



**TAKE NOTICE THAT A REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS  
OF THE CITY OF PHARR, TEXAS  
WILL BE HELD AT CITY HALL, COMMISSIONERS' ROOM,  
118 S. CAGE BLVD., 2ND FLOOR, PHARR, TEXAS  
COMMENCING AT 4:10 PM ON  
MONDAY, APRIL 3, 2023**

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

**1. CALL TO ORDER:**

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

**2. PROCLAMATIONS:**

- A) Proclamation proclaiming April 09-15, 2023 as National Public Safety Telecommunicators Week (COMMUNICATIONS)
- B) Proclamation proclaiming April 10 - 14, 2023 as National Community Development Week. (GMCD)
- C) Proclamation proclaiming April 2023 as Fair Housing Month. (GMCD)
- D) Proclamation proclaiming the Month of April 2023 as National Child Abuse Prevention Month. (POLICE)
- E) Proclamation proclaiming the Month of April 2023 at National Sexual Assault Awareness Month. (POLICE)

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

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

A) Public hearing on development services cases

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

A) City Engineer's Report.

B) City Events of Interest.

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

A) Approval of Minutes for March 20, 2023 Regular Called Meeting. **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Ordinance creating the Pharr Health Department (3rd and Final Reading). **This item supports SE - Service Excellence.** (ADMINISTRATION)

C) Consideration and action, if any, on request from St. Margaret Mary Church for city assistance for the re-enactment of the Way of the Cross on Friday, April 7, 2023 from 3:00 p.m. to 5:00 p.m. **This item supports QL - Quality of Life.** (ADMINISTRATION)

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

1. Melden and Hunt, Inc., representing 3100 Sugar Subdivision, Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 5.458 acres, more or less, out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3106 N. Sugar Road. COZ#230278 **This item supports EV - Economic Vitality.**

2. Quinta Real Events, LLC is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lots 1 and 2, save and except the South 32 ft. out of Lot 2, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2620 South Gardenia Street. CUP#201042 **This item supports EV - Economic Vitality.**



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3. Shots Main Event, LLC., d/b/a Main Event Entertainment, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being a 1.34 acre tract of land more or less, out of Lot 4A, Replat of vacated Car-Mel Subdivision, vacated El Centro Mall No. 3 & 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite C. CUP#14101 **This item supports EV - Economic Vitality.**

4. CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 3A, Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road. CUP#131046 **This item supports EV - Economic Vitality.**

**REGULAR AGENDA - OPEN SESSION:**

**7. ORDINANCES AND RESOLUTIONS:**

A) Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-11 appointing Presiding and Alternate Judges for the General Municipal Election on Saturday, May 6, 2023 (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.** (ADMINISTRATION)

B) Consideration and action, if any, on Resolution authorizing emergency hiring for the Public Utilities Department. **This item supports IF - Infrastructure.** (HR)

**8. ADMINISTRATIVE:**

A) Consideration and action, if any, on the Revised Proposed Expenditure Allocation Budget from the American Rescue Plan Act ( ARPA ) funding. **This item supports SG - Sound Governance and Fiscal Transparency.** (FINANCE)

**9. CONTRACTS/AGREEMENTS:**

A) Consideration and action, if any, on 380 Comprehensive Economic Stimulus Agreement as part of the Residential Incentive Program for the property legally described as Arnold Grove Subdivision, Pharr, Hidalgo County, Texas. **This item supports EV - Economic Vitality.** (DEVELOPMENT SERVICES)

B) Consideration and action, if any, on Change Order No. 2 with Asago Construction, LLC in the amount of \$121,359.62 for the PSJA Tri-City Sidewalk Safety Pedestrian Safety Improvements Project Phase I. **This item supports 1F - Infrastructure.** (ENGINEERING)

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C) Consideration and action, if any, on agreement with Blazestack, Inc. for a subscription for fire investigation case management software for use by the fire department in the amount of \$2,000.00. **This item supports SSC - Safe and Secure Community.** (FIRE)

D) Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with STX Underground LLC. from Brownsville, Texas for the Fiber Optic Network Phase VI Project through The Interlocal Purchasing System (TIPS) Cooperative Contract 211001. **This item supports QL - Quality of Life.** (PURCHASING)

E) Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic signal study for the intersection of Sugar Rd. and Minnesota Rd. **This item supports IF - Infrastructure.** (ENGINEERING)

F) Consideration and action, if any, authorizing City Manager to negotiate and enter into agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic study for the intersection of FM 495 and Veterans Blvd. **This item supports IF - Infrastructure.** (ENGINEERING)

G) Consideration and action, if any, on JotForm Software service agreement for digital form software in the amount of \$10,224.00. **This item supports SG - Sound Governance and Fiscal Sustainability.** (COMMUNICATIONS)

**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.



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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:**

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETING**

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's Office at 956-402-4100 Ext. 1016 / 1007 or FAX 956-702-5313 or E-mail [hilda.pedraza@pharr-tx.gov](mailto:hilda.pedraza@pharr-tx.gov) and [imelda.perez@pharr-tx.gov](mailto:imelda.perez@pharr-tx.gov) for further information. Braille is not available.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the City Commission of the City of Pharr was posted on the bulletin board at City Hall and on the City's web page at [www.pharr-tx.gov](http://www.pharr-tx.gov). This Notice was posted on the 31st day of March 2023 at 4:05 p.m. and will remain posted continuously for at least 72 hours preceding the scheduled time of said Meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).



**WITNESS MY HAND AND SEAL, this 31st day of March 2023**

  
HILDA PEDRAZA, TRMC / CMC  
CITY CLERK

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

Title: \_\_\_\_\_

# Proclamation



*WHEREAS*, 9-1-1 is nationally recognized as the number to call in an emergency for immediate help from police, fire, or emergency medical services, and public safety telecommunicators are the frontline of our first responders, upon whom the safety and rescue of citizens depends; and

*WHEREAS*, Public Safety Telecommunicators provide the vital link between people calling for help and the public safety agencies with which they communicate; the heroic operators serve callers at public safety answering points; and

*WHEREAS*, Public Safety Telecommunicators are responsible for dispatching essential life-saving teams to the correct location as quickly as possible; the operators must continually learn and adapt to new 9-1-1 technology to meet the needs of residents and of the rescue teams; and

*WHEREAS*, Public Safety Telecommunicators of the City of Pharr Public Safety Communications Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

*WHEREAS*, While the Texas chapters of the National Emergency Number Association and the Association of Public Safety Officials represent Telecommunicators, Directors, planning professionals, and industry service providers, it is crucial that policymakers at all levels of government understand the importance of 9-1-1, the intricacies of the current system, and the necessary steps for the ongoing modernization of the 9-1-1 system;

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas by virtue of the authority vested in me and on behalf of the Mayor and the City Commission, do hereby proclaim the week of April 09 – 15, 2023 as:

*“National Public Safety Telecommunicators Week”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 3<sup>rd</sup> day of April 2023.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

**ATTEST:**

\_\_\_\_\_  
Hilda Pedraza, City Clerk



# Proclamation



*WHEREAS*, the City of Pharr is a participant in the Community Development Block Grant (CDBG) program which funds a myriad of social and public services, community projects and housing programs; and

*WHEREAS*, in the City and in communities throughout the nation forty-eight years of Community Development Block Grant Program funding has developed a strong working network of relationships between this local government, residents of Community Development target neighborhoods and a number of nonprofit agencies which provide services and help make possible our commitment to those neighborhoods; and

*WHEREAS*, that during National Community Development Week, the City will give special thanks and recognition of all participants whose hard work and devotion to the neighborhood and their low- and moderate-income residents help ensure the quality and effectiveness of the Community Development Block Grant Program.

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas by virtue of the authority vested in me and on behalf of the Mayor and the City Commission, do hereby proclaim the week of April 10 – 14, 2023 as:

*“National Community Development Week”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 3<sup>rd</sup> day of April 2023.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

**ATTEST:**

\_\_\_\_\_  
Hilda Pedraza, City Clerk

# Proclamation



*WHEREAS*, April is observed as Fair Housing Month across the country; and

*WHEREAS*, The Fair Housing Act recognizes, supports, and encourages the right of every person, regardless of race, color, creed, gender, national origin, family status, or disability to live in the housing of the individual's choice; and

*WHEREAS*, Fair Housing organizations and partners will observe the month of April with special activities and events in recognition of the Federal Fair Housing Act and the important role it plays in our community; and

*WHEREAS*, in Pharr, Texas we encourage all of our citizens to join in this national effort to assure housing opportunities for all Americans in all neighborhoods throughout the nation.

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by the virtue of the authority vested in me and on behalf of the Commission do hereby proclaim the month of April 2023, as:

*“Fair Housing Month”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 3<sup>rd</sup> day of April, 2023.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

**ATTEST:**

\_\_\_\_\_  
Hilda Pedraza, City Clerk



# Proclamation



*WHEREAS*, child abuse prevention is a community responsibility and finding solution depends on the involvement of all people; and

*WHEREAS*, each year, the month of April is set aside in order to recognize the dedicated professionals across our great state who meet families upstream, before a crisis occurs, and offer them accessible lifelines that mitigate their challenges; and

*WHEREAS*, child abuse comes in different forms, it includes physical abuse, neglect, abandonment, emotional abuse and sexual abuse and Texas law requires that any person suspecting that a child has been abused or neglected must immediately make a report; and

*WHEREAS*, Ultimately, child abuse prevention cannot be relegated to a single community, agency, or system. We each have a role to play as we work together to protect the most vulnerable among us. Behind many healthy, successful families is a strong community that enabled them to meet their own needs, and we must work together to strengthen our communities and build accessible, localized support systems. These systems, in turn, contribute to the well-being of the entire community by keeping children safe and families whole; and

*WHEREAS*, the City of Pharr and Pharr Police Department encourage everyone to learn more about the many ongoing efforts to create positive, healthy environments for the children by working together to significantly reduce neglect and child abuse in years to come.

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by virtue of the authority vested in me and on behalf of City Commission, do hereby proclaim the month of April 2023, as:

*“National Child Abuse Prevention Month”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 3<sup>rd</sup> day of April 2023.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

**ATTEST:**

\_\_\_\_\_  
Hilda Pedraza, City Clerk

# Proclamation



*WHEREAS*, April is Sexual Assault Awareness Month, a time to draw attention to the prevalence of sexual assault and educate individuals and communities about how to prevent it; and

*WHEREAS*, the theme of Sexual Assault Awareness Month 2023 is “Drawing Connections: Prevention Demands Equity.” This April's campaign calls on all individuals, communities, organizations, and institutions to change ourselves and the systems surrounding us to build racial equity and respect; and

*WHEREAS*, Sexual harassment, abuse and assault are widespread problems. In the United States, 1 in 5 women and 1 in 67 men have been raped at some time in their lives, and one in four girls and one in twenty boys is sexually abused by the age of 17; and

*WHEREAS*, each of us has the power to change that. Together we can make a difference to build inclusive, safe, and respectful communities free from sexual violence; and

*WHEREAS*, the City of Pharr joins advocates and communities across the country in proclaiming that together we can reduce sexual violence in our communities and encourage Pharr residents to attend scheduled awareness and education events.

*NOW THEREFORE*, I, Ambrosio Hernandez, Mayor of the City of Pharr, Texas, by virtue of the authority vested in me and on behalf of City Commission, do hereby proclaim the month of April 2023, as:

*“National Sexual Assault Awareness Month”*

*IN WITNESS WHEREOF*, I have hereunto set my hand and caused the seal of the City of Pharr to be affixed on this 3<sup>rd</sup> day of April 2023.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, Mayor

**ATTEST:**

\_\_\_\_\_  
Hilda Pedraza, City Clerk



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 4.A.

**DATE SUBMITTED:**

**MEETING DATE:** April 3, 2023

**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:**

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**ROUTING:**

Hilda Pedraza  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created -





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 5.A.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Ruben Alfaro, City Engineer

**DEPARTMENT:** Engineering

**DIRECTOR:** Ruben Alfaro

**Agenda Item:** City Engineer's Report.

**Classification:** Regular

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

**Issue:** N/A

**Fiscal Consideration:** N/A

**Staff Recommendation:** N/A

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### **ROUTING:**

Ruben Alfaro  
Ruben Alfaro  
City Management Office

Created/Initiated - 3/30/2023  
Approved - 3/30/2023  
Final Approval - 3/31/2023



# *Report on Capital Improvement Project Activity Construction - April 2023*

City Engineer – Ruben Alfaro, PE  
Monday, April 3, 2023



**Pharr**  
Engineering



## City Engineers Report

Engineer: TEDSI Infrastructure Group, Inc.  
Contractor: International Consulting Engineers  
CM: Brownstone Consultants, LLC  
Notice to Proceed: Sept. 8, 2020  
Contract Time: 545 + 26 + 30 + 112 + 223 (ETC  
April 02, 2023, \*2<sup>nd</sup> BSIF Exit\*)

Time to Date: 933 (99%)

Contract Amount: \$7,946,724.38

Change Orders: \$550,940.01

Current Contract: \$8,497,664.39

Placed to Date: \$8,183,538.35 (96%)

**Description:** The Northbound Lanes generally consists of constructing two (2) additional northbound lanes and super wide load north roadway. The 2<sup>nd</sup> BSIF Exit generally consists of constructing two (2) new exit truck lanes to the BSIF facility. Improvements also include primary and secondary inspection booths, canopies, and reshaping & regrading of a drain ditch.

**Status:** Final walkthrough with GSA and CBP completed on 02/22/23. Contractor working on punch list items.

**Next Step:** Contractor to submit updated completion dates. Delays caused by obstructed existing conduits and re-alignment of proposed fiber optic lines. Incorrect metal panels ordered, etc.



*Bridge Northbound Lane Expansion and  
2<sup>nd</sup> BSIF Exit (1/1)*



**Pharr**  
Engineering



**CONSTRUCTION**



Engineer: J&R Engineering, LLC  
Contractor: Saenz Brothers Construction, LLC  
CM: City of Pharr  
Notice to Proceed: July 6, 2021 (new)  
Contract Time: 120 (ETC Nov. 03, 2021)  
Time to Date: 632 (527%)

Contract Amount: \$1,494,704.00

Change Orders: \$0.00

Current Contract: \$1,494,704.00

Placed to Date: \$1,100,896.00 (74%)

Status: Contractor has completed electrical installation on the premises.

Next Step: Magic Valley is currently working in the installation of permanent power to the property. Once this is completed, contractor will continue to test all equipment and provide training to city employees for the operation of the lift station.



Description: The project generally consists of replacing an existing dry pit-wet pit lift station with a new submersible pump station and constructing a new 10-in and 8-in pressure sewer force main piping systems from LS 30 to Thomas Rd. The project is located at 7409 S. Oro Lane.

*Lift Station No. 30 (1/1)*



Engineer: City of Pharr  
Contractor: Castle Enterprises, LLC.  
CM: City of Pharr  
Notice to Proceed: June 06, 2022 (new)

Contract Time: 120+112 (ETC TBD)

Time to Date: 297 (128%)

Contract Amount: \$314,717.70

Change Orders: \$0.00

Current Contract: \$314,717.70

Placed to Date: \$89,330.63 (29%)

Description: The improvements on N. Fir Ave. will extend the existing road from Alan Street to Frontage Road. The extension will create a direction connection from Frontage Road to Ferguson Avenue. Improvements include drainage and sidewalk.

Status: Contractor has completed flexible base installation.

Next Step: Contractor is working on curb and gutter installation. Once completed, paving will follow.



*N. Fir Ave. Paving Improvements (1/1)*



**Pharr**  
Engineering



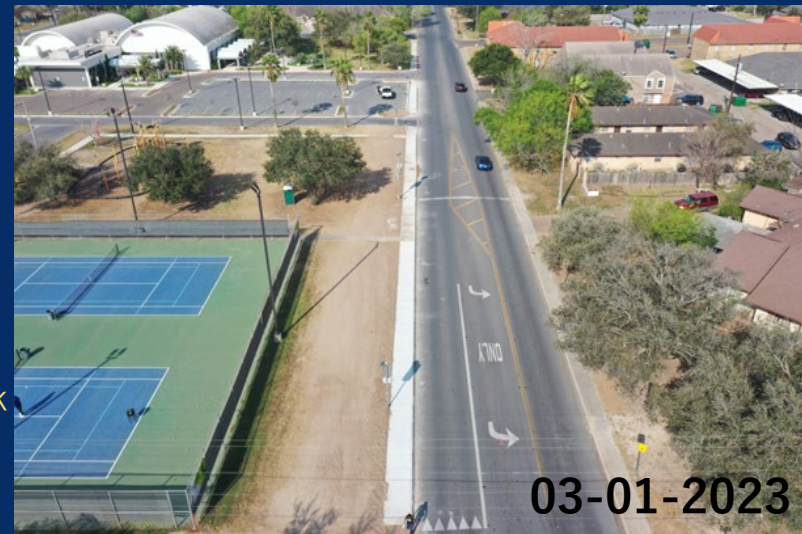
**CONSTRUCTION**

Engineer: City of Pharr/Ramiro Gutierrez  
Contractor: ASAGO, LLC  
CM: City of Pharr  
Notice to Proceed: December 19, 2022 (new)  
Contract Time: 316 Days  
Time to Date: 66 Days (21%)  
Contract Amount: \$2,325,300.55  
Change Orders: \$1,677.44  
Current Contract: \$2,326,977.99  
Placed to Date: \$324,864.24 (14%)

**Description:** This project will provide additional pedestrian connectivity to schools in the Tri-City area. Schools in city of Pharr include: Daniel Ramirez Elementary, Aida Escobar Elementary, Carnahan Elementary and Kelly-Pharr Elementary.

**Status:** Contractor has poured 5-ft concrete sidewalk, ADA ramps and driveways on the west side of S. Bluebonnet St. for Carnahan Elementary School from STA 0+10 to STA 2+00 (W. Sam Houston Blvd. to W. Bonne St)

**Next Step:** Weather permitting contractor will resume work on 03/31/23 forming sidewalk along S. Bluebonnet St. from W. Boone St. to W. Jones Ave.) for Carnahan Elementary.



*PSJA Tri-City Pedestrian Safety Improvements Phase I (1/1)*



**Pharr**  
Engineering



**CONSTRUCTION**





## *DEPARTMENT MISSION STATEMENT*

“To enhance health, safety and welfare in the City by providing economical, responsive and effective professional engineering and architectural services.”



**Pharr**  
Engineering



**END**





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 5.B.

**DATE SUBMITTED:**

**MEETING DATE:** April 3, 2023

**FROM:** Hilda Pedraza, City Clerk

**DEPARTMENT:** Administration

**DIRECTOR:**

**Agenda Item:** City Events of Interest

**Classification:** Regular

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

**Issue:**

**Fiscal Consideration:**

**Staff Recommendation:**

**Alternatives:**

**Exclude Material from Public Packet?** No

**Reason:**

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**ROUTING:**

Hilda Pedraza  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created -



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.A.

**DATE SUBMITTED:** March 27, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Hilda Pedraza, City Clerk

**DEPARTMENT:** Administration

**DIRECTOR:** Anali Alanis

**Agenda Item:** Approval of Minutes for March 20, 2023 Regular Called Meeting. This item supports **SG - Sound Governance and Fiscal Sustainability**.

**Classification:** Consent

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

**Issue:** Minutes for meeting held on Monday, March 20, 2023 at 4:00 p.m.

**Fiscal Consideration:** Not applicable

**Staff Recommendation:** Approval.

**Alternatives:** Not applicable

**Exclude Material from Public Packet?** No

**Reason:** Not applicable

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### **ROUTING:**

Hilda Pedraza  
City Management Office

Created/Initiated - 3/27/2023  
Final Approval - 3/31/2023

**MINUTES  
BOARD OF COMMISSIONERS  
REGULAR CALLED MEETING  
MONDAY, MARCH 20, 2023  
118 SOUTH CAGE 2<sup>nd</sup> FLOOR**

The Board of Commissioners of the City of Pharr, Texas, met in a Regular Called Meeting on Monday, March 20, 2023 and following is the record of attendance.

**BOARD OF COMMISSIONERS PRESENT:** Mayor Ambrosio Hernandez  
Comm. Roberto Carrillo  
Comm. Eleazar Guajardo  
Comm. Ramiro Caballero  
Comm. Ricardo Medina  
Comm. Itza Flores

**BOARD OF COMMISSIONERS ABSENT:** Mayor Pro Tem Daniel Chavez

**STAFF PRESENT:** Anali Alanis, Interim City Manager  
Ed Wylie, Deputy City Manager  
Hilda Pedraza, City Clerk  
Ruben Alfaro, City Engineer  
Karla Saavedra, Finance Director  
Veronica Ramirez, HR Director  
Juan Villescas, Municipal Judge  
Juan Gonzalez, Interim Police Chief  
Pilar Rodriguez, Fire Chief  
Roland Gomez, Code Compliance Director  
Kimberly Mendoza, Dev. Svcs. Director  
Luis Marin, Public Works Director  
Jamison Merrick, OSE Dept.  
Ruben Rosales, Public Utilities Dir.  
Sergio Alanis, Parks & Rec. Director  
Adolfo Garcia, Library  
Jose Pena, I.T. Director  
Fred Brouwen, Director of Bridge Operations  
Mayra Gomez, Purchasing Director  
Daniel Ramirez, E.M.S. Chief  
Marcela Beas, Chamber President  
Yuri Gonzalez, Chief Comm. Officer  
Kenneth Ennis, Public Safety Dir.

**CITY ATTORNEY** Patricia Rigney, City Attorney

**ITEM 1. CALL TO ORDER**

**A) ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBER OF THE GOVERNING BOARD**



MINUTES: REGULAR CALLED MEETING  
March 20, 2023

Mayor Hernandez called the meeting to order at 4:00 p.m. Roll call established a quorum.

Comm. Guajardo moved to excuse the absent member. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Comm. Carrillo was not present at the time of roll call but arrived at 4:09 p.m.

**B) PLEDGE OF ALLEGIANCE/INVOCATION**

Marcela Beas, Chamber President, led the pledge of allegiance and said the invocation.

**ITEM 2. PROCLAMATIONS:**

**A) PROCLAMATION PROCLAIMING NATIONAL COLORECTAL CANCER AWARENESS MONTH**

Mario Lizcano, Administrator of Corporate Affairs DHR Health, thanked the City Commission for bringing awareness on the importance of early detection and screening of colorectal cancer and introduced representatives from Doctors Hospital at Renaissance (DHR).

Mayor Hernandez read proclamation proclaiming the month of March 2023 as Colorectal Cancer Awareness month and presented proclamation to DHR Health representatives.

Comm. Carrillo entered the meeting at this point of the agenda. The time being 4:09 p.m.

**ITEM 3. PUBLIC TESTIMONY**

No one signed up.

**ITEM 4. PUBLIC HEARINGS**

**A) PUBLIC HEARING ON DEVELOPMENT SERVICES CASES**

The public hearing was opened. There being no comments from the public, the public hearing was closed.

**ITEM 5. CITY MANAGER'S REPORTS**

MINUTES: REGULAR CALLED MEETING

March 20, 2023

**A) SUBMISSION OF 1ST QUARTER 2022-2023 CITY OF PHARR INVESTMENT REPORT. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY**

Anali Alanis, Interim City Manager, introduced the item and stated Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

**B) SUBMISSION OF PROPERTY TAX COLLECTION REPORT FOR FEBRUARY 2023.THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY**

Anali Alanis, Interim City Manager, introduced the item and stated Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

**C) SUBMISSION OF SALES TAX COLLECTION REPORT FOR MARCH 2023.THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY**

Anali Alanis, Interim City Manager, introduced the item and reported the City of Pharr showed an increase of 3.94% year-to-date true growth compared to last year. She stated Karla Saavedra, Finance Director, was in the audience and questions could be entertained at this time.

**D) CITY EVENTS OF INTEREST**

Anali Alanis, Interim City Manager, reported a block party would be hosted on Thursday, March 23, 2023 from 5:30 p.m. to 7:00 p.m. at the Jose Pepe Salinas Recreation Center. She extended an invitation to the community to go out and learn more about the different departments.

Anali Alanis, Interim City Manager, also reported an Easter Egg Stravaganza would take place on Saturday, April 1, 2023 at Pharr Sports Complex Park. She stated registration starts at 9:30 a.m. and egg hunt starts at 10:00 a.m. She further reported an Easter Scavenger hunt city wide would take place on Saturday, April 1, 2023 and check-in would be at Pharr Sports Complex Park at 9:00 a.m.

Anali Alanis, Interim City Manager, reported the Miss Pharr Scholarship Pageant would take place on Saturday, April 15, 2023 at Jose "Pepe" Salinas Recreation Center at 6:00 p.m. Registrations would be online or at the Greater Pharr Chamber of Commerce. Interested individual must be a Pharr Resident and enrolled in school to participate.

## MINUTES: REGULAR CALLED MEETING

March 20, 2023

At this time, Anali Alanis, Interim City Manager, called upon Maxine Vieyra, with the Alzheimer's Association, for a quick presentation.

