

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 **August 15, 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=m43e9edd1d8764c44980ce02f05d8e122>

Password: commission (26664774 from video systems)

Join by video system

Dial 25339639032@brownsvilletx.webex.com

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: 253 396 39032

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 South Texas Conjunto Association (Commissioner R. De los Santos/Commissioner B. L. Martinez)

Recognizing Border Workers United (Commissioner L. C. Macias/ 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.

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) Road Capital Improvement Program Workshop - City Commission Presentation. (Multimodal Transportation Department)
- 2) Presentation on Fiscal Year 2024 Budget Workshop #2 (Financial Services Department)

PRESENTATION(S)

Municipal Court Department Update (Presiding Judge Rene De Coss)

Brownsville/South Padre Island International Airport - Airport Advisory Board update/report.
(Commissioner R. De los Santos/Commissioner P. Cardenas)

Water Conservation & Drought Contingency Plan (Brownsville Public Utilities Board (BPUB)/City of Brownsville)

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 July 25, 2023, Special Workshop City Commission Meeting
 - b) Minutes of August 1, 2023, Regular City Commission Meeting
- 2) Consideration and **ACTION** to enter into a two-year agreement to upgrade the Zoll Data System software for \$168,258.75 as budgeted. (Fire Department)
- 3) Consideration and **ACTION** to approve and enter into a Memorandum of Agreement (MOA) with The Lower Rio Grande Valley Texas Pollutant Discharge Elimination System (TPDES) Stormwater Task Force Partnership Inc. (Engineering & Public Works Department)

- 4) Consideration and **ACTION** to award Tequila Group Integrated Marketing Communications the contract for the Small Community Air Service Development Grant (SCASDP) in the amount of \$275,000 to market the new destinations in Orlando, Florida, and Burbank/Hollywood, California. (Airport Department)
- 5) Consideration and **ACTION** to approve the acquisition of two PIL-MO2 Automated Exit Lane Corridors by Dormakaba for \$220,840. (Airport Department)
- 6) Consideration and **ACTION** to approve roof repairs for La Plaza Administration facility via OMNIA Contract #180901-TX-643 via Diverse Roofing contractor for the amount of \$80,852.00 as budgeted. (Multimodal Transportation Department)
- 7) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-014**, to rezone from Agricultural (AG) to Residential Suburban (R-2) to allow a duplex subdivision on a 30.67-acre tract of land out of Block 4, Chicago Gardens Subdivision, Cameron County, Texas, located on South Minnesota Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)
- 8) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-015**, to rezone from Agricultural (AG) to Residential Single-Family (R-1) to allow a single-family residence on a 0.333-acre tract of land, out of Lot 1, Block 1, Villa Nueva Subdivision, Cameron County, Texas, located at 2893 Old Military Road, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 9) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-016**, to rezone from Residential Single-Family (R-1) to Residential Suburban (R-2) to allow a duplex subdivision on 23.136 acres out of Block 148, El Jardin Subdivision, Espiritu Santo Grant, Cameron County, Texas, located on the intersection of Robindale Road and Morrison Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)
- 10) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-017**, to rezone from Residential Estate (RE) to Residential Transition (R-3) to allow a multi-family development on a 7.62-acre tract out of Block 180, El Jardin Subdivision Shares 19 & 27, Espiritu Santo Grant, Cameron County, Texas, located 2400 Dr. Hugh Emerson Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)
- 11) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-905**, to rezone from Residential Suburban (R-2) to Residential Single-Family (R-1) to allow a single-family subdivision for El Naranjal Subdivision, Sections 1 to 6, Cameron County, Texas, located on Boca Chica Boulevard, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)
- 12) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2023-906**, to rezone from Traditional Neighborhood (TN) and Traditional Neighborhood-Mixed Use (TN-MU) to Light Industrial (LI) to allow the expansion of an existing laboratory facility on Lots 1, 2, 10, 11, & 12, Block 71-A, Stillman Extension Subdivision, located at 305 West Levee Street, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 13) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2023-1723**, to amend the Code of Ordinances, by repealing and replacing, Article V. – Unsafe, Dilapidated Buildings and Structures, Division 2 – Building and Standards Commission, Section 18-238 – Appointment and Term, Subsection (a), to establish that the Building and Standards Commission shall be composed of seven (7) regular board members and four (4) alternate board members, all with the same powers and duties; and dealing with related matters, as shown in Exhibit "A". (Planning & Redevelopment Department)

