

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 **November 14, 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=m963395fa23547155dac84a48886f33ba>

Password: commission (26664774 from video systems)

Join by video system

Dial 25355613389@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: 253 556 13389

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)

Tree Planting Celebration (Brownsville Independent School District) (Mayor J. Cowen, Jr. / Commissioner R. Gowen)

Recognizing the University of Texas Rio Grande Valley (UTRGV) (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)

City Manager Update - American Planning Association 2023 Planning Excellence Award

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) Consideration and **ACTION** to award a construction contract in the amount of \$345,067.60 to Cornerstone Builders for the 32 Bus Shelter Improvement Project as budgeted. (Multimodal Transportation)
- 2) Consideration and **ACTION** for a term contract with Maxwell Asphalt, Inc. for the construction of airport improvements including Schedule I – Crack Seal, Seal Coat, and Paint Runway 13-31 and other incidental work at the Brownsville South Padre Island International Airport in the amount of \$721,706.25. (Airport Department)
- 3) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2023-1701-A**, amending Chapter 102, Utilities; Article III, Rates and Charges; Section 102-81, of the Code of Ordinances to cancel scheduled adjustments to the Resaca Fee; setting a Public Hearing thereon; and providing a severability clause and effective date. (Brownsville Public Utilities Board)

PUBLIC HEARING(S)

- 1) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-026-PD**, to rezone from Residential Transition (R-3) to Commercial Corridor (CC-PD) to allow a commercial plaza for 0.7487 acres of Lot 3, Block 1, Diamond Point II Subdivision, Cameron County, Texas, located at 3201 West Alton Gloor Boulevard, Brownsville, Texas 78526, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department) (**Tabled October 17, 2023**)
- 2) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2023-1732**, to annex into the City of Brownsville boundary limits a property described as being a 9.61 acre tract, composed of an 8.75 acre tract of land in Reserve “A”, Medrano Subdivision, according to the map of plat recorded in Vol. 14, Pg. 67, and a 0.978 acre tract of land out of a 1.84 acre tract as recorded in Vol. 361, Pg. 458, Cameron County, Texas, Map Records of Cameron County, Texas, located on

North Vermillion Road, Brownsville, Texas 78521, as shown in Exhibit "A". (Planning & Redevelopment Department)

- 3) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-033**, to rezone from Agriculture (AG) to Residential Suburban (R-2) and Residential Transition (R-3) to allow a duplex and multifamily development for a 40.00-acre tract of land being Lot 8, Block 411, El Jardin Resubdivision, Cameron County, Texas, located on North Indiana Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)
- 4) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-034-S**, to request a Specific Use Permit to allow a used car lot in a Commercial Corridor (CC) zoning designation for a 0.15-acre tract out of the North half of Lot 3, Block 1, M. Samano Partition of a portion of the Wymore Tract, Cameron County, Texas, located at 7215 Paredes Line Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)
- 5) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-036**, to rezone from Residential Estate (RE) to Residential Transition (R-3) to allow a multifamily development for the North 5.0 acres of land out of the South 15.0 acres of Block 143, El Jardin Subdivision, Shares 19 & 27, Cameron County, Texas, located on North Central Avenue, Brownsville, Texas 78526, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)
- 6) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2023-1733**, an Ordinance of the City Commission of the City of Brownsville amending Chapter 22 to add Article XIV - Establishments not licensed by the Texas Alcoholic Beverage Commission (TABC), amending the City's Master Fee Schedule to adopt annual permit and inspection fees, and other related matters. (Police Department)

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

- 1) Consideration and **ACTION** on **Resolution Number 2023-128**, authorizing the sale of certain real property, pursuant to Project Replace; authorizing signatories; and dealing with related matters. (Greater Brownsville Incentives Corporation (GBIC))
- 2) Consideration and **ACTION** to approve the amendments to the Brownsville Community Improvement Corporation (BCIC) Bylaws. (Brownsville Community Improvement Corporation)
- 3) Consideration and **ACTION** to approve Alliance Transportation Group Contract Extension for additional scope and services not to exceed \$150,000. (Multimodal Transportation).
- 4) Consideration and **ACTION** to approve the adjusted fees submitted by the architectural firm GIGNAC, as stated in contract AIA Document B101-2017, for the Bus Yard Rehab Project in the amount of \$154,236.92. (Multimodal Transportation)

BOARD APPOINTMENT(S)

- 1) Consideration and **ACTION** on **Resolution Number 2023-131**, to appoint one (1) new member to the Greater Brownsville Incentives Corporation (GBIC) Board of Directors to fill existing vacancies. (City Managers Office)

EXECUTIVE SESSION

- 1) Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney) related to Solid Waste Services. (Office of the City Attorney)
- 2) Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney) related to Bank Depository Services. (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.

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 **November 14, 2023**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on November 9, 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