Maxine Vieyra, San Antonio & South Texas Chapter Program Manager, went over their services and the 2023 Alzheimer's statistics in Texas. She stated a Walk to End Alzheimer's would take place on Saturday, October 14, 2023 at the Pharr One Complex and extended an invitation to everyone to attend.

At this time, Mayor Hernandez stated they would deviate to item 8.A. There was no objection.

### **ITEM 8. ADMINISTRATIVE:**

#### **A) PRESENTATION AND UPDATE BY THE HIDALGO COUNTY DRAINAGE DISTRICT NUMBER 1 ON THE 2023 DRAINAGE BOND PROGRAM. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

Anali Alanis, Interim City Manager, introduced the item and called upon representatives from Hidalgo County Drainage District Number 1.

Raul Sesein, General Manager, Omar Anzaldua, Engineer, and Eddie Cantu, Commissioner Precinct 2 were in attendance. Mr. Sesein gave a brief overview of the 2023 drainage bond program and stated this would be on the ballot for the upcoming general election. He stated Election Day would be on Saturday, May 6, 2023.

At this time, Mayor Hernandez stated they would deviate from the agenda and go into closed session. There was no objection.

### **ITEM 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**

The time being 4:30 p.m., Mayor Hernandez stated the commission would be entering into closed session in accordance with Chapter 551 of the Texas Govt. Code to discuss agenda items listed in the public portion of the agenda and Pursuant to Sections 551.071, 551.072, 551.074, 551.076, 551.084 and 551.087.

### **ITEM 11. RECONVENE**

The time being 4:44 p.m., Mayor Hernandez stated the commission would be resuming the open meeting.

March 20, 2023

**ITEM 6. CONSENT AGENDA**

- A) APPROVAL OF MINUTES FOR MARCH 6, 2023 REGULAR CALLED MEETING. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**
- B) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE CREATING THE PHARR HEALTH DEPARTMENT (2ND READING). THIS ITEM SUPPORTS SE - SERVICE EXCELLENCE (ADMINISTRATION)**
- C) CONSIDERATION AND ACTION, IF ANY, ON REQUEST FROM HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 FOR THE USE OF CITY FACILITIES AS EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE MAY 6, 2023 GENERAL ELECTION. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**
- D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR CONSULTATION SERVICES FOR THE CITY OF PHARR COMMUNITY DEVELOPMENT BLOCK GRANT (HUD) FIVE (5) YEAR CONSOLIDATED PLAN. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (PURCHASING)**
- E) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT SERVICES CASES:**
- 1. PINPOINT CONSTRUCTION & INVESTMENTS, LLC., REPRESENTING ASCARY RUIZ, OWNER, REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT (R1-E) TO GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 5.5 ACRES, MORE OR LESS, OUT OF LOT 73, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1500 WEST OWASSA ROAD. COZ#230174 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)**
- 2. JOSE FEDERICO DE HOYOS, D/B/A GARDEN JEWELS INVESTMENTS, LLC. OWNER, REQUESTED A CHANGE OF ZONE FROM SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT (R-MFHD). THE PROPERTY IS LEGALLY DESCRIBED AS BEING LOTS 23 THROUGH 26, BLOCK 12, PHARR ORIGINAL TOWNSITE SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 131 EAST HAWK AVENUE. COZ#230276 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)**
- 3. EXCLUSIVE EVENT CENTER LLC., REQUESTED A CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 0.351 ACRES, MORE OR LESS, OUT OF LOTS 27 THROUGH 30, BLOCK 2, LOS MARINEROS SUBDIVISION PHASE 1, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 2200 SOUTH CAGE BOULEVARD. CUP#230275 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)**



MINUTES: REGULAR CALLED MEETING  
March 20, 2023

4. SMOKIN' MOON, LLC., REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT AND LATE HOURS PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A HEAVY COMMERCIAL DISTRICT (H-C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING ALL OF LOT 1-A AND THE EAST 26.7 FEET OF LOT 1, ALBRAD UNIT NO. 1 SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1617 WEST POLK AVENUE. CUP#180648 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

5. MAURICIO JARAMILLO, D/B/A REGENCY FIESTA, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS LOT 1, REGENCY SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1020 WEST FERGUSON AVENUE. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

6. OLLY'S DRIVE THRU, REQUESTED RENEWAL OF THE CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL BUSINESS DISTRICT (C). THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.04 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOTS 27 AND 28, LA QUINTA SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 5850 SOUTH CAGE BOULEVARD. CUP#200836 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

**F) PLATS:**

1. NAIN ENGINEERING, L.L.C., REPRESENTING RAUL BOCANEGRA, PRESIDENT FOR BOCANEGRA INVESTMENTS, L.L.C., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED BOCANEGRA SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 0.54 ACRE TRACT OF LAND BEING ALL OF LOTS 1 AND 2, THE WEST 22.80 FEET OF LOT 3, ALL OF LOT 23 AND THE WEST 16.80 FEET OF LOT 22, BLOCK 1, EULA YOUNG SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 700 BLOCK OF WEST BUSINESS HIGHWAY 83. SUB#210514 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

2. R. E. GARCIA & ASSOCIATES, REPRESENTING ROSANA RIOJAS, PRESIDENT FOR RICH HERITAGE CONSTRUCTION, INC., REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED HERITAGE ESTATES SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 7.00 ACRE TRACT OF LAND BEING A PORTION OF LOT 152, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 2200 BLOCK OF N. SUGAR ROAD. SUB#220514 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

3. ROBLES ENGINEERING, LLC., REPRESENTING IRMA VASQUEZ AND RAMON VASQUEZ JR., OWNERS, REQUESTED FINAL PLAT APPROVAL OF THE PROPOSED I-N-R SUBDIVISION. THE PROPERTY IS LEGALLY DESCRIBED AS BEING A 1.00 ACRE OUT OF LOT 4, L.R. BELL DEVELOPMENT "E" SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY IS LOCATED WITHIN THE 1200 BLOCK OF EAST FERGUSON AVENUE (FM 495). SUB#200103 THIS ITEM SUPPORTS EV - ECONOMIC VITALITY. (DEVELOPMENT SERVICES)

Mayor Hernandez introduced the item.

## MINUTES: REGULAR CALLED MEETING

March 20, 2023

Comm. Guajardo **moved** to approve consent agenda items. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2023-10 is filed with the City Clerk's Office.

### REGULAR AGENDA - OPEN SESSION:

#### ITEM 7. ORDINANCES AND RESOLUTIONS

- A) CONSIDERATION AND ACTION, IF ANY, ON ORDINANCE APPOINTING JUDGES, ALTERNATE JUDGES, AND EARLY VOTING BALLOT BOARD JUDGES FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023 (ADOPTION ON 1ST READING). THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Carrillo **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it carried unanimously.

Ordinance No. O-2023-11 is filed with the City Clerk's Office.

- B) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION APPOINTING ONE (1) MEMBER AND REAPPOINTING FOUR (4) MEMBERS TO THE COMMUNITY DEVELOPMENT COUNCIL. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY. (GMCD)**

Anali Alanis, Interim City Manager, introduced the item and recommended the appointment of Sabrina Garcia and reappointment of Victor Alvarez, Norma Trevino, Lisa Nunez, and Romeo Robles Jr.

Comm. Carrillo **moved** to appoint Sabrina Garcia and reappoint Victor Alvarez, Norma Trevino, Lisa Nunez, and Romeo Robles Jr. to the Community Development Council. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-15 is filed with the City Clerk's Office.

- C) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING CITY MANAGER TO SUBMIT A GRANT APPLICATION, AND COMMIT LOCAL FUNDS, TO THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION'S (RGVMPO) FISCAL YEAR 2023-2024 TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) CALL FOR PROJECTS FOR THE I ROAD HIKE & BIKE PHASE I PROJECT. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ENGINEERING)**

MINUTES: REGULAR CALLED MEETING  
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Anali Alanis, Interim City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-16 is filed with the City Clerk's Office.

**D) CONSIDERATION AND ACTION, IF ANY, ON RESOLUTION AUTHORIZING EMERGENCY HIRING FOR THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY. THIS ITEM SUPPORTS IF - INFRASTRUCTURE (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Guajardo **moved** to approve. Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

Resolution No. R-2023-17 is filed with the City Clerk's Office.

**ITEM 8. ADMINISTRATIVE:**

**B) PINPOINT CONSTRUCTION & INVESTMENTS, LLC., REPRESENTING ASCARY RUIZ, OWNER, HAS FILED WITH THE PLANNING AND ZONING COMMISSION A REQUEST FOR A CHANGE OF ZONE FROM SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT (R1-E) TO RESIDENTIAL MULTI-FAMILY DISTRICT (R-MF). THE PROPERTY IS LEGALLY DESCRIBED AS BEING 18.34 ACRES, MORE OR LESS, OUT OF LOT 73, KELLY-PHARR SUBDIVISION, PHARR, HIDALGO COUNTY, TEXAS. THE PROPERTY'S PHYSICAL ADDRESS IS 1500 WEST OWASSA ROAD COZ#230173. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (DEVELOPMENT SERVICES)**

Anali Alanis, Interim City Manager, introduced the item and stated staff recommended denial.

Comm. Carrillo **moved** to deny. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

**ITEM 9. CONTRACTS/AGREEMENTS**

**A) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEXAS STATE LIBRARY AND ARCHIVES COMMISSION (TSLAC) FOR THE TSLAC FAMILY PLACE TRAINING AWARD GRANT CONTRACT. THIS ITEM SUPPORTS QL - QUALITY OF LIFE (LIBRARY)**

MINUTES: REGULAR CALLED MEETING  
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Anali Alanis, Interim City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Flores seconded the motion and when put to a vote, it carried unanimously.

**B) CONSIDERATION AND ACTION, IF ANY, ON DEVELOPMENT AGREEMENT WITH MAJESTIC-KVS PARTNERS FOR MAJESTIC INTERNATIONAL TRADE PORT: PHASE 1A SUBDIVISION. THIS ITEM SUPPORTS EV - ECONOMIC VITALITY (ADMINISTRATION)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Carrillo seconded the motion and when put to a vote, it carried unanimously.

**C) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO AMEND THE CONTRACT WITH DOCTORS HOSPITAL AT RENAISSANCE FOR NON-EMERGENCY GROUND AMBULANCE SERVICE. THIS ITEM SUPPORTS SG - SOUND GOVERNANCE AND FISCAL SUSTAINABILITY (EMERGENCY MEDICAL SERVICES)**

Anali Alanis, Interim City Manager, introduced the item.

Danny Ramirez, EMS Chief, briefly explained the amendment was to address the call volume and response time.

Comm. Medina **moved** to approve. Comm. Caballero seconded the motion and when put to a vote, it by a majority vote of five (5) ayes and one (1) abstention. Mayor Hernandez abstained from voting.

**D) CONSIDERATION AND ACTION, IF ANY, AUTHORIZING CITY MANAGER TO ENTER INTO A MUTUAL AID AGREEMENT WITH MEDICAL & TRAUMA SPECIALIST FOR EMERGENCY MEDICAL SERVICES. THIS ITEM SUPPORTS SSC - SAFE AND SECURE COMMUNITY (EMERGENCY MEDICAL SERVICES)**

Anali Alanis, Interim City Manager, introduced the item.

Comm. Medina **moved** to approve. Comm. Guajardo seconded the motion and when put to a vote, it carried unanimously.

**ITEM 12. ADJOURNMENT**

There being no other business to come before the board, Comm. Carrillo **moved** to adjourn. Comm. Guajardo seconded the motion and when put to a vote, the motion carried unanimously. Meeting adjourned at 4:51 p.m.



MINUTES: REGULAR CALLED MEETING  
March 20, 2023

CITY OF PHARR

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AMBROSIO HERNANDEZ  
MAYOR

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF PHARR

**ON THIS THE 20<sup>th</sup> DAY OF MARCH 2023** the Board of Commissioners of the City of Pharr, Texas convened in a **REGULAR CALLED MEETING** at the Commissioner's Room located at 118 S. Cage, 2<sup>nd</sup> Floor, Pharr, Texas. The meeting being open to the public and notice of said meeting, giving the date, place, subject, hereof, having been posted in accordance with Chapter 551, Texas Government Code (Open Meetings Act) and there being present a quorum, I, **HILDA PEDRAZA, CITY CLERK**, of the City of Pharr, Texas, certify that this is a true and correct copy of the minutes.

ATTEST:

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HILDA PEDRAZA, CITY CLERK

APPROVED:



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.B.

**DATE SUBMITTED:** March 21, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Hilda Pedraza, City Clerk

**DEPARTMENT:** Administration

**DIRECTOR:** Anali Alanis

**Agenda Item:** Consideration and action, if any, on Ordinance creating the Pharr Health Department (*3rd and Final Reading*). ***This item supports SE - Service Excellence.***

**Classification:** Consent

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

**Issue:** Creating a new department.

**Fiscal Consideration:** n/a

**Staff Recommendation:** Approval

**Alternatives:** not create dept

**Exclude Material from Public Packet?** No

**Reason:** n/a

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### **ROUTING:**

Hilda Pedraza  
Patricia Rigney  
Karla Saavedra  
City Management Office

Created/Initiated - 3/21/2023  
Approved - 3/21/2023  
Approved - 3/30/2023  
Final Approval - 3/31/2023

**ORDINANCE NO: O-2023-\_\_**

**AN ORDINANCE ESTABLISHING AND CREATING THE PHARR HEALTH DEPARTMENT; DUTIES; INCLUSION IN PHARR CODE OF ORDINANCES; ADOPTION OF RELATED LAWS; RATIFICATION OF PRIOR ACTS; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE**

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

**SECTION 1: DEPARTMENT ESTABLISHED.**

The Pharr Health Department shall be created pursuant to the City charter, municipal chain of authority and city employment policy. This Ordinance and provisions herewith shall be included in the uncodified Pharr Code of Ordinances. All acts occurring prior to the effective date of this Ordinance shall be ratified and adopted.

**SECTION 2: AUTHORIZATION.**

As matters related to procurement practices, public safety, and welfare of the residents of the City of Pharr, the Pharr Health Department shall be authorized to carry out any and all duties and responsibilities as directed by the City of Pharr and as allowed by law.

**SECTION 3: CREATION AND DUTIES OF THE PHARR HEALTH DEPARTMENT.**

- (A) The Pharr Health Department is hereby created.
- (B) The creation of the following positions is authorized:
  - 1. Director of Health as a full-time exempt position; and
  - 2. Other positions may be authorized by the Board of Commissioners as the need arises thru the budget process.
- (C) The department shall provide:
  - 1. Public Health Services.

All services will be more fully defined by departmental policy, state laws and regulations, and city management.

**SECTION 4: CUMULATIVE.**

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

## **SECTION 5: SEVERABILITY CLAUSE.**

Any and all ordinances in conflict with this ordinance are repealed. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof. The effects of this Ordinance shall at all times be in compliance with state, federal, and other guidelines as directed.

## **SECTION 6: EFFECTIVE DATE; PUBLICATION.**

This Ordinance shall take effect immediately upon passage by a vote of not less than a majority of all the members of the Board of Commissioners and executed by the Mayor and City Clerk following not less than three (3) readings of the ordinance in accordance with the Pharr City Charter.

This Ordinance may be published, after passage, in one issue of the official paper.

## **SECTION 7: PROPER NOTICE AND MEETING.**

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

**PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS**, on this the 06 day of March , 2023.

CITY OF PHARR

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AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

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HILDA PEDRAZA, CITY CLERK

**PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS**, on this the \_\_\_\_ day of March, 2023.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

**PASSED AND APPROVED ON THE THIRD AND FINAL READING BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS**, on this the \_\_\_\_ day of April, 2023.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ  
MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.C.

**DATE SUBMITTED:** March 23, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Hilda Pedraza, City Clerk

**DEPARTMENT:** Administration

**DIRECTOR:** Anali Alanis

**Agenda Item:** Consideration and action, if any, on request from St. Margaret Mary Church for city assistance for the re-enactment of the Way of the Cross on Friday, April 7, 2023 from 3:00 p.m. to 5:00 p.m. **This item supports QL - Quality of Life.**

**Classification:** Consent

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

**Issue:** St. Margaret March Catholic Church is holding a re-enactment of the Way of the Cross on Friday, April 7, 2023 from 3:00 p.m. to 5:00 p.m. as part of their CCE Program. The route will begin in the 100 block of Juarez Ave. going west, then south on Flag Street, east on Hawk Ave., and ending at St. Margaret Marcy Catholic Church.

All participants will walk only on the right side of the streets and not in the traffic lanes.

**Fiscal Consideration:** N/A

**Staff Recommendation:** Staff recommends approval.

**Alternatives:** Not to approve

**Exclude Material from Public Packet?** No

**Reason:** None

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### ROUTING:

Hilda Pedraza  
Patricia Rigney  
Pilar Rodriguez  
Juan Gonzalez  
City Management Office

Created/Initiated - 3/23/2023  
Approved - 3/24/2023  
Approved - 3/29/2023  
Approved - 3/30/2023  
Final Approval - 3/31/2023

# *St. Margaret Mary CCE Office*

122 W. Hawk Ave. Pharr, Texas 78577

956-787-8563

March 23, 2023

City of Pharr  
Mayor Ambrosio Hernández  
Board of Commissioners

Dear Mayor Hernández:

I am a representative of St. Margaret Mary Catholic Church. This is to request permission for St. Margaret Mary Catholic Church CCE Program to hold a re-enactment of "The Way of the Cross" on Friday, April 7, 2023, from 1:00 p.m. to 3:00 p.m. The route will begin in the 100 block of Juarez Ave going west, then South on Flag St, east on Hawk Ave., ending at St. Margaret Mary Catholic Church.

All participants will walk only on the right side of the streets and not in the traffic lanes. Everyone will be notified of this rule and there will be several persons assuring that this rule is strictly enforced.

Your efforts in helping us coordinate this event are greatly appreciated. If you should have any further questions, please feel free to contact me at my email: [alicia.salinas@psjaisd.us](mailto:alicia.salinas@psjaisd.us) or my cell number 587-8620.

Sincerely,



Alicia Salinas  
Parish Catechetical Leader





**CITY OF PHARR**  
**PARADES, PROCESSIONS AND STREET CLOSURE FORM**

P.O. Box 1729 \* 118 S. Cage Blvd. \* Pharr, Texas 78577

Fax 956-702-5313

Date of Event: Friday, April 7, 2023.

Type of Event: ☐ Parade ☒ Walk-A-Thon ☐ Other \_\_\_\_\_

NAME OF CONTACT PERSON: Estela Rosales.

ORGANIZATION (IF APPLICABLE): St. Margaret Church - CCE Program.

ADDRESS: 122 W Hawk Ave CITY: Pharr ZIP CODE: 78577

PHONE NO.: \_\_\_\_\_

CELLULAR PHONE: (956) 648-9311.

FAX NO.: \_\_\_\_\_

E-MAIL: saint-margaret-mary@ccdob.org

**PURPOSE AND DESCRIPTION OF EVENT:**

Reenactment of "The Way of the Cross"

START TIME: 1:00 p.m. END TIME: 3:00 p.m.

ROUTE TO BE TRAVELED OR UTILIZED (**Attach Site & Traffic Plan**)

Starting Location: 100 Block West Juarez Ave.

Ending Location: 100 Block West Hawk Ave.

Will event occupy all or only a portion of the width of the street? a portion.

Is the event insured? ☐ Yes ☒ No

If yes, Insurance Company Information \_\_\_\_\_ Contact #: \_\_\_\_\_

Applicant Signature: Estela Rosales, Volunteer.

**FOR CITY USE ONLY:**

Date Received: \_\_\_\_\_

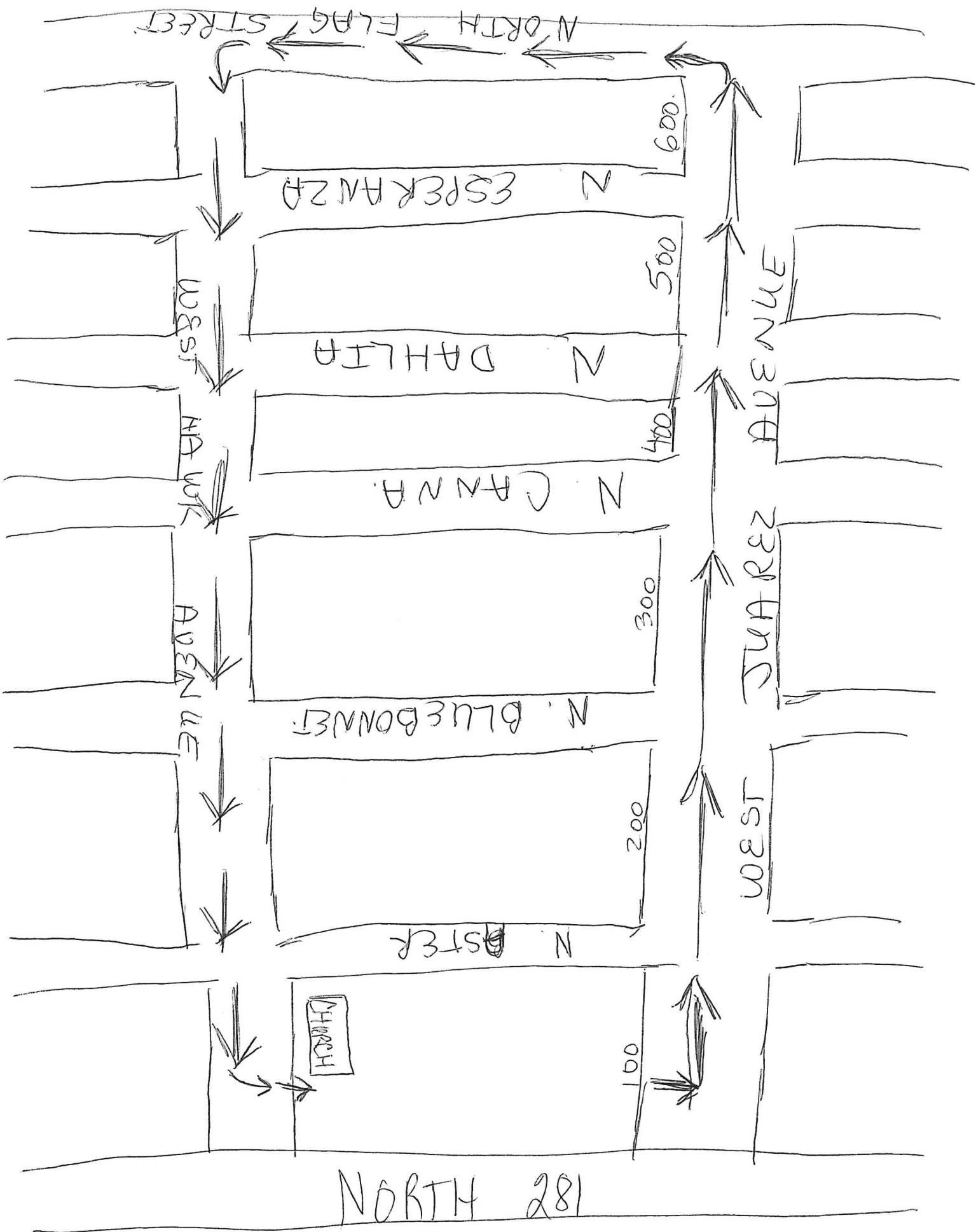
City Commission: \_\_\_\_\_

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

\_\_\_\_\_  
City Manager's signature

\_\_\_\_\_  
Date





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.D.

**DATE SUBMITTED:**

**MEETING DATE:** April 3, 2023

**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  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created -





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.D.1.

**DATE SUBMITTED:** March 28, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Melden and Hunt, Inc., representing 3100 Sugar Subdivision, Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 5.458 acres, more or less, out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3106 N. Sugar Road. COZ#230278 **This item supports EV - Economic Vitality.**

**Classification:** Public Hearing

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

**Issue:** Melden and Hunt, Inc., representing 3100 Sugar Subdivision, Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) in order to develop and bring the subject property into compliance.

**Fiscal Consideration:** N/A

**Staff Recommendation:** Development Services recommended approval of the request to re-zone to Heavy Commercial District (H-C) as the properties meet area requirements, have adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

**Planning & Zoning Commission Recommendation:** The Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C) at their meeting on March 27, 2023. There were four members present and voting.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Patricia Rigney

Created/Initiated - 3/28/2023  
Approved - 3/29/2023

Kimberly Mendoza  
City Management Office

Approved - 3/29/2023  
Final Approval - 3/31/2023



## **MEMORANDUM**

---

**DATE:** MONDAY, APRIL 03, 2023

**TO:** MAYOR AND CITY COMMISSION

**FROM:** KMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

**THROUGH:** ANALI ALANIS, INTERIM CITY MANAGER

|                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SUBJECT:</b> Re-zoning Request: From Agricultural and/or Open Space District (A-O) to Heavy Commercial District (H-C). The property is legally described as being 5.458 acres, more or less, out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 3106 N. Sugar Road. COZ#230278</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

---

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:**

Melden and Hunt, Inc., representing 3100 Sugar Subdivision, Ltd., owner, has filed with the Planning and Zoning Commission a request for a Change of Zone from Agricultural

and/or Open Space District (A-O) to Heavy Commercial District (H-C) in order to develop and bring the subject property into compliance.

