

Vacant, Commissioner At-large "A"
Bryan L. Martinez, Commissioner District 1
Roy De los Santos, Commissioner District 3



Rose M.Z. Gowen, M.D., Commissioner At-large "B"
Linda C. Macias, Commissioner District 2
Pedro Cardenas, Commissioner District 4

John Cowen, Jr, Mayor

NOTICE OF A PUBLIC MEETING OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene a **Regular Meeting** on **July 11, 2023, at 5:00 p.m.**, in the City Commission Chambers, located on the Second Floor of the Brownsville City Hall - Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520.

Pursuant to Section 551.127, Texas Government Code, one or more Commissioners or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

Members of the public, employees, and the City Commission may join via the Webex Teleconference Meeting by logging on at:

<https://brownsvilletx.webex.com/brownsvilletx/j.php?MTID=me60319390479cd166e4a9f9850ced84c>

Password: commission (26664774 from video systems)

Join by video system

Dial [25942211203@brownsvilletx.webex.com](tel:25942211203)

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

1-844-621-3956 United States Toll Free

+1-650-479-3208 United States Toll

Access code: 259 422 11203

This Notice and Meeting Agenda are posted online at: <https://brownsvilletx.gov/129/Agendas-Minutes>

Members of the public who submitted a "Public Comment Form" will be permitted to offer public comments as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act.

At any time during the course of the posted meeting, the Brownsville City Commission may retire into Executive Session under Texas Government Code 551.071 to confer with legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during this meeting, the City Commission may retire to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more exceptions to the Texas Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

CALL TO ORDER

- a) ROLL CALL
- b) INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES OF AMERICA AND STATE OF TEXAS

PROCLAMATION(S)

Recognizing and Honoring Representative Erin Gamez (Mayor J. Cowen, Jr./Commissioner R. De los Santos)

Honoring Fred Guadalupe Kowalski (Commissioner B. L. Martinez/Commissioner R. De los Santos)

POST ELECTION BUSINESS-CEREMONY

- 1) Commissioner, At-Large "A"
- a) Issuance of Certificate of Election (Office of the City Secretary)
- b) Signature and Verification of Statement of Elected Officer (Office of the City Secretary)
- c) Administration of Oath of Office (Honorable Judge Rolando Olvera, United States District Court-Southern District)

PUBLIC COMMENT PERIOD

- **Non-Agenda Items:** Kindly submit a "Public Comment Form" stating the City business or City policy you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Forms are not reserved for anyone nor may time be deferred to anyone. PowerPoint presentations may not be accommodated. This period is limited to five (5) speakers with a time limit of three (3) minutes per speaker.
- **Agenda Items:** Kindly submit a "Public Comment Form" stating which item(s) on the agenda you wish to speak to an hour before the start of the scheduled meeting time with the City Secretary. Speakers will be allowed to address the Commission on the agenda item before it is to be considered. The speaker is limited to three (3) minutes.
- **Time Limits:** The City Commission shall have the discretion to modify its regulations regarding time limits on public comment if necessary. For example, the time limit may be shortened to accommodate a lengthy agenda or it could be lengthened to allow additional time for discussion on a complicated matter or if there is a need for an interpreter.

WORK SESSION(S)

As a governmental body, the City Commission will not vote or take any formal action on any items discussed in the work session portion of the agenda.

- 1) Brownsville Public Utilities Board (BPUB) North Regional Force Main Project. (Engineering and Public Works Department)
- 2) Board and Commission Member Appointment and Eligibility Policy Workshop

PRESENTATION(S)

City Manager's Update

CONSENT AGENDA ITEM(S)

The following are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- 1) Approval of the Minutes:
 - a) Minutes of June 20, 2023, Regular City Commission Meeting
 - b) Minutes of June 27, 2023, Special City Commission Meeting
- 2) Consideration and **ACTION** to approve a 3-year term subscription agreement between eCivis (Carahsoft) under the cooperative contract OMNIA-R191902 in the amount of \$55,168.75, as budgeted annually. (Grants and Community Development Department)