- 14) **APPROVAL on SECOND and FINAL READING on Ordinance Number 2023-736-Q**, an Ordinance of the City Commission of the City of Brownsville Repealing and Replacing Chapter 98 – Traffic and Vehicles, in its entirety, of the City of Brownsville's Code of Ordinances; and providing for a penalty clause not to exceed \$500; and providing for an effective date. (Office of the City Manager)
- 15) Consideration and **ACTION** to extend the term contract for Procurement Card Services “P-Card” through State of Texas Comptroller of Public Accounts to Citibank. PCS-130-0823. (Financial Services Department)
- 16) Consideration and **ACTION** to authorize the City Manager to execute the Technical Assistance Agreement with the North American Development Bank (NAD Bank) to help fund the Feasibility and Planning Study for a Bus Rapid Transit (BRT) system in Brownsville in the amount of \$180,000 as budgeted. (Multimodal Transportation Department)
- 17) Consideration and **ACTION** to authorize the City Manager to enter into a Master Service Agreement with LCT Software (Avolve Software Company) for DigEplan subscription to provide a fully integrated electronic plan review solution. (Planning & Redevelopment Department)
- 18) Consideration and **ACTION** on **Resolution Number 2023-109**, to confirm the appointment of members to the Civil Service Commission (Organizational Development & Human Resources)
- 19) Consideration and **ACTION** on **Resolution Number 2023-111**, to approve One Region, One Voice and supporting the RGV Partnership. (City Manager's Office)

PUBLIC HEARING(S)

- 1) Public Hearing and **ACTION** on **FIRST READING on Ordinance Number 235-2023-018-S**, to request a Specific Use Permit to allow a used car lot in Traditional Neighborhood-Corridor for Lot 3, Block 66, Enrique Subdivision, Cameron County, Texas, located at 1416 Filmore Street, Brownsville, Texas 78520, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)
- 2) Public Hearing and **ACTION** on **FIRST READING on Ordinance Number 235-2023-019**, to rezone from Residential Estate (RE) to Commercial Corridor (CC) to allow the expansion of an existing medical office for Lot 12, Jose Almaraz Subdivision, Cameron County, Texas, located at 3125 West Alton Gloor Boulevard, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 3) Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 2023-1725** of the City of Brownsville, Texas, to adopt the Fiscal Year 2024 Annual Budget. (Financial Services Department) (**Roll Call Vote Required**)
- 4) Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 2023-1726** to ratify the Fiscal Year 2024 budget that will raise more total property taxes than last year's budget. (Financial Services Department) (**Roll Call Vote Required**)
- 5) Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 2023-1728** levying ad valorem taxes for the Tax Year 2023 for the use and support of the Municipal Government of the City of Brownsville, Texas, for the Fiscal Year 2024, providing for the interest and sinking fund for the Fiscal Year 2024 City of Brownsville, Texas, General Obligation Bonds. (Financial Services Department) (**Roll Call Vote Required**)
- 6) Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 2023-1729** to approve a budget amendment for Fiscal Year 2023. (Multimodal Transportation Department/Finance Department)

- 7) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2023-1730**, authorizing the issuance, sale, and delivery of up to \$31,000,000 in aggregate principal amount of "Combination Tax and Revenue Certificates of Obligation, Series 2023"; securing the payment thereof by authorizing the levy of an annual Ad Valorem Tax and a pledge of certain surplus revenues of the City's Municipal Landfill System; and approving and authorizing the execution of all instruments and procedures related thereto; delegating to certain city officials the authority to approve all final terms of the Certificates of Obligation; and declaring an effective date. (Financial Services Department)

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

- 1) Consideration and **ACTION** to award a contract to Shirley & Sons Construction Company, INC from Cleveland, Texas, for Dean Porter Park IFB# DPP-30-1223, for the repairs and renovations of the retaining wall and boardwalk in the amount of \$737,486.85 plus the option for a 25% cost overrun maximum (\$184,371.71) to Shirley & Sons Construction Company, INC, as budgeted. (Parks & Recreation Department)
- 2) Consideration and **ACTION** to award Specific and Aggregate Stop Loss Medical Insurance coverage for plan year 2023-2024 to ISU Companion Life. (Organizational Development & Human Resources)
- 3) Consideration and **ACTION** to approve **Resolution Number 2023-110** nominating Columbia Valley Healthcare System, L.P., to the Office of the Governor Economic Development and Tourism through the Economic Development Bank for designation as a qualified business and enterprise project under the Texas Enterprise Zone Program under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code. (Office of the City Manager)

BOARD APPOINTMENT(S)

- 1) Consideration and **ACTION**, if any, to approve **Resolution Number 2023-104** to appoint, reappoint, and/or remove member(s) of the Transit Advisory Committee. (Multimodal Transportation Department) (Tabled from August 1, 2023)
- 2) Consideration and **ACTION**, if any, to approve **Resolution Number 2023-095-B** to appoint, reappoint, and/or remove member(s) on the Animal Regulation and Care Advisory Committee. (Public Health and Wellness Department)

EXECUTIVE SESSION

- 1) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.076 (Deliberation Regarding Security Devices or Security Audits) regarding Migrant Influx Update. (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), 551.072 (Real Property Deliberation), and 551.087 (Economic Development Deliberation) related to Project Glory. (Office of the City Attorney/Office of the City Manager)
- 3) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney), 551.072 (Real Property Deliberation), and 551.087 (Economic Development Deliberation) related to Project Ocean. (Office of the City Attorney/Office of the City Manager)
- 4) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney), 551.072 (Real Property Deliberation), and 551.086 (Competitive Matters) related to Project Spark. (Office of the City Attorney/Office of the City Manager)

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 Glory.

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 **August 15, 2023**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on August 11, 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