The subject site is located on the east side of North Sugar Road, approximately 785 feet north of West Sioux Road and has a physical address of 3106 North Sugar Road. The property is legally described as being 5.458 acres, more or less, out of Lot 135, Kelly-Pharr Subdivision, Pharr, Hidalgo County, Texas.

The property fronts North Sugar Road, a 70-ft. minor collector 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 subject property and the properties to the north, east and south were zoned to Agricultural and/or Open Space District (A-O) on April 19, 1982. Later, the properties to the south and east were zoned to Heavy Commercial District (H-C) on July 6, 1999. The properties to the west were zoned to Agricultural and/or open Space District (A-O) on November 18, 1986, when they were annexed into the City of Pharr. Later, a portion of the properties to the west were zoned to Heavy Commercial District (H-C) on December 3, 1996. The remaining portion to the west was rezoned to General Business District (C) on June 20, 1995. 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 Heavy Commercial District (H-C) is established to provide adequate space and site diversification for commercial establishments which would involve influences that would be objectionable in the other commercial districts or adjacent to residential districts. Included in this district are commercial uses that involve large volumes of truck traffic, outside operations and storage of materials and equipment, either for sale or as part of the business, excessive noise from heavy service operations, or any other possibly blighting influences. This district is commercial in nature but has some aspects that are similar to industrial uses. The noise, traffic, litter, late-night hours, outside storage of materials and equipment, and other possibly blighting influences require adequate buffering.

Twenty-one (21) letters were mailed out to the surrounding property owners on March 10, 2023, and a legal notice was published in the Advance News Journal on March 8, 2023. Staff received no response to the letters or the legal notice.

Development Services recommended approval of the rezoning request to Heavy Commercial District (H-C) as the properties meet area requirements, have adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.

The Planning and Zoning Commission voted unanimously to recommend approval of the rezoning request from Agricultural and/or Open Space District (A-O) to Heavy

Commercial District (H-C) at their meeting on Monday, March 27, 2023. There were four members present and voting.

**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

**Melden and Hunt Inc.  
rep. 3100 Sugar Subdivision, Ltd.**

APPLICANT

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

CURRENT ZONE

**3106 North Sugar Road**

ADDRESS

**Heavy Commercial District (H-C)**

|                                                                                            | 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**

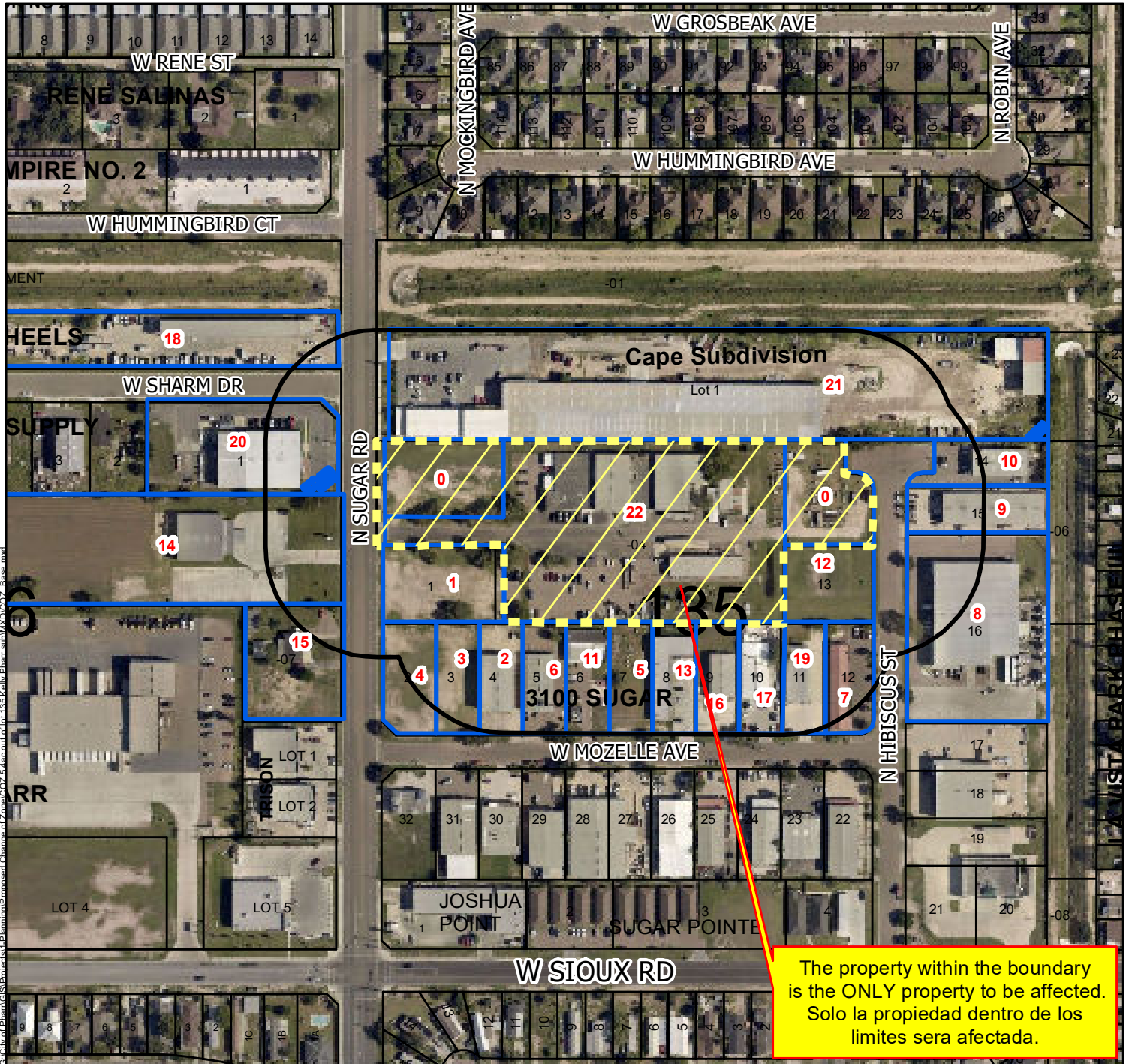
**Development Services is recommending approval of the request to re-zone to Heavy Commercial District (H-C) as the properties meet area requirements, have adequate ingress and egress and will be compatible with surrounding properties. If approved, the owner must comply with all City Ordinances and City Department requirements.**

**Anaisa Licerio, Planner II**

PREPARED BY

**March 22, 2023**

DATE



## Zoning

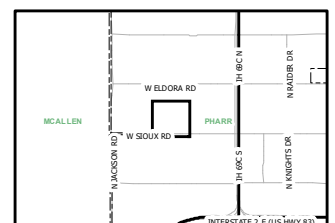
### ZONE

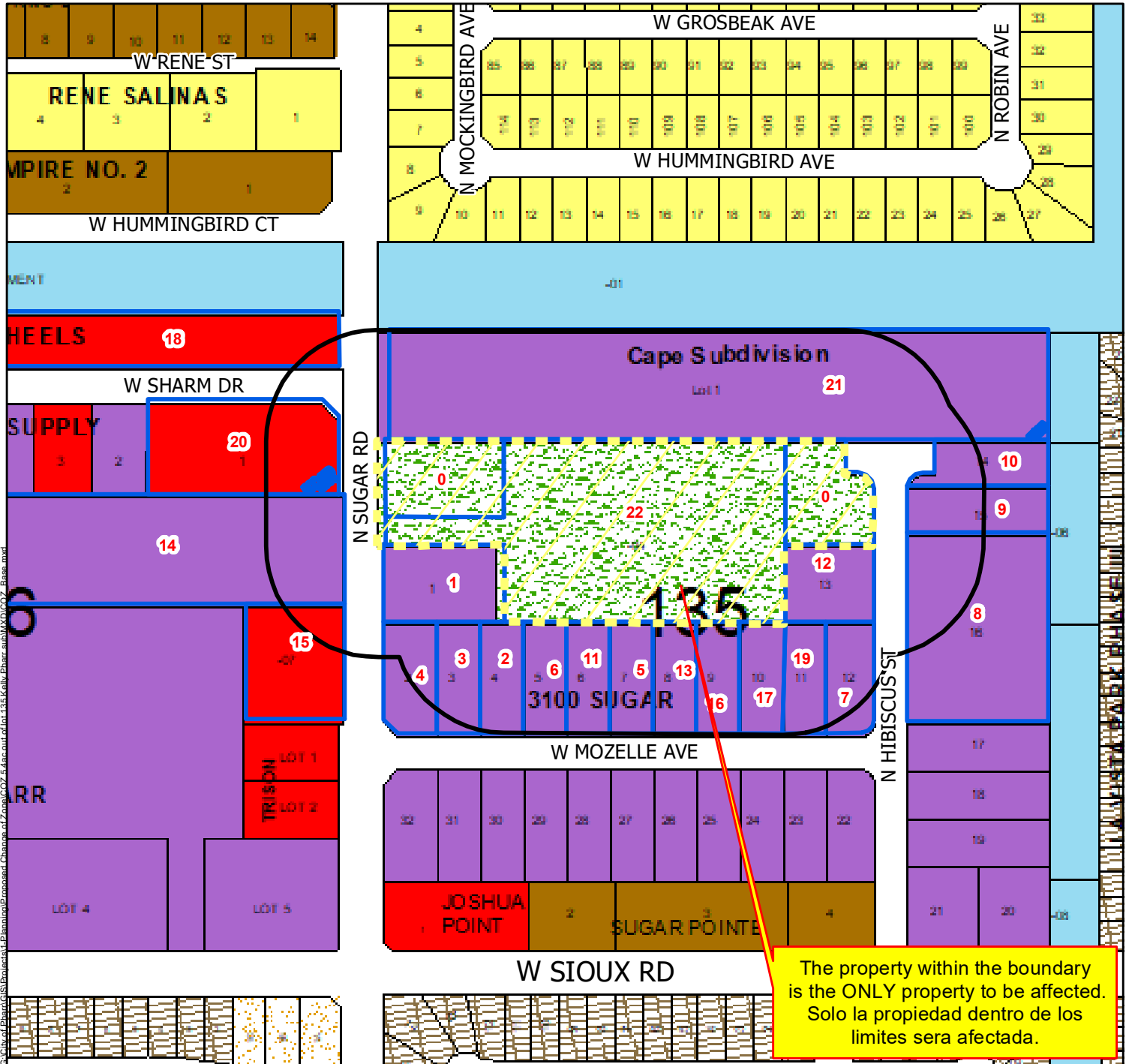
- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home

- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
- Business District
- Drainage Easement
- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development

- 200ft Notification Buffer
- Subject Property
- Notified Property

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.





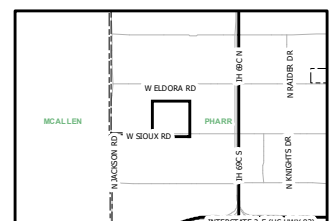
## Zoning

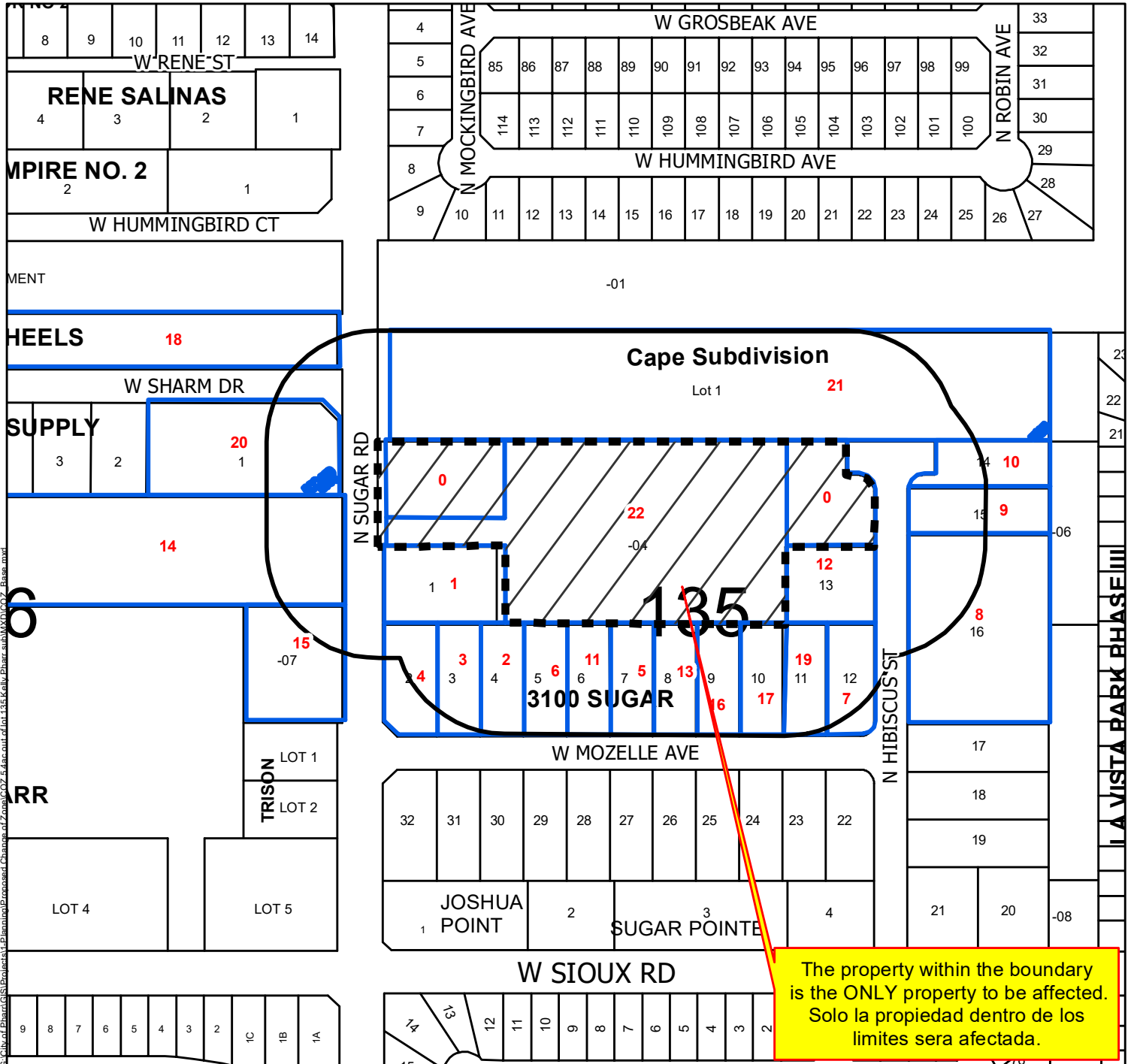
### ZONE

- Agricultural Open Space
- Single Family
- Single Family Small Lot
- Residential Multi-Family
- Residential Multi-Family High Density
- Mobile Home
- Townhouse
- HUD Code
- Rail Road R.O.W
- Government Owned
- General Business
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## Zoning

### ZONE

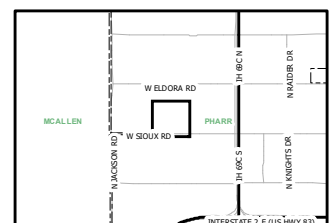
- Agricultural Open Space
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- Heavy Commercial
- Heavy Industrial
- Limited Industrial
- Neighborhood Commercial
- Office Professional
- PSJA ISD
- Hidalgo ISD
- Valley View ISD
- Planned Unit Development



- 200ft Notification Buffer
- Subject Property
- Notified Property

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.







JOB No.  
20025.00

BY  
DATE

REVISION

PROJECT ENG. M.A.R.

T-SHOCK: .PG

1. RELEASE DATE

2. RELEASE DATE

3. RELEASE DATE

SCALE: AS SHOWN

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

116 W. MCINTYRE - EDINBURG, TX 78641

TEL: 281.393.1638

WWW.MELDENANDHUNT.COM

D & F SUBDIVISION

PHARR, TEXAS

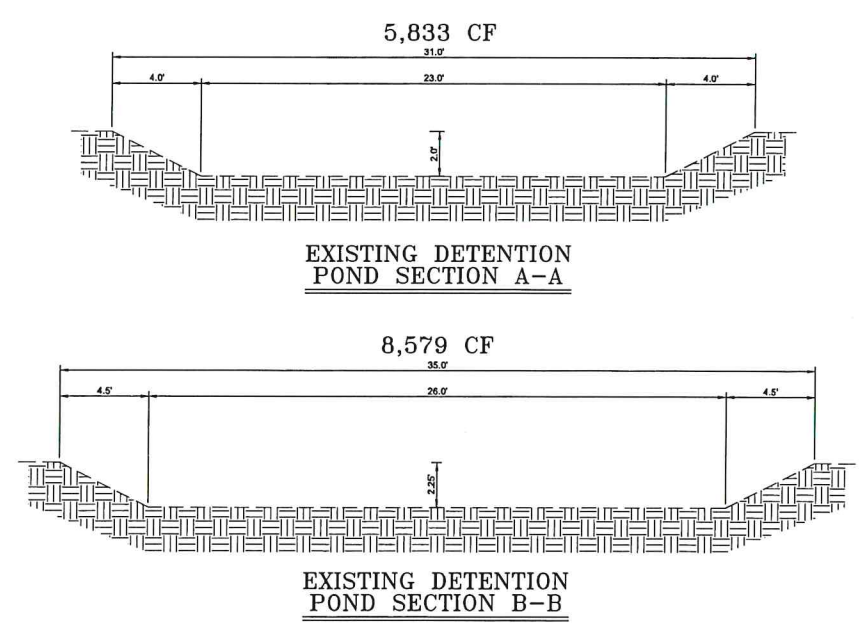
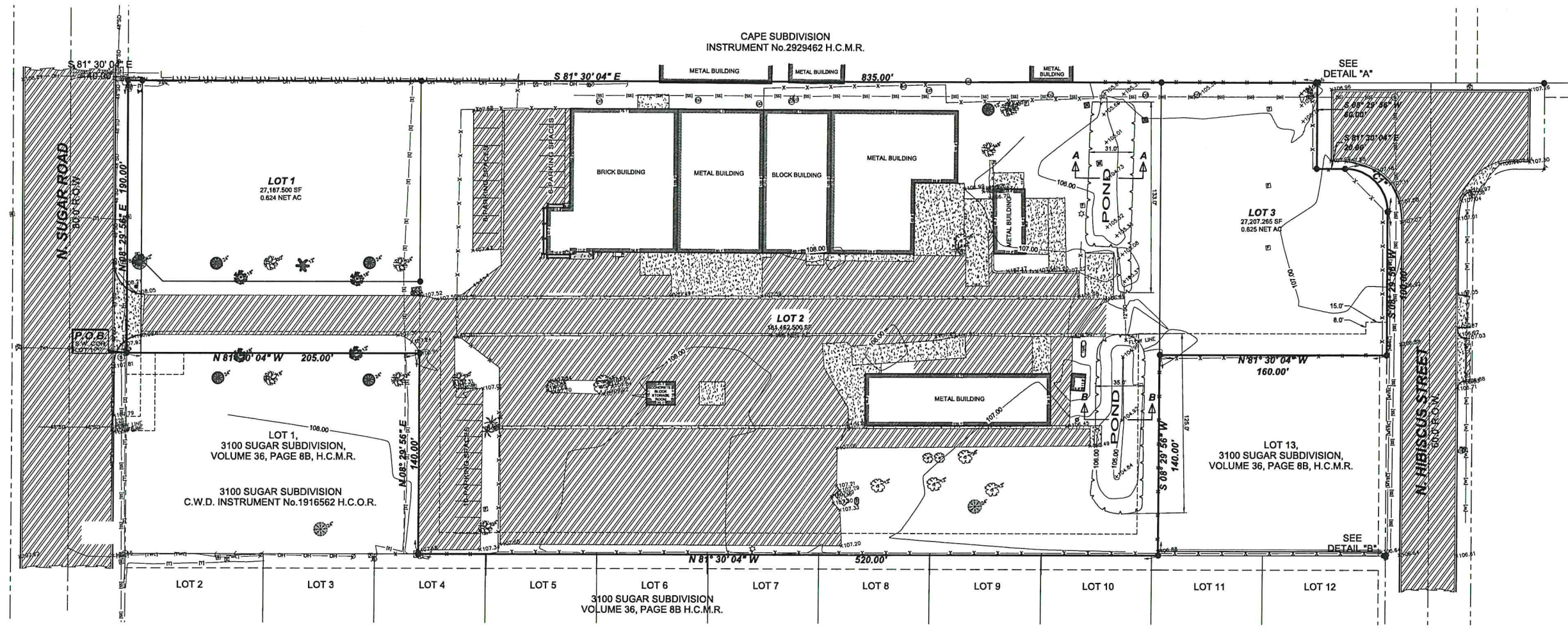
EXISTING SITE

© Copyright 2020 Melden & Hunt, Inc.

© All Rights Reserved

File Name: XXXXXXXXXX

SHEET 2 OF 8



|       |                    |                |
|-------|--------------------|----------------|
| LOT 1 | DETENTION REQUIRED | = 4,757.00 CF  |
| LOT 2 | DETENTION REQUIRED | = 14,233.00 CF |
| LOT 2 | DETENTION PROVIDED | = 14,412.00 CF |
| LOT 3 | DETENTION REQUIRED | = 4,757.00 CF  |

- FOUND NO. 4 REBAR

● FOUND PK NAIL

● FOUND "X" MARK ON CONCRETE

○ SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT

⊕ POWER POLE

⊕ SERVICE POLE

⊕ LIGHT POLE

⊕ POWER POLE WITH 6" CONCRETE BASE

⊕ GUY WIRE

⊕ TELEPHONE PEDESTAL

⊕ GATE ENTRY KEYPAD

⊕ AT&T UNDERGROUND CABLE MARKER

⊕ AT&T BOX

⊕ STOP SIGN

⊕ FLAG POLE

⊕ FIRE HYDRANT

⊕ WATER METER

⊕ WATER FAUCET

⊕ WATER VALVE

⊕ SPRINKLER VALVE

⊕ CLEANOUT

⊕ SANITARY SEWER MANHOLE

⊕ AIR CONDITION UNIT

⊕ STORM SEWER MANHOLE

⊕ GAS TANK

⊕ ELECTRIC CONNECTION BOX

⊕ PUMP

⊕ ELECTRICAL METER

⊕ ELECTRIC CONDUIT

⊕ 2"x2" BRICK COLUMN

⊕ 2" CONCRETE POST

⊕ 12" PVC PIPE

⊕ CHAIN LINK FENCE

⊕ WOOD FENCE

⊕ WROUGHT IRON FENCE

⊕ EDGE OF DETENTION POND

⊕ 12" STEEL PIPE CULVERT

⊕ 48" STORM SEWER LINE

⊕ OVERHEAD POWER LINE

--- SPOTTED ELECTRIC LINE [APPROXIMATE LOCATION]

--- SPOTTED GAS LINE [APPROXIMATE LOCATION]

--- SPOTTED SANITARY SEWER LINE [APPROXIMATE LOCATION]

--- SPOTTED TELEPHONE LINE [APPROXIMATE LOCATION]

--- SPOTTED TIME WARNER CABLE [APPROXIMATE LOCATION]

--- SPOTTED MAGIC VALLEY ELECTRIC COOP. [APPROXIMATE LOCATION]

--- SPOTTED WATER LINE [APPROXIMATE LOCATION]

--- ASPHALT AREA

--- CONCRETE AREA

--- COVERED AREA

--- CALICHE DRIVEWAY

--- B-B - BACK OF CURB TO BACK OF CURB

--- R.O.W. - RIGHT OF WAY

--- H.C.M.R. - HIDALGO COUNTY MAP RECORDS

--- H.C.D.R. - HIDALGO COUNTY DEED RECORDS

--- H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS

--- A.C. - AIR CONDITION UNIT

--- G.W.D. - GENERAL WARRANTY DEED

--- C.W.D. - CORRECTION WARRANTY DEED

--- S.W. COR. - SOUTHWEST CORNER

--- P.O.B. - POINT OF BEGINNING

--- N.T.S. - NOT TO SCALE

⊕ ASH TREE (SIZE AS NOTED)

⊕ BOUGAMVILLIA (SIZE AS NOTED)

⊕ CHINA BERRY TREE (SIZE AS NOTED)

⊕ HACKBERRY TREE (SIZE AS NOTED)

⊕ HUISACHE (SIZE AS NOTED)

⊕ MESQUITE TREE (SIZE AS NOTED)

⊕ OAK TREE (SIZE AS NOTED)

⊕ PALM TREE (SIZE AS NOTED)









## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.D.2.

**DATE SUBMITTED:** March 28, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Quinta Real Events, LLC is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lots 1 and 2, save and except the South 32 ft. out of Lot 2, Sing's Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 2620 South Gardenia Street. CUP#201042 **This item supports EV - Economic Vitality.**

**Classification:** Regular

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

**Issue:** Quinta Real Events, LLC is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**Fiscal Consideration:** N/A

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

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Patricia Rigney  
Kimberly Mendoza  
City Management Office

Created/Initiated - 3/28/2023  
Approved - 3/28/2023  
Approved - 3/28/2023  
Final Approval - 3/31/2023



# Pharr



MAYOR Ambrosio Hernandez, MD

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Itza Flores

## Executive Summary Letter

April 03, 2023

Conditional Use Permit **Renewal** for ABC –

Quinta Real Events, LLC

### Background:

Quinta Real Events, LLC is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). This request constitutes the 2nd renewal for Quinta Real Events, LLC.

