

Tino Villarreal, 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 **October 03, 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=mb65b574c6383c0f049085c46990d1c9d>

Password: commission (26664774 from video systems)

Join by video system

Dial [25403573837@brownsvilletx.webex.com](tel:25403573837)

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: 254 035 73837

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 Municipal Court Week 2023 (Municipal Court) (Commissioner T. Villarreal / Commissioner B. L. Martinez)

Recognizing Head Start Awareness Month (Mayor J. Cowen, Jr. / Commissioner B. L. Martinez)

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.

PRESENTATION(S)

88th Legislative Session Recap (Intergovernmental Relations/City Manager's Office)

After-Hours Establishments Presentation (Police Department)

Update on Fiscal Year 2024 Unified Transportation Program (UTP) (Rio Grande Valley Metropolitan Planning Organization RGVMPPO)

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 September 19, 2023, City Commission Regular Meeting
- 2) Consideration and **ACTION** on **Resolution Number 2023-118** to adopt new remote, short and long-term parking rates for Brownsville South Padre Island International Airport (Airport Department)
- 3) Consideration and **ACTION** for the execution of a contract with Public Consulting Group LLC for reimbursement services pertaining to the Ambulance Services Supplemental Payment program (ASSPP). #ASC-118-0823. (Fire Department)
- 4) Consideration and **ACTION** for the City of Brownsville to renew the contract with the Town of Rancho Viejo to furnish Fire Services. (Fire Department)
- 5) Consideration and **ACTION** to reimburse the Brownsville Public Utilities Board (BPUB) for the Wastewater Improvement Project related the Cannery Public Market Project in the amount of \$248,658.85, as budgeted. (Internal Services Department)
- 6) Consideration and **ACTION** to accept FAA Grant 3-48-059-2023 for the Aircraft Rescue and Firefighting (ARFF) Vehicle Acquisition and Runway 13-31 Preservation projects in the amount of \$1,405,716. (Airport Department)

- 7) Consideration and **ACTION** to award a subcontract agreement to Raba Kistner, Inc., for Environmental Information Document (EID) for the Culverts and Drainage Improvement Project at Various Locations throughout the City of Brownsville's Resacas, Brownsville, Cameron County, Texas. Funded by the Texas Water Development Board (TWDB) in the amount of \$74,842.52 (#010-24-EPW). (Engineering & Public Works Department)
- 8) Consideration and **ACTION** to award a term contract for multifunction copier service to the City of Brownsville Police Department in the amount of \$34,988.64, as budgeted. (Brownsville Police Department)
- 9) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-020**, to rezone from Residential Transition (R-3) and Light Industrial (LI) to Commercial Corridor (CC) to allow a commercial plaza and multi-family development for Lots 2 and 3, Block 2, Dana Eight-O-Two Subdivision, Section 2, Cameron County, Texas, located at 3271 Ruben M. Torres, Brownsville, Texas 78526, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)
- 10) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-021-S**, to request a Specific Use Permit to allow a freight terminal in Agricultural (AG) zoning designation for 6.8 acres out of Lot 4, Block "A", Barreda Gardens Subdivision, Cameron County, Texas, located at 554 Runnels Road, Olmito, Texas 78575, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 11) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-022-S**, to request a Specific Use Permit to allow a used car lot in a Traditional Neighborhood-Corridor (TN-C) zoning designation for Lots 6, 7, 22, & 23, Block 64, Harden's Addition to the City of Brownsville, Cameron County, Texas, located at 1236 South Expressway, Brownsville, Texas 78520, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)
- 12) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-023**, to rezone from Agricultural (AG) to Residential Transition (R-3) and Commercial Corridor (CC) to allow a multi-family development and commercial plaza for 18.62 acres out of El Jardin Resubdivision, Lots 17 to 32, Block 116, Share 29, Espiritu Santo Grant, Cameron County, Texas, located on FM 511, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)
- 13) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-025**, to rezone from Residential Suburban (R-2) to Commercial Corridor (CC) to allow a general retail store for Lots 1, 2, & 3, Block 1, Palmetto Grove Subdivision, Cameron County, Texas, located at 7954 Southmost Road, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)
- 14) Consideration and **ACTION** to **RESCIND** an award of a contract, WDI-37-0123, with Mor-Wil LLC in the amount of \$1,399,405.03 for the West Brownsville Drainage Improvement Projects. (Engineering & Public Works Department)
- 15) Consideration and **ACTION** to approve a cooperative purchase from SHI Government Solutions, Inc. to strengthen our Cyber Defense with CrowdStrike for three years in the amount of Year 1: \$288,453.50; Year 2: \$266,151.90; Year 3: \$266,151.90, #702-241-776, as budgeted. (Enterprise Applications Department)

PUBLIC HEARING(S)

- 1) Public Hearing and **ACTION** on **Ordinance Number 2023-1582-A**, supplementing and amending Ordinance Number 2013-1582 relating to the issuance of the City of Brownsville, Texas Utilities System Commercial Paper Notes, Series A; authorizing replacement of the dealer for such notes, including execution and delivery of a dealer agreement, and approving an offering memorandum in connection therewith; and resolving other matters related thereto. (Brownsville Public Utilities Board BPUB)
- 2) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-024**, to rezone from Agricultural (AG) to Residential Single-Family (R-1) to allow a single-family development for a 32.43-acre tract consisting of 32.41 acres out of Block 9, J.C. Bennett Subdivision; and 0.02 acres being all out of Reserve #1, Abelardo Estates Subdivision, Cameron County, Texas, located at Abrego Road, Brownsville, Texas 78520, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

- 1) Consideration and **ACTION** on **Resolution Number 2023-115** to adopt BTX Mobility Plan to help guide efficient, safe, and effective transportation for the health, safety, and welfare of the City of Brownsville. (Multimodal Transportation).
- 2) Consideration and **ACTION** on **Resolution Number 2023-120**, adopting procedures for review of Billboard applications. (Planning & Redevelopment Department)

EXECUTIVE SESSION

- 1) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.087 (Economic Deliberation) regarding Project First. (Office of the City Attorney/Office of the City Manager)
- 2) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney, including discussion of anticipated or pending litigation) regarding the Death Star Bill (HB 2127) and ETJ OPT-OUT BILL (SB 2038) (Office of the City Attorney)

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

- 1) Consideration and **ACTION**, if any, related to Project First. (Office of the City Attorney/Office of the City Manager)
- 2) Consideration and **ACTION**, if any, related to Death Star Bill (HB 2127) and ETJ OPT-OUT BILL (SB 2038) (Office of the City Attorney)

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 **October 3, 2023**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on September 29, 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