	6 p.m.-10 p.m.	\$50.00	\$375.
Friday	6 p.m.-10 p.m.	\$50.00	\$375.
Saturday and Sunday	8 a.m. to 10 p.m.	\$50.00	\$375.

- a. **Payment of rental.** The full amount of the rental fee must be paid at least 30 days prior to reserved date. Any amount paid by lessee less than 30 days prior to reserved date will be cancelled and any amount previously paid will not be returned.
- b. **Advanced reservations.** Reservations will not be accepted more than 90 days in advance of reserved date.
- e. **Restricted usage.** Parks will be used for practice and tournaments only. **No alcoholic beverages will be allowed on premises.**

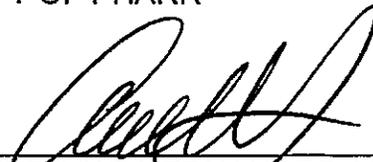
SECTION 4: DECLARING AN EMERGENCY CLAUSE: The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners. This Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 5: 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.

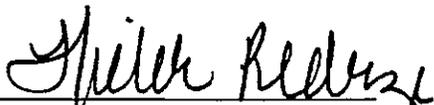
PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 4th day of August, 2015, A.D.

CITY OF PHARR



AMBROSIO HERNANDEZ, MAYOR

ATTEST:



HILDA PEDRAZA, CITY CLERK