The property is located at 2620 South Gardenia Street. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

### Recommendations:

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



## MEMORANDUM

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**DATE:** MONDAY, APRIL 03, 2023

**TO:** MAYOR AND CITY COMMISSION

**THROUGH:** ANALI ALANIS, INTERIM CITY MANAGER

**FROM:** KIMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

|                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------|
| <p><b>SUBJECT:</b> CONDITIONAL USE PERMIT FOR <b>ABC</b><br/>FILE NO. <b>CUP#201042</b> (QUINTA REAL EVENTS, LLC)</p> |
|-----------------------------------------------------------------------------------------------------------------------|

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### GENERAL INFORMATION:

**APPLICANT:** Quinta Real Events, LLC is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**LEGAL DESCRIPTION:** The property is legally described as being Lots 1 and 2, save and except the South 32 ft. out of Lot 2, Sing's Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 2620 South Gardenia Street.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned Single-Family Residential District (R-1) to the north, south and west and Single-Family Residential District (R-1) and Office Professional District (O-P) to the east. This area is generally designated for single-family residential use in the Land Use Plan.

|                  |                      |                                                    |
|------------------|----------------------|----------------------------------------------------|
| <b>COMMENTS:</b> | <b>POLICE CHIEF:</b> | Recommends approval of the Conditional Use Permit. |
|------------------|----------------------|----------------------------------------------------|

|                         |                                                    |
|-------------------------|----------------------------------------------------|
| <b>FIRE DEPARTMENT:</b> | Recommends approval of the Conditional Use Permit. |
|-------------------------|----------------------------------------------------|

**CODE COMPLIANCE:** Recommends approval of the Conditional Use Permit.

**HEALTH:** Recommends approval of the Conditional Use Permit.

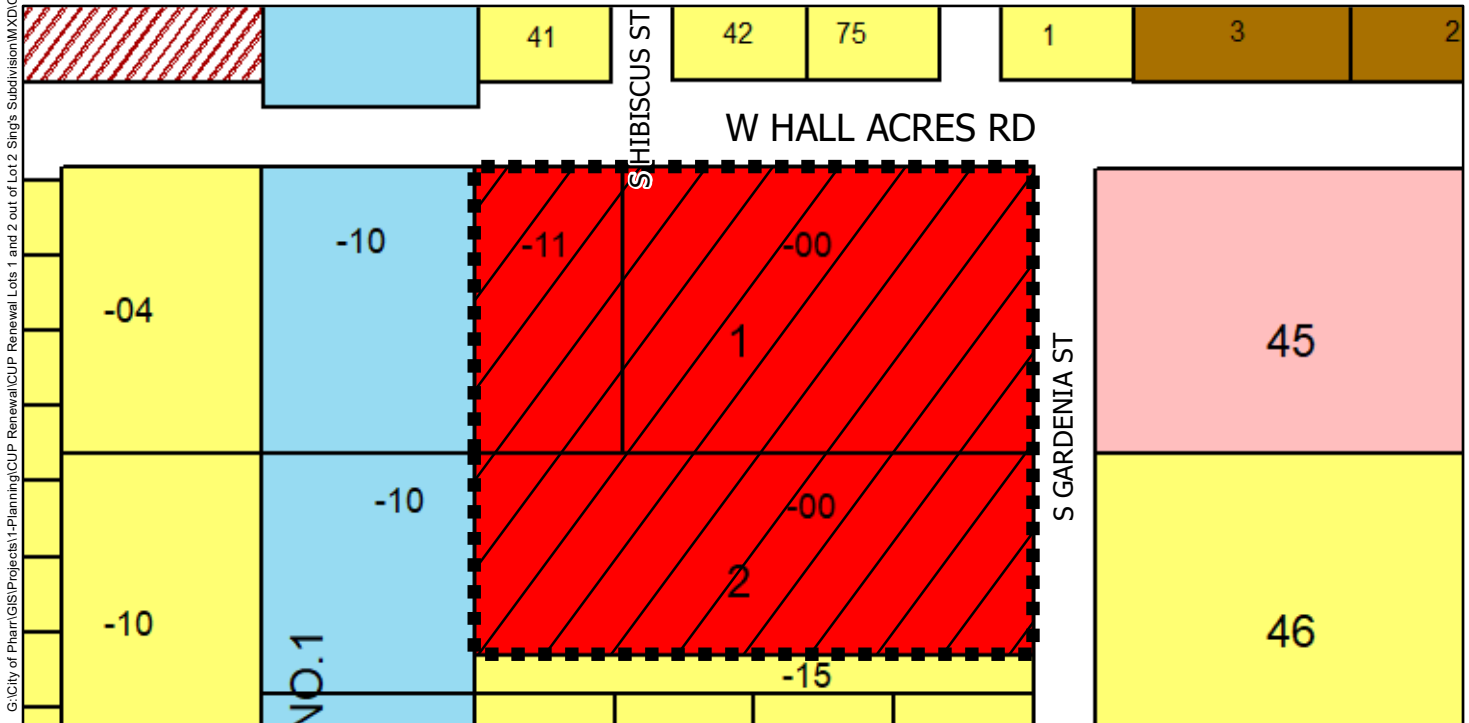
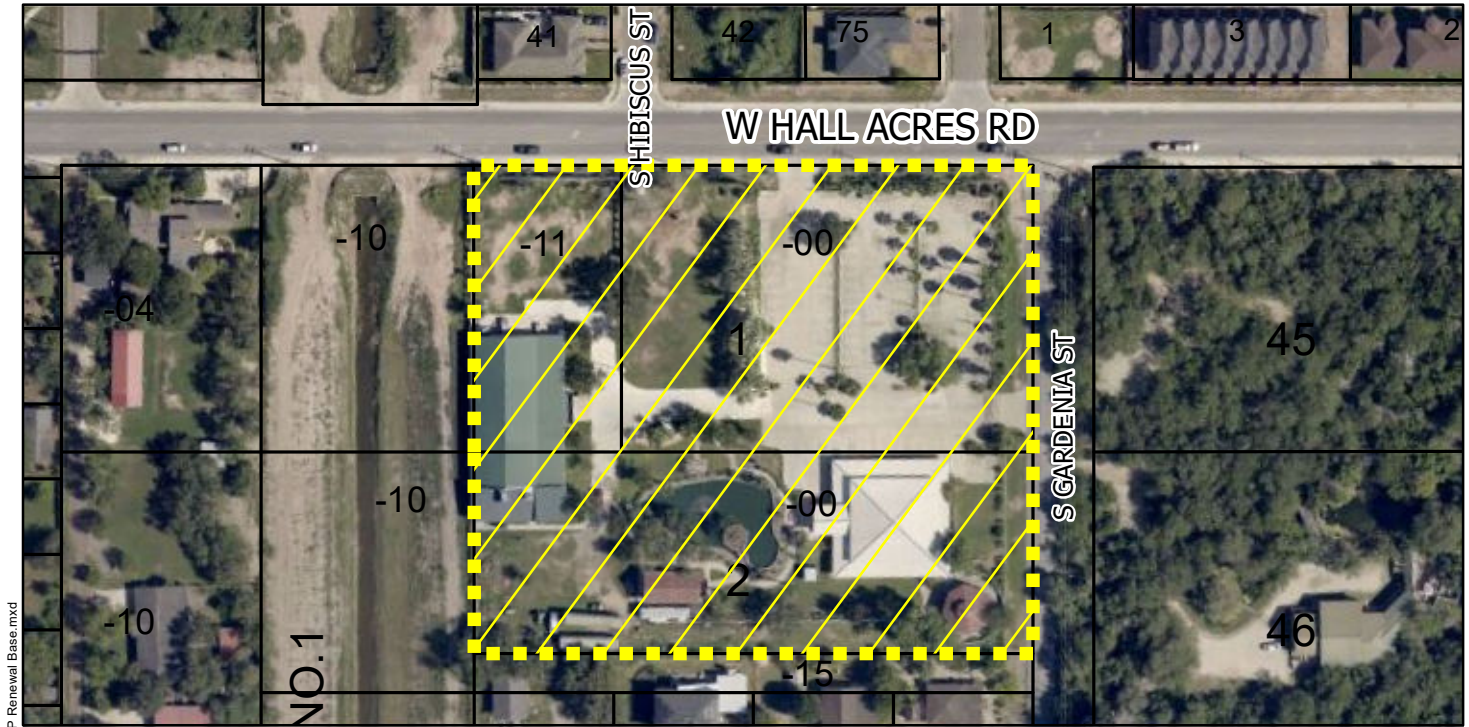
**DEVELOPMENT SERVICES:** Recommends approval of the Conditional Use Permit.

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

Conditional Use Permit Renewal  
 Being Lots 1 and 2, save and except the S32' out of  
 Lot 2, Sing's Subdivision  
 Ms. Norma A. Garza - Quinta Real Events, LLC

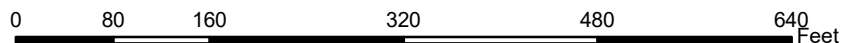


**Pharr**  
 Engineering



- |                                       |                   |                         |                          |
|---------------------------------------|-------------------|-------------------------|--------------------------|
| 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     |                          |

Scale: 1 inch = 158 feet



City of Pharr, Texas  
 Engineering Department  
 956.702.5355



Date: 3/28/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.D.3.

**DATE SUBMITTED:** March 28, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Shots Main Event, LLC., d/b/a Main Event Entertainment, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being a 1.34 acre tract of land more or less, out of Lot 4A, Replat of vacated Car-Mel Subdivision, vacated El Centro Mall No. 3 & 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 500 North Jackson Road, Suite C. CUP#14101 **This item supports EV - Economic Vitality.**

**Classification:** Regular

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

**Issue:** Shots Main Event, LLC., d/b/a Main Event Entertainment, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**Fiscal Consideration:** N/A

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

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Patricia Rigney  
Kimberly Mendoza  
City Management Office

Created/Initiated - 3/28/2023  
Approved - 3/28/2023  
Approved - 3/28/2023  
Final Approval - 3/31/2023



# Pharr



MAYOR Ambrosio Hernandez, MD

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Itza Flores

## Executive Summary Letter

April 03, 2023

Conditional Use Permit **Renewal** for ABC –

Shots Main Event, LLC  
d/b/a Main Event Entertainment

### Background:

Shots Main Event, LLC, d/b/a Main Event Entertainment, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 9th renewal for Main Event Entertainment.

The property is located at 500 North Jackson, Suite C. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

### Recommendations:

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



# Pharr

Development Services



## MEMORANDUM

---

**DATE:** MONDAY, APRIL 03, 2023

**TO:** MAYOR AND CITY COMMISSION

**FROM:** KIMBERLY MENDOZA, DIRECTOR OF DEVELOPMENT SERVICES

**THROUGH:** ANALI ALANIS, INTERIM CITY MANAGER

|                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SUBJECT:</b> CONDITIONAL USE PERMIT &amp; LATE HOURS PERMIT <b>RENEWAL</b> FOR<br/>ABC FILE NO. <b>CUP#140101</b> (MAIN EVENT ENTERTAINMENT)</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|

---

### GENERAL INFORMATION:

**APPLICANT:** Shots Main Event, LLC., d/b/a Main Event Entertainment, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**LEGAL DESCRIPTION:** The property is legally described as being a 1.34 acre tract of land more or less, out of Lot 4A, Replat of vacated Car-Mel Subdivision, vacated El Centro Mall No. 3 & 4 Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 500 North Jackson Road, Suite C.

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

**COMMENTS:** **POLICE CHIEF:** Recommends approval of the Conditional Use Permit.

**FIRE  
DEPARTMENT:** Recommends approval of  
the Conditional Use Permit.

**CODE  
COMPLIANCE:** Recommends approval of  
the Conditional Use Permit.

**HEALTH:** Recommends approval of  
the Conditional Use Permit.

**DEVELOPMENT  
SERVICES:** Recommends approval of  
the Conditional Use Permit.

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

Conditional Use Permit Renewal

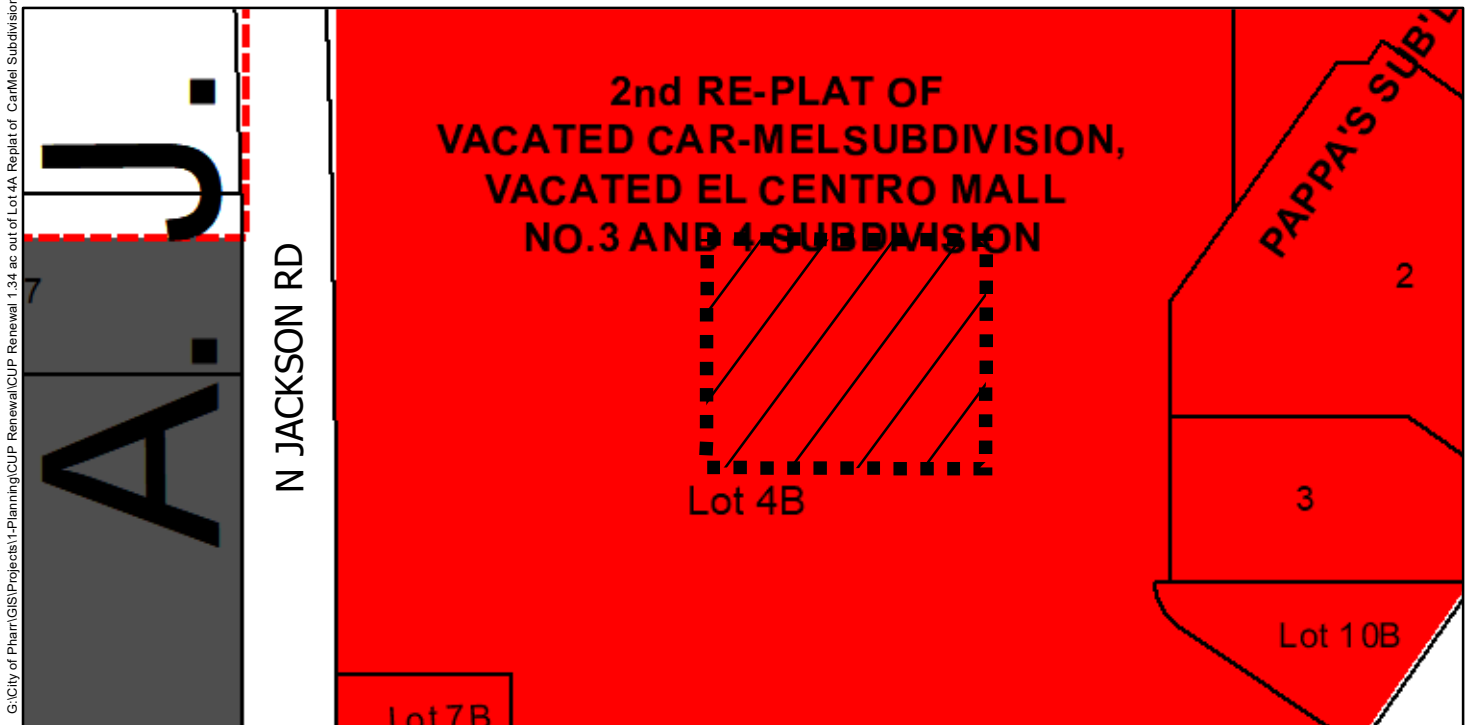
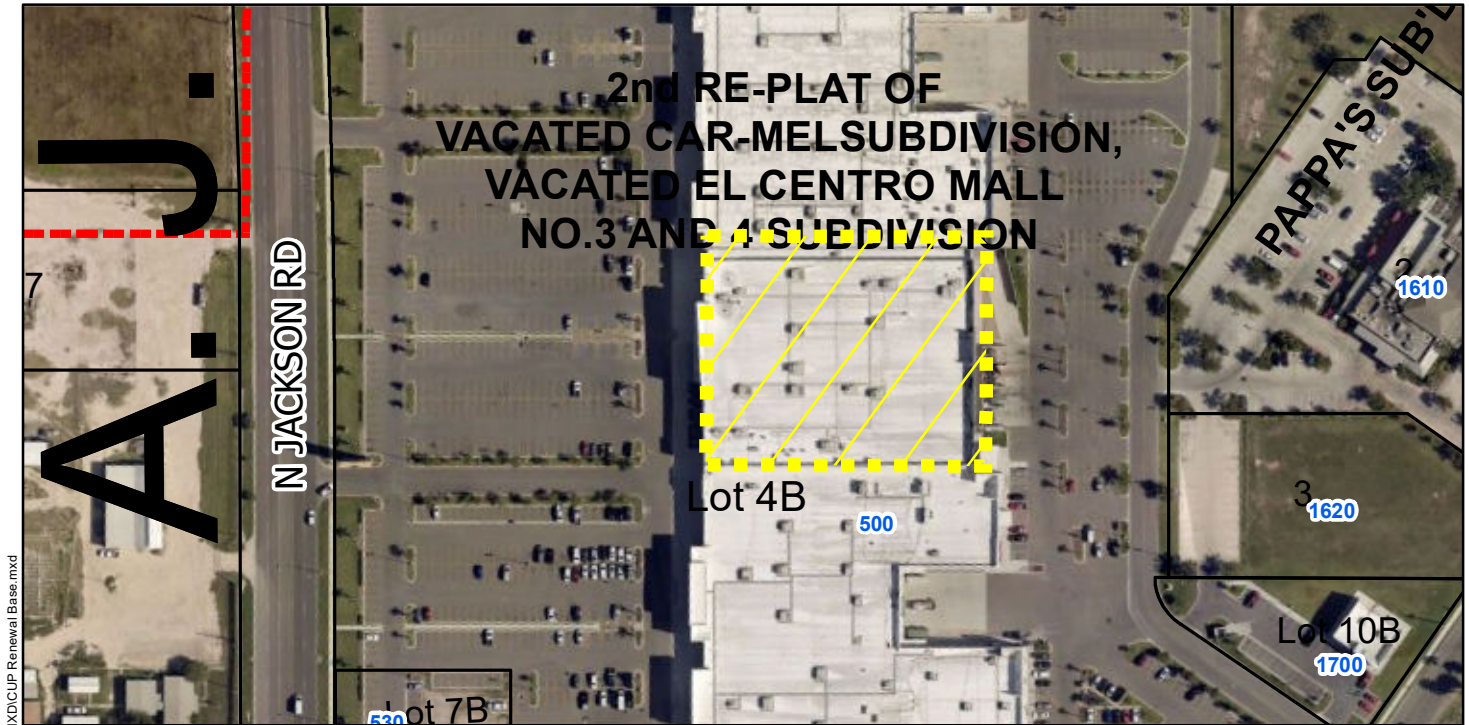
1.34 acre tract of land more or less, out of Lot 4B,

Replat of vacated Car-Mel Subdivision, vacated El Centro Mall No. 3 & 4

Tim Hill

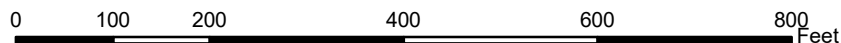


**Pharr**  
Engineering



|                                       |                   |                         |                          |
|---------------------------------------|-------------------|-------------------------|--------------------------|
| 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     |                          |

Scale: 1 inch = 198 feet



City of Pharr, Texas  
Engineering Department  
956.702.5355



Date: 3/28/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 6.D.4.

**DATE SUBMITTED:** March 28, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C). The property is legally described as being Lot 3A, Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision, Pharr, Hidalgo County, Texas. The property's physical address is 600 North Jackson Road. CUP#131046 **This item supports EV - Economic Vitality.**

**Classification:** Regular

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

**Issue:** CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**Fiscal Consideration:** N/A

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

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Patricia Rigney  
Kimberly Mendoza  
City Management Office

Created/Initiated - 3/28/2023  
Approved - 3/29/2023  
Approved - 3/29/2023  
Final Approval - 3/31/2023



# Pharr



MAYOR Ambrosio Hernandez, MD

COMMISSIONERS Eleazar Guajardo | Roberto "Bobby" Carrillo | Ramiro Caballero, MD | Daniel Chavez | Ricardo Medina | Itza Flores

April 03, 2023

Executive Summary Letter

Conditional Use Permit for ABC –

CNMK Texas Properties, LLC,  
d/b/a Cinemark El Centro Mall 16

## Background:

CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption. This request constitutes the 9th renewal for Cinemark El Centro Mall 16.

The property is located at 600 North Jackson Road. It is zoned General Business District (C) and is in conformance with the Future Land Use Plan. All required inspections have been conducted and have passed.

## Recommendations:

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



## MEMORANDUM

---

**DATE:** MONDAY, APRIL 03, 2023

**TO:** MAYOR AND CITY COMMISSION

**FROM:** KIMBERLY MENDOZA, DEVELOPMENT SERVICES DIRECTOR

**THROUGH:** ANALI ALANIS, INTERIM CITY MANAGER

|                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SUBJECT:</b> CONDITIONAL USE PERMIT &amp; LATE HOURS PERMIT <b>RENEWAL</b> FOR ABC – FILE NO. <b>CUP#131046</b> (CINEMARK EL CENTRO MALL 16)</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|

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### GENERAL INFORMATION:

**APPLICANT:** CNMK Texas Properties, LLC, d/b/a Cinemark El Centro Mall 16, is requesting renewal of the Conditional Use Permit and Late Hours Permit to allow the sale of alcoholic beverages for on-premise consumption in a General Business District (C).

**LEGAL DESCRIPTION:** The property is legally described as being Lot 3A, Re-plat of Vacated Car-Mel Subdivision, Vacated El Centro Mall No. 3 and 4 Subdivision, Pharr, Hidalgo County, Texas.

**LOCATION:** The property's physical address is 600 North Jackson Road.

**ZONING:** The property is currently zoned General Business District (C). The surrounding area is zoned Heavy Commercial District (H-C) and General Business District (C) to the north, General Business District (C) to the south and east and the corporate city limits of McAllen to the west. The area is generally designated for commercial use in the Land Use Plan.

**COMMENTS:** **POLICE CHIEF:** Recommends approval of the Conditional Use Permit.

**FIRE  
DEPARTMENT:** Recommends approval of  
the Conditional Use Permit.

**CODE  
COMPLIANCE:** Recommends approval of  
the Conditional Use Permit.

**HEALTH:** Recommends approval of  
the Conditional Use Permit.

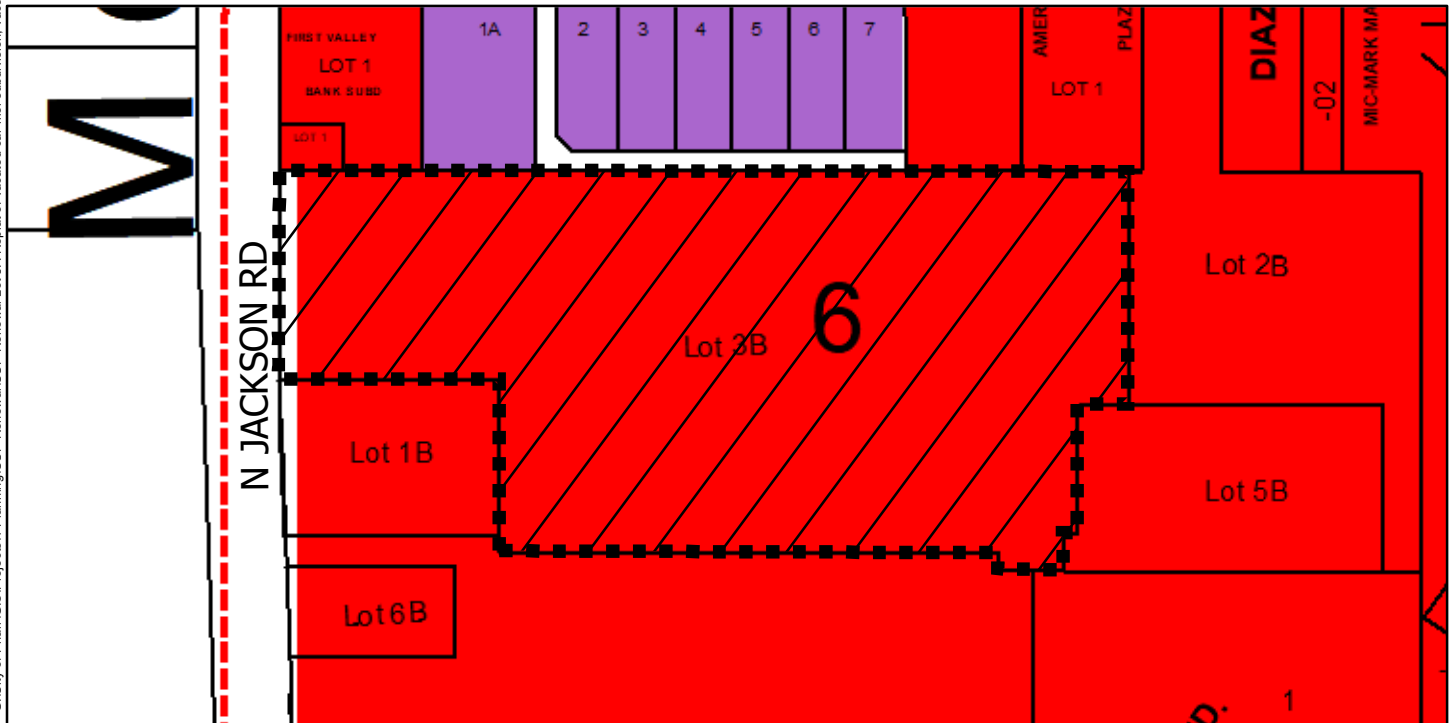
**DEVELOPMENT  
SERVICES:** Recommends approval of  
the Conditional Use Permit.

