

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 **December 5, 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=m498955456bf28635381eb394efcc8c9f>

Password: commission (26664774 from video systems)

Join by video system

Dial 25321989990@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: 253 219 89990

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 Cole Mata (Commissioner R. Gowen / Commissioner T. Villarreal)

Recognizing Dalilah Garcia (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) Proposed Capital Recovery Fee Public Feedback Debrief (Multimodal Transportation Department)

PRESENTATION(S)

- 1) City of Brownsville Fiscal Year 2023 Notable Accomplishments (City Managers Office)
- 2) City Manager's Update-BTX Health Grand Opening

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 November 7, 2023, City Commission Regular Meeting
 - b) Minutes of November 14, 2023, City Commission Regular Meeting
- 2) Consideration and **ACTION** to approve action required by Chapter 2254 of the Texas Government Code, for the City to provide a Written Statement and Finding of the City’s Need for Specialized Contingent Fee Legal Services for Delinquent Tax Collection Services, and approval of a Second Amendment providing for a one-year renewal of a Delinquent Ad Valorem Tax Collection Services (a contingent fee contract) with Linebarger Goggan Blair & Sampson, LLP, as special counsel to perform all legal services necessary to collect delinquent property taxes; and authorize the execution of such renewal. (Office of the City Attorney)
- 3) Consideration and **ACTION**, if any, on the Second and Final Reading of Ordinance Number 2023-1716, related to Paul Seales/Port Isabel/Laguna Vista v. Brownsville. (Tabled November 7, 2023) (Office of the City Attorney)
- 4) Consideration and **ACTION** for a Cooperative Purchase Agreement with Silsbee Ford for the purchase of a 2024 Transit Van that will be used to transport animals at the Brownsville Animal Regulation and Care Center in the amount of \$63,934.40. (Health, Wellness and Animal Services Department)

- 5) Consideration and **ACTION** to approve a two-year professional services contract with Cirrus9 Solutions LLC. This contract is for the management of Systems Infrastructure and the integration of new technologies. The financial commitment for this contract is as follows: Year 1: \$572,000; Year 2: \$572,000; as budgeted. (Enterprise Applications Department)
- 6) Consideration and **ACTION** to approve the Memorandum of Understanding between Cameron County and the City of Brownsville in order to receive the county's financial support to provide public transportation to disadvantaged areas. (Multimodal Transportation Department)
- 7) Consideration and **ACTION** on Interlocal Cooperation Agreement between the City of Brownsville and the City of Harlingen, Texas for utilizing funds for the purchase of traffic control devices and equipment. (Multimodal Transportation Department)
- 8) Consideration and **ACTION** to award contract #PDL-135-0923 for the purchase and delivery of Limestone to the City for Brownsville. (Engineering & Public Works Department)
- 9) **APPROVAL** on **SECOND** and **FINAL 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)
- 10) **APPROVAL** on **SECOND** and **FINAL 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)
- 11) **APPROVAL** on **SECOND** and **FINAL 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)
- 12) **APPROVAL** on **SECOND** and **FINAL 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)
- 13) **APPROVAL** on **SECOND** and **FINAL 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)
- 14) Consideration and **ACTION** to approve an Interlocal Cooperation Agreement between Brownsville Public Utilities Board (BPUB) and the City of Brownsville, for the relocation and replacement of all utilities at the Owens Road Bridge Project Phase I.(Engineering and Public Works Department)

PUBLIC HEARING(S)

- 1) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-032**, to rezone from Residential Single-Family (R-1) to Residential Transition (R-3) to allow a multi-family development for Lot 2 & Reserve, Block 1, Krystal Subdivision, Cameron County, Texas, located at 2394 La Feria Road, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)
- 2) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-035-S**, to rezone from Residential Suburban (R-2) to Commercial Corridor (CC) with a Specific Use Permit to allow a used car lot for the North 51.5 feet and the South 120 feet of Lot 28, Barrios Subdivision, Cameron County, Texas, located at 2557 North Indiana Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)
- 3) Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2023-1673-B**, amending Ordinance Number 2022-1673-A, the Master Fee Schedule of the City of Brownsville, Texas, to adopt the following fees: (i) advertising program fees for digital and static zones, (ii) luggage cart rental fee of \$1.00, and a refund of \$0.50 upon cart return, (iii) remote, short and long-term parking rates for Brownsville South Padre Island International Airport, and dealing with related matters. (Financial Services Department/Airport Department)

ITEM(S) FOR INDIVIDUAL CONSIDERATION

- 1) Consideration and **ACTION** on **SECOND** and **FINAL 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)

BOARD APPOINTMENT(S)

- 1) Consideration and **ACTION** on **Resolution Number 2023-132**, to appoint or reappoint four (4) members to the Brownsville Community Improvement Corporation (BCIC) Board of Directors to fill existing vacancies. (City Managers Office)
- 2) Consideration and **ACTION** on **Resolution Number 2023-118** to appoint three (3) members to the Brownsville Public Library System Advisory Board. (Library)

EXECUTIVE SESSION

- 1) Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney) related to Project Explore. (Office of the City Attorney)
- 2) Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney, including Contemplated or Pending Litigation) related to Milwhite, Inc. (Office of the City Attorney)

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

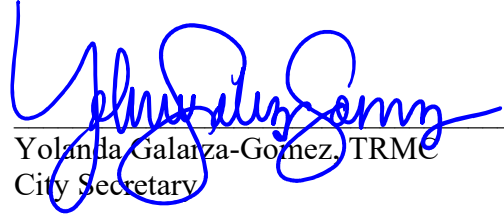
NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

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 **December 5, 2023**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on December 1, 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