- 3) Consideration and **ACTION** to approve a one-year term renewal of contract ELH-50- 0721 with Rio Grande Hauling, LLC. for excavation, loading, and hauling services that will extend from August 3, 2023 through August 2, 2024, as budgeted. (Engineering & Public Works Department)
- 4) Consideration and **ACTION** to approve a professional services contract for an Interim Assistant Director role for up to six months for \$60,000 plus travel reimbursements. (Airport Department)
- 5) Consideration and **ACTION** to authorize the purchase of Aboveground Storage Tanks (AST) for fuel storage, Equipment and Software from Separation Systems Consultants, Inc. (SSCI) under the TIPS Contract 23010402 for \$462,843.86 as budgeted. (Multimodal Transportation Department)
- 6) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-009**, to rezone from Residential Estate (RE) to Residential Transition (R-3) for a 2.566-acre tract of land, out of a 71.17-acre tract of land in the A.N. Tandy Estate, Share 12, Espiritu Santo Grant, Cameron County, Texas, located on West Alton Gloor Boulevard, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 7) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-010**, to rezone from Commercial Corridor (CC) to Regional Center (RC) for Lot 2, Block 1, MG Estates Subdivision, Cameron County, Texas, located at 7225 Paredes Line Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)
- 8) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-011**, to rezone from Commercial Corridor (CC) to Residential Single-Family (R-1) for Lot 5, Block 1, Military South Subdivision, Phase 1, Cameron County, Texas, located at 9795 U.S. Highway 281, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 9) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-904**, to rezone from Agriculture (AG) to Residential Suburban (R-2) for a 0.94 acre-tract out of a 5.66-acre tract, being in Santander Townsite, Barreda Gardens Subdivision, located on FM 1421, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 10) Consideration and **ACTION** to approve the Rubrik Disaster Recovery System with SHI Government Solutions, Inc. for an initial service term of 3-years in the total amount of \$312,055.08, as budgeted. (Enterprise Applications Department)
- 11) Consideration and **ACTION** on **Resolution Number 2023-085** by the City Commission of the City of Brownsville, Texas, approving the Advance Funding Agreement(AFA) between the City of Brownsville and the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) program project to fund the West Rail Trail Amenities (CSJ 0921-06-350) with a City of Brownsville payment of \$25,338 as budgeted.(Multimodal Transportation Department)
- 12) Consideration and **ACTION** for the approval of the acceptance of a 0.300-acre tract of land out of a certain 54.827-acre tract of land out of Share 19, Espiritu Santo Grant, to be used by the City of Brownsville for park or recreational purposes. (Engineering & Public Works Department)
- 13) Consideration and **ACTION** to authorize the City Commission approval to enter into a Memorandum of Understanding (MOU) between the City of Brownsville and the Texas Anti-Gang (TAG) Center Rio Grande Valley. (Brownsville Police Department)
- 14) Consideration and **ACTION** to approve a 180-day extension for contract BDS-52-0717 for depository services. (Financial Services)
- 15) Consideration and **ACTION** to reject any and all proposals for the Request for the Third-Party Administrator (TPA) and Pharmacy Benefit Manager (PBM) Request for Proposals, RFP Nos. PBM-73-0623 & TPA-72-0523. (Financial Services Department)

- 16) Consideration and **ACTION** for the City of Brownsville to accept a ten-foot sidewalk and utility easement (0.129 acres) out of Lot 5, Block 1, North Brownsville Industrial Park Subdivision from GBIC.(Engineering and Public Works Department)
- 17) Consideration and **ACTION** for the City of Brownsville to accept a 60' Access and Utility Easement (0.078) out of Lot 5, Block 1, North Brownsville Industrial Park Subdivision from GBIC. (Engineering and Public Works Department)
- 18) Consideration and **ACTION** to approve a Letter of Understanding between the Brownsville Independent School District – Adult Continuing Education (BISD-ACE) and the City of Brownsville for the delivery of basic education skills to educationally disadvantaged adults in Cameron County area. (Organizational Development and Human Resources Department)
- 19) Consideration and **ACTION** for the purchase and delivery of seven (7) John Deere Z950M Ztrak mowers in the amount of \$98,458.78 plus the option for a 25% cost over run maximum (\$24,614.69) to Deere & Company through Tellus Equipment Solutions of Weslaco, Texas, through Buy Board Contract #706-23, as budgeted. (Parks and Recreation Department)
- 20) Consideration and **ACTION** to adopt **Resolution Number 2023-087** suspending the August 23, 2023 effective date of the Statement of Intent of Texas Gas Service Company, a Division of ONE Gas, Inc., to increase rates within the City in order to permit the City time to study the request and to establish reasonable rates; Finding that the City's reasonable rate case expenses shall be reimbursed by the Texas Gas Service Company; Authorizing participation with other Rio Grande Valley Texas municipalities in a coalition titled "Cities Served by Texas Gas Service"; Authorizing the Office of the City Attorney to engage the legal and consulting services of Lloyd Gosselink Rochelle & Townsend, ReSolved Energy Consulting, L.L.C., and J. Kennedy and Associates, Inc., to assist the City in negotiating with Texas Gas Service Company and directing any necessary litigation and appeals on the City's behalf. (Office of the City Attorney/City Manager's Office)
- 21) Consideration and **ACTION** for the purchase and delivery of Hill Science Pet Food for the Brownsville Animal Regulation & Care (BARCC), and authorizing the City Manager or designee to execute the agreement, Project# HSP-114-0823. (Public Health and Wellness Department)

PUBLIC HEARING(S)

- 1) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-013**, to rezone from Residential Single-Family (R-1) to Residential Suburban (R-2) for 2.048 acres of land in Block 39, Share 27, El Jardin Subdivision, Cameron County, Texas, located at 290 North Central Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department) (Continued from June 20, 2023 - Public Hearing)
- 2) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2022-235.102**, to amend the Unified Development Code (UDC), Sec. 5.3 - Signs, and dealing with related matters, as shown in Exhibit "A". (Planning & Redevelopment Department)
- 3) Public Hearing and **ACTION** on **Resolution Number 2023-086** for the Texas Parks and Wildlife "Local Park Grant Program", a resolution authorizing the application for a 50:50 matching grant certifying that the City of Brownsville is eligible to receive program assistance; certifying that the applicant's matching share is readily available; and dedicating the proposed La Posada Park site for a permanent public park and recreational uses. (Parks and Recreation Department)

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

- 1) Consideration and **ACTION** on an agreement with the Brownsville Community Improvement Corporation (BCIC) accepting Airport Debt Payment assistance. (BCIC/City Manager's Office)

- 2) Consideration and **ACTION** to approve a contract for depository services for up to five years with one of the following banks, listed in alphabetical order: JPMorgan Chase, Lone Star National Bank, PlainsCapital Bank, PNC Bank, and/or Texas Regional Bank; and Authorize the City Manager to negotiate and execute the contract. (Financial Services Department)
- 3) Consideration and **ACTION** to award ZIWA Corporation contract number TRP-87-0923, as the responsive and responsible bidder on the Brownsville Transportation Investment Generating Economic Recovery (TIGER) Rehab Project in the amount of \$7,489,682.34, as budgeted. (Multimodal Transportation Department)
- 4) Consideration and **ACTION** to approve additional funding for project completion of the Communications & Marketing Department (CMD) Complex for an amount not to exceed \$684,911, as budgeted, to cover the remaining costs of the CMD Complex project, including the purchase of audio and visual components, furniture, fixtures, equipment, and other related expenses. (Communications & Marketing Department)

BOARD APPOINTMENT(S)

- 1) Consideration and **ACTION** on **Resolution Number 2023-054**, to appoint, reappoint, and/or remove members to the Ethics Advisory Commission. (Office of the City Secretary)
- 2) Consideration and **ACTION** on **Resolution Number 2023-050** to appoint, reappoint, and/or remove members to the Brownsville Convention and Visitors Bureau. (Convention and Visitors Bureau and Office of Space Commerce Department)
- 3) Consideration and **ACTION** on **Resolution Number 2023-049**, to appoint, reappoint, and/or remove members to the Brownsville Border Film Commission. (Communications & Marketing Department)
- 4) Consideration and **ACTION** on **Resolution Number 2023-083**, to appoint, reappoint, and/or remove Regular and Alternate Members to the Board of Adjustment. (Planning & Redevelopment Department)
- 5) Consideration and **ACTION** on **Resolution Number 2023-080**, to appoint, reappoint, and/or remove members to the Parks Advisory Board Committee. (Parks and Recreation Department)
- 6) Consideration and **ACTION** on **Resolution Number 2023-079**, to appoint, reappoint, and/or remove members to the Brownsville Beautification Committee. (Parks and Recreation Department)
- 7) Consideration and **ACTION** on **Resolution Number 2023-081**, to appoint, reappoint, and/or remove member(s) to the Special Needs Advisory Board for a partial and/or regular term. (Parks and Recreation Department)
- 8) Consideration and **ACTION** on **Resolution Number 2023-084**, to appoint, reappoint, and/or remove Regular and Alternate Members to the Building and Standards Commission. (Planning & Redevelopment Department)
- 9) Consideration and **ACTION**, if any, to approve **Resolution Number 2023-082** to appoint, reappoint, and/or remove member(s) on the Brownsville Public Utilities Board (BPUB). (Office of the City Attorney)
- 10) Consideration and **ACTION**, if any, to approve **Resolution Number 2023-095** to appoint, reappoint, and/or remove member(s) on the Animal Regulation and Care Advisory Committee. (Public Health and Wellness Department)

- 11) Consideration and **ACTION**, if any, to approve **Resolution Number(s) 2023-088** through **Resolution Number(s) 2023-106** (except 2023-095) to amend board and commission policies and/or to appoint, reappoint, and/or remove member(s) from the following boards and commissions: Audit & Oversight; Airport Advisory Board; Architectural Control Committee; Charter Review Committee; Greater Brownsville Incentives Corporation (GBIC); Historic Preservation Commission; Planning & Zoning Commission; Bicycle & Pedestrian Advisory Committee; Brownsville Community Improvement Corporation (BCIC); Capital Improvements Advisory Committee (CIAC); Community Improvement Corporation; LGBTQ Task Force; Main Street Advisory Board; Paseo de la Resaca Landscaping & Lighting; Public Library System Advisory Board; Transit Advisory Committee; and La Posada Task Force. (Commissioner Bryan L. Martinez and Commissioner Roy De los Santos)

ADJOURNMENT

NOTE: The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the Organizational Development & Human Resources Department at 956/548-6037 (voice or Relay TX) by Monday, no later than 12:00 P.M., to make proper arrangements.

By: John Cowen, Jr
Mayor of the City of Brownsville

I certify that a copy of the **July 11, 2023**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on July 7, 2023. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: <https://brownsvilletx.gov/129/Agendas-Minutes>



Yolanda Galarza-Gomez, TRMC
City Secretary