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

Conditional Use Permit Renewal  
Cinemark El Centro Mall 16 being Lot 3B, re-plat of  
vacated Car-Mel Subdivision,  
vacated El Centro Mall No. 3 and 4 Subdivision  
Mr. Robert Gamble - Cinemark El Centro Mall 16



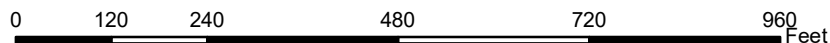
G:\City of Pharr\GIS\Projects\1-Planning\CUP Renewal\CUP Renewal Lot 3A Replat of vacated car-mel subdivision, vacated el centro mall no 3 and 4 subdivision\MXD\CUP Renewal Base.mxd



- |                                       |                   |                         |                          |
|---------------------------------------|-------------------|-------------------------|--------------------------|
| 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     |                          |

Scale: 1 inch = 241 feet

City of Pharr, Texas  
Engineering Department  
956.702.5355



Date: 3/28/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 7.A.

**DATE SUBMITTED:** March 28, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Hilda Pedraza, City Clerk

**DEPARTMENT:** Administration

**DIRECTOR:** Anali Alanis

**Agenda Item:** Consideration and action, if any, on Ordinance amending Ordinance No. O-2023-11 appointing Presiding and Alternate Judges for the General Municipal Election on Saturday, May 6, 2023 (*Adoption on One Reading*). **This item supports SG - Sound Governance and Fiscal Sustainability.**

**Classification:** Regular

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

**Issue:** On March 20, 2023, the Board of Commissioners appointed Presiding Judges and Alternate Judges for the upcoming Municipal General Election to be held on Saturday, May 6, 2023 by Ordinance No. O-2023-11. Graciela Garcia was appointed as Presiding Judge for Branch Early Voting Location (Development & Research Center) but declined appointment. Therefore, I respectfully request a replacement.

The appointment of the Early Voting Ballot Board (EVBB) Presiding Judge and Alternate Judge is needed at this time.

The appointment of Presiding Judge and Alternate Judge for Precincts 5, 122, 137, 146, and 227 (Development & Research Center) is needed at this time.

**Fiscal Consideration:** Not applicable

**Staff Recommendation:** Staff recommends appointing Daniela Avila as Presiding Judge for Early Voting Branch Location, appointing Mildred Escobedo as Presiding Judge and Graciela Garcia as Alternate Judge for Precincts 5, 122, 137, 146, and 227, and appointing Mario Lizcano as Early Voting Ballot Board Presiding Judge and Romeo Cantu as Early Voting Ballot Board Alternate Judge.

**Alternatives:** Not applicable

**Exclude Material from Public Packet?** No

**Reason:** Not applicable

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### ROUTING:

Hilda Pedraza  
Patricia Rigney  
Karla Saavedra  
City Management Office

Created/Initiated - 3/28/2023  
Approved - 3/28/2023  
Approved - 3/30/2023  
Final Approval - 3/31/2023



**ORDINANCE NO. O-2023-**

**ORDINANCE AMENDING ORDINANCE NO. O-2023-11  
APPOINTING JUDGES AND ALTERNATE  
JUDGES FOR THE GENERAL MUNICIPAL ELECTION  
TO BE HELD ON SATURDAY, MAY 6, 2023**

**WHEREAS**, the Board of City Commissioners of the City of Pharr, Texas (the "City") has ordered a general municipal election be held on Saturday, May 6, 2023 within and throughout the corporate limits of the City at which all residents, qualified electors of the district shall be entitled to vote for a Mayor, Commissioner Place 1, Commissioner Place 5, and Commissioner Place 6; and

**WHEREAS**, on March 20, 2023, the Board of Commissioners appointed Judges and Alternate Judges for the upcoming Municipal General Election to be held on Saturday, May 6, 2023 by City Ordinance No. O-2023-11; and

**WHEREAS**, Graciela Garcia was appointed Judge for Branch Early Voting Location (Development & Research Center) but declined appointment; therefore, appointment of Presiding Judge is needed at this time; and

**WHEREAS**, appointment of Presiding Judge and Alternate Judge for Election Precincts 05, 122, 137, 146, and 227 (Development & Research Center) on Election Day is needed at this time; and

**WHEREAS**, appointment of Early Voting Ballot Board Presiding Judge and Alternate Judge is also needed at this time.

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

**SECTION 1: Election Day Presiding and Alternate Judges:** The presiding and alternate judges for each voting precinct established for the Election in the order calling the election, shall be appointed for one single election and runoff election if necessary, and shall be the following:

**Election Precincts 05, 122 - Development & Research Center  
137, 146, and 227 850 W. Dicker**

Presiding Judge - \_\_\_\_\_

Alternate Judge - \_\_\_\_\_

**SECTION 2: Early Voting Presiding and Alternate Judges:** The presiding and alternate judges for each Early Voting Location established for the Election in the order calling the election, shall be appointed for one single election and runoff election if necessary, and shall be the following:

**Branch Early Voting Location - Development & Research Center**  
850 W. Dicker

Presiding Judge - \_\_\_\_\_

**SECTION 3: Appointment of Election Clerks:** The Presiding Judge of each Voting precinct shall appoint not more than three (3) qualified election clerks to serve and assist in conducting the Election; provided that if the Presiding Judge serves as expected, the Alternate Judge shall be one of such clerks.

**SECTION 4: Compensation for Services at Polling Place:** The presiding judge, alternate judge, and each election clerk shall be compensated for services rendered, as follows:

|                 |                  |
|-----------------|------------------|
| Presiding Judge | \$14.00 per hour |
| Alternate Judge | \$13.00 per hour |
| Election Clerk  | \$12.00 per hour |

The cost of payroll for training of judges and clerks is \$10.00 per hour per person.

A judge or clerk may not be paid for more than one hour of work before the polls open. In a precinct in which voting machines are used, a judge or clerk may not be paid for more than two hours of work after the time for closing the polls or after the last voter has voted, whichever is later.

**SECTION 5: Compensation for Delivering Election Records and Supplies:**

The election judge or clerk who delivers the precinct election records, keys to ballot boxes or other election equipment, and unused election supplies after an election is entitled to compensation for that service in an amount not to exceed \$25.00. If more than one election officer delivers the records, keys, and unused supplies, the presiding judge is entitled to compensation for that service in an amount not to exceed \$25.00. If more than one election officer delivers the records, keys, and unused supplies, the presiding judge shall determine how the amount fixed for the services is to be allocated among the officers.

**SECTION 6: Early Voting Ballot Board:** An early voting ballot board shall hereby be created to process early voting results from the territory served by the early voting clerk in accordance with Section 87.001 of the Texas Election Code.

**SECTION 7: Composition of Early Voting Ballot Board:** The early voting ballot board consists of a presiding judge, an alternate presiding judge, and at least one other member in accordance with Section 87.002(a), as amended, Texas Election Code. The Presiding Judge of the Early Voting Ballot Board shall be \_\_\_\_\_ and the Alternate Presiding Judge shall be \_\_\_\_\_. The Early Voting Ballot Board Presiding Judge shall appoint two (2) other members to serve on such board. The Early Voting Clerk shall deliver all early voting ballots and ballot envelopes to the Early Voting Ballot Board Presiding Judge during the times the polls are open on election Day, at the time specified by the Presiding Judge of the board.

**SECTION 8: Eligibility for Board Membership:** To be eligible for appointment to the early voting ballot board, a person must meet the requirements for eligibility for service as a presiding election judge, except that the appointee must be a qualified voter of the territory served by the early voting clerk and is not required to be a qualified voter of any other particular territory.

**SECTION 9: Compensation of Early Voting Ballot Board Members:** Members of the early voting ballot board shall be compensated at the same hourly rate as the presiding judge for the Election, for the hours actually worked, but not less than an amount equal to 10 hours work. A member of this board who also serves as a judge or clerk in the Election shall not be entitled to additional compensation for services in this board.

**SECTION 10: 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.



**PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF  
THE CITY OF PHARR, TEXAS** on this the 3<sup>rd</sup> day of April, 2023.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 7.B.

**DATE SUBMITTED:** March 29, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Beatriz Fuentes, HR Coordinator

**DEPARTMENT:** HR

**DIRECTOR:** Veronica Ramirez

**Agenda Item:** Consideration and action, if any, on Resolution authorizing emergency hiring for the Public Utilities Department. **This item supports IF - Infrastructure.**

**Classification:** Regular

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

**Issue:** The City Charter prohibits increasing the personnel or payroll for any department of the city within sixty days before an election of Commissioners unless it be necessary to provide for an emergency first formally declared by resolution of the Board of Commissioners.

**Fiscal Consideration:**

**Staff Recommendation:** Approval of the Resolution that declares that an emergency exists in the Public Utilities Department for the protection of public health, the environment and life of the residents of the city and therefore authorize to fill budgeted positions to fulfill these obligations.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Beatriz Fuentes  
Veronica Ramirez  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/29/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
New -

STATE OF TEXAS        { }

COUNTY OF HIDALGO    { }

CITY OF PHARR         { }

**R E S O L U T I O N**  
**NO: R-2023-**

**DECLARING AN EMERGENCY TO EMPLOY  
PUBLIC UTILITIES DEPARTMENT STAFFING**

**WHEREAS**, the City Charter prohibits increasing the personnel or payroll for any department of the city within sixty days before an election of Commissioners unless it be necessary to provide for an emergency first formally declared by resolution of the Board of Commissioners; and

**WHEREAS**, the City normally hires water and wastewater staff to protect our water systems and provide drinking water and wastewater services, including drinking water treatment and distribution and wastewater collection, treatment, and discharge; and

**WHEREAS**, the Pharr Public Utilities Department requires staffing and it would pose a deficiency on the stability and health of the citizens of Pharr; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS**, that declares that an emergency exists in the Public Utilities Department for the protection of public health, the environment and life of the residents of the city; the Public Utilities is therefore authorized to fill budgeted positions to fulfill these obligations.

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 3<sup>rd</sup> day of April 2023.

CITY OF PHARR

\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 8.A.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Karla Saavedra, Finance Director

**DEPARTMENT:** Finance

**DIRECTOR:** Karla Saavedra

**Agenda Item:** Consideration and action, if any, on the Revised Proposed Expenditure Allocation Budget from the American Rescue Plan Act ( ARPA ) funding. **This item supports SG - Sound Governance and Fiscal Transparency.**

**Classification:** Regular

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

**Issue:** The City of Pharr received funds from the American Rescue Plan Act (ARPA) allocation of \$28,232,868 due to the pandemic in 2020.

The funding is expected to be obligated by the end of December 2024 and used by December 2026.

This is the proposed allocation of how to obligate those funds.

**Fiscal Consideration:** \$28,232,868

**Staff Recommendation:** To approve.

**Alternatives:** To deny

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Karla Saavedra  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/30/2023  
Approved - 3/30/2023  
Approved - 3/31/2023  
Final Approval - 3/31/2023



## AMERICAN RESCUE PLAN ACT OF 2021-REVISED

| CATEGORY                                   | ORIGINAL ALLOCATED AMOUNT | REVISION No. 1 APPROVED AMOUNT | REVISION No. 2 PROPOSED AMOUNT |
|--------------------------------------------|---------------------------|--------------------------------|--------------------------------|
| Infrastructure-Water & Sewer               | \$ 4,537,425              | \$ 4,537,425                   | \$ -                           |
| Infrastructure-Broadband                   | \$ 8,066,534              | \$ 13,108,521                  | \$ 18,000,000                  |
| Public Safety                              | \$ 5,041,584              | \$ -                           | \$ -                           |
| Revenue Replacement                        | \$ 10,000,000             | \$ 10,000,000                  | \$ 10,000,000                  |
| Administration -Evaluation & Data Analysis | \$ 587,325                | \$ 586,922                     | \$ 232,868                     |
| <b>Total</b>                               | <b>\$ 28,232,868</b>      | <b>\$ 28,232,868</b>           | <b>\$ 28,232,868</b>           |
|                                            |                           |                                |                                |
|                                            |                           |                                |                                |



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.A.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kimberly Mendoza, Development Services Director

**DEPARTMENT:** Development Services

**DIRECTOR:** Kimberly Mendoza

**Agenda Item:** Consideration and action, if any, on 380 Comprehensive Economic Stimulus Agreement as part of the Residential Incentive Program for the property legally described as Arnold Grove Subdivision, Pharr, Hidalgo County, Texas. **This item supports EV - Economic Vitality.**

**Classification:** Regular

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

**Issue:** Jorge Gonzalez, representing Dreamland Estates, LLC., has applied for the City of Pharr's residential development incentive program. The property is part of Arnold Grove Subdivision, which was recorded on December 20, 2022 and consists of 19.39 net acres. The property is located on the east side of North Sugar Road, approximately 660 ft. north of West Nolana Loop.

The subdivision consists of 68 single family residential lots. The applicant meets the minimum requirements for the incentive program and has requested Option 1: 50% of the Public Infrastructure Costs, in accordance with O-2017-56. Staff is recommending to spread the reimbursement out over a 4 year time period. see attached spreadsheet.

**Fiscal Consideration:** N/A

**Staff Recommendation:** Staff recommends approval as the project meets the qualifications of the incentive program.

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

---

### ROUTING:

Kimberly Mendoza  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/30/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
Final Approval - 3/31/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.B.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Moises Beas, Civil Engineer In Training

**DEPARTMENT:** Engineering

**DIRECTOR:** Ruben Alfaro

**Agenda Item:** Consideration and action, if any, on Change Order No. 2 with Asago Construction, LLC in the amount of \$121,359.62 for the PSJA Tri-City Sidewalk Safety Pedestrian Safety Improvements Project Phase I. **This item supports 1F - Infrastructure.**

**Classification:** Regular

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

**Issue:** Change Order No. 2 is for quantities of certain bid items from the contract/construction plans not being identified as subsidiary. Any additional quantities of the type of work are to be paid at the new unit price. (CSJ# 0921-02-391)

**Fiscal Consideration:** Original Contract Amount: \$2,325,300.55

Change Order No. 1: \$1,677.44

Change Order No. 2: \$121,359.62

Revised Contract Amount: \$2,448,337.61

| Change Order #2 - RFI #18 Contract Items & Quantities |         |      |              |                      |
|-------------------------------------------------------|---------|------|--------------|----------------------|
| ITEM                                                  | QTY     | UNIT | UNIT PRICE   | TOTAL                |
| 104-6015 - Removing Conc (Sidewalk)                   | 2657.0  | SY   | \$ 17.44     | \$ 46,338.08         |
| 104-6017 - Removing Conc (Driveways)                  | 1219.36 | SY   | \$ 23.25     | \$ 28,350.12         |
| 104-6029 - Remove Con (Curb or Curb & Gutter)         | 14.0    | LF   | \$ 8.53      | \$ 119.42            |
| 644-6068 Relocate SM RD SN SUP&AM TY 10BWG            | 25.0    | EA   | \$ 481.91    | \$ 12,047.75         |
| 479-6001 Adjusting Manholes                           | 2.0     | EA   | \$ 2,500.85  | \$ 5,001.70          |
| 479-6005 Adjust Valve Cover                           | 14.0    | EA   | \$ 532.88    | \$ 7,460.32          |
| 479-6005 Adjust Water Meter                           | 22.0    | EA   | \$ 703.30    | \$ 15,472.60         |
| 560-6025 Relocate Mailbox                             | 9.0     | EA   | \$ 292.91    | \$ 2,636.19          |
| 5057-6001 Precast Concrete Wheel Stops                | 16.0    | EA   | \$ 245.84    | \$ 3,933.44          |
|                                                       |         |      | <b>TOTAL</b> | <b>\$ 121,359.62</b> |

**Staff Recommendation:** Staff recommends approval of Change Order No. 2 to Asago Construction, LLC, in the amount of \$121,359.62 for a revised contract amount of \$2,448,337.61.

**Alternatives:** N/A

**Exclude Material from Public Packet? No**

**Reason: N/A**

---

**ROUTING:**

|                        |                               |
|------------------------|-------------------------------|
| Moises Beas            | Created/Initiated - 3/30/2023 |
| Ruben Alfaro           | Approved - 3/30/2023          |
| Mayra Gomez            | Approved - 3/30/2023          |
| Karla Saavedra         | Approved - 3/30/2023          |
| Patricia Rigney        | Approved - 3/31/2023          |
| City Management Office | Final Approval - 3/31/2023    |

## REQUEST FOR INFORMATION



Asago Construction  
2112 S. Shary Rd., Ste # 40  
Mission, TX 78572

RFI # 18  
DATE: 2/21/2023  
DATE NEEDED BY: 2/24/2023  
PROJECT NAME: PSJA Tri-City Ped. Saf. Improv.  
PROJECT CSJ: 0921-02-391

TO: Mr. Moises Beas,  
City of Pharr Engineering Department

### RFI DESCRIPTION

Mr. Moises Beas,

Plan sheets 04, 6A, and 7A, have the quantities of the items of work for Aida Escobar, Daniel Ramirez, Canahan, and Kelly Pharr Elementary.

The following items are identified as work to complete:

- 104 - REMOVE CONC (SIDEWALK)
- 104 - REMOVE CONC (CURB OR CURB & GUTTER)
- 479 - ADJUST VALVE COVER
- 479 - ADJUST WATER METER
- 560 - REMOVE AND RELOCATE MAILBOX
- 644 - REMOVE AND RELOCATE SIGN
- 5067 - PRECAST CONCRETE WHEEL STOPS

The contract items did include the above items and in no place of the contract/plans are these items identified as subsidiary, we request items of work be added to the contract, any additional quantities of this type of work could be paid at the new item price.

**ATTACHMENTS:** Plan sheets 04, 6A, 7A, 13, 18.

**SUBMITTED BY:** Raul Iglesias, General Manager  
Asago Construction

### RESPONSE TO RFI

Mr. Iglesias,

City of Pharr Engineering Department concurs with the line items mentioned below to be added to the contract. Asago construction cost breakdowns for all line items mentioned below have been reviewed and approved by Engineering Department . Cost breakdowns to reflect only the quantities not identified as subsidiary and not total project quantities.

**RESPONSE BY:**  
Name and Title: Graduate Engineer

**DATE:** 03/13/23

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
**Item 104-6015 - REMOVE CONC (SIDEWALK)**

**Preparation Date:** 2/21/2023

| Description of work:                                                   |          |                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Remove existing Concrete Sidewalk (4") and dispose                     |          | Notes:<br>One Backhoe and operator to remove concrete sidewalk at 20 SY per hour<br>One backhoe and operator to load concrete sidewalk at 40 SY per hour<br>One dump truck and driver to dispose concrete load (40 SY) 3 hour round trip |
| Total Plan Quantity:                                                   | 2,657 SY |                                                                                                                                                                                                                                          |
| Reason: Item identified in the plans, missing from contract quantities |          |                                                                                                                                                                                                                                          |

| MACHINERY       |      |       |          |        |      |                     |
|-----------------|------|-------|----------|--------|------|---------------------|
| Description     | Make | Model | Rate     | Qty    | Unit | Cost                |
| Backhoe 4WD     |      |       | \$ 51.53 | 132.85 | HR   | \$ 6,845.76         |
| Backhoe 4WD     |      |       | \$ 51.53 | 66.43  | HR   | \$ 3,422.88         |
| Dump Truck      |      |       | \$ 69.90 | 199.28 | HR   | \$ 13,929.32        |
|                 |      |       |          |        |      | \$ -                |
| <b>Subtotal</b> |      |       |          |        |      | <b>\$ 24,197.96</b> |

| MATERIAL    |     |      |            |          |
|-------------|-----|------|------------|----------|
| Description | Qty | Unit | Unir Price | Cost     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
| <b>\$</b>   |     |      |            | <b>-</b> |

| TxDOT Comparable Average Unit Prices     |    |          |
|------------------------------------------|----|----------|
| <u>104-6015 REMOVING CONC (SIDEWALS)</u> |    |          |
| 12-MO PHARR                              | \$ | 13.50 SY |
| 12-MO STATEWIDE                          | \$ | 42.87 SY |

**TIME:**  
160 SY per day, additional days to be determined by actual quantity divided by rate.

| LABOR                 |                    |          |         |    |                     |
|-----------------------|--------------------|----------|---------|----|---------------------|
| Worker Classification |                    | Rate     | Reg Hrs | OT | Cost                |
| 1500 Rein. Steel Wrkr | Fernando Haro      | \$ 20.00 | 132.85  |    | \$ 2,657.00         |
| 1124 Conc Finisher    | Rene Garcia Lopez  | \$ 17.00 | 66.43   |    | \$ 1,129.23         |
| Truck Driver, Dump    | Eleazar De La Rosa | \$ 24.00 | 199.28  |    | \$ 4,782.60         |
| 1172 Laborer, Common  | Jose L Flores Fig  | \$ 11.00 | 132.85  |    | \$ 1,461.35         |
| <b>Total</b>          |                    |          |         |    | <b>\$ 10,030.18</b> |

| NET COST     |              |        |          |                     |
|--------------|--------------|--------|----------|---------------------|
| Description  | Subtotal     | Rate   | Markup   | Total               |
| Machinery    | \$ 24,197.96 | 15.00% | 3,629.69 | \$ 27,827.66        |
| Labor        | \$ 10,030.18 | 80.00% | 8,024.14 | \$ 18,054.32        |
| Material     | \$ -         | 25.00% | -        | \$ -                |
| Bonds        | \$ 45,881.97 | 1%     | 458.82   | \$ 458.82           |
| <b>Total</b> |              |        |          | <b>\$ 46,340.79</b> |

|                      |                |                          |              |
|----------------------|----------------|--------------------------|--------------|
| <b>Estimated Qty</b> | <b>2,657.0</b> | <b>Unit Price SY: \$</b> | <b>17.44</b> |
|----------------------|----------------|--------------------------|--------------|

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 104-6017 - REMOVE CONC (DRIVEWAYS)

**Preparation Date:** 2/21/2023

|                                                                               |             |                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Decription of work:</b>                                                    |             | <b>Notes:</b><br>One Backhoe and operator to remove concrete sidewalk at 15 SY per hour<br>One backhoe and operator to load concrete sidewalk at 30 SY per hour<br>One dump truck and driver to dispose concrete load (30 SY) 3 hour round trip |
| Remove existing Concrete Driveway (6") and dispose                            |             |                                                                                                                                                                                                                                                 |
| Estimated Quantity:                                                           | 1,219.36 SY |                                                                                                                                                                                                                                                 |
| <b>Reason:</b> Item identified in the plans, missing from contract quantities |             |                                                                                                                                                                                                                                                 |

| MACHINERY       |      |       |          |        |      |                     |
|-----------------|------|-------|----------|--------|------|---------------------|
| Description     | Make | Model | Rate     | Qty    | Unit | Cost                |
| Backhoe 4WD     |      |       | \$ 51.53 | 81.29  | HR   | \$ 4,188.91         |
| Backhoe 4WD     |      |       | \$ 51.53 | 40.65  | HR   | \$ 2,094.45         |
| Dump Truck      |      |       | \$ 69.90 | 121.94 | HR   | \$ 8,523.33         |
|                 |      |       |          |        |      | \$ -                |
| <b>Subtotal</b> |      |       |          |        |      | <b>\$ 14,806.69</b> |

| MATERIAL    |     |      |            |          |
|-------------|-----|------|------------|----------|
| Description | Qty | Unit | Unir Price | Cost     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
| <b>\$</b>   |     |      |            | <b>-</b> |

| TxDOT Comparable Average Unit Prices      |    |          |
|-------------------------------------------|----|----------|
| <u>104-6017 REMOVING CONC (DRIVEWAYS)</u> |    |          |
| 12-MO PHARR                               | \$ | 24.50 SY |
| 12-MO STATEWIDE                           | \$ | 27.96 SY |

**TIME:**  
120 SY per day, additional days to be determined by actual quantity divided by rate.

| LABOR                 |                    |          |         |    |                    |
|-----------------------|--------------------|----------|---------|----|--------------------|
| Worker Classification |                    | Rate     | Reg Hrs | OT | Cost               |
| 1500 Rein. Steel Wrkr | Fernando Haro      | \$ 20.00 | 81.29   |    | \$ 1,625.81        |
| 1124 Conc Finisher    | Rene Garcia Lopez  | \$ 17.00 | 40.65   |    | \$ 690.97          |
| Truck Driver, Dump    | Eleazar De La Rosa | \$ 24.00 | 121.94  |    | \$ 2,926.46        |
| 1172 Laborer, Common  | Jose L Flores Fig  | \$ 11.00 | 81.29   |    | \$ 894.20          |
| <b>Total</b>          |                    |          |         |    | <b>\$ 6,137.45</b> |

| NET COST     |              |        |          |                     |
|--------------|--------------|--------|----------|---------------------|
| Description  | Subtotal     | Rate   | Markup   | Total               |
| Machinery    | \$ 14,806.69 | 15.00% | 2,221.00 | \$ 17,027.69        |
| Labor        | \$ 6,137.45  | 80.00% | 4,909.96 | \$ 11,047.40        |
| Material     | \$ -         | 25.00% | -        | \$ -                |
| Bonds        | \$ 28,075.09 | 1%     | 280.75   | \$ 280.75           |
| <b>Total</b> |              |        |          | <b>\$ 28,355.84</b> |

|                      |                 |                          |              |
|----------------------|-----------------|--------------------------|--------------|
| <b>Estimated Qty</b> | <b>1,219.36</b> | <b>Unit Price SY: \$</b> | <b>23.25</b> |
|----------------------|-----------------|--------------------------|--------------|

**Asago Construction**  
 2112 S. Shary Rd. Ste # 40  
 Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
 Item 104-6029 - REMOVE CONC (CURB OR CURB & GUTTER)

**Preparation Date:** 2/21/2023

|                                                                        |  |                                                                               |  |
|------------------------------------------------------------------------|--|-------------------------------------------------------------------------------|--|
| <b>Description of work:</b>                                            |  | Notes:                                                                        |  |
| Remove existing Curb or Curb & Gutter and dispose.                     |  | One Backhoe and operator to remove concrete curb and gutter at 50 LF per hour |  |
| Estimated Quantity: 14 LF                                              |  | One backhoe and operator to load concrete curb and gutter at 75 LF per hour   |  |
| Reason: Item identified in the plans, missing from contract quantities |  | One dump truck and driver to dispose concrete load (75 LF) 3 hour round trip  |  |

| MACHINERY       |      |       |          |      |      |                 |
|-----------------|------|-------|----------|------|------|-----------------|
| Description     | Make | Model | Rate     | Qty  | Unit | Cost            |
| Backhoe 4WD     |      |       | \$ 51.53 | 0.28 | HR   | \$ 14.43        |
| Backhoe 4WD     |      |       | \$ 51.53 | 0.19 | HR   | \$ 9.62         |
| Dump Truck      |      |       | \$ 69.90 | 0.56 | HR   | \$ 39.14        |
|                 |      |       |          |      |      | \$ -            |
| <b>Subtotal</b> |      |       |          |      |      | <b>\$ 63.19</b> |

| LABOR                 |                    |          |         |    |                 |
|-----------------------|--------------------|----------|---------|----|-----------------|
| Worker Classification |                    | Rate     | Reg Hrs | OT | Cost            |
| 1500 Rein. Steel Wrkr | Fernando Haro      | \$ 20.00 | 0.28    |    | \$ 5.60         |
| 1124 Conc Finisher    | Rene Garcia Lopez  | \$ 17.00 | 0.19    |    | \$ 3.17         |
| Truck Driver, Dump    | Eleazar De La Rosa | \$ 24.00 | 0.56    |    | \$ 13.44        |
| 1172 Laborer, Common  | Jose L Flores Fig  | \$11     | 0.28    |    | \$ 3.08         |
| <b>Total</b>          |                    |          |         |    | <b>\$ 25.29</b> |

| MATERIAL    |     |      |            |          |
|-------------|-----|------|------------|----------|
| Description | Qty | Unit | Unir Price | Cost     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
|             |     |      |            | \$ -     |
| <b>\$</b>   |     |      |            | <b>-</b> |

| NET COST     |           |        |        |                  |
|--------------|-----------|--------|--------|------------------|
| Description  | Subtotal  | Rate   | Markup | Total            |
| Machinery    | \$ 63.19  | 15.00% | 9.48   | \$ 72.67         |
| Labor        | \$ 25.29  | 80.00% | 20.23  | \$ 45.53         |
| Material     | \$ -      | 25.00% | -      | \$ -             |
| Bonds        | \$ 118.20 | 1%     | 1.18   | \$ 1.18          |
| <b>Total</b> |           |        |        | <b>\$ 119.38</b> |

| TxDOT Comparable Average Unit Prices              |          |    |  |
|---------------------------------------------------|----------|----|--|
| <u>104-6029 REMOVING CONC (CURB &amp; GUTTER)</u> |          |    |  |
| 12-MO PHARR                                       | \$ 44.33 | LF |  |
| 12-MO STATEWIDE                                   | \$ 18.81 | LF |  |

|                      |             |                   |           |                |
|----------------------|-------------|-------------------|-----------|----------------|
| <b>Estimated Qty</b> | <b>14.0</b> | <b>Unit Price</b> | <b>LF</b> | <b>\$ 8.53</b> |
|----------------------|-------------|-------------------|-----------|----------------|

**TIME:**  
 400 LF per day, additional days to be determined by actual quantity divided by rate.



Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 644-6068 RELOCATE SM RD SN SUP&AM TY 10BWG

**Preparation Date:** 3/1/2023

|                                                                 |                                                                |                                                                                                        |  |
|-----------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--|
| <b>Decription of work:</b>                                      |                                                                |                                                                                                        |  |
| Remove existing sign and relocate with new concrete foundation. |                                                                | Notes:                                                                                                 |  |
| Estimated Quantity: 25 EA                                       |                                                                | One Backhoe and operator to remove sign with concrete foundation                                       |  |
|                                                                 |                                                                | Two workers to break concrete foundation and dig new hole for foundation 1 hour per sign               |  |
|                                                                 |                                                                | One operator and two workers to dig new hole, pour concrete (1/3 CY per sign) and install sign, 1 hour |  |
| <b>Reason:</b>                                                  | Item identified in the plans, missing from contract quantities |                                                                                                        |  |

| MACHINERY       |      |       |          |       |      |                    |
|-----------------|------|-------|----------|-------|------|--------------------|
| Description     | Make | Model | Rate     | Qty   | Unit | Cost               |
| Backhoe 4WD     |      |       | \$ 51.53 | 25.00 | HR   | \$ 1,288.25        |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       |      | \$ -               |
| <b>Subtotal</b> |      |       |          |       |      | <b>\$ 1,288.25</b> |

| MATERIAL        |       |      |            |                    |
|-----------------|-------|------|------------|--------------------|
| Description     | Qty   | Unit | Unir Price | Cost               |
| Concrete        | 12.00 | EA   | \$ 144.00  | \$ 1,728.00        |
| Triangular Base | 25.00 | EA   | \$ 93.82   | \$ 2,345.50        |
|                 |       |      |            | \$ -               |
|                 |       |      |            | <b>\$ 4,073.50</b> |

| TxDOT Comparable Average Unit Prices          |           |    |
|-----------------------------------------------|-----------|----|
| 644-6068 RELOCATE SM RD SN SUP & AM TY 10 BWG |           |    |
| 3-MO PHARR                                    | \$ 850.00 | EA |
| 12-MO STATEWIDE                               | \$ 703.85 | EA |

**TIME:**

8 signs per day, additional days to be determined by actual quantity divided by rate.

| LABOR                 |                     |          |         |    |                    |
|-----------------------|---------------------|----------|---------|----|--------------------|
| Worker Classification |                     | Rate     | Reg Hrs | OT | Cost               |
| 1500 Rein. Steel Wrkr | Fernando Haro       | \$ 20.00 | 25.00   | \$ | 500.00             |
| 1124 Conc Finisher    | Rene Garcia Lopez   | \$ 17.00 | 50.00   | \$ | 850.00             |
| 1124 Conc Finisher    | Jose L Ramirez V.   | \$ 16.00 | 50.00   | \$ | 800.00             |
| 1172 Laborer, Common  | Jose L Flores Figue | \$ 11.00 | 75.00   | \$ | 825.00             |
| <b>Total</b>          |                     |          |         |    | <b>\$ 2,975.00</b> |

| NET COST     |              |        |          |                     |
|--------------|--------------|--------|----------|---------------------|
| Description  | Subtotal     | Rate   | Markup   | Total               |
| Machinery    | \$ 1,288.25  | 15.00% | 193.24   | \$ 1,481.49         |
| Labor        | \$ 2,975.00  | 80.00% | 2,380.00 | \$ 5,355.00         |
| Material     | \$ 4,073.50  | 25.00% | 1,018.38 | \$ 5,091.88         |
| Bonds        | \$ 11,928.36 | 1%     | 119.28   | \$ 119.28           |
| <b>Total</b> |              |        |          | <b>\$ 12,047.65</b> |

|                      |             |                   |           |           |               |
|----------------------|-------------|-------------------|-----------|-----------|---------------|
| <b>Estimated Qty</b> | <b>25.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$</b> | <b>481.91</b> |
|----------------------|-------------|-------------------|-----------|-----------|---------------|

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 479 -6001 ADJUSTING MANHOLES

**Preparation Date:** 3/9/2023

| Description of work:                                                 |                                                                |                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adjust Manhole elevation to meet new proposed sidewalk construction. |                                                                | Notes:<br>One Backhoe and operator to remove existing ring and cover and concrete apron<br>Crew of workers to install manhole rings to propose elevation<br>One operator and crew to dig new whole, pour concrete (1/2 CY per MH) and install existing ring and cover, 2 hours total per manhole adjustment |
| Estimated Quantity:                                                  | 2 EA                                                           |                                                                                                                                                                                                                                                                                                             |
| Reason:                                                              | Item identified in the plans, missing from contract quantities |                                                                                                                                                                                                                                                                                                             |

| MACHINERY       |      |       |          |      |      |                  |
|-----------------|------|-------|----------|------|------|------------------|
| Description     | Make | Model | Rate     | Qty  | Unit | Cost             |
| Backhoe 4WD     |      |       | \$ 51.53 | 2.00 | HR   | \$ 103.06        |
|                 |      |       |          |      | HR   | \$ -             |
|                 |      |       |          |      | HR   | \$ -             |
|                 |      |       |          |      |      | \$ -             |
| <b>Subtotal</b> |      |       |          |      |      | <b>\$ 103.06</b> |

| MATERIAL         |      |      |             |                 |
|------------------|------|------|-------------|-----------------|
| Description      | Qty  | Unit | Unit Price  | Cost            |
| Concrete         | 1.00 | EA   | \$ 144.00   | \$ 144.00       |
| Manhole Supplies | 2.00 | EA   | \$ 1,769.30 | \$ 3,538.60     |
|                  |      |      |             | \$ -            |
| <b>\$</b>        |      |      |             | <b>3,682.60</b> |

| TxDOT Comparable Average Unit Prices |             |    |
|--------------------------------------|-------------|----|
| Item 479 -6001 ADJUSTING MANHOLES    |             |    |
| 12-MO PHARR                          | N/A         | EA |
| 12-MO STATEWIDE                      | \$ 2,918.97 | EA |

**TIME:**

1 Manhole Adjustment per day  
Additional days to be determined by actual quantity divided by rate.

| LABOR                 |                   |          |         |    |                  |
|-----------------------|-------------------|----------|---------|----|------------------|
| Worker Classification |                   | Rate     | Reg Hrs | OT | Cost             |
| 1500 Rein. Steel Wrkr | Fernando Haro     | \$ 20.00 | 2.00    |    | \$ 40.00         |
| 1124 Conc Finisher    | Rene Garcia Lopez | \$ 17.00 | 2.00    |    | \$ 34.00         |
| 1124 Conc Finisher    | Jose L Ramirez V. | \$ 16.00 | 2.00    |    | \$ 32.00         |
| 1172 Laborer, Common  | Jose L Flored Fig | \$ 11.00 | 2.00    |    | \$ 22.00         |
| <b>Total</b>          |                   |          |         |    | <b>\$ 128.00</b> |

| NET COST     |             |        |        |                    |
|--------------|-------------|--------|--------|--------------------|
| Description  | Subtotal    | Rate   | Markup | Total              |
| Machinery    | \$ 103.06   | 15.00% | 15.46  | \$ 118.52          |
| Labor        | \$ 128.00   | 80.00% | 102.40 | \$ 230.40          |
| Material     | \$ 3,682.60 | 25.00% | 920.65 | \$ 4,603.25        |
| Bonds        | \$ 4,952.17 | 1%     | 49.52  | \$ 49.52           |
| <b>Total</b> |             |        |        | <b>\$ 5,001.69</b> |

|                      |            |                   |           |           |                 |
|----------------------|------------|-------------------|-----------|-----------|-----------------|
| <b>Estimated Qty</b> | <b>2.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$</b> | <b>2,500.85</b> |
|----------------------|------------|-------------------|-----------|-----------|-----------------|

**Asago Construction**  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 479-6005 ADJUST VALVE COVER

**Preparation Date:** 2/23/2023

|                                                                               |  |                                                                                         |  |
|-------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------|--|
| <b>Description of work:</b>                                                   |  |                                                                                         |  |
| Remove existing sign and relocate with new concrete foundation.               |  | Notes:                                                                                  |  |
| Estimated Quantity: 14 EA                                                     |  | One Backhoe and operator to excavate around existing water valve                        |  |
|                                                                               |  | Crew of workers to remove fittings, adjust meter to new position and reconnect fittings |  |
| <b>Reason:</b> Item identified in the plans, missing from contract quantities |  |                                                                                         |  |

| MACHINERY       |      |       |          |       |      |                    |
|-----------------|------|-------|----------|-------|------|--------------------|
| Description     | Make | Model | Rate     | Qty   | Unit | Cost               |
| Backhoe 4WD     |      |       | \$ 51.53 | 28.00 | HR   | \$ 1,442.84        |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       |      | \$ -               |
| <b>Subtotal</b> |      |       |          |       |      | <b>\$ 1,442.84</b> |

| MATERIAL    |       |      |            |                    |
|-------------|-------|------|------------|--------------------|
| Description | Qty   | Unit | Unit Price | Cost               |
| Accessories | 14.00 | EA   | \$ 102.63  | \$ 1,436.82        |
|             |       |      |            | \$ -               |
|             |       |      |            | \$ -               |
|             |       |      |            | <b>\$ 1,436.82</b> |

| TxDOT Comparable Average Unit Prices    |             |    |
|-----------------------------------------|-------------|----|
| <u>Item 479-6005 ADJUST VALVE COVER</u> |             |    |
| 12-MO PHARR                             | N/A         | EA |
| 12-MO STATEWIDE                         | \$ 1,536.67 | EA |

**TIME:**  
4 EA ADJUST VALVE PER DAY  
Additional days to be determined by actual quantity divided by rate.

| LABOR                 |                   |          |         |    |                    |
|-----------------------|-------------------|----------|---------|----|--------------------|
| Worker Classification |                   | Rate     | Reg Hrs | OT | Cost               |
| 1500 Rein. Steel Wrkr | Fernando Haro     | \$ 20.00 | 28.00   |    | \$ 560.00          |
| 1124 Conc Finisher    | Rene Garcia Lopez | \$ 17.00 | 28.00   |    | \$ 476.00          |
| 1124 Conc Finisher    | Jose L Ramirez V. | \$ 16.00 | 28.00   |    | \$ 448.00          |
| 1124 Conc Finisher    | Jose M Ramirez    | \$ 14.00 | 28.00   |    | \$ 392.00          |
| 1172 Laborer, Common  | Jose L Flores Fig | \$ 11.00 | 28.00   |    | \$ 308.00          |
| <b>Total</b>          |                   |          |         |    | <b>\$ 2,184.00</b> |

| NET COST     |             |        |          |                    |
|--------------|-------------|--------|----------|--------------------|
| Description  | Subtotal    | Rate   | Markup   | Total              |
| Machinery    | \$ 1,442.84 | 15.00% | 216.43   | \$ 1,659.27        |
| Labor        | \$ 2,184.00 | 80.00% | 1,747.20 | \$ 3,931.20        |
| Material     | \$ 1,436.82 | 25.00% | 359.21   | \$ 1,796.03        |
| Bonds        | \$ 7,386.49 | 1%     | 73.86    | \$ 73.86           |
| <b>Total</b> |             |        |          | <b>\$ 7,460.36</b> |

|                      |             |                   |           |           |               |
|----------------------|-------------|-------------------|-----------|-----------|---------------|
| <b>Estimated Qty</b> | <b>14.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$</b> | <b>532.88</b> |
|----------------------|-------------|-------------------|-----------|-----------|---------------|

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 479-6005 ADJUST WATER METER

Preparation Date: 3/1/2023

|                                                                 |       |                                                                                         |  |
|-----------------------------------------------------------------|-------|-----------------------------------------------------------------------------------------|--|
| <b>Description of work:</b>                                     |       | Notes:                                                                                  |  |
| Remove existing sign and relocate with new concrete foundation. |       | One Backhoe and operator to excavate around existing water meter                        |  |
| Estimated Quantity:                                             | 22 EA | Crew of workers to remove fittings, adjust meter to new position and reconnect fittings |  |
| <b>Reason:</b>                                                  |       | Item identified in the plans, missing from contract quantities                          |  |

| MACHINERY       |      |       |          |       |      |                    |
|-----------------|------|-------|----------|-------|------|--------------------|
| Description     | Make | Model | Rate     | Qty   | Unit | Cost               |
| Backhoe 4WD     |      |       | \$ 51.53 | 66.00 | HR   | \$ 3,400.98        |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       | HR   | \$ -               |
|                 |      |       |          |       |      | \$ -               |
| <b>Subtotal</b> |      |       |          |       |      | <b>\$ 3,400.98</b> |

| MATERIAL    |       |      |            |                    |
|-------------|-------|------|------------|--------------------|
| Description | Qty   | Unit | Unit Price | Cost               |
| Accessories | 22.00 | EA   | \$ 77.89   | \$ 1,713.58        |
|             |       |      |            | \$ -               |
|             |       |      |            | \$ -               |
|             |       |      |            | <b>\$ 1,713.58</b> |

| TxDOT Comparable Average Unit Prices    |             |    |
|-----------------------------------------|-------------|----|
| <u>Item 479-6005 ADJUST WATER METER</u> |             |    |
| 12-MO PHARR                             | N/A         | EA |
| 12-MO STATEWIDE                         | \$ 1,536.67 | EA |

**TIME:**  
3 ADJUST WATER METER PER DAY  
Additional days to be determined by actual quantity divided by rate.

| LABOR                 |                   |          |         |    |                    |
|-----------------------|-------------------|----------|---------|----|--------------------|
| Worker Classification |                   | Rate     | Reg Hrs | OT | Cost               |
| 1500 Rein. Steel Wrkr | Fernando Haro     | \$ 20.00 | 66.00   |    | \$ 1,320.00        |
| 1124 Conc Finisher    | Rene Garcia Lopez | \$ 17.00 | 66.00   |    | \$ 1,122.00        |
| 1124 Conc Finisher    | Jose L Ramirez V. | \$ 16.00 | 66.00   |    | \$ 1,056.00        |
| 1124 Conc Finisher    | Jose M Ramirez    | \$ 14.00 | 66.00   |    | \$ 924.00          |
| 1172 Laborer, Common  | Jose L Flores Fig | \$ 11.00 | 66.00   |    | \$ 726.00          |
| <b>Total</b>          |                   |          |         |    | <b>\$ 5,148.00</b> |

| NET COST     |              |        |          |                     |
|--------------|--------------|--------|----------|---------------------|
| Description  | Subtotal     | Rate   | Markup   | Total               |
| Machinery    | \$ 3,400.98  | 15.00% | 510.15   | \$ 3,911.13         |
| Labor        | \$ 5,148.00  | 80.00% | 4,118.40 | \$ 9,266.40         |
| Material     | \$ 1,713.58  | 25.00% | 428.40   | \$ 2,141.98         |
| Bonds        | \$ 15,319.50 | 1%     | 153.20   | \$ 153.20           |
| <b>Total</b> |              |        |          | <b>\$ 15,472.70</b> |

|                      |             |                   |           |           |               |
|----------------------|-------------|-------------------|-----------|-----------|---------------|
| <b>Estimated Qty</b> | <b>22.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$</b> | <b>703.30</b> |
|----------------------|-------------|-------------------|-----------|-----------|---------------|

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 560-6025 RELOCATE MAILBOX

**Preparation Date:** 2/23/2023

|                                                                               |  |                                                                                                           |  |
|-------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------|--|
| <b>Description of work:</b>                                                   |  |                                                                                                           |  |
| Remove existing sign and relocate with new concrete foundation.               |  | Notes:                                                                                                    |  |
| Estimated Quantity: 9 EA                                                      |  | One Backhoe and operator to remove sign with concrete foundation                                          |  |
|                                                                               |  | Two workers to break concrete foundation and dig new hole for foundation 1/2 hour per sign                |  |
|                                                                               |  | One operator and two workers to dig new whole, pour concrete (1/3 CY per sign) and install sign, 1/2 hour |  |
| <b>Reason:</b> Item identified in the plans, missing from contract quantities |  |                                                                                                           |  |

| MACHINERY       |      |       |          |      |      |                  |
|-----------------|------|-------|----------|------|------|------------------|
| Description     | Make | Model | Rate     | Qty  | Unit | Cost             |
| Backhoe 4WD     |      |       | \$ 51.53 | 9.00 | HR   | \$ 463.77        |
|                 |      |       |          |      | HR   | \$ -             |
|                 |      |       |          |      |      | \$ -             |
| <b>Subtotal</b> |      |       |          |      |      | <b>\$ 463.77</b> |

| MATERIAL    |      |      |            |               |
|-------------|------|------|------------|---------------|
| Description | Qty  | Unit | Unir Price | Cost          |
| Accessories | 9.00 | EA   | \$ 108.28  | \$ 974.52     |
|             |      |      |            | \$ -          |
|             |      |      |            | \$ -          |
| <b>\$</b>   |      |      |            | <b>974.52</b> |

| TxDOT Comparable Average Unit Prices |           |    |  |
|--------------------------------------|-----------|----|--|
| Item 560-6025 RELOCATE MAILBOX       |           |    |  |
| 12-MO PHARR                          | \$ 200.00 | EA |  |
| 12-MO STATEWIDE                      | \$ 365.47 | EA |  |

**TIME:**  
8 EA MAILBOX RELOCATION PER DAY  
Additional days to be determined by actual quantity divided by rate.

| LABOR                 |                   |          |         |    |                  |
|-----------------------|-------------------|----------|---------|----|------------------|
| Worker Classification |                   | Rate     | Reg Hrs | OT | Cost             |
| 1500 Rein. Steel Wrkr | Fernando Haro     | \$ 20.00 | 9.00    |    | \$ 180.00        |
| 1124 Conc Finisher    | Rene Garcia Lopez | \$ 17.00 | 9.00    |    | \$ 153.00        |
| 1124 Conc Finisher    | Jose L Ramirez V. | \$ 16.00 | 9.00    |    | \$ 144.00        |
|                       |                   |          |         |    | \$ -             |
| <b>Total</b>          |                   |          |         |    | <b>\$ 477.00</b> |

| NET COST     |             |        |        |                    |
|--------------|-------------|--------|--------|--------------------|
| Description  | Subtotal    | Rate   | Markup | Total              |
| Machinery    | \$ 463.77   | 15.00% | 69.57  | \$ 533.34          |
| Labor        | \$ 477.00   | 80.00% | 381.60 | \$ 858.60          |
| Material     | \$ 974.52   | 25.00% | 243.63 | \$ 1,218.15        |
| Bonds        | \$ 2,610.09 | 1%     | 26.10  | \$ 26.10           |
| <b>Total</b> |             |        |        | <b>\$ 2,636.19</b> |

|                      |            |                   |           |           |               |
|----------------------|------------|-------------------|-----------|-----------|---------------|
| <b>Estimated Qty</b> | <b>9.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$</b> | <b>292.91</b> |
|----------------------|------------|-------------------|-----------|-----------|---------------|

Asago Construction  
2112 S. Shary Rd. Ste # 40  
Mission, TX 78572

**0921-02-391 PSJA Tri-City Pedestrian Safety Improvements Project - Phase I**  
Item 5057-6001 PRECAST CONCRETE WHEEL STOPS

Preparation Date: 3/1/2023

| Description of work:                                            |                                                                |                                                                                                         |  |
|-----------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|--|
| Remove existing sign and relocate with new concrete foundation. |                                                                | Notes:                                                                                                  |  |
|                                                                 |                                                                | One Backhoe and operator to remove sign with concrete foundation                                        |  |
| Estimated Quantity:                                             | 16 EA                                                          | Two workers to break concrete foundation and dig new hole for foundation 1 hour per sign                |  |
|                                                                 |                                                                | One operator and two workers to dig new whole, pour concrete (1/3 CY per sign) and install sign, 1 hour |  |
| Reason:                                                         | Item identified in the plans, missing from contract quantities |                                                                                                         |  |

| MACHINERY       |      |       |          |       |      |                  |
|-----------------|------|-------|----------|-------|------|------------------|
| Description     | Make | Model | Rate     | Qty   | Unit | Cost             |
| Backhoe 4WD     |      |       | \$ 51.53 | 16.00 | HR   | \$ 824.48        |
|                 |      |       |          |       | HR   | \$ -             |
|                 |      |       |          |       | HR   | \$ -             |
|                 |      |       |          |       |      | \$ -             |
| <b>Subtotal</b> |      |       |          |       |      | <b>\$ 824.48</b> |

| MATERIAL                 |       |      |            |                  |
|--------------------------|-------|------|------------|------------------|
| Description              | Qty   | Unit | Unit Price | Cost             |
| Precast Conc. Wheel Stop | 16.00 | EA   | \$ 35.00   | \$ 560.00        |
|                          |       |      |            | \$ -             |
|                          |       |      |            | \$ -             |
|                          |       |      |            | <b>\$ 560.00</b> |

| TxDOT Comparable Average Unit Prices        |           |    |
|---------------------------------------------|-----------|----|
| Item 5057-6001 PRECAST CONCRETE WHEEL STOPS |           |    |
| 12-MO PHARR                                 | N/A       | EA |
| 12-MO STATEWIDE                             | \$ 250.00 | EA |

**TIME:**  
8 EA CONCRETE WHEEL STOPS PER DAY  
Additional days to be determined by actual quantity divided by rate.

| LABOR                 |                   |          |         |    |                    |
|-----------------------|-------------------|----------|---------|----|--------------------|
| Worker Classification |                   | Rate     | Reg Hrs | OT | Cost               |
| 1500 Rein. Steel Wrkr | Fernando Haro     | \$ 20.00 | 16.00   |    | \$ 320.00          |
| 1124 Conc Finisher    | Rene Garcia Lopez | \$ 17.00 | 16.00   |    | \$ 272.00          |
| 1124 Conc Finisher    | Jose L Ramirez V. | \$ 16.00 | 16.00   |    | \$ 256.00          |
| 1124 Conc Finisher    | Jose M Ramirez    | \$ 14.00 | 16.00   |    | \$ 224.00          |
| 1172 Laborer, Common  | Jose L Flores Fig | \$ 11.00 | 16.00   |    | \$ 176.00          |
| <b>Total</b>          |                   |          |         |    | <b>\$ 1,248.00</b> |

| NET COST     |             |        |        |                    |
|--------------|-------------|--------|--------|--------------------|
| Description  | Subtotal    | Rate   | Markup | Total              |
| Machinery    | \$ 824.48   | 15.00% | 123.67 | \$ 948.15          |
| Labor        | \$ 1,248.00 | 80.00% | 998.40 | \$ 2,246.40        |
| Material     | \$ 560.00   | 25.00% | 140.00 | \$ 700.00          |
| Bonds        | \$ 3,894.55 | 1%     | 38.95  | \$ 38.95           |
| <b>Total</b> |             |        |        | <b>\$ 3,933.50</b> |

|                      |             |                   |           |                  |
|----------------------|-------------|-------------------|-----------|------------------|
| <b>Estimated Qty</b> | <b>16.0</b> | <b>Unit Price</b> | <b>EA</b> | <b>\$ 245.84</b> |
|----------------------|-------------|-------------------|-----------|------------------|



**Rental Rate Blue Book®**

August 17, 2021

**Caterpillar 420F (disc. 2017)**

Tractor-Loader-Backhoes

Size Class:

**14' to Under 15'**

Weight:

**N/A**

**Configuration for 420F (disc. 2017)**

|            |               |                     |                  |
|------------|---------------|---------------------|------------------|
| Drive      | <b>4WD</b>    | Operator Protection | <b>ROPS/FOPS</b> |
| Power Mode | <b>Diesel</b> |                     |                  |

**Blue Book Rates**

\*\* FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

|                                       | Ownership Costs       |                       |                     |                    | Estimated Operating Costs | FHWA Rate**        |
|---------------------------------------|-----------------------|-----------------------|---------------------|--------------------|---------------------------|--------------------|
|                                       | Monthly               | Weekly                | Daily               | Hourly             | Hourly                    | Hourly             |
| Published Rates                       | USD \$4,720.00        | USD \$1,320.00        | USD \$330.00        | USD \$50.00        | USD \$26.56               | USD \$53.38        |
| <b>Adjustments</b>                    |                       |                       |                     |                    |                           |                    |
| Region ( Texas: 93.1%)                | (USD \$325.68)        | (USD \$91.08)         | (USD \$22.77)       | (USD \$3.45)       |                           |                    |
| Model Year (2017: 100%)               | -                     | -                     | -                   | -                  |                           |                    |
| Adjusted Hourly Ownership Cost (100%) | -                     | -                     | -                   | -                  |                           |                    |
| Hourly Operating Cost (100%)          |                       |                       |                     |                    | -                         |                    |
| <b>Total:</b>                         | <b>USD \$4,394.32</b> | <b>USD \$1,228.92</b> | <b>USD \$307.23</b> | <b>USD \$46.55</b> | <b>USD \$26.56</b>        | <b>USD \$51.53</b> |

**Non-Active Use Rates**

|              | Hourly      |
|--------------|-------------|
| Standby Rate | USD \$12.48 |
| Idling Rate  | USD \$36.80 |

**Rate Element Allocation**

| Element                     | Percentage | Value             |
|-----------------------------|------------|-------------------|
| Depreciation (ownership)    | 37%        | USD \$1,746.40/mo |
| Overhaul (ownership)        | 50%        | USD \$2,360.00/mo |
| CFC (ownership)             | 3%         | USD \$141.60/mo   |
| Indirect (ownership)        | 10%        | USD \$472.00/mo   |
| Fuel (operating) @ USD 3.27 | 45%        | USD \$11.83/hr    |

Revised Date: 3rd quarter 2021

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RAUL IGLESIAS (asago@rgv.rr.com)

## Adjustments for Dump Truck 10 CY in All Saved Models

March 23, 2021

### Miscellaneous 6X4 18YD 70KGVW

On-Highway Rear Dumps

Size Class:

60,001 GVW &amp; Over

Weight:

19702 lbs



### Configuration for 6X4 18YD 70KGVW

|                              |                          |            |               |
|------------------------------|--------------------------|------------|---------------|
| Axle Configuration           | <b>6X4</b>               | Horsepower | <b>400.0</b>  |
| Maximum Gross Vehicle Weight | <b>70000.0 lbs</b>       | Power Mode | <b>Diesel</b> |
| Struck Capacity              | <b>12.0 - 18.0 cu yd</b> |            |               |

### Blue Book Rates

\*\* FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

|                                       | Ownership Costs       |                       |                     |                    | Estimated Operating Costs | FHWA Rate**        |
|---------------------------------------|-----------------------|-----------------------|---------------------|--------------------|---------------------------|--------------------|
|                                       | Monthly               | Weekly                | Daily               | Hourly             | Hourly                    | Hourly             |
| Published Rates                       | USD \$4,540.00        | USD \$1,270.00        | USD \$320.00        | USD \$48.00        | USD \$47.23               | USD \$73.03        |
| <b>Adjustments</b>                    |                       |                       |                     |                    |                           |                    |
| Region ( Texas: 95.1%)                | (USD \$222.46)        | (USD \$62.23)         | (USD \$15.68)       | (USD \$2.35)       |                           |                    |
| Model Year (2010: 92.4%)              | (USD \$328.13)        | (USD \$91.79)         | (USD \$23.13)       | (USD \$3.47)       |                           |                    |
| Adjusted Hourly Ownership Cost (100%) | -                     | -                     | -                   | -                  |                           |                    |
| Hourly Operating Cost (100%)          |                       |                       |                     |                    | -                         |                    |
| <b>Total:</b>                         | <b>USD \$3,989.41</b> | <b>USD \$1,115.98</b> | <b>USD \$281.19</b> | <b>USD \$42.18</b> | <b>USD \$47.23</b>        | <b>USD \$69.90</b> |

### Non-Active Use Rates

|              | Hourly      |
|--------------|-------------|
| Standby Rate | USD \$11.33 |
| Idling Rate  | USD \$50.96 |

### Rate Element Allocation

| Element                     | Percentage | Value             |
|-----------------------------|------------|-------------------|
| Depreciation (ownership)    | 52%        | USD \$2,360.80/mo |
| Overhaul (ownership)        | 34%        | USD \$1,543.60/mo |
| CFC (ownership)             | 3%         | USD \$136.20/mo   |
| Indirect (ownership)        | 11%        | USD \$499.40/mo   |
| Fuel (operating) @ USD 2.53 | 60%        | USD \$28.29/hr    |

Revised Date: 1st half 2021

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost Recovery Product Guide on our Help page for more information.

The equipment represented in this report has been exclusively prepared for RAUL IGLESIAS (asago@rgv.rr.com)



CEMEX  
10100 Katy Freeway Ste 300  
Houston TX 77043-5267

CEMEX Construction Materials South, LLC

ASAGO LLC  
DBA ASAGO CONSTRUCTION  
2113 PECOS ST  
MISSION TX 78572-7415

INVOICE

Date: 02/15/2023  
Invoice No: 9447657922  
Terms: Net 20th prox  
Payment Due On: 03/20/2023  
Job No: 15350771  
Legal Address: W SAM HOUSTON AVE & S PALM DR, PHAR  
Account No: 3166729  
Account Name: ASAGO LLC

For All Inquiries Call:  
713-650-6200  
  
Remit To:  
CEMEX | PO Box 730197 | Dallas, TX 75373-0197

DETAILED INFORMATION BY PO

| PO Number: PSJA TRI-CITY |            |          |                                       | DELIVERY ADDRESS: W Sam Houston Ave & S Palm Dr, EDINBURG, TX, 78539 |     |                  |   |              |        |            |                |
|--------------------------|------------|----------|---------------------------------------|----------------------------------------------------------------------|-----|------------------|---|--------------|--------|------------|----------------|
| Ship Date                | Delivery   | Ref #.   | Product Code / Description            | Qty                                                                  | UOM | Net Price By UOM |   | Units        | Amount | Freight    | Tx             |
| 02/15/2023               | 8099994145 | 47552569 | 1202749 ENVIRONMENTAL CHARGE PER LOAD | 1.000                                                                | EA  | \$15.00          | 1 | PC           | 1.000  | \$15.00    | \$0.00         |
| 02/15/2023               | 8099994145 | 47552569 | 1247817 STANDARD FUEL SURCHARGE       | 1.000                                                                | EA  | \$15.00          | 1 | PC           | 1.000  | \$15.00    | \$0.00         |
| 02/15/2023               | 8099994145 | 47552569 | 1421065 HYDRATION STABILIZER 3        | 5.000                                                                | DOS | \$0.00           |   |              |        | \$0.00     | \$0.00         |
| 02/15/2023               | 8099994145 | 47552569 | 1615105 3000 TXDOT CL A - LS          | 5.000                                                                | YD3 | \$138.00         | 1 | YD3          | 5.000  | \$690.00   | \$0.00         |
| PO Subtotal              | 5.00 Yards |          | 0.00 Tons                             | \$720.00 Material                                                    |     | \$0.00 Freight   |   | \$0.00 Other |        | \$0.00 Tax | \$720.00 Total |

\$720 / 5 = \$144



# Quote

Page 1

Centerline Supply, Inc.  
530 Jesse Street  
Grand Prairie, TX 75051  
United States  
P: (800) 321-1751

**Quote Number:** QTE0022723

**Quote Date:** 03/01/23

**Prepared By:** srichmond

**Sales Rep:** SRICHMOND

**BILL TO:**

ASAGO LLC - BONDED  
2113 PECOS ST  
MISSION TX 78572

**SHIP TO:**

RAUL - 956-279-9787  
ASAGO LLC - BONDED  
2112 S. SHARY RD SUITE #5  
MISSION TX 78572

**Notes:**

| Customer P.O.                                                      | Ship VIA           | Terms   | Shipping Terms |         |                |
|--------------------------------------------------------------------|--------------------|---------|----------------|---------|----------------|
| RAUL                                                               | BESTWAY            | NET30   | Prepaid & Add  |         |                |
| Item Number                                                        |                    | Ordered | Unit           | Price   | Extended Price |
| 30855-STWG-TY2K                                                    | MAILBOX RELOCATION | 9       | EA-K           | \$99.95 | \$899.55       |
| 30Q MB ST SINGLE TWG ASSM W/(1) 8"X12" FY REF (METAL SOCKET/WEDGE) |                    |         | FREIGHT        | \$8.33  | \$75.00        |
| 30310-YH8 SDHPT                                                    |                    | 9       | EA             | \$0.00  | \$108.28       |
| 30H [P] SHEETING 8"X12" HI YELLOW                                  |                    |         |                |         |                |
| 30855-100                                                          |                    | 9       | EA             | \$0.00  |                |
| 30Q [P] MB SINGLE BRACKET (SHUR-TITE)                              |                    |         |                |         |                |
| 30855-310                                                          |                    | 9       | EA             | \$0.00  |                |
| 30Q [P] MB STEEL GALV POST-4'7" .095 ROUND (SHUR-TITE)             |                    |         |                |         |                |
| 30855-400                                                          |                    | 9       | PKG            | \$0.00  |                |
| 30Q [P] MB HARDWARE - SINGLE MB (SHUR-TITE)                        |                    |         |                |         |                |
| 30981-510                                                          |                    | 9       | EA             | \$0.00  |                |
| 35U [P] METAL GROUND SOCKET TY-A DRIVEABLE                         |                    |         |                |         |                |
| 30981-511                                                          |                    | 9       | EA             | \$0.00  |                |
| 35U [P] METAL WEDGE-TY A DRIVEABLE                                 |                    |         |                |         |                |
| 30981-520                                                          | SIGN RELOCATION    | 34      | EA             | \$85.00 | \$2,890.00     |
| 35U [P] GROUND STUB-TRIANGULAR                                     |                    |         | FREIGHT        | \$8.82  | \$300.00       |
|                                                                    |                    |         |                | \$93.82 |                |

Quotations are valid for 30 days from the date of quotation.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

|                |            |
|----------------|------------|
| Net Order:     | \$3,789.55 |
| Discount %     | 0%         |
| Less Discount: | \$0.00     |
| Freight:       | \$375.00   |
| Sales Tax:     | \$0.00     |
| Order Total:   | \$4,164.55 |

WE NOW OFFER CUSTOM VINYL DECALS, FLEET GRAPHICS, WINDOW PRINT FILMS, AND MORE!

1.5% FINANCE CHARGE FOR INVOICES OVER 30 DAYS. Terms & Conditions Apply.

CENTERLINE SUPPLY, INC. - TOLL FREE (800) 321-1751 - SALES@CLSUSA.COM



# Bid Proposal for PSJA Tri-City Pedestrian Improvements

|          |                                                                                                                                           |                                                                                               |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| CUSTOMER | <b>ASAGO, LLC</b><br>2113 PECOS<br>MISSION, TX 78572                                                                                      | <b>Job</b><br>PSJA Tri-City Pedestrian Improvements<br>Bid Date: 02/27/2023<br>Bid #: 2786179 |
| CONTACT  | <b>Sales Representative</b><br>Marco Cardoza<br>(M) 956-535-1232<br>(T) 956-631-3341<br>(F) 956-687-5918<br>Marco.Cardoza@coreandmain.com | <b>Core &amp; Main</b><br>100 N 1st St<br>McAllen, TX 78502<br>(T) 956-631-3341               |
| NOTES    |                                                                                                                                           |                                                                                               |



## Bid Proposal for PSJA Tri-City Pedestrian Improvements

ASAGO, LLC  
Bid Date: 02/27/2023  
Core & Main 2786179

Core & Main  
100 N 1st St  
McAllen, TX 78502  
Phone: 956-631-3341  
Fax: 956-687-5918

| Seq# | Qty | Description                                                                                                                                                                                                                                  | Units | Price            | Ext Price        |
|------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------|------------------|
|      |     | DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS,<br>MATERIALS ARE SUBJECT TO PRICING AT TIME<br>OF SHIPMENT. MATERIAL AVAILABILITY AND<br>TIMELINESS OF SHIPMENTS CANNOT BE<br>GUARANTEED. THIS TERM SUPERSEDES ALL OTHER<br>CONTRACTUAL PROVISIONS. |       |                  |                  |
|      |     | ADJUST MANHOLE                                                                                                                                                                                                                               |       |                  |                  |
| 10   | 11  | 30 UNHINGED COMP R&C PHARR CAP130                                                                                                                                                                                                            | EA    | 1,600.00         | 17,600.00        |
| 20   | 22  | 34"X3" HDPE MH ADJUSTING RING LADTECH 34F300                                                                                                                                                                                                 | EA    | 73.60            | 1,619.20         |
| 30   | 22  | BUTYL MASTIC SEALANT 1/2"X21'                                                                                                                                                                                                                | EA    | 11.05            | 243.10           |
|      |     | ADJUST VALVE COVER                                                                                                                                                                                                                           |       |                  |                  |
|      |     |                                                                                                                                                                                                                                              |       | <b>SUBTOTAL</b>  | <b>19,462.30</b> |
| 40   | 15  | 461-S VALVE BOX COMPLETE                                                                                                                                                                                                                     | EA    | 102.63           | 1,539.45         |
|      |     | ADJUST WATER METER                                                                                                                                                                                                                           |       |                  |                  |
|      |     |                                                                                                                                                                                                                                              |       | <b>SUBTOTAL</b>  | <b>1,539.45</b>  |
| 50   | 25  | KV43-342W-NL 1X3/4 ANGLE VALVE PACK JOINT X MTR NUT NO<br>LEAD                                                                                                                                                                               | EA    | 77.89            | 1,947.25         |
|      |     |                                                                                                                                                                                                                                              |       | <b>SUBTOTAL</b>  | <b>1,947.25</b>  |
|      |     |                                                                                                                                                                                                                                              |       | <b>Sub Total</b> | <b>22,949.00</b> |
|      |     |                                                                                                                                                                                                                                              |       | <b>Tax</b>       | <b>0.00</b>      |
|      |     |                                                                                                                                                                                                                                              |       | <b>Total</b>     | <b>22,949.00</b> |

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>





3807 N.Bentsen Palm Dr.  
Mission Tx. 78574-8200  
E-mail sales.lrprecast@gmail.com  
Web Site www.lrprecast.com  
Phone: (956)-583-6293  
Fax : (956)-424-1099

## Quotation 3671

|                                                        |                                       |
|--------------------------------------------------------|---------------------------------------|
| Date                                                   | 2/24/2023                             |
| Bid Date                                               | 2/24/2023                             |
| Bid Time                                               |                                       |
| Project                                                | PSJA Tri-City Pedestrian Safety Im... |
| Engineer:                                              |                                       |
| PSJA Tri-City Pedestrian Safety Imp. Ph 1<br>Pharr, TX |                                       |

Name / Address

ASAGO CONSTRUCTION  
2113 PECOS ST  
MISSION, TX. 78572

L&R Precast is pleased to provide you with the following materials quote for the reference project.

We are herby submitting this proposal for your consideration

| Customer ID            | Description | Qty | Price | Total  |
|------------------------|-------------|-----|-------|--------|
|                        | Carstops    | 16  | 35.00 | 560.00 |
| <i>D.B.E. APPROVED</i> |             |     |       |        |

**Estimated Total** \$560.00

BY SIGNING THIS QUOTATION YOU ARE ACCEPTING TERMS AND CONDITIONS.

ACCEPTED BY: \_\_\_\_\_ Date: \_\_\_\_\_  
DIRECTIONS#: \_\_\_\_\_ PO: \_\_\_\_\_

### TERMS AND CONDITIONS

- 1.- Payments are due on Net 10th.
- 2.- Concrete products are F.O.B unloaded by the customer at project site.
- 3.- The prices quoted for the referenced project are valid for a period of thirty (30) days from the advertised bid date. Prices will be subject to change without notice.
- 4.- If for any reason, the customer is placed on hold, due to lack of payment, and the customer decides to purchase materials somewhere else, the customer will be responsible for paying all pending material left to deliver.
- 5.- We reserve the right to modify this bid and match pricing quoted by any competitor.
- 6.- In order for us to provide you with a complete materials quotation, do not rely solely on the quantities and descriptions as provided on this quotation but compare our data to yours and notify us of any discrepancies. We will promptly revise our quotation to include the product that you require and return to you.



# Pharr Engineering

## CHANGE ORDER

Contractor: Asago Construction Change Order No.: 2

Project: PSJA Tri-City Pedestrian Safety Improvements Project Phase I Date: 4/3/2023

CSJ#: 0921-02-391 / STP 2021 (057)

Notice to Proceed Date: 19-Dec-22 Change Order Amount: \$ 121,359.62

### You are directed to make the following changes in the Contract Documents:

| ITEM                                          | QTY     | UNIT | UNIT PRICE  | TOTAL                |
|-----------------------------------------------|---------|------|-------------|----------------------|
| 104-6015 - Removing Conc (Sidewalk)           | 2657.0  | SY   | \$ 17.44    | \$ 46,338.08         |
| 104-6017 - Removing Conc (Driveways)          | 1219.36 | SY   | \$ 23.25    | \$ 28,350.12         |
| 104-6029 - Remove Con (Curb or Curb & Gutter) | 14.0    | LF   | \$ 8.53     | \$ 119.42            |
| 644-6068 Relocate SM RD SN SUP&AM TY 10BWG    | 25.0    | EA   | \$ 481.91   | \$ 12,047.75         |
| 479-6001 Adjusting Manholes                   | 2.0     | EA   | \$ 2,500.85 | \$ 5,001.70          |
| 479-6005 Adjust Valve Cover                   | 14.0    | EA   | \$ 532.88   | \$ 7,460.32          |
| 479-6005 Adjust Water Meter                   | 22.0    | EA   | \$ 703.30   | \$ 15,472.60         |
| 560-6025 Relocate Mailbox                     | 9.0     | EA   | \$ 292.91   | \$ 2,636.19          |
| 5057-6001 Precast Concrete Wheel Stops        | 16.0    | EA   | \$ 245.84   | \$ 3,933.44          |
| <b>TOTAL</b>                                  |         |      |             | <b>\$ 121,359.62</b> |

### Reason for Change Order:

Quantities of certain bid items from the contract/construction plans were not identified as subsidiary items. Any additional quantities of the type of work mentioned above are to be paid at the new established unit price.

| Contract Price               |                 | Contract Time(Calendar Days) |           |
|------------------------------|-----------------|------------------------------|-----------|
| Original Contract:           | \$ 2,325,300.55 | Original Completion Date:    | 10-Apr-24 |
| Previous Change Order: (+/-) | \$ 1,677.44     | Additional Days:             | 0         |
| This Change Order: (+/-)     | \$ 121,359.62   | Revised Completion Date:     | 10-Apr-24 |
| Revised Contract Amount:     | \$ 2,448,337.61 |                              |           |

It is agreed by the Contractor that this Change Order includes any and all costs associated with or resulting from change(s) ordered herein, including all impact, delays, and acceleration costs. Other than the dollar amount and time allowance listed above, there shall be no further time or dollar compensation as a result of this Change Order.

**THIS DOCUMENT SHALL BECOME AN AMMENDMENT TO THE CONTRACT AND ALL STIPULATIONS AND COVENANTS OF THE CONTRACT SHALL APPLY HERETO.**

### Accepted:

|                                                                                                                                                         |                                                                                                         |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <u>Asago Construction</u><br>Contractor<br><br><b>Recommended:</b><br><br><u>Project Engineer</u><br><br><br><u>Ruben Alfaro, P.E.</u><br>City Engineer | _____<br>Authorized Signature<br><br>_____<br>Authorized Signature<br><br>_____<br>Authorized Signature | _____<br>Date<br><br>_____<br>Date<br><br>_____<br>Date |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------|

**Approved:**

Edward M. Wylie  
\_\_\_\_\_  
Deputy City Manager

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.C.

**DATE SUBMITTED:** March 27, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Pilar Rodriguez, Fire Chief

**DEPARTMENT:** Fire

**DIRECTOR:** Pilar Rodriguez

**Agenda Item:** Consideration and action, if any, on agreement with Blazestack, Inc. for a subscription for fire investigation case management software for use by the fire department in the amount of \$2,000.00. **This item supports SSC - Safe and Secure Community.**

**Classification:** Regular

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

**Issue:** The fire department currently manages its fire and arson investigation case management utilizing paper files and a manual filing system. Staff is proposing to automate the fire investigation case management utilizing a software subscription from Blazestack at a cost of \$2,000.00 per year.

The software will allow staff to readily create, review, edit, search and update fire and arson investigation files without having to search through cumbersome paper files that require physical storage space to accommodate file cabinets. Additionally, the automated system will allow for timely submission of reports to insurance carriers and owners.

**Fiscal Consideration:** Funds are available in the FD's FY 2022-2023 Fiscal Budget.

**Staff Recommendation:** Based on review by this office, staff recommends approval of the agreement with Blazestack to provide a subscription for fire investigation case management in the amount of \$2,000.00.

**Alternatives:** Dis-approve the agreement

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### ROUTING:

Pilar Rodriguez  
Mayra Gomez  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/27/2023  
Approved - 3/27/2023  
Approved - 3/30/2023  
Approved - 3/31/2023  
Final Approval - 3/31/2023



Prepared by: Patrick Vlaskovits

## SOFTWARE SERVICES ORDER FORM AND AGREEMENT

This Software Services Order Form and Agreement (this “**Agreement**”) is between Blazestack Inc., a Texas corporation with mailing address of POB 160266, Austin, TX 78716 (“**Blazestack**”), and the “**Customer**” identified immediately below.

### CUSTOMER INFORMATION:

City of Pharr, Pharr Fire Department  
 (“**Customer**”) with offices at:  
 118 S. CAGE BLVD., 3RD FLOOR, PHARR, TEXAS 78577  
 (956) 402-4000

### SERVICE FEE AND TERM:

| SERVICE, SERVICE LEVEL,<br>USER-SEATS & CASE<br>VOLUME,                                                               | ANNUAL SERVICE FEE<br>& TERM                       | EFFECTIVE DATE &<br>BILLING CYCLE | RENEWAL DATE                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Fire Investigation<br>Case Management Software<br><br>Silver Plan<br><br>User-Seats: 10<br><br>Annual Case Volume: 75 | \$2,000 per 12-month term<br><br>Due on 03/10/2023 | 03/10/2023,<br>Annual billing     | 03/10/2024; automatic<br>annual renewal unless<br>Customer provides<br>Blazestack 30 days prior<br>written notice of non-<br>renewal |

### SUPPORT:

Blazestack will provide Technical Support to Customer via both telephone and electronic mail on weekdays during the hours of 9:00 am through 5:00 pm Central time, with the exclusion of Federal Holidays (“Support Hours”). Customer may initiate a helpdesk ticket during Support Hours by calling (855) 735-6673 or any time by emailing [support@blazestack.com](mailto:support@blazestack.com).

Company will use commercially reasonable efforts to respond to all helpdesk tickets within one (1) business day.

### SERVICE INFORMATION:

Service Fee for Silver Plan includes implementation, support and 1000 GB of Case Media Storage. (Additional case media storage capacity can be added at a cost of \$500/year per each additional 500 GB. Blazestack will provide notice when storage capacity reaches 50%.)

Blazestack Inc.  
907 Ranch Rd 620 S # 302, Lakeway, TX 78734  
[hello@blazestack.com](mailto:hello@blazestack.com)  
(855) 735-6673



Prepared by: Patrick Vlaskovits

This SaaS Services Agreement (“Agreement”) is entered into on the “Effective Date” listed above, between Blazestack, and the Customer listed above (“Customer”).

This Agreement includes and incorporates the above Order Form, as well as the attached Terms and Conditions and contains, among other things, warranty disclaimers, liability limitations and use limitations. There shall be no force or effect to any different terms of any related purchase order or similar form even if signed by the parties after the date hereof.

BLAZESTACK:

CUSTOMER:

Name: Randy Elmore  
Title: CEO  
Email: randy@blazestack.com

Name: Anali Alanis  
Title: Interim City Manager  
Email: anali.alanis@pharr-tx.gov

## TERMS OF SERVICE

This Terms of Service is between Blazestack Inc., a Texas corporation (collectively, “Blazestack”), and the entity identified on the applicable Order Form (“Customer”). The Agreement is effective as of the date the last party signs the applicable Order Form (“Effective Date”).

### 1. DEFINITIONS

Capitalized terms have the meanings described in this section or in the body of the Agreement.

“Agreement” means this Terms of Service and all Order Forms.

“Annual Case Volume” means maximum number of Cases entered into the system by Customer’s Users per year.

“Case” means one individual incident at a specific location.

“Customer Data” means all electronic data or information that Customer submits to the Service.

“Order Form” means a Blazestack ordering document that references this Terms of Service, whether online or via a separate form.

“Report” means any report, analysis, content, survey, opinion, photo, technique, hypothesis, finding, study

relating to any fire investigation prepared by Customer and/or User.

“Service” means Blazestack’s proprietary fire investigation software accessible through the Internet, that is intended for use in the investigation of fire.

“Term” means the period of Customer’s subscription to the Service as specified in an Order Form, unless terminated earlier under Section 7 (Term and Termination).

“Third Party Products” means any products or services not developed by Blazestack.

“User” means a single, unique authorized individual of the Customer that uses the Service on Customer’s behalf.

“User Seat” is a license for one User to use the Service.



## 2. SERVICE AND SUPPORT

2.1. Provision of Service. Blazestack shall provide Customer with access to the Service for the number of User-Seats specified on the Order Form during the Term, or if not specified a reasonable amount of Users in the sole discretion of Blazestack. User-Seats purchased but not utilized during the Term are not eligible for refunds.

2.2. Use of Service. Customer shall use the Service and the data generated by the Service only for its intended purpose.

2.3. Support. Blazestack shall provide Customer with technical support on a commercially reasonable basis, or as specified on an Order Form.

2.4. System Requirements. Customer shall meet the minimum system requirements for access to the Service, currently set forth at the end of this Agreement but subject to updating on a reasonable basis.

2.5. Third Party Products. Blazestack may offer Customer the ability to use Third Party Products with the Service, subject to Customer's agreement with any applicable terms and conditions for those Third Party Products.

## 3. RESPONSIBILITIES AND RESTRICTIONS

3.1. Blazestack Responsibilities. Blazestack shall: (i) provide Customer with access to the Service in accordance with this Agreement and all applicable laws; and (ii) provide the Service with a minimum of 99.0% Uptime during any calendar month, except Blazestack shall have 2 days to restore availability after any downtime. "Uptime" means the availability of the Service, excluding lack of availability due to Customer or third party causes, downtime for maintenance, or a force majeure event.

3.2. Customer Responsibilities. Customer shall: (i) cause Users to comply with this Agreement; (ii) cooperate with Blazestack so that Blazestack can provide the Service; (iii) be responsible for the Customer Data; (iv) use reasonable efforts to prevent unauthorized access or use of the Service and promptly notify Blazestack if Customer discovers

any unauthorized access or use; and (v) use the Service in accordance with this Agreement and applicable laws; and (vi) create Reports in accordance with industry standards. Furthermore, Customer shall at all times be responsible for any and all Reports, and hereby acknowledges to the Company that (a) Customer is solely responsible for any such Report and (b) the Company is not certifying or validating any portion of the Report.

3.3 Restrictions. Only Users may use the Service and only with the account credentials issued to that User. Users may not share their account credentials. Customer shall not, and shall not permit any third party to: (i) use the Service except as expressly authorized under this Agreement; (ii) interfere with or disrupt the integrity or performance of the Service; (iii) rent, lease, lend, sell, sublicense, assign, distribute, publish, transfer or otherwise make the Service available; (iv) remove any title, trademark, copyright, or restricted rights notices or labels from the Service; (v) modify or create a derivative work of the Service or any portion of the Service; or (vi) reverse engineer, disassemble, decompile, decode, adapt or otherwise attempt to derive or gain access to the source code, object code or underlying structure or algorithms of the Service.

## 4. FEES

4.1. Fees. Customer shall pay all fees specified in all Order Forms ("Fees"). Fees are quoted and payable in United States dollars and are non-refundable, except as described in Section 7 (Term and Termination). Acceptable forms of payment are limited to credit card, ACH, wire transfers and physical check, provided that Blazestack may change acceptable forms of payment upon thirty (30) days notice to the Customer.

4.2. Taxes. Fees are exclusive of all taxes, including any applicable sales, excise, or use taxes ("Taxes"). Customer shall pay any Taxes directly or to Blazestack, as required by law. If Customer is exempt from paying Taxes, Customer shall provide Blazestack with a valid tax exemption certificate.

4.3. Invoicing and Payment. Blazestack shall invoice Customer according to the terms on the Order Form. Unless the Order Form states otherwise, Fees are due upon receipt of invoice (the "Due Date"). Customer





shall provide Blazestack with complete and accurate billing and contact information and promptly notify Blazestack of any changes throughout the Term.

4.4. Overdue Fees. If Blazestack does not receive all Fees by the applicable Due Date, Blazestack may charge a late fee on the unpaid balance at the lesser of 1.5% per month or the maximum lawful rate, starting from the date the payment was due until the date paid. Blazestack reserves all rights and available remedies to collect overdue Fees from Customer, including but not limited to suspending Customer's access to the Service until all Fees are paid.

4.5. Payment Disputes. If Customer disputes an invoiced amount in good faith, Customer shall give Blazestack written notice with detailed support of the dispute within 10 business days of Customer's receipt of the invoice. If Customer fails to do so, Customer waives its right to dispute that invoice, and the invoice will be deemed accurate and valid.

## 5. CONFIDENTIALITY

5.1. Definition. "Confidential Information" means oral, electronic or written information disclosed by a party that is designated confidential or that reasonably should be understood to be confidential given its nature and the circumstances of its disclosure. Customer Confidential Information includes, but is not limited to, Customer Data. Blazestack Confidential Information includes, but is not limited to, information pertaining to the features, functionality and performance of the Service, pricing, and this Agreement. Confidential Information does not include information that: (i) is now or becomes generally known or available to the public without breach of this Agreement by the receiving party (the "Recipient"); (ii) was acquired by the Recipient without restriction on its use or disclosure before the information was received from the disclosing party (the "Discloser"); (iii) is obtained by the Recipient without restriction on its use or disclosure from a third party authorized to make the disclosure; or (iv) is independently developed by the Recipient without using or referring to the Discloser's Confidential Information.

5.2. Protection of Confidential Information. The Recipient may only use the Discloser's Confidential Information in relation to this Agreement. The

Recipient shall maintain the confidentiality of the Discloser's Confidential Information with at least the same degree of care that it uses to protect its own confidential and proprietary information (including but not limited to maintaining reasonable administrative, physical, and technical safeguards) and no less than a reasonable degree of care. Each party has the right to obtain an injunction (without having to post a bond) to prevent any breach or continued breach of this section.

5.3. Compelled Disclosure. If the Recipient is required by law or a valid court or government order to disclose any of the Discloser's Confidential Information, then (to the extent permitted under law) the Recipient shall promptly notify the Discloser in writing of the required disclosure so that the Discloser may seek to protect its Confidential Information. The Recipient shall cooperate with the Discloser in seeking such protection.

## 6. PROPRIETARY RIGHTS

6.1. Customer Ownership and Licenses. Customer owns all rights, title and interest in and to Customer Data and Reports. During the Term, Customer grants Blazestack a worldwide, non-exclusive, royalty-free, non-sublicensable (except as needed to provide the Service), non-transferable (except as described in Section 5 (Assignment)) right to access and use the Customer Data to provide the Service to Customer and to monitor and improve the Service. Customer shall back up Customer Data during the Term and may not have access to the Customer Data via the Service after the Term.

6.2. De-Identified Data. Blazestack may collect, develop, create, extract, compile, synthesize, analyze and commercialize statistics, benchmarks, measures and other information based on Aggregated Data (collectively, "De-Identified Data"). De-Identified Data will be owned solely by Blazestack and may be used for any lawful business purpose. "Aggregated Data" means Customer Data that is: (i) anonymized and not identifiable to any person or entity; (ii) combined with the data of other customers or additional data sources; and (iii) presented in a way which does not reveal Customer's identity.

6.3. Feedback. If Customer provides Feedback, Customer grants to Blazestack a worldwide,



perpetual, irrevocable, sub-licensable, royalty-free, transferable license to use the Feedback in the Service and any intellectual property Blazestack develops. "Feedback" means recommendations, suggestions, enhancement requests or any ideas, technology, developments, derivative works or other intellectual property related to the Service or Blazestack.

6.4. Reservation of Rights. Blazestack and its licensors reserve all right, title and interest in and to the Service, including all related intellectual property rights, subject to the limited rights expressly granted in this Agreement. No other rights are granted to Customer by this Agreement.

## 7. TERM AND TERMINATION

7.1. Term. The Term begins on the Effective Date and ends on the Termination Date. "Termination Date" means the earlier date of: (i) the expiration or termination of all Order Forms under this Agreement; or (ii) termination of this Agreement under this section.

7.2. Renewal. Customer may renew this agreement for two (2) subsequent 1 year terms ("Renewal Term") at the prevailing list price at the time of such renewal. Renewals shall be in writing.

7.3. Termination for Cause. A party may terminate this Agreement or any applicable Order Form: (i) if the other party is in material breach of this Agreement and fails to cure the breach within 30 days of receiving written notice from the non-breaching party; or (ii) if the other party becomes the subject of a petition in bankruptcy or any proceeding relating to insolvency, receivership, liquidation or assignment for the benefit of creditors. If Customer terminates due to Blazestack's breach, Customer's exclusive remedy is a pro-rata reimbursement of prepaid Fees covering the remainder of the Term after the Termination Date.

If Blazestack terminates due to Customer's breach, Customer will pay any unpaid Fees covering the remainder of the Term after the Termination Date. Termination under this section will not relieve Customer of its obligation to pay any Fees owed for the period prior to the Termination Date.

7.4. Termination for Convenience. Either party may terminate this Agreement or any applicable Order Form for convenience upon ninety (90) days written notice. If Blazestack terminates for convenience, Customer's exclusive remedy is a pro-rata reimbursement of prepaid Fees covering the remainder of the Term after the Termination Date. Termination under this section will not relieve Customer of its obligation to pay any Fees owed for the period prior to the Termination Date.

## 8. WARRANTIES AND DISCLAIMERS; INDEMNIFICATION

8.1. Mutual Warranties. Each party represents that it: (i) has the legal power to enter into this Agreement; (ii) will comply with all applicable laws during the Term; and (iii) will use reasonable efforts to avoid transmitting to the other party any harmful or malicious code, files, scripts, agents or programs.

8.2. Warranty Disclaimer. Blazestack does not make any representations that the functions performed by the Service will meet all of Customer's requirements, that the operation of the Service will be uninterrupted or error free, that all defects in the Service will be corrected, or that the Service will be available in all languages or all countries.

THE SERVICE IS PROVIDED "AS IS." EXCEPT AS EXPRESSLY PROVIDED HEREIN, BLAZESTACK MAKES NO WARRANTIES OF ANY KIND, WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, AND SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF MERCHANTABILITY, NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR PURPOSE, TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW. SPECIFICALLY, THIRD PARTY CONTENT AND TEST FEATURES ARE PROVIDED "AS IS," EXCLUSIVE OF ANY WARRANTY. EACH PARTY DISCLAIMS ALL LIABILITY AND INDEMNIFICATION OBLIGATIONS FOR ANY HARM OR DAMAGES CAUSED BY ANY THIRD PARTY NETWORKING OR HOSTING PROVIDERS OR THIRD PARTY PRODUCTS.



8.3 Indemnification. To the extent allowed by law, Customer shall indemnify, defend, and hold harmless the Company and its officers, directors, employees, agents, successors, and assigns against all losses arising out of or resulting from any third party claim, suit, action, or proceeding related to or arising out of or resulting from Customer's (or its User's) (i) material breach of any representation, warranty, covenant, or obligation under this Agreement or (ii) for all matters related to any Report.

## 9. LIMITATION OF LIABILITY

9.1 Limitation of Liability. IN NO EVENT WILL EITHER PARTY'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER IN CONTRACT, TORT OR UNDER ANY OTHER THEORY OF LIABILITY, EXCEED THE TOTAL AMOUNT PAID BY CUSTOMER HEREUNDER IN THE 12 MONTHS PRECEDING THE INCIDENT GIVING RISE TO THE LIABILITY. THE FOREGOING LIMITATIONS WILL NOT APPLY TO CUSTOMER'S PAYMENT OBLIGATIONS OR CUSTOMER'S WILLFUL MISCONDUCT OR GROSS NEGLIGENCE, OR CUSTOMER'S INDEMNIFICATION OBLIGATIONS

9.2. Exclusion of Consequential and Related Damages. IN NO EVENT WILL EITHER PARTY HAVE ANY LIABILITY TO THE OTHER PARTY FOR ANY LOST PROFITS OR REVENUES OR FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, SPECIAL, COVER OR PUNITIVE DAMAGES, HOWEVER CAUSED, WHETHER IN CONTRACT, TORT OR UNDER ANY OTHER THEORY OF LIABILITY, AND WHETHER THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THE FOREGOING WILL NOT APPLY TO THE EXTENT PROHIBITED BY APPLICABLE LAW.

## 10. US. GOVERNMENT MATTERS

10.1. Terms for U.S. Government Customers. This section applies only to Customers that are U.S. government entities subject to the cited regulations ("U.S. Government Customers"). The Service is a "commercial item" (as defined in 48 C.F.R. 2.101) and involves the use of "commercial computer software" and "commercial computer software

documentation" (as used in 48 C.F.R. 12.212). All U.S. Government Customers acquire subscriptions to the Service only as a "commercial item" and only with those rights that are granted to all other end-users pursuant to the terms and conditions of this Agreement, consistent with 48 C.F.R. 12.212 and 48 C.F.R. 227.72021 through 227.72024.

## 11. GENERAL TERMS

11.1. Dispute Resolution; Governing Law; Forum. The parties shall first attempt to resolve any dispute through mediation. The parties shall jointly select a mediator and shall participate in good faith in the mediation process. The costs of the mediation process shall be shared equally by the parties. The mediation shall take place in Texas. If the dispute is not resolved through mediation within 90 days, either party may proceed to court to seek resolution. The laws of the State of Texas govern this Agreement. Venue for any disputes that proceed to legal action shall take place in Hidalgo County, Texas.

11.2. Notices. Notices under this Agreement must be in writing and will be considered given upon: (i) delivery by traceable courier or mail (delivery confirmation/ return receipt requested); or (ii) the second business day after sending by email. Notices to Blazestack should be sent to [email address]. Billing notices and notices relating to this Agreement will be sent to the contacts designated by Customer on the Order Form.

11.3. Customer References. During the Term, Blazestack may include Customer's name, logo and success stories in Blazestack's website, press releases, promotional and sales literature, and lists of customers.

11.4. Force Majeure. Neither party will be responsible for failure or delay of performance if caused by an event outside the reasonable control of the obligated party, including but not limited to an electrical, internet, or telecommunication change or outage not caused by the obligated party; government restrictions; or illegal acts of third parties. Each party will use reasonable efforts to mitigate the effect of a force majeure event.

11.5. Assignment. Neither party may assign any of its rights or obligations under this Agreement without

Blazestack Inc.  
907 Ranch Rd 620 S # 302, Lakeway, TX 78734  
[hello@blazestack.com](mailto:hello@blazestack.com)  
(855) 735-6673



the other party's prior written consent (not to be unreasonably withheld), except either party may assign this Agreement in its entirety without the other party's consent to its affiliate or as part of a merger, acquisition, corporate reorganization, or sale of all or substantially of all its assets.

11.6. Relationship of the Parties. The parties are independent contractors. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary or employment relationship between the parties.

11.7. Waiver. No failure or delay by either party to exercise any right under this Agreement will constitute a waiver of that right, unless expressly stated in this Agreement.

11.8. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the provision will be modified to the minimum extent necessary to make it enforceable. The provision will be disregarded only if such modification is not possible or is prohibited by law. The remaining provisions of this Agreement will remain in effect.

11.9. Order of Precedence. If there is a conflict or inconsistency between any Order Form and this Agreement, the Order Form will control.

11.10. Entire Agreement; Amendment. This Agreement is the entire agreement between the parties and supersedes all prior and contemporaneous

agreements, proposals, or representations, written or oral, concerning its subject matter. No change to any provision of this Agreement or any Order Form will be effective unless in writing and signed by an authorized signatory of the party against whom the change is asserted.

11.11. Headings. Headings are for reference only and do not affect the meaning or interpretation of this Agreement.

11.12. Counterparts. This Agreement may be executed in one or more counterparts. Each counterpart is an original. All counterparts together form one document.

11.13. System Requirements. Customer shall meet the minimum system requirements for access to the Service

- Google Chrome™: Version 97 to most Current
- Microsoft® Edge®: Version 96 to most Current
- Mozilla® Firefox®: Version 96 to most Current
- Apple® Safari®: Version 15 to most Current



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.D.

**DATE SUBMITTED:** March 31, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Maritza Magallan, Contract  
Compliance Officer

**DEPARTMENT:** Purchasing

**DIRECTOR:** Mayra Gomez

**Agenda Item:** Consideration and action, if any, authorizing City Manager to negotiate and enter into a contract with STX Underground LLC. from Brownsville, Texas for the Fiber Optic Network Phase VI Project through The Interlocal Purchasing System (TIPS) Cooperative Contract 211001. **This item supports QL - Quality of Life.**

**Classification:** Regular

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

**Issue:** Contract for labor services for the Fiber Optic Network Phase VI (TeamPharr.net) through the The Interlocal Purchasing System (TIPS) Cooperative contract number 211001.  
(Project# 2223-01-510-C05-001)

**Fiscal Consideration:** Not to exceed \$5.8 million

**Staff Recommendation:** Staff recommends approval

**Alternatives:** N/A

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### ROUTING:

Maritza Magallan  
Mayra Gomez  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/31/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
New -



## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.E.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Ruben Alfaro, City Engineer

**DEPARTMENT:** Engineering

**DIRECTOR:** Ruben Alfaro

**Agenda Item:** Consideration and action, if any, authorizing City Manager to negotiate and enter into an agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic signal study for the intersection of Sugar Rd. and Minnesota Rd. **This item supports IF - Infrastructure.**

**Classification:** Regular

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

**Issue:** A traffic signal study is required at the intersection of Sugar Rd. and Minnesota Rd. to investigate if a traffic signal is warranted.

**Fiscal Consideration:** The fee is to be negotiated.

**Staff Recommendation:** Staff recommends approval.

**Alternatives:** Not performing the study. intersection will remain as a flashing beacon.

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### ROUTING:

Ruben Alfaro

Created/Initiated - 3/30/2023

Ruben Alfaro

Approved - 3/30/2023

Karla Saavedra

Approved - 3/31/2023

Patricia Rigney

Approved - 3/31/2023

City Management Office

Final Approval - 3/31/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.F.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Ruben Alfaro, City Engineer

**DEPARTMENT:** Engineering

**DIRECTOR:** Ruben Alfaro

**Agenda Item:** Consideration and action, if any, authorizing City Manager to negotiate and enter into agreement with an Engineer on the approved Professional Engineering Services Pool for a traffic study for the intersection of FM 495 and Veterans Blvd.

**This item supports IF - Infrastructure.**

**Classification:** Regular

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

**Issue:** A traffic signal study is required at the intersection of FM 495 and Veterans Blvd. to investigate the need to re-time the traffic signal or proposed additional traffic direction measures such as a raised median.

**Fiscal Consideration:** The fee is to be negotiated.

**Staff Recommendation:** Staff recommends approval.

**Alternatives:** Not performing the study. Signal timing and intersection layout would remain as is.

**Exclude Material from Public Packet?** No

**Reason:** N/A

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### ROUTING:

Ruben Alfaro  
Ruben Alfaro  
Karla Saavedra  
Patricia Rigney  
City Management Office

Created/Initiated - 3/30/2023  
Approved - 3/30/2023  
Approved - 3/31/2023  
Approved - 3/31/2023  
Final Approval - 3/31/2023





## AGENDA MEMORANDUM



**BOARD:** City Commission

**AGENDA ITEM #:** 9.G.

**DATE SUBMITTED:** March 30, 2023

**MEETING DATE:** April 3, 2023

**FROM:** Kenneth Ennis, Communications  
Director

**DEPARTMENT:** Communications

**DIRECTOR:** Kenneth Ennis

**Agenda Item:** Consideration and action, if any, on JotForm Software service agreement for digital form software in the amount of \$10,224.00. **This item supports SG - Sound Governance and Fiscal Sustainability.**

**Classification:** Regular

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

**Issue:** Renewal of software is due and requires a new service agreement.

**Fiscal Consideration:** none at this time

**Staff Recommendation:** Staff Recommends Approval

**Alternatives:** No alternatives at this time

**Exclude Material from Public Packet?** No

**Reason:** none

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### ROUTING:

Kenneth Ennis

Created/Initiated - 3/30/2023

Kenneth Ennis

Approved - 3/30/2023

Karla Saavedra

Approved - 3/31/2023

Patricia Rigney

Approved - 3/31/2023

City Management Office

Final Approval - 3/31/2023



## **Jotform and City of Pharr**

### **ADDENDUM 3 TO SOFTWARE SERVICE AGREEMENT**

This Addendum ("Addendum") is effective as of the date of the final signature on this Addendum and is entered into by and between City of Pharr ("Customer" or "you") and Jotform Inc. ("Jotform"), as an extension to the Software Service Agreement signed by the Parties on February 9, 2021. All terms and conditions of the Agreement remain in effect, except for the following:

- 1) Attachment 1, Term clause is modified as follows: "This agreement is extended for one year, to expire at the third anniversary of the final signature on the Agreement."

#### **Renewal Costs (all amounts in USD):**

|                  |                    |
|------------------|--------------------|
| Number of Users: | 7                  |
| Cost Per User:   | \$79.00/month      |
| HIPAA Cost:      | \$299/month        |
| Term:            | 12 months          |
| Cost:            | <b>\$10,224.00</b> |

#### **Signatures**

The individuals executing this Addendum represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

#### **Customer**

#### **Jotform Inc.**

Name:

Name:

Tolga Sakman

Title:

Title:

VP Enterprise

Date:

Date:

Signature:

Signature: