1. AGENDA FOR JANUARY 07, 2020
   Documents:
   A-01-07-2020.PDF

2. BINDER FOR JANUARY 07, 2020
   Documents:
   BINDER01-07-2020.PDF
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 Tuesday, January 07, 2020, at 5:00 P.M., in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520.

CALL TO ORDER
a) Roll Call
b) Invocation
c) Pledge of Allegiance United States Pledge and Texas Pledge.
d) Proclamations Ernesto Lopez (Commissioners J. Tetreau/J. Munguia)
e) Presentations The Challenge-RGV (Public Health Department)

PUBLIC COMMENT PERIOD
• Non-Agenda Items: Kindly submit a “Public Comment Form” stating the City business or City policy you wish to speak 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 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.

CONSENT AGENDA ITEMS
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.

a) Approval of the Minutes of the Regular Meeting of December 03, 2019.
b) Approval of the Minutes of the Regular Meeting of December 10, 2019.
c) To acknowledge the following travel expenses:

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d) Consideration and ACTION to approve a Change Order to TxDOT Boca Chica Boulevard Raised Median Project Contract in the amount for $209,901.14, as budgeted. (Public Works/Engineering Department)

e) Consideration and ACTION to award a term contract Bid #CTP-03-1220, for the purchase and delivery of traffic paint for the City of Brownsville Engineering / Public Works Department in the amount not to exceed $65,000, as budgeted. (Public Works/Engineering Department)

f) Consideration and ACTION to award Bid #CBT-04-1220, for the Construction of the Belden Trail Phase III Project to Villarreal Construction in the amount of $289,038.30, as budgeted. (Public Works/Engineering Department)

g) Consideration and ACTION to authorize the Brownsville Police Department to enter into an Interlocal Agreement for the acceptance of a grant award for the Multi-Agency Inter-jurisdictional South Texas Auto Theft Enforcement Task Force between the City of Brownsville, Texas, the City of McAllen, Texas, the City of Pharr, Texas and the City of Edinburg, Texas. (Police Department)

h) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-061, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 7, Villa Maria Gardens Subdivision, located at 432 West Washington Street. (District 4) (Planning and Redevelopment Department)

i) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-062, to rezone from Dwelling “G” (DG) to Apartment “H” (AH) for Lots 23 and 24, Block 1, Canyon Valley Replat Subdivision, located at 3704 Menchaca Court. (District 4) (Planning and Redevelopment Department)

j) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-064-S, to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 & 41, La Villita Unit No. 4 Subdivision, located at 313 Manzano Street. (District 1) (Planning and Redevelopment Department)

k) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-065, to rezone from General Retail “H” (4CH) to General Retail “J” (4CJ) for Lots 7 and 8, Block 96, Brownsville Original Townsite, located at 905 East Adams Street. (District 4) (Planning and Redevelopment Department)

l) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-066, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 2, Block 76, West Brownsville Addition, located at 1815 West Madison Street. (District 4) (Planning and Redevelopment Department)
PUBLIC HEARINGS

1. Public Hearing and ACTION on FIRST READING on Ordinance Number 2019-1664, annexing territory to the City of Brownsville, Cameron County, Texas and extending the boundaries of said City; and adopting a service plan. (Planning & Redevelopment Department)

2. Public Hearing and ACTION on FIRST READING on Ordinance Number 2020-1569-A, amending Chapter 102 “Utilities” and which provides for Electric, amending Sections 102-204 and 102-218 to provide for adjustments to Electrical Service Rates, Fees and Chargers for Municipal Street Lighting and Private Security Lightning; and providing a severability clause and effective date. (City Manager’s Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

3. Consideration and ACTION to award Bid #CMB-70-1219, to Argio Roofing & Construction for the Roof & Window Replacement for the Children's Museum of Brownsville, in the amount of $658,000.00, as budgeted. (Public Works/Engineering Department)

4. Consideration and ACTION on Resolution Number 2020-001, authorizing the approval and ratification of amendments to the Bylaws of the Greater Brownsville Incentives Corporation (GBIC). (City Manager’s Office)

5. Consideration and ACTION on allocation of funding for Crossroads Interactive Festival. (City Manager’s Office)

6. Consideration and ACTION on Resolution Number 2020-003, to amend Resolution Number 2019-091, authorizing the execution of an advanced funding agreement between the City of Brownsville and the Texas Department of Transportation for Hazard Elimination/Safety Project Off-system. (Public Works/Engineering Department)

BOARD APPOINTMENTS

7. Consideration and ACTION on Resolution Number 2019-109, to remove and appoint a member(s) to the Greater Brownsville Incentives Corporation (GBIC). (City Manager’s Office) [Tabled 12-10-19]

8. Consideration and ACTION on Resolution Number 2020-002 to appoint a member(s) to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board of Directors. (Planning and Redevelopment Department) TABLED 12/10/2019

9. Consideration and ACTION on Resolution Number 2020-004, to appoint or reappoint member(s) to the Transit Advisory Committee. (Multimodal Transportation)

10. Consideration and ACTION to create an Environmental and Conservation Task Force. (City Manager’s Office)
EXECUTIVE SESSION

A) Deliberation of personnel matters pursuant to Section 551.074(1) of the Texas Government Code, related to the evaluation of a public officer or employee, to wit, City Attorney Rene De Coss. (City Manager’s Office)

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

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By: Juan “Trey” Mendez III
Mayor of the City of Brownsville

I certify that a copy of the January 07, 2020, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on January 03, 2020. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: http://www.cob.us/AgendaCenter

Griselda Rosas, Interim City Secretary
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**CALL TO ORDER**

a) Roll Call  
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c) Pledge of Allegiance  
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d) Proclamations  
   Ernesto Lopez  
   (Commissioners J. Tetreau/J. Munguia)  
e) Presentations  
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By: Juan “Trey” Mendez III
Mayor of the City of Brownsville

I certify that a copy of the January 07, 2020, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on January 03, 2020. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: http://www.cob.us/AgendaCenter

Griselda Rosas, Interim City Secretary
PROCLAMATION

Mr. Ernesto Lopez
MINUTES of a Regular Meeting of the City Commission of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on Tuesday, December 03, 2019, at 5:00 P.M. with the following members present:

JUAN “TREY” MENDEZ III  Mayor
JOHN F. COWEN, JR.  COMMISSIONERS
ROSE GOWEN
NURITH GALONSKY PIZANA
JESSICA TETREAU
JOEL MUNGUIA
BEN NEECE

NOEL BERNAL  CITY MANAGER
HELEN RAMIREZ  DEPUTY CITY MANAGER
ELIZABETH WALKER  ASSISTANT CITY MANAGER
RENE DE COSS  CITY ATTORNEY
GRISELDA ROSAS  INTERIM CITY SECRETARY

ABSENT  None

CALL TO ORDER
a) Roll Call

A quorum being present, Ms. Griselda Rosas, Interim City Secretary, read the call to order to consider the matters as posted and filed for the record in The Office of the City Secretary on November 27, 2019.

b) Invocation

Pastor Brad Burkes from Embassy of the Spirit Church led the invocation.

c) Pledge of Allegiance  United States Pledge and Texas Pledge

Mayor Juan “Trey” Mendez, III, led the Pledge of Allegiance and the Texas Pledge.

d) Proclamations

Putegnat Elementary Blue Ribbon School
(City Manager’s Office)

The proclamation was read and presented by Commissioner Rose Gowen.

Planned Parenthood South Texas: HIV & AIDS Awareness Month
(Commissioners N. Galonsky Pizana/R. Gowen)

The proclamation was read and presented by Commissioner Rose Gowen.
Arbor Day
(Commissioners N. Galonsky Pizana/R. Gowen)

The proclamation was read and presented by Commissioner Ben Neece.

Mr. Pete Ramirez
(Commissioners N. Galonsky Pizana/J. Cowen, Jr.)

The proclamation was read and presented by Commissioner Nurith Galonsky Pizana.

PUBLIC COMMENT PERIOD

Yolanda Speece signed up for Public Comment Period and was not present.
Eugene Fernandez advised the boring samples are complete at the Jagou Plantation.
Bill Berg expressed concern about downtown zoning.
Stephanie Dominguez expressed support for the creation of the LGBTQ Task Force.

CONSENT AGENDA ITEMS

Consent Agenda Items listed were considered to be routine by the City Commission and was approved by one motion.

Commissioner Nurith Galonsky Pizana moved to approve Consent Agenda Items b through n and withhold Consent Agenda Item a for discussion and separate action. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

a) Approval of the Minutes of the Regular Meeting of November 05, 2019.

Commissioner Nurith Galonsky Pizana moved to correct the minutes noting that under Public Hearing #1 Michelle Sanchez expressed support that the name remains as McNair Family Drive. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

b) Approval of the Minutes of the Work Session of November 09, 2019.

c) Approval of the Minutes of the Regular Meeting of November 12, 2019.

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<td>Fort Worth, TX</td>
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e) Consideration and ACTION to authorize the repair and maintenance of the radio tower for the Brownsville Police Department, in the amount of $47,554.00, as budgeted.
f) Consideration and ACTION to authorize plumbing repairs for the main station of the Brownsville Police Department in the amount of $146,500.00, to Ziwa Corporation Bid #PSP-62-1019, as budgeted.

g) Consideration and ACTION to approve a Service Agreement between the City of Brownsville and the University of Texas Health Science Center at Houston-School of Public Health, in the amount of $60,000.00, from October 1, 2019, to September 30, 2020, as budgeted.

h) Consideration and ACTION to support the City of Brownsville's grant application of Trash Free Waters (TFW): Gulf of Mexico Program (GMP) Reduction and Prevention of Trash in the Five Coastal States of the Gulf of Mexico Watershed.

i) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-054-CO, to rezone from Dwelling “F” (DF)/General Retail “G” (4CG) to Dwelling “G” (DG-CO) for all of Phase 1 of Palo Alto Residence Subdivision, located near the corner of Old Alice Road and FM 511, with Conditional Overlay. (District 3)

j) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-055, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for a 0.425 acre tract out of a 1 acre tract in Block 4, El Jardín Subdivision, Share 19, Espiritu Santo Grant, located at 910 South Central Avenue. (District 1)

k) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-057, to rezone from Dwelling “A” (DA) /Light Industrial “J” (7CJ) to General Retail “A” (4CA) for 11.773 acres out of a 363 acre tract, said land being in Tracts 21 and 24, Subdivision “B” of the Paredes Partition, Share 19, Espiritu Santo Grant, located at 1425 Robinhood Drive. (District 2)

l) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-058, to rezone from Light Commercial “G” (5CG) to Dwelling “F” (DF) for an approximate 30.7 acre tract comprised of two tracts; Tract I being 13.449 acres out of a 14.97 acre tract out of the un-subdivided portion of Share 28, Espiritu Santo Grant, and Tract II being 17.354 acres out of a 20.978 acre tract out of the un-subdivided portion of Share 28, Espiritu Santo Grant, located near the corner of East Ruben Torres Boulevard and Coulter Road. (District 2)

m) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-059, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 7, Block 1, Applewood Subdivision, located at 133 Gilson Road. (District 4)

n) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-060-S, to allow a used car lot, a Light Commercial (5C) use, in General Retail “G” (4CG) for an approximate 0.79 acre portion of a 6.17 acre tract of land comprised of 2.957 acres out of Blocks 175 & 176, 2.329 acres out of Blocks 178 & 179, and 0.889 acres out of Block 181, Olmito Original Townsite, located at 7000 Expressway 77 North Frontage Road. (District 3)
PUBLIC HEARINGS

1. Public Hearing and ACTION on Resolution Number 2019-092 to rename McNair Family Drive (from Palm Boulevard to Sam Perl Boulevard) to East Fronton Street.

Armando Gutierrez, P.E., Engineering and Public Works Director, informed the Commission that the City had received a petition from property owners to rename McNair Family Drive to East Fronton Street (from Palm Boulevard to Sam Perl Boulevard), thereby returning the street to its original name. He noted the criteria was met as per the approved Street Renaming Policy.

Michelle Sanchez and Enrique Melgizo expressed opposition of the current petition of the renaming to Fronton Street.

Juan Rene Hernandez, Ernesto Hernandez Chapa, Yolanda Valtierra Hernandez and Luis Carlos expressed their support to rename McNair Family Drive as East Fronton Street.

Upon motion by Commissioner Nurith Galonsky Pizana, seconded by Commissioner Neece and carried unanimously, the public hearing was closed.

Commissioner Nurith Galonsky Pizana moved that Resolution Number 2019-092 to rename McNair Family Drive (from Palm Boulevard to Sam Perl Boulevard) to East Fronton Street, be approved. The motion was seconded by Commissioner Ben Neece and carried as follow:

Commissioner Ben Neece noted that the people complied with the policy that was adopted, and as Commissioner for this District, he urged his fellow Commissioners and Mayor to vote in favor of the motion.

Commissioners Gowen, Munguia, Cowen noted that the Commission had the best intentions of adopting a good policy but did not agree with the interpretation of it.

Commissioner Nurith Galonsky Pizana reminded the Commission that in May 2019 there was no policy in place for a street name change and the petitioners followed it.

Commissioner Ben Neece called the question.

The motion failed (3-4) as follows:

Ayes: Commissioners Galonsky Pizana and Neece and Mayor Mendez III
Nays: Commissioners Tetreau, Cowen, Jr., Gowen and Munguia

2. Public Hearing and ACTION on FIRST READING on Ordinance No. 2019-1663 designating a geographic area within the City of Brownsville as Downtown Reinvestment Zone (TIRZ) No. 3, City of Brownsville; creating a board of directors for the zone; establishing a tax increment fund for the zone; and dealing with related matters.
Mr. Rick Vasquez, Planning and Redevelopment Director, explained the ordinance proposes to designate a new tax increment zone, referred to as Downtown Tax Increment Reinvestment Zone Number 3, City of Brownsville, which will consist of approximately 440 acres in the general Downtown area.

Mr. Travis James from TXP, Inc., outlined the geographic area, increment projections, and the potential project categories.

Sam Manatt, owner of riverfront property, expressed concern, provided a document for the record, and noted that his properties should be included in the TIRZ program.

Dennis Franke, Real Estate Developer who owns properties in Brownsville, as well as Bishop Dr. Genovevo Yzaguirre Rivera and Sandra Duran, spoke in favor of the proposed TIRZ.

Mark Yates, representative of Cameron County Housing Finance Corporation, requested consideration to include former Resaca Elementary at 901 Filmore within the TIRZ area.

Oscar Zertuche representing Mike Belleville who owns properties along Mexico Boulevard, requested consideration to include his properties in the TIRZ area.

Helen Ramirez, Deputy City Manager, clarified that one TIRZ does not preclude another, though a pro forma should be done for each.

Upon motion by Commissioner Rose Gowen, seconded by Commissioner Joel Munguia and carried unanimously, the public hearing was closed.

Commissioner Rose Gowen moved that Ordinance No. 2019-1663 be adopted in first reading, designating a geographic area within the City of Brownsville as Downtown Reinvestment Zone (TIRZ) No. 3, City of Brownsville, including the property of Resaca Elementary at 901 Filmore; creating a board of directors for the zone; establishing a tax increment fund for the zone; and dealing with related matters. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

At the request of Mr. Noel Bernal, City Manager, Executive Session A was moved out of sequence for discussion.

EXECUTIVE SESSION

Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Rose Gowen, and carried unanimously, the Executive Session convened at 7:06 p.m. to discuss the following item:
A) Pursuant to Sec. 551.071, Consultation with Attorney, and Section 551.072, Deliberation Regarding Real Property, on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and to deliberate the purchase, exchange, lease, or value of real property because such deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person. To wit: the purchase, exchange, lease, or value of real property for development and redevelopment purposes and the formation, dissolution, governance, operations and structure of existing or future economic development entities, corporations and districts.

Upon conclusion of Executive Session, Mayor Juan “Trey” Mendez, III, convened the Regular meeting at 7:50 p.m. There was no action in Executive Session.

ITEMS FOR INDIVIDUAL CONSIDERATION

3. Consideration and ACTION to approve the Greater Brownsville Incentives Corporation (GBIC) By-laws. [Tabled 11-12-2019]

   Commissioner Ben Neece requested removing 4.02(3), which provides members of the City Commission shall not be appointed to the Board of Directors. Commissioner Galonsky Pizana requested Section 6.02 Ex-Officio Members be removed from the By-laws and requested clarification from Legal Counsel in regards to Section 4.07 Attendance.

   After a brief discussion, Commissioner Ben Neece moved to approve the By-laws with Section 4.02(3) amended as not more than one Commissioner shall serve on the Board. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried as follows:

   Ayes: Commissioners Galonsky Pizana, Tetreau, Cowen, Jr., Gowen, Munguia and Neece

   Nays: Mayor Mendez III

4. Consideration and ACTION to approve an Interlocal Agreement between the City of Brownsville, Texas, and the Lower Rio Grande Valley Development Council/Valley Metro regarding implementation of a Regional Bikeshare Program.

   Ramiro Gonzalez, Director of Government and Community Affairs, explained the operation and maintenance of the Bike Share System, noting that the Lower Rio Grande Valley Development Council/Valley Metro (LRGVDC) now administers the Bike Share Program and the total cost to the City of Brownsville for four (4) stations would be a one-time cost of $36,000.00.
Commissioner Rose Gowen moved that the Interlocal Agreement between the City of Brownsville, Texas, and the Lower Rio Grande Valley Development Council/Valley Metro regarding implementation of a Regional Bikeshare Program, be approved. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

5. Consideration and ACTION to approve a Memorandum of Understanding (MOU) for the Market Square Rehabilitation between the City of Brownsville and the Brownsville Historical Association (BHA).

Ms. Elizabeth Walker, Assistant City Manager, advised through the MOU the Brownsville Historical Association would undertake replacing the HVAC System at Market Square in two (2) phases, a little less than $60,000.00 each phase and the direct costs would be reimbursed. This is consistent with the provisions of the long-term lease.

Commissioner Jessica Tetreau moved that Memorandum of Understanding (MOU) for the Market Square Rehabilitation between the City of Brownsville and the Brownsville Historical Association (BHA), be approved. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

6. Consideration and ACTION on an Interlocal between City of Brownsville and Cameron County Regional Mobility Authority (CCRMA) for the development of the West Rail Corridor.

Ramiro Gonzalez, Director of Government and Community Affairs, briefly informed the Commission that a Memorandum of Agreement had been executed in 2019 where costs of design and implementation would be shared. The City’s contribution would be $125,000.00 towards the project.

Commissioner Rose Gowen moved that an Interlocal between City of Brownsville and Cameron County Regional Mobility Authority (CCRMA) for the development of the West Rail Corridor, be approved. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

7. Consideration and ACTION to acknowledge the finance director’s financial statements and cash investment report for the City of Brownsville for the fiscal year ended September 30, 2019.

Lupe Granado III, Finance Director, delivered a PowerPoint presentation on the Unofficial, Unaudited Financial Statements Fiscal Year ending September 30, 2019.

Commissioner Jessica Tetreau moved that the finance director’s financial statements and cash investment report for the City of Brownsville for the fiscal year ended September
30, 2019, be acknowledged. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Joel Munguia and carried unanimously, Agenda Item #19 was moved out of sequence for discussion and action.

19. Consideration and ACTION to create a LGBTQ Task Force. (City Manager’s Office)

Commissioner Jessica Tetreau noted that the purpose of the task force would be to explore strategies for improving awareness, advocacy, inclusivity and cultural competence on LGBTQ issues in the community.

Joe Uvalles requested favorable consideration of the creation of the first LGBTQ Task Force for the City.

Albert Hinojosa expressed the importance of the task force to help prevent others from the LGBTQ community from being harassed.

Juan Treviño, Roy Agustine, Logan Gowen, Maria Cordero, Pedro Coronado, Juan Villelum, Vicente Martinez and Christina Patino Woo, spoke in favor and asked the Commission for their support in the creation of the task force.

Commissioner Jessica Tetreau moved creation of a LGBTQ Task Force be approved.

The motion was seconded by Commissioner Rose Gowen and carried unanimously.

8. Consideration and ACTION on Ordinance Number 2019-1665, an ordinance authorizing the issuance, sale and delivery of up to $6,850,000.00, in aggregate principal amount of “City of Brownsville, Texas, combination Tax and Revenue Certificates of Obligation Series 2019”, securing the payment thereof by authorizing the levy of an annual ad valorem tax and pledge of certain surplus revenues of the City’s Municipal Landfill System; and approving and authorizing the execution of a paying agent/registrar agreement, a purchase contract, an official statement and all other instruments and procurements related thereto.

Mr. Tom Spurgeon, from McCall Parkhurst & Horton, gave a brief explanation of the proposed agenda item.

Commissioner Rose Gowen moved that Ordinance Number 2019-1665, an ordinance authorizing the issuance, sale and delivery of up to $6,850,000.00, in aggregate principal amount of “City of Brownsville, Texas, combination Tax and Revenue Certificates of Obligation Series 2019”, securing the payment thereof by authorizing the levy of an annual ad valorem tax and pledge of certain surplus revenues of the City’s Municipal Landfill System; and approving and authorizing the execution of a paying agent/registrar
agreement, a purchase contract, an official statement and all other instruments and procures related thereto, be approved. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

9. Consideration and ACTION on Ordinance Number 2019-1666, an ordinance authorizing the issuance, sale and delivery of approximately $9,850,000.00, in aggregate principal amount of “City of Brownsville, Texas, General Obligation Refunding Bonds, Series 2019A” and approximately $3,055,000.00, in aggregate principal amount of “City of Brownsville, Texas General Obligation Refunding Bonds, Taxable Series 2019B”; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and approving and authorizing the execution of a paying agent/registrar agreement, a purchase contract, two escrow agreements, an official statement, and all other instruments and procedures related thereto.

Commissioner Jessica Tetreau moved that Ordinance Number 2019-1666, an ordinance authorizing the issuance, sale and delivery of approximately $9,850,000.00, in aggregate principal amount of “City of Brownsville, Texas, General Obligation Refunding Bonds, Series 2019A” and approximately $3,055,000.00, in aggregate principal amount of “City of Brownsville, Texas General Obligation Refunding Bonds, Taxable Series 2019B”; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and approving and authorizing the execution of a paying agent/registrar agreement, a purchase contract, two escrow agreements, an official statement, and all other instruments and procedures related thereto, be approved. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

10. Consideration and ACTION to approve a Professional Service Agreement with the law firm of Rolando L. Rios & Associates, PLLC, to assist the City of Brownsville with the once-a-decade process of redrawing City Commission’s District Boundaries.

Rick Vasquez, Planning & Redevelopment Director, informed the Commission that the law firm of Rolando L. Rios & Associates, PLLC, would assist the City of Brownsville with the once-a-decade process of redrawing City Commission’s district boundaries and that the firm had provided the redistricting services to the City in 2000 and 2010.

Commissioner Jessica Tetreau moved that the Professional Service Agreement with the law firm of Rolando L. Rios & Associates, PLLC, to assist the City of Brownsville with the once-a-decade process of redrawing City Commission’s District Boundaries, be approved. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Rose Gowen stepped out and did not vote on Agenda Item #10.
11. Consideration and ACTION on Resolution Number 2019-096, to accept a resignation, and appoint a member(s), to the Parks and Recreation Advisory Board.

Commissioner Nurith Galonsky Pizana moved to accept Jorge Santoy’s resignation and approve Resolution Number 2019-096 appointing Hector Buentello, Jr., to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

12. Consideration and ACTION on Resolution Number 2019-097, to appoint or reappoint member(s) to the Brownsville Community Improvement Corporation (BCIC).

Resolution Number 2019-097 was adopted as follows:

Commissioner Jessica Tetreau moved to appoint Traci Wickett to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

Commissioner Rose Gowen moved to re-appoint Commissioner Ben Neece to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

Commissioner Nurith Galonsky Pizana moved to re-appoint Michael Limas to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Mayor Juan “Trey” Mendez III moved to appoint Brandon Mohler to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded Commissioner Rose Gowen and carried unanimously.

13. Consideration and ACTION on Resolution Number 2019-098, to accept resignation and appoint or reappoint member(s) to the Planning and Zoning Commission.

Resolution Number 2019-098 was adopted as follows:

Commissioner Ben Neece moved to accept Francisco Orozco’s resignation and appoint Vanessa Castillo to the Planning and Zoning Commission. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

14. Consideration and ACTION on Resolution Number 2019-099, to accept a resignation and appoint member(s) to the Transit Advisory Committee.

Resolution Number 2019-099 was adopted as follows:
Commissioner Jessica Tetreau moved to accept Hope Pham’s resignation and appoint William Garza to the Transit Advisory Committee. The motion was seconded by Commissioner Rose Gowen and carried as follows:

Ayes: Commissioner Tetreau, Cowen, Jr., Gowen, Munguia
Nays: Commissioner Galonsky Pizana

However, staff informed the Commission that William Garza currently serves in another Board; therefore, Commissioner Jessica Tetreau withdrew her motion.

Commissioner Jessica Tetreau moved to appoint Scott Fry to the Transit Advisory Committee. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Nurith Galonsky Pizana requested staff to encourage patrons who use bus services to apply to serve on the board.

Upon motion by Commissioner Nurith Galonsky Pizana, seconded by Commissioner Jessica Tetreau and carried unanimously, the second appointment was tabled.

15. Consideration and ACTION on Resolution Number 2019-100, to appoint member(s) to the Capital Improvement Advisory Committee (CIAC).

Resolution Number 2019-100 was adopted as follows:

Commissioner Rose Gowen moved to appoint Juan Pequeño to the Capital Improvement Advisory Committee (CIAC). The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner John F. Cowen, Jr., moved to appoint Carlos Garcia to the Capital Improvement Advisory Committee (CIAC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

16. Consideration and ACTION on Resolution Number 2019-101, to appoint a Commission member(s) to the Amigos Del Valle.

Resolution Number 2019-101 was adopted as follows:

Commissioner Jessica Tetreau moved to appoint Commissioner John Cowen, Jr., to the Amigos Del Valle. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner John Cowen, Jr., moved to appoint Rick Vasquez, Planning and Redevelopment Director, as an alternate, to the Amigos Del Valle. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

17. Consideration and ACTION on Resolution Number 2019-102, to appoint or reappoint member(s) to the Brownsville Beautification Committee (BBC).
Resolution Number 2019-102 was adopted as follows:

Commissioner Ben Neece moved to appoint Juan Hernandez to the Brownsville Beautification Committee (BBC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Joel Munguia moved to appoint Anisa Ramirez to the Brownsville Beautification Committee (BBC). The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Rose Gowen moved to appoint Juan Luna to the Brownsville Beautification Committee (BBC). The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Jessica Tetreau moved to appoint Ernesto Lopez to the Brownsville Beautification Committee (BBC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Nurith Galonsky Pizana moved to appoint Lori Herrera to the Brownsville Beautification Committee (BBC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

18. Consideration and ACTION on Resolution Number 2019-103, to appoint or reappoint members to the Greater Brownsville Improvement Corporation (GBIC).

In response to the Mayor, Elizabeth Walker, Assistant City Manager, clarified both members served unexpired terms, appointed just this summer.

Resolution Number 2019-103 was adopted as follows:

Commissioner Ben Neece moved to appoint Commissioner Nurith Galonsky Pizana to the Greater Brownsville Improvement Corporation (GBIC). The motion failed for lack of a second.

Commissioner Jessica Tetreau moved to re-appoint Dennis Sanchez to the Greater Brownsville Improvement Corporation (GBIC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Rose Gowen moved to re-appoint Graham Sevier-Schultz to the Greater Brownsville Improvement Corporation (GBIC). The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

20. Consideration and ACTION on Resolution Number 2019-104, for the creation of an Arts and Culture Task Force for vetting the prospect of creating a formal Arts and Culture Committee and other duties as assigned.
Ramiro Gonzalez, Director of Government and Community Affairs, advised that by creating the Arts and Culture Committee there would be an opportunity to apply for Cultural District Designation through the Texas Commission for the Arts, and the task force would be charged to bring stakeholders together to discuss and submit the Designation Application.

Commissioner Ben Neece moved that Resolution Number 2019-104, for the creation of an Arts and Culture Task Force for vetting the prospect of creating a formal Arts and Culture Committee and other duties as assigned, be approved. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

21. Consideration and ACTION on Resolution Number 2019-105, to appoint members to the Charter Review Committee.

Resolution Number 2019-105 was adopted as follows:

Mayor Juan “Trey” Mendez III moved to appoint Carlos Cascos to the Charter Review Committee. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner John F. Cowen, Jr., moved to appoint Patricio Sampayo to the Charter Review Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Nurith Galonsky Pizana moved to appoint Derek Reyna to the Charter Review Committee. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Jessica Tetreau moved to appoint Esteban Cuevas to the Charter Review Committee. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

EXECUTIVE SESSION

Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Joel Munguia and carried unanimously, the Executive Session convened at 9:18 p.m. to discuss the following items:

B) Deliberation of personnel matters pursuant to Section 551.074(1) of the Texas Government Code, related to the evaluation of a public officer or employee, to wit, City Manager Noel Bernal.

C) Attorney consultation pursuant to Section §551.071, of the Texas Government Code, to receive legal advice and counsel in connection with the City’s rights, duties, privileges, and obligations related to the collective bargaining labor agreement between the City and the duly recognized bargaining agent for the
City’s law enforcement personnel, the Brownsville Police Officers’ Association (BPOA).

D) Consultation with attorney pursuant to Section 551.071(1)(a) of the Texas Government Code, on a legal matter related to pending litigation in the Southern District of Texas, in case styled New Cingular PCS LLC v. The City of Brownsville, Civil Action No. 1:19-cv-00091.

Commissioner Nurith Galonsky Pizana did not participate in the discussion of Executive Session D, having departed the meeting at 9:55 p.m.

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

Upon conclusion of Executive Session, Mayor Juan “Trey” Mendez, III, convened the Regular meeting at 10:07 p.m. There was no action taken in Executive Session.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 10:08 p.m.

Approved this 7th day of January, 2020.

______________________________
Juan “Trey” Mendez III
Mayor

Attest:

______________________________
Griselda Rosas
Interim City Secretary

respectfully submitted by:
Yolanda Galarza-Administrative Supervisor
Office of the City Secretary
THE STATE OF TEXAS
CITY OF BROWNSVILLE
COUNTY OF CAMERON

MINUTES of a Regular Meeting of the City Commission of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on Tuesday, December 10, 2019, at 5:00 P.M. with the following members present:

JUAN “TREY” MENDEZ III  Mayor
JOHN F. COWEN, JR.   At Large “A”
ROSE GOWEN    At-Large “B”
NURITH GALONSKY PIZANA District 1
JESSICA TETREAU District 2
JOEL MUNGUIA District 3
BEN NEECE District 4
NOEL BERNAL  CITY MANAGER
HELEN RAMIREZ  DEPUTY CITY MANAGER
ELIZABETH WALKER ASSISTANT CITY MANAGER
ALFREDO PADILLA DEPUTY CITY ATTORNEY
GRISELDA ROSAS INTERIM CITY SECRETARY
ABSENT     RENE DE COSS – City Attorney

CALL TO ORDER

a) Roll Call

A quorum being present, Ms. Griselda Rosas, Interim City Secretary, read the call to order to consider the matters as posted and filed for the record in The Office of the City Secretary on December 6, 2019.

b) Invocation

Pastor Brad Burkes from Embassy of the Spirit Church led the invocation, observing a moment of silence recognizing other faiths.

c) Pledge of Allegiance United States Pledge and Texas Pledge

Mayor Juan “Trey” Mendez, III, led the Pledge of Allegiance and the Texas Pledge.

d) Proclamations  John Kinch

(Commissioners R. Gowen/Mayor J. “Trey” Mendez III)

Mayor Juan “Trey” Mendez, III, presented and read the proclamation.

Mr. Roy De Los Santos, Board of Adjustment Chair, presented Mr. John Kinch with a plaque thanking him for his volunteer service to the Board.
e) Presentations

**The Challenge-RGV**
(Public Health Department)

Dr. Arturo Rodriguez, Public Health Director, invited the community to attend The Challenge RGV, which will take place on Friday January 10, 2020, at the Brownsville Public Library-Main Branch located at 2600 Central Blvd., and at the Brownsville Public Library-Southmost Branch located at 4320 Southmost Blvd., as well as on Saturday, January 11, 2020, at the Linear Park located at E. 7th Street and Harrison.

**UT Health Science Center at Houston School of Public Health**
(Public Health Department)

Dr. Belinda Reininger, Regional Dean and Professor, gave a PowerPoint presentation in regards to the health issues and solutions evidence, such as Cameron County Hispanic Cohort, the Diabetes and Obesity Trends, and Community Wide Campaign Services, which are effectively reversing the trend of diabetes.

**US Bicycle Route System (USBR)**
(City Manager’s Office)

Ramiro Gonzalez, Director of Government and Community Affairs, reported Rails to Trails is working on the establishment of the US Bicycle Route System in Cameron County in which the Caracara trail was conceptualized in Lower Rio Grande Valley (LRGV) Active Plan and adopted by the City of Brownsville.

**PUBLIC COMMENT PERIOD**

Ernesto Hernandez signed up for Public Comment Period and was not present.

**WORK SESSIONS**

A) **Charter Election Timeline**

Ms. Elizabeth Walker, Assistant City Manager, informed the Commission of the options toward a potential Charter Election, providing election dates and corresponding costs. Ms. Walker reminded the Commission of the Local Government Code, Title 2, Subtitle A, Chapter 9, noting that any amendment may not contain more than one subject and of the Texas Constitution, Article XI, Section 5(b) that no city charter shall be altered, amended or repealed “oftener” than every two years.
Mr. Noel Bernal, City Manager requested that Work Session C be moved out of sequence.

C) County Southmost Office update

Mr. Noel Bernal, City Manager, informed the Commission that Cameron County plans on opening a substation within District 1.

Tony Yzaguirre, Cameron County Tax Assessor-Collector, reported the project had started as an idea because there were too many complaints of the long lines. There is a vacant lot where a water tower used to be owned by the City of Brownsville and the Brownsville Independent School District. Mr. Yzaguirre noted that since the property can only be used for public use, he would like to work together with the City of Brownsville and the Brownsville Independent School District by building a county annex to collect property taxes, title transfers and extending the services such as County Clerk’s Office and District Clerk’s Office. The cost of the building would be an estimated $1.2 - 1.5 million.

B) Wellness Program Update

Ms. Elizabeth Walker, Assistant City Manager, announced the efforts of a staff committee to develop and deliver a City of Brownsville Wellness Program that is both proactive and innovative to stabilize and sustain medical benefits by leveraging the flexibility of the self-funded plan and developing targeted strategies to address top ten (10) diagnoses.

Mike Goetz, Senior Consultant with SA Benefit Services, LLC, provided an analysis of the city’s medical/pharmacy benefit plan, reviewing the historical performance of the plans over the previous five (5) years and with the assistance of the Claros Analytics Tool. The data was evaluated and modeled against standard industry algorithms to confirm the current self-funded plan outperforms the fully insured alternatives.

LaRae Prehn, from TML Health Benefits Pool, noted the City does not have to obtain bids for the health plan each year because the interlocal agreement between TML and the City of Brownsville: any group in an Interlocal Agreement with TML Health satisfies Texas competitive bidding requirements for any plans and associated services the Pool offers. LaRae Prehn also provided information on what TML recommends a good wellness program needs to have and what TML Well provides through a suite of evidence-based, cost-effective programs and tools.
CONSENT AGENDA ITEMS

Consent Agenda Items listed were considered to be routine by the City Commission and was approved by one motion.

Upon motion by Commissioner Nurith Galonsky Pizana to approve Consent Agenda Items a through c and e, and removed Consent Agenda Item d for discussion and action. The motion was seconded by Commissioner Ben Neece and carried unanimously.

a) To acknowledge the following travel expenses:

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<th>Employee</th>
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<th>Destination</th>
<th>Date</th>
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<tr>
<td>Arturo Rodriguez</td>
<td>Health</td>
<td>Austin, TX</td>
<td>Dec. 12-13, 2019</td>
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<td>Ysaias E. Presas</td>
<td>Health</td>
<td>Austin, TX</td>
<td>Dec. 12-13, 2019</td>
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<td>Esmeralda Flores</td>
<td>Health</td>
<td>San Antonio, TX</td>
<td>Mar. 24-27, 2020</td>
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<td>Elba Vazquez</td>
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<tr>
<td>Jarrett V. Sheldon</td>
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<td>Ricardo Najera</td>
<td>Fire</td>
<td>San Marcos, TX</td>
<td>Jan. 19-22, 2020</td>
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<tr>
<td>Phill Bellamy</td>
<td>Municipal Court</td>
<td>San Antonio, TX</td>
<td>Jan. 06-08, 2020</td>
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b) Consideration and ACTION on Resolution 2019-095 authorizing the City Manager or his designee to act as the official representative of the City in matters related to the Community Development Block Grant (CDBG) program, HOME program, Emergency Solutions Grant (ESG) program, Consolidated Plan, Action Plan and declaring an effective date.

c) Consideration and ACTION to request authorization to re-engage term contract FHD-19-0218, for a third term of (1) year, for the City Health Authority for Public Health and Wellness Department, in the amount of $30,000.00, as budgeted.

d) APPROVAL on SECOND and FINAL READING on Ordinance Number 2019-1663 designating a geographic area within the City of Brownsville as Downtown Reinvestment Zone (TIRZ) No. 3, City of Brownsville; creating a board of directors for the zone; establishing a tax increment fund for the zone; and dealing with related matters.

e) Consideration and ACTION to approve BID #RSF-10-1220 for the purchase, delivery, and installation of a prefabricated restroom facility and shower at the Brownsville Bike Barn, in the amount of $96,405.00, within budget and available from 2017 Certificate of Obligation Funds account 803-512-9801-11.

In response to Commissioner Ben Neece, Damaris McGlone, Parks and Recreation Director, explained that BCIC and the Commission had approved a capital improvement park project to install a prefabricated restroom and shower to help alleviate demand for public restrooms in the downtown area. Ms. McGlone informed that the facility would serve a dual purpose of a restroom and safe room enhancing its value to the area and the funding would come from the 2017 Certificate of Obligation Funds and BCIC Funding.
Commissioner Ben Neece moved that BID #RSF-10-1220 for the purchase, delivery, and installation of a prefabricated restroom facility and shower at the Brownsville Bike Barn, in the amount of $96,405.00, within budget and available from 2017 Certificate of Obligation Funds account 803-512-9801-11, be approved with modifications to remove any coin operated and bill changing equipment. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

PUBLIC HEARINGS

1. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-061, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 7, Villa Maria Gardens Subdivision, located at 432 West Washington Street. (District 4)

   Martin Vega, Senior Planner, explained the rezoning ordinance proposes to reduce setbacks. Mr. Vega noted that the Planning and Zoning Commission supported the rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).

   Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Joel Munguia and carried unanimously, the public hearing was closed.

   Commissioner Rose Gowen moved that Ordinance Number 235-2019-061, be adopted at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 7, Villa Maria Gardens Subdivision, located at 432 West Washington Street. (District 4) The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously. 

   Commissioner Ben Neece stepped out and did not vote on Agenda Item #1.

2. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-062, to rezone from Dwelling “G” (DG) to Apartment “H” (AH) for Lots 23 and 24, Block 1, Canyon Valley Replat Subdivision, located at 3704 Menchaca Court. (District 4)

   Martin Vega, Senior Planner, explained the rezoning ordinance proposes use of the property for apartments fronting Menchaca Court.

   Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

   Commissioner John Cowen, Jr., moved that Ordinance Number 235-2019-062, be adopted at first reading, to rezone from Dwelling “G” (DG) to Apartment “H” (AH) for Lots 23 and 24, Block 1, Canyon Valley Replat Subdivision, located at 3704 Menchaca Court. (District 4) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.
3. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-064-S**, to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 & 41, La Villita Unit No. 4 Subdivision, located at 313 Manzano Street. (District 1)

   Martin Vega, Senior Planner, explained the rezoning ordinance proposes use of the property as a Specific Use Permit to allow a restaurant in Dwelling “A” (DA) fronting Manzano Street with the condition that the property must comply with all city codes and regulations as determined through the site plan review process.

   Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Nurith Galonsky Pizana and carried unanimously, the public hearing was closed.

   Commissioner Nurith Galonsky Pizana moved that Ordinance Number 235-2019-064-S, be adopted at first reading, to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 & 41, La Villita Unit No. 4 Subdivision, located at 313 Manzano Street. (District 1) The motion was seconded by Commissioner Rose Gowen and carried as follows:

   Ayes: Commissioner Galonsky Pizana, Cowen, Jr., Gowen, Munguia and Neece
   
   Nays: Commissioner Tetreau and Mayor Mendez, III

4. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-065**, to rezone from General Retail “H” (4CH) to General Retail “J” (4CJ) for Lots 7 and 8, Block 96, Brownsville Original Townsite, located at 905 East Adams Street. (District 4)

   Martin Vega, Senior Planner, explained the rezoning ordinance proposes use of the property for the increased unit intensity of apartments fronting Adams Street.

   Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Joel Munguia and carried unanimously, the public hearing was closed.

   Commissioner Ben Neece moved that Ordinance Number 235-2019-065, be adopted at first reading, to rezone from General Retail “H” (4CH) to General Retail “J” (4CJ) for Lots 7 and 8, Block 96, Brownsville Original Townsite, located at 905 East Adams Street. (District 4) The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

5. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-066**, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 2, Block 76, West Brownsville Addition, located at 1815 West Madison Street. (District 4)
Martin Vega, Senior Planner, explained the rezoning ordinance proposes building a duplex fronting West Madison Street.

Upon motion by Commissioner Rose Gowen, seconded by Commissioner John Cowen, Jr., and carried unanimously, the public hearing was closed.

Commissioner Rose Gowen moved that Ordinance Number 235-2019-066, be adopted at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 2, Block 76, West Brownsville Addition, located at 1815 West Madison Street. (District 4) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION


Rebecca Hayward, special assigned counsel from Denton Navarro, briefly informed the Commission that the union accepted the city’s proposal in which the Association would increase healthcare deductibles from $200 to $750 and increase base salary 2% for each year of the of the 3-year contract. Ms. Hayward noted the other major highlights to the contract include the officers’ Bill of Rights and the Chief’s Promotional Assessment Article.

Commissioner Jessica Tetreau moved that the Collective Bargaining Agreement between the City of Brownsville and the Brownsville Police Officers Association for FY 2019-2020 through FY 2021-2022, be approved. The motion was seconded by Commissioner Joel Munguia. Commissioner Jessica Tetreau called the question and motion carried as follows:

Ayes: Commissioners Tetreau, Cowen, Jr., Gowen, Munguia, Neece and Mayor Mendez

Nays: Commissioner Galonsky Pizana

7. Consideration and ACTION to award Change Order #5 to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport in the amount $33,861.97.

Commissioner Jessica Tetreau moved that the Change Order #5 be awarded to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport in the amount $31,861.97. The motion was seconded by Commissioner Rose Gowen and carried unanimously.
8. Consideration and ACTION to award term contract to JIO Construction for Grease Trap & Septic Tank Cleaning Services for the City of Brownsville, BID #GTC-63-1019 at stipulated pricing on an "as needed basis" by each City Department.

Ms. Roxanne Moreno, Internal Services Director, recommended JIO as the most responsible respondent for services of city-owned facilities.

Commissioner Jessica Tetreau moved that the term contract, be awarded to JIO Construction for Grease Trap & Septic Tank Cleaning Services for the City of Brownsville, BID #GTC-63-1019 at stipulated pricing on an "as needed basis" by each City Department. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

BOARD APPOINTMENTS

9. Consideration and ACTION on Resolution Number 2019-107 to appoint members to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board.

Resolution Number 2019-107 was adopted as follows:

Commissioner Nurith Galonsky Pizana moved to appoint Basilio Gomez, Jr., to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Nurith Galonsky Pizana moved to appoint Commissioner Ben Neece to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Mayor Juan “Trey” Mendez III moved to appoint Manuel Casanova to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Joel Munguia moved to appoint Narciso Oscareno to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

10. Consideration and ACTION on Resolution Number 2019-108, to remove and appoint a member(s), to the Planning and Zoning Commission.

Commissioner Nurith Galonsky Pizana expressed concern that there was a member of the Planning and Zoning Commission not attending the meetings regularly and its imperative that there is always a quorum present at the meetings. Commissioner Galonsky Pizana further noted that the policy strictly states that a board member needs to attend a minimum of 75% of the board meetings.
Rick Vasquez, Planning and Redevelopment Director, informed the Commission that the Planning and Zoning Commission increase to two (2) meetings a month.

Upon motion by Commissioner Nurith Galonsky Pizana, seconded by Commissioner Ben Neece, the agenda item was tabled and carried as follow:

Ayes: Commissioners Galonsky Pizana, Cowen, Jr., Gowen, Munguia, Neece and Mayor Mendez III

Nays: Commissioner Tetreau

11. Consideration and ACTION on Resolution Number 2019-106, to appoint members to the Charter Review Committee.

Resolution Number 2019-106 was adopted as follows:

Commissioner Rose Gowen moved to appoint Daisy Zamora to the Charter Review Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ben Neece moved to appoint Michael Gonzalez to the Charter Review Committee. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

Commissioner Joel Munguia moved to appoint Raul Gonzalez to the Charter Review Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

12. Consideration and ACTION on Resolution Number 2019-109 to remove and appoint a member(s) to the Greater Brownsville Incentives Corporation (GBIC).

Upon motion by Commissioner Nurith Galonsky Pizana, seconded by Commissioner Ben Neece and carried unanimously, the agenda item was tabled to be presented at the next scheduled meeting. Motion carried unanimously.

EXECUTIVE SESSION

Upon motion by Commissioner Rose Gowen, seconded by Commissioner Jessica Tetreau and carried unanimously, the Executive Session convened at 7:12 p.m. to discuss the following items:

A) Pursuant to Section 551.071 and Section 551.087 of the Texas Government Code to consult with its attorney to receive legal advice regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code and to discuss or deliberate the offer of a financial or other incentive to a business prospect Bumblebee.
B) Deliberation of personnel matters pursuant to Section 551.074(1) of the Texas Government Code, related to the evaluation of a public officer or employee, to wit, City Attorney Rene De Coss.

Upon conclusion of Executive Session, Mayor Juan “Trey” Mendez, III, convened the Regular meeting at 8:05 p.m. There was no action taken in Executive Session.

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

A) Pursuant to Section 551.071 and Section 551.087 of the Texas Government Code to consult with its attorney to receive legal advice regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code and to discuss or deliberate the offer of a financial or other incentive to a business prospect Bumblebee.

Commissioner Rose Gowen moved to proceed as advised by legal counsel in executive session. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

B) Deliberation of personnel matters pursuant to Section 551.074(1) of the Texas Government Code, related to the evaluation of a public officer or employee, to wit, City Attorney Rene De Coss.

Upon motion by Commissioner Jessica Tetreau, seconded by Commissioner Rose Gowen and carried unanimously, the agenda item was tabled.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 8:07 p.m.

Approved this 7th day of January, 2020.

____________________________
Juan “Trey” Mendez III
Mayor

Attest:

____________________________
Griselda Rosas
Interim City Secretary

Respectfully submitted by:
Yolanda Galarza-Administrative Supervisor
Office of the City Secretary
AGENDA ITEM  COMMISSION MEETING DATE 01/07/20

Executive Session (City Attorney Only)  Select  Agenda  Ordinance
Time Needed:  Time Needed:
Action Item:  

☐ Public Hearing  ☐ First Reading
☐ Contract  ☐ Second Reading
☐ Grant

☐ Action
☐ Consent

Information: Please include additional information/request.

Consideration and ACTION for authorization for Fire Captain Edward E. Guerrero to attend the TEEX - Leadership Development Symposium held on January 19-22, 2020 at the Embassy Suites in San Marcos, Texas.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Manager's Approval

Signature: Date:

Revised 3/2019
City of Brownsville, Texas  
Analysis of Meal & IE Per Diem Allowance  
TEEX-Leadership Development Symposium.  
in San Marcos, Texas.  
From January 19-22, 2020  
The Daily Meal & IE San Marcos, TX, is $55.

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<tr>
<th>Date</th>
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<th>First Day &amp; Last Day at 75% of Daily Rate</th>
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<td><strong>Total Meal &amp; IE Allowance</strong></td>
<td><strong>82.50</strong></td>
<td><strong>110.00</strong></td>
<td><strong>192.50</strong></td>
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***Each employee will be receiving the same Per Diem amount.***  
Sunday, January 19, 2020 (first day), and Wednesday, January 22, 2020 (last day) were traveling days.  
CITY OF BROWNsville
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
FROM: Jarrett V. Sheldon
DEPARTMENT: Fire

DATE: 12/13/19

I hereby request authorization for travel, at City expense, for the following employee as follows:

Edward E. Guerrero
Manager

1. Destination: San Marcos, Texas

2. Est. date and time leaving: 1/19/2019
Est. date and time returning: 1/22/2019

3. Transportation mode: ☑ City Vehicle ☐ Private Vehicle ☐ Airplane (scheduled) ☐ No Transportation Cost

4. Purpose of Trip:
To attend the TEEX - Leadership Development Symposium.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed)

The leadership symposium is designed to provide continuing education credit for Emergency Services Response Leaders across a broad range of subject focused on supervision, management, and leadership issues.

6. Will any costs be paid by a grant or sponsor: YES ☐ NO ☑ (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)

a. Transportation _______ miles x .545 cents a mile for private vehicle

b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]

c. Lodging $95.667 per night x 3

GSA rate: $166

$192.50

d. Registration Fees $0 per person

$0.00

e. Other costs (e.g. airfare, rental, etc. please explain):

$0.00

TOTAL: $479.50

8. I HEREBY REQUEST AN ADVANCE OF $192.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

Employee Signatures:

9. Charges to be made to line item # 01 - 321-770 which has a balance of $14,111.85 as of this date.

10. This request is hereby ☐ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $192.50 as an advance expense.

/S/ ____________________________
## MONDAY, JANUARY 7, 2019

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<th>BREAK</th>
<th>BREAKOUT SPEAKER 4:00-5:00 pm</th>
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<td>Brian Crawford</td>
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<td>Norris / Cunningham Part 1</td>
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## WEDNESDAY, JANUARY 9, 2019

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<td>Mike Lipkin</td>
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**Leadership Development Symposium**

**Texas A&M University Extension Service**
2019 SPEAKERS

KEYNOTE SPEAKERS

BRIAN CRAWFORD
Chief Administrative Officer, City of Shreveport (LA)
ALL IN—Leadership’s Greatest Strategy: Commitment.

LT. GENERAL JEFFERSON HOWELL
United States Marine Lt. General (Ret.)
Lessons in Leadership.

MIKE LIPKIN
President, Environics Lipkin, Inc.
Dancing with Disruption.

STEPHEN McGEE
Financial Quarterback, Paragon Financial Advisors
Purpose Driven Life.

MARK NUTSCH
Green Beret Commander
featured in 12 Strong
12 Strong: An Extraordinary Mission of Commitment, Purpose, Heroism, and Hope.

JOHN SALKA
Battalion Commander, FDNY (Retired)
First In, Last Out—Leadership Lessons from the FDNY.

BREAKOUT SPEAKERS

FRANK BABINECE
Fire Chief
City of Coral Springs-Parkland FD (FL)

STEVE FREY
Assistant Fire Chief
City of Coral Springs-Parkland FD (FL)

JOHN WHALEN
Assistant Fire Chief
City of Coral Springs-Parkland FD (FL)

CHRISTOPHER BATOR
Captain
City of Coral Springs-Parkland FD (FL)
Clean Cab Initiatives and Cancer Prevention in the Fire Service Today.

JOEL BILLINGS
Ph.D. Candidate, Oklahoma State University (OK)
24/48 vs 48/96: Experimental Research on Sleeping Habits and Sleep Quality.

NICHOLAS DeLIA
Fire Chief/Fire Marshal, Groton FD (CT)
Community Risk Reduction and Fire Service Survival.

DANIEL DeYEAR
Deputy Chief, Dallas Fire-Rescue (TX)
Today’s Fire Service Leadership!

KAREN FARMER
Lecturer, Texas A&M University (TX)
(2 Part Session)

RICHARD KASKO
Fire Chief, South Hays County ESD #3 (TX)
What is the Strength of Your Defenses?

JEFF KING
Assistant Chief of Operations, Flower Mound FD (TX)
What is Your Focus?

CHRIS LYON
Owner, L4 Training Solutions
Human Performance, Skill, and Knowledge are Not Enough.

ALLISON McFARLAND, Ph.D.
Endowed Chair of Business Administration, Bethel College (KS)

SCOTT METZLER
Chief, Newton Fire/EMS Department (KS)
Leading the Multi-Generational Fire Service.
(2 Part Session)

ALYSSA MICHALKE
Six Sigma Black Belt TAMKO Building Products, Inc.
Leading Effectively Despite the Age Gap.

ROY MERCER
Director of Training, Education, & Safety, VFIS
Leadership: A Reflection or Deception?

MICHAEL MIRARCHI
President, Mirarchi Management Group
Practical Employee Relations for Leaders in the Fire Service.
(2 Part Session)

WENDY NORRIS
President/CEO, Texas LODD Task Force

STEPHANIE CUNNINGHAM
Peer Support Coordinator, Texas LODD Task Force
Strong Foundations, Strong Families, Strong First Responders.
(2 Part Session)

DIANE SCHROEDER
Captain, Aurora Fire Rescue (CO)
Is That Your Final Answer?
Ethics in the Fire Service. (2 Part Session)

BRAD SHUCK, Ph.D.
Associate Professor & Program Director, Human Resource & Organizational Development Program, University of Louisville
Employee Engagement and Emergency Response Personnel: What the Best Leaders are Doing Differently.

JOSH SMITH
Owner, ProResponder
Leading the Way in Media Relationships.

KATHLEEN TAYLOR-GADSBY
Owner/President KTG Leadership Solutions, LLC
Coach Well to Lead Well.

MICHAEL WALLACE
Owner/Consultant, Wallace Training Associates
Real World Leadership: Developing the Proper Mindset for the Future of the Fire and Emergency Services.

CODY WINNFORD
Air Medical Base Supervisor, PHI Air Medical
What Got You Here Won’t Get You There.

JOHN YOVANOVITCH
Captain / Occupational Health & Safety Officer, Arlington Fire Department (TX)
Keeping Them Safe without Breaking their Spirit; Adjusting our Safety Culture to Save Ourselves.
(2 Part Session)

COMMAND CHAT™

MIKE CARUSO
Associate Athletic Director (Ret.), Texas A&M University Athletics
Together Everyone Achieves More—TEAM.

MARK LEE
Fire Chief, Garland FD (TX)
Why the Chief may not see the same things as Others See.

Learn more at TEEX.org/LeadershipSymposium
TO: Noel Bernal, City Manager
FROM: Marina Zolezzi, Assistant to the City Manager
SUBJECT: Travel
DATE: 12/18/2019
THROUGH:

AGENDA ITEM

COMMISSION MEETING DATE 01/07/20

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Information: Please include additional information/request.

Consideration and ACTION to authorize Robert Baez, Management Analyst, William Yun, Management Analyst and Monica Tellam, Management Analyst to attend the Strategic Government Resources Servant Leadership Conference 2020 being held in Hurst, TX. January 22, 2020-January 24, 2020.

Department Approval : Date Reviewed :

Funding will be from the General Fund 01-136.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Manager's Approval

Signature: Date:
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
DATE: 12/18/19

FROM: Marina Zolezzi, Assistant to the City Managers

DEPARTMENT: City Manager

I hereby request authorization for travel, at City expense, for the following employee as follows:

William Yun
EMPLOYEE NAME
Management Analyst
POSITION

1. Destination: Hurst, Texas
2. Est. date and time leaving: January 22, 2020
3. Transportation mode: [ ] City Vehicle [ ] Private Vehicle [ ] Airplane (scheduled) [ ] No Transportation Cost
4. Purpose of Trip:
To attend the Strategic Government Resources Servant Leadership Conference 2020 being held in Hurst, TX January 22, 2020-January 24, 2020.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed)

Community engagement, organizational culture, civility, and resiliency strive to create an engaging and valuable conference experience; one that assists local governments in developing strategies for organizational success.

6. Will any costs be paid by a grant or sponsor: YES [ ] NO [ ] (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home. Refer to the City's Travel Expense Policy for further information regarding travel on city business.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Transportation</td>
<td>$0.00</td>
</tr>
<tr>
<td>b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY (@ 75% FOR FIRST &amp; LAST DAY OF TRAVEL)</td>
<td>$152.50</td>
</tr>
<tr>
<td>c. Lodging: $129.20 per night x 2</td>
<td>$258.40</td>
</tr>
<tr>
<td>d. Registration Fees: $499 per person</td>
<td>$499.00</td>
</tr>
<tr>
<td>e. Other costs (e.g. airfare, rental, etc. please explain): airfare:324 baggage:60.00 taxi:150.00</td>
<td>$534.00</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>$1,443.90</td>
</tr>
</tbody>
</table>

8. I HEREBY REQUEST AN ADVANCE OF $362.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: * Employee Signatures:

9. Charges to be made to line item #01-136 _770 which has a balance of $____________ as of this date.

10. This request is hereby [ ] APPROVED [ ] DENIED The Accounting Department is instructed to issue a check in the amount of $_______________ as an advance expense.

ISI ____________________________________________

211 - Finance Department - Revised 1/2019
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
DATE: 12/18/19

FROM: Marina Zolezzi, Assistant to the City Managers
DEPARTMENT: City Manager

I hereby request authorization for travel, at City expense, for the following employee as follows:

Monica Tellam
EMPLOYEE NAME
Management Analyst
POSITION

1. Destination: Hurst, Texas

2. Est. date and time leaving: January 22, 2020
Est. date and time returning: January 24, 2020

3. Transportation mode: ☑️ Airplane (scheduled) ☐ No Transportation Cost

4. Purpose of Trip:
To attend the Strategic Government Resources Servant Leadership Conference 2020 being held in Hurst, TX, January 22, 2020-January 24, 2020.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed)

Community engagement, organizational culture, civility, and resiliency strive to create an engaging and valuable conference experience, one that assists local governments in developing strategies for organizational success.

6. Will any costs be paid by a grant or sponsor: YES ☐ NO ☑️ (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home. REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below. (Private vehicle mileage: @ the latest Federal Reimbursement Rate)
   Estimated Cost to the City:
   a. Transportation _____ miles x .58 cents a mile for private vehicle
   $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY (@75% FOR FIRST & LAST DAY OF TRAVEL)
   GSA rate: $166
   $152.50
   c. Lodging $129.20 per night x 2
   $258.40
   d. Registration Fees $499 per person
   $499.00
   e. Other costs (e.g. airfare, rental, etc. please explain): airfare:324 baggage:60.00 taxi:150.00
   $534.00
   TOTAL: $1,443.90

8. I HEREBY REQUEST AN ADVANCE OF $362.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: * Employee Signatures:

9. Charges to be made to line item #01-136-770 which has a balance of $_________ as of this date.

10. This request is hereby ☐ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $_________ as an advance expense.

IS/
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR

DATE: 12/17/19

FROM: Marina Zolezzi, Assistant to the City Manager

DEPARTMENT City Manager

I hereby request authorization for travel, at City expense, for the following employee as follows:

Robert Baez
EMPLOYEE NAME Management Analyst
POSITION

1. Destination: Hurst, Texas

2. Est. date and time leaving: January 22, 2020 Est. date and time returning: January 24, 2020

3. Transportation mode: [ ] City Vehicle [ ] Private Vehicle [ ] Airplane (scheduled) [ ] No Transportation Cost

4. Purpose of Trip:
To attend the Strategic Government Resources Servant Leadership Conference 2020 being held in Hurst, TX. January 22, 2020-January 24, 2020.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed)

Community engagement, organizational culture, civility, and resiliency strive to create an engaging and valuable conference experience; one that assists local governments in developing strategies for organizational success.

6. Will any costs be paid by a grant or sponsor: YES [ ] NO [ ] (List).

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home. REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)

   a. Transportation _______ miles x .58 cents a mile for private vehicle
      Estimated Cost to the City: $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY (@ 75% FOR FIRST & LAST DAY OF TRAVEL)
      Estimated Cost to the City: $152.50
   c. Lodging $129.20 per night x 2 GSA rate:$ 166
      Estimated Cost to the City: $258.40
   d. Registration Fees $499 per person
      Estimated Cost to the City: $499.00
   e. Other costs (e.g. airfare, rental, etc. please explain): airfare:324 baggage:60.00 taxi:150.00
      Estimated Cost to the City: $534.00

   TOTAL: $1,443.90

8. I HEREBY REQUEST AN ADVANCE OF $362.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item #__________-_________________ which has a balance of $____________ as of this date.

10. This request is hereby [ ] APPROVED [ ] DENIED The Accounting Department is instructed to issue a check in the amount of $_____________ as an advance expense.

   IS/  ________________________________

211 - Finance Department - Revised 1/2019
City of Brownsville, Texas

Analysis of Meal & IE Per Diem Allowance

During The Servant Leadership Conference 2020.

in Hurst, TX.

From January 22 Through January 24, 2020

The Daily Meal & IE For Hurst, TX. is $ 61.00

<table>
<thead>
<tr>
<th>Date</th>
<th>Daily Rate</th>
<th>Daily Rate</th>
<th>Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, January 22, 2020</td>
<td>$ 45.75</td>
<td>$</td>
<td>45.75</td>
</tr>
<tr>
<td>Thursday, January 23, 2020</td>
<td>$ 61.00</td>
<td>$</td>
<td>61.00</td>
</tr>
<tr>
<td>Friday, January 24, 2020</td>
<td>$ 45.75</td>
<td>$</td>
<td>45.75</td>
</tr>
<tr>
<td>Total Meal &amp; IE Allowance</td>
<td>$ 61.00</td>
<td>$ 91.50</td>
<td>152.50</td>
</tr>
</tbody>
</table>

Nightly Lodging from January 22, 2020 through January 24, 2020 and checked out on Friday

January 24, 2020, Wednesday, January 22, 2020 (first day) and Thursday, January 23, 2020 (Second Day)

Friday, January 24, 2020 (Last Day) were traveling days.
<table>
<thead>
<tr>
<th>Date</th>
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<td>$ 61.00</td>
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City of Brownsville, Texas
Analysis of Meal & IE Per Diem Allowance

During The Servant Leadership Conference 2020.
in Hurst, TX.
From January 22 Through January 24, 2020
The Daily Meal & IE For Hurst, TX. is $ 61.00

Friday, January 22, 2020 (first day) and Thursday, January 23, 2020 (Second Day)

Nightly Lodging from January 22, 2020 through January 24, 2020 and checked out on Friday January 24, 2020, Wednesday, January 22, 2020 (first day) and Thursday, January 23, 2020 (Second Day)

Friday, January 24, 2020 (Last Day) were traveling days.
Servant Leadership Conference Agenda 2020

Thursday, January 23rd

7:30 am - 8:15 am  Breakfast & Networking
Jennifer Fadden, President of Executive Recruitment & Interim Services at SGR

8:15 am - 8:45 am  Opening Thoughts
Ron Holifield, CEO at SGR

8:45 am - 9:30 am  The Case for Civility - How You Can Disagree About Almost Everything & Still be Friends
Matt Lewis is a conservative pundit and political commentator for CNN, a Senior Columnist for the Daily Beast and the author of Too Dumb to Fail. His work has been featured in the Wall Street Journal, the Washington Post, GQ, and many others, and he has been a periodic guest on Real Time with Bill Maher.

Bill Scher is a liberal pundit and Contributing Editor to POLITICO Magazine and a Contributor to Real Clear Politics. In 2006, he authored the book “Wait, Don’t Move To Canada: A Stay-and-Fight Strategy To Win Back America,” which later became an answer on “Jeopardy!” For nearly 10 years, he was a writer for the progressive advocacy organization Campaign for America’s Future, and was the founder of one of the first liberal blogs: LiberalOasis.com. He also helped rewrite the city charter of his hometown of Northampton, MA, as a volunteer member of the city’s ad-hoc Special Act Charter Drafting Committee.

Together, they co-host the online tv show DMZ where they provide a role model for America on how you can disagree on just about everything... and still be friends. Though Matt and Bill typically focus on a discussion of national issues, the principles they will share that have allowed them to deeply disagree and remain friends for over a decade are applicable to local government AND to your personal life as well.

9:30 am - 10:00 am  *Give 5* Civic Matchmaking Program
Greg Burris, Executive in Residence & Executive Director of the Give 5 Program at United Way of the Ozarks and former City Manager at the City of Springfield, Missouri

Cora Scott, Director of Public Information & Civic Engagement at the City of Springfield, Missouri

10:00 am - 10:15 am  Session Break

10:15 am - 10:45 am  Overcoming the Public Works Talent Shortage
Erin Rinehart, City Manager at the City of Carrollton, Texas

10:45 am - 11:15 am
Building Sustainable Success: 
The Resurgence of a Proud Fire Department Using Servant Leadership Principles
Reggie Freeman, Fire Chief/Emergency Management Director at the City of Hartford, Connecticut

11:15 am - 11:45 am  Servant Leadership at All Levels - A Disney Story
Chris Shorter, Assistant City Manager at the City of Austin, Texas

11:45 am - 12:30 pm  Lunch - Sponsored by CPSHR Consulting

12:30 pm - 1:00 pm  Star Track - The Next Generation - Identifying & Developing the Stars in Your Organization
Colleen McManus, HR Executive & Consultant and former CHRO

1:00 pm - 1:30 pm  Engaging the Community to Define a Vision for the Future
Nolan Sunderman, City Manager at the City of Shawnee, Kansas

1:30 pm - 1:45 pm  Session Break

1:45 pm - 2:15 pm  The Impact of a Servant Leadership Culture on Recruiting Success
Shain Hunn, Assistant Fire Chief at the City of Celina, Texas

2:15 pm - 3:15 pm  Don’t Lose Your Way: Mapping the Trip to Your Cultural Destination
Matt Mueller, Town Manager at the Town of Little Elm, Texas

3:15 pm - 3:45 pm  Reflections on the Day
Ron Holifield, CEO at SGR

Friday, January 24th

7:30 am - 8:30 am  Breakfast & Networking - Sponsored by Ameresco & First Check
Jennifer Fadden, President of Executive Recruitment & Interim Services at SGR

8:30 am - 8:45 am  What’s New in the World of Training & Leadership Development?
Marlie Eyre, Training & Leadership Development Manager at SGR

8:45 am - 9:00 am  What’s New in Local Government?
Dr. Mike Mowery, President, Servant Leadership Implementation at SGR

9:00 am - 9:30 am  Leading Dramatic Culture Shift Without the Wheels Coming Off
Raymond Suarez, CEO and Dianne Costa, Board Chair at the Denton County Transportation Authority

9:30 am - 10:00 am  Servant Leadership - Risk & Resiliency
Brian Crawford, Chief Administrative Officer, Willis-Knighton Health Systems & former Chief Administrative Officer at the City of Shreveport, Louisiana

10:00 am - 10:15 am  Session Break

10:15 am - 11:00 am  What a Former CIA Officer in Counter-Terrorism Turned Street Cop Can Teach You About Building Trust in Your Community
Patrick Skinner, Police Officer, Savannah, Georgia, Police Department, and former CIA Officer
Dr. Mike Mowery, President, Servant Leadership Implementation at SGR

The Spy Who Came Home is how The New Yorker Magazine described Patrick in a feature article about his journey from CIA Officer in Afghanistan back to his hometown of Savannah to become a street cop. Patrick has an intense commitment to authentic community-oriented policing using strategies for building trust-based relationships with the community by leveraging lessons learned as a CIA Officer in Afghanistan. This fascinating session will explore why an expert in counter-terrorism became a street cop and how you can think more strategically about building trust with your own community.

11:00 am - 12:00 pm
Closing Thoughts

Ron Holifield, CEO at SGR

Please feel free to contact us at Events@GovernmentResource.com; we'd be happy to assist with group registrations, questions regarding accommodations, and more.
CONSIDERATION AND ACTION TO AUTHORIZE MICHELLE OTERO, SPECIAL EVENTS COORDINATOR AND YOLANDA PEREZ, COMMUNITY CENTER COORDINATOR TO ATTEND THE 2020 EVENT MANAGEMENT SCHOOL IN OGLEBAY RESORT, WHEELING, WV. ON JANUARY 12-17, 2020.

FOR CITY COMMISSION MEETING ON 01/07/2020
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

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TO: FINANCE DIRECTOR

DATE: 12/13/19

FROM: Damaris McGilone

DEPARTMENT Parks & Recreation Director

I hereby request authorization for travel, at City expense, for the following employee as follows:

Michelle Otero

Special Events Coordinator

EMPLOYEE NAME

POSITION

1. Destination: Wheeling, WV.

2. Est. date and time leaving: January 12, 2020

Est. date and time returning: January 17, 2020

3. Transportation mode: ☐ City Vehicle ☐ Private Vehicle ☐ Airplane (scheduled) ☐ No Transportation Cost

4. Purpose of Trip:

Attend the NRPA 2020 Event Management School.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed.)

I would like to gain experience in event planning to be able to plan bigger and more successful events.

6. Will any costs be paid by a grant or sponsor: YES ☐ NO ☐ (List)

Meals & Incidental Expenses are based on a per diem M&E rate when conducting City business away from home.

REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)

<table>
<thead>
<tr>
<th>a. Transportation</th>
<th></th>
<th>$0.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Meals</td>
<td>PER DIEM AS PER CITY TRAVEL EXPENSE POLICY</td>
<td>$192.50</td>
</tr>
<tr>
<td>c. Lodging</td>
<td>INCLUDED per night x 1</td>
<td>GSA rate: $96</td>
</tr>
<tr>
<td>d. Registration Fees</td>
<td>$1805.39 per person</td>
<td>$1,805.39</td>
</tr>
<tr>
<td>e. Other costs (explain) Uber Fare - $125.00, Air Fare - $456.00</td>
<td>Registration &amp; Lodging included in the package: Reg.- $700.00 &amp; Lodging - $1,105.39</td>
<td>$581.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$2,578.89</td>
</tr>
</tbody>
</table>

8. I HEREBY REQUEST AN ADVANCE OF $317.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: * Employee Signatures:

9. Charges to be made to line item # 11-517 - 767 which has a balance of $11,510.00 as of this date.

10. This request is hereby ☐ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $___________ as an advance expense.

/Signature

211 - Finance Department - Revised 12/2017
CITY OF BROWNVILLE
TRAVEL REQUEST FORM

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TO: FINANCE DIRECTOR

DATE: 12/13/19

FROM: Damaris McGlone

DEPARTMENT: Parks & Recreation Director

I hereby request authorization for travel, at City expense, for the following employee as follows:

Yolanda Perez

Employee Name

Community Center Coordinator

Position

1. Destination: Wheeling, WV.

2. Est. date and time leaving: January 12, 2020

Est. date and time returning: January 17, 2020

3. Transportation mode:

☐ City Vehicle

☐ Private Vehicle

☐ Airplane (scheduled)

☐ No Transportation Cost

4. Purpose of Trip:

Attend the NRPA 2020 Event Management School.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed.)

Build meaningful relationships, stay current with trends, get fresh ideas and solutions for our city. Information will be disseminated to follow colleagues to establish and come up with innovative ideas within our city and for our inhouse events.

6. Will any costs be paid by a grant or sponsor? YES ☐ NO ☐ (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home.

REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)

a. Transportation: ___________________ miles x .536 cents a mile for private vehicle (list other) ___________________ Estimated Cost to the City: $0.00

b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY (@ 75% FOR FIRST & LAST DAY OF TRAVEL) $192.50

c. Lodging: $Included per night x 1 GSA rate: $96

$0.00

d. Registration Fees: $1805.39 per person

$1805.39

e. Other costs (explanation) Air Fare - $456.00

$456.00

Registration & Lodging included in the package: Reg. $700.00 & Lodging: $1,105.39

TOTAL: $2,453.89

8. I HEREBY REQUEST AN ADVANCE OF $192.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

*Employee Signatures:

9. Charges to be made to line item # 11-517 _ 767 which has a balance of $11,510.00 as of this date.

10. This request is hereby ☐ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $_________ as an advance expense.
Quality festivals and events are among the most successful tools available to communities, states, regions, and even countries to increase tourism, create powerful and memorable branding and imaging opportunities, bond people together, encourage positive media coverage, enhance economic impact, and add to the quality of lives for those who live there. On the other hand, a poorly planned, managed and executed event can have a reciprocally opposite effect. Over time, events themselves have changed; from often informal affairs to spectacular productions, requiring new sets of skills, experience, creativity, financing, planning and leadership. As a result, event management has evolved into a business and an industry, with new demands, challenges and expectations every day; from attendees / participants; sponsors; host communities and a plethora of other partners that the success of any event depends on.

Presented by two of the most respected professional associations in our industry – the International Festivals & Events Association (IFEA) and the National Recreation and Park Association (NRPA) – the Event Management School at Oglebay National Training Center in West Virginia was designed around the concept of bringing new and mid-career industry professionals together with some of the most highly respected and experienced professionals in the field, for a comprehensive educational and networking opportunity that will cover the critical basics of successful event management and then put students in an applied-knowledge project environment to test and further what they have learned.

First Year Session Topics

- Understanding Event Management and the Impact of Events
- Business Plans
- Event Budgeting and Budget Management
- Building a Strong Volunteer Program
- Sponsorship Sales and Service
- Food and Beverage Programs

Second Year Session Topics

- Application of Project Management to Events
- Designing & Controlling the Event Experience
- Advanced Considerations for including Fans with Disabilities
- Applied Program and Event Development
- Applied Budget Development
- Applied Sponsorship Research

- Merchandise Programs
- Event Administration and Legal Considerations
- Marketing and Media
- Social Media Marketing
- Event Ticketing, Financial Transactions & Audience Expectations
- Event Operations
- Event Risk Management
- Surveys, Evaluations and Economic Impact Studies
- Community Building through Proactive Events Management
- Open Forum Roundtable Discussions

Participant Insight

"This was the best School I have ever attended! This was my second at School at Oglebay but I am a learner, so this one was more for me. The presenters were OUTSTANDING! The wealth of information that was shared and their willingness to share it with us, was such a blessing. I love the atmosphere of the Schools at Oglebay, where everyone is so fun to be around in the midst of this crazy world and times we are living in. Thank you so much for all you do and did, to make this AN EXPERIENCE I will always remember."

Debe Shafer
Texas A&M University
2015 Graduate

Participant Insight

"It was informative, engaging and motivating. Every day provided an incredible opportunity to learn from the speakers and other students. I am most appreciative to have been able to meet so many leaders in the event management field and I am inspired by their enthusiasm, commitment and dedication to the profession. Oglebay was a great host site. Everyone there worked very hard to make sure we were all well taken care of and enjoying our stay. So glad that I was able to attend and I am looking forward to returning as a Year 2 student!"

Tuition

NRPA/IFEA Member: $700.00

NRPA/IFEA Non-Member: $850.00

Room & Board

Single Lakeside Preferred Room: $1,312.69

Double Lakeside Preferred Room (Shared Room): $1,070.83

Single West Wing Deluxe Room: $1,220.54

Double West Wing Deluxe Room (Shared Room): $1,024.76

Single Byrd/Kline Value Room: $1,105.39

Double Byrd/Kline Value Room (Shared Room): $932.61

School Itinerary

Sunday, January 12
Check-in Wilson Lodge 4pm
Registration 4pm-6pm
Orientation/Dinner 5pm

Monday, January 13
Classes Begin 8am
Dinner on own

Tuesday, January 14
Classes 8am
Round Tables/Dinner 6pm

Wednesday, January 15
Classes 8am
Dinner on own

Thursday, January 16
Classes 8am
Presentations
Graduation Banquet 6pm

Friday, January 17
Depart Oglebay 11am

Registration

Date of Application *
12/4/2019

Name *
Michelle Otero

Gender *
Female Male

Name as you wish to appear on your badge *
Michelle Otero

Company/Agency *
City of Brownsville Parks and Recreation Department

Position Title *
SPECIAL EVENTS COORDINATOR

Mailing Address *
1338 E 8TH ST
Address Line 2
BROWNSVILLE
78520

Phone *
(956) 832-4217

Cell Phone

Email *
michelle.oterobcob.us

Attending as: *
☐ First Year    ☐ Second Year

Your arrival date: *
1/12/2020

Your departure date: *
1/17/2020

If you would like to arrive one day early, please contact the Oglebay National Training Center at ntc@oglebay.com for Early Arrival rates.

Would you like a roommate? *
☐ Yes    ☐ No

Name of Roommate
Michelle Otero

Do you require special accommodations? *
☐ Yes    ☐ No

If yes, explain:

Do you require a special diet? *
☐ Yes    ☐ No

If yes, explain:

Additional Comments
Tuition *
NRPA/IFEA Member - $700.00

Room & Board *
Single Byrd/Kline Value Rooms (Byrd & Kline Wing - $1

Priced per person. Taxes and fees included. Room & Board Includes: 5 Nights Lodging, 4 Buffet Breakfasts, 4 Buffet Lunches, Sunday & Tuesday Buffet Dinners, Coffee Breaks daily, Beverage Tickets, Thursday evening Banquet and Plated Dinner, and Continental Breakfast Friday morning. Note: The entire package amount will be charged on receipt of form when paying by credit card.

For a full description of our room types, click here.

Please select your method of payment: *
- Credit Card
- Purchase Order
- Check

If paying by credit card, click on the link below to book your room reservation. If paying by check or purchase order, the Oglebay National Training Center staff will book your room accommodations for you. We will contact you in regards to payment. Your registration will not be guaranteed until full payment is received.

School Cancellation policy:
Up to 30 days prior to the school will result in a $100 cancellation fee. A 50% refund of registration fees will be issued if cancellation is made 7 to 30 days prior. No refund will be issued for cancellations made within 7 days prior to the school.

Questions? Call 304-243-4126 or Email ntc@oglebay.com

School Itinerary

Sunday, January 12
Check-in Wilson Lodge 4pm
Registration 4pm-6pm
Orientation/Dinner 5pm

Monday, January 13
Classes Begin 8am
Dinner own

Tuesday, January 14
Classes 8am
Round Tables/Dinner 6pm

Wednesday, January 15
Classes 8am
Dinner on own

Thursday, January 16
Classes 8am
Presentations
Graduation Banquet 6pm

Friday, January 17
Depart Oglebay 11am

Registration

Date of Application
12/5/2019

Name
Yolanda Perez

Name as you wish to appear on your badge
Yoli Perez

Gender
Female     Male

Company/Agency
City of Brownsville

Position Title
Community Center Coordinator

Mailing Address
Ringgold Civic Pavilion
501 E. Ringgold St
Brownsville Texas
78521 United States

Phone Cell Phone Email
(956) 465-9442 (956)212-0678 yolip@cob.us

Attending as:
First Year Second Year

Your arrival date: 1/11/2020 Your departure date: 1/17/2020

If you would like to arrive one day early, please contact the Oglebay National Training Center at ntc@oglebay.com for Early Arrival rates.

Would you like a roommate? Name of Roommate
Yes No

Do you require special accommodations? If yes, explain:
Yes No

Do you require a special diet? If yes, explain:
Yes No

Additional Comments
Tuition

NRPA/IFEA Non-Member - $850.00

Room & Board

Single Byrd/Kline Value Rooms (Byrd & Kline Wing - $1

Priced per person. Taxes and fees included. Room & Board includes: 5 Nights Lodging, 4 Buffet Breakfasts, 4 Buffet Lunches, Sunday & Tuesday Buffet Dinners, Coffee Breaks daily, Beverage Tickets, Thursday evening Banquet and Plated Dinner, and Continental Breakfast Friday morning. Note: The entire package amount will be charged on receipt of form when paying by credit card.

For a full description of our room types, [link].

Please select your method of payment:
○ Credit Card  ○ Purchase Order  ○ Check

If paying by credit card, click on the link below to book your room reservation. If paying by check or purchase order, the Oglebay National Training Center staff will book your room accommodations for you. We will contact you in regards to payment. Your registration will not be guaranteed until full payment is received.

School Cancellation policy:

Up to 30 days prior to the school will result in a $100 cancellation fee. A 50% refund of registration fees will be issued if cancellation is made 7 to 30 days prior. No refund will be issued for cancellations made within 7 days prior to the school.

Questions? Call 304-243-4126 or Email ntc@oglebay.com
City of Brownsville, Texas
Analysis of Meal & IE Per Diem Allowance
During The 2020 NRPA Event Management School
in Wheeling, WV.
From January 12 Through January 17, 2020
The Daily Meal & IE For Wheeling, WV., is $55.00
for Michelle Otero

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem Daily Rate</th>
<th>First Day &amp; Last Day at 75% of Daily Rate</th>
<th>Total Daily Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 12, 2020 Sunday</td>
<td>0.00</td>
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<tr>
<td>January 13, 2020 Monday</td>
<td>55.00</td>
<td>0.00</td>
<td>55.00</td>
</tr>
<tr>
<td>January 14, 2020 Tuesday</td>
<td>0.00</td>
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<td>0.00</td>
</tr>
<tr>
<td>January 15, 2020 Wednesday</td>
<td>55.00</td>
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</tr>
<tr>
<td>January 16, 2020 Thursday</td>
<td>0.00</td>
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</tr>
<tr>
<td>January 17, 2020 Friday</td>
<td>0.00</td>
<td>41.25</td>
<td>41.25</td>
</tr>
</tbody>
</table>

Total Meal & IE Allowance 110.00 82.50 192.50

No Nightly lodging from January 12 - January 16, 2020 and check out on Friday, January 17, 2020.
Sunday, January 12, 2020 (first day), and Friday, January 17, 2020 (last day) were traveling days.
City of Brownsville, Texas  
Analysis of Meal & IE Per Diem Allowance  
During The 2020 NRPA Event Management School  
in Wheeling, WV.  
From January 12 Through January 17, 2020  
The Daily Meal & IE For Wheeling, WV., is $55.00  
for Yolanda Perez

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem Daily Rate</th>
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<td>January 12, 2020 Sunday</td>
<td>0.00</td>
<td>41.25</td>
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<td>January 13, 2020 Monday</td>
<td>55.00</td>
<td>0.00</td>
<td>55.00</td>
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<tr>
<td>January 14, 2020 Tuesday</td>
<td>0.00</td>
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<td>January 17, 2020 Friday</td>
<td>0.00</td>
<td>41.25</td>
<td>41.25</td>
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</table>

Total Meal & IE Allowance  
110.00  
82.50  
192.50

No Nightly lodging from January 12 - January 16, 2020 and check out on Friday, January 17, 2020. Sunday, January 12, 2020 (first day), and Friday, January 17, 2020 (last day) were traveling days.
TO: Noel Bernal, City Manager  
FROM: Rick Vasquez, Planning & Redevelopment Director  
SUBJECT: Travel Request - Juan Velez (Baltimore, MD)  
DATE: 12/6/2019  
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM  COMMISSION MEETING DATE 01/07/20

<table>
<thead>
<tr>
<th>Executive Session (City Attorney Only)</th>
<th>Select</th>
<th>Agenda</th>
<th>Ordinance</th>
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<tbody>
<tr>
<td>Time Needed:</td>
<td>Time Needed:</td>
<td>□ Public Hearing</td>
<td>□ First Reading</td>
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<td>Action Item:</td>
<td></td>
<td>□ Contract</td>
<td>□ Second Reading</td>
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<td></td>
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<td></td>
<td></td>
<td>□ Action</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>✔ Consent</td>
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</tbody>
</table>

Information: Please include additional information/request.

Consideration and Action to request authorization for Mr. Juan Velez, Historic Preservation Officer, to be able to attend the National Development Council Historic Real Estate Finance training course being held in Baltimore, MD from January 12 through January 19, 2020. This is the second part of the course and Main Street America has issued a grant to assist with registration costs.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

<table>
<thead>
<tr>
<th>City Attorney</th>
<th>Date Reviewed:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments:</td>
<td></td>
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<table>
<thead>
<tr>
<th>Finance Department</th>
<th>Date Reviewed:</th>
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<td>Comments:</td>
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<tr>
<th>City Commission</th>
<th>Assistant City Manager</th>
<th>Deputy City Manager</th>
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<tr>
<td>Approved:</td>
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<td>Initials:</td>
<td>Date:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City Manager’s Approval

Signature: Date:
CITY OF BROWNsville
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
FROM: Rick Vasquez
DEPARTMENT Planning & Redevelopment Department
DATE: 12/06/19

I hereby request authorization for travel, at City expense, for the following employee as follows:

Juan Velez
EMPLOYEE NAME

Historic Preservation Officer
POSITION

1. Destination: Baltimore, MD
2. Est. date and time leaving: Sunday, Jan. 12-2020 Est. date and time returning: Sunday, Jan. 19-2020
3. Transportation mode: □ City Vehicle □ Private Vehicle □ Airplane (scheduled) □ No Transportation Cost
4. Purpose of Trip:
   To attend the Historic Real Estate Finance training course - Part 2
5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed.)

For knowledge expansion and participation of the 2nd part of the Historic Real Estate course

6. Will any costs be paid by a grant or sponsor: YES ☐ NO ☐ (List)
Main Street America Grant $250 to be able to cover registration costs

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home.

REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)
   Estimated Cost to the City:
   a. Transportation _______ miles x .56 cents a mile for private vehicle $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY (@75% FOR FIRST & LAST DAY OF TRAVEL) $532.50
   c. Lodging $119 per night x 7 GSA rate: $119 $833.00
   d. Registration Fees $1425 per person $1,425.00
   e. Other costs (e.g. airfare, rental, etc. please explain): Airfare R/T $600, Taxi $100 $700.00
   TOTAL: $3,490.50

8. I HEREBY REQUEST AN ADVANCE OF $632.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

Employee Signatures:

9. Charges to be made to line item # 610 - 770 which has a balance of $29,550.16 as of this date.
10. This request is hereby ☐ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $_______ as an advance expense.
City of Brownsville, Texas  
Analysis of Meal and IE Per Diem Allowance

HRE 347: Historic Real Estate Finance Training  
in Baltimore, MD

From: Sunday, January 12 thru Sunday, January 19th, 2020

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem</th>
<th>First and Last Travel Day at 75% of Daily Rate</th>
<th>Total Daily Allowance</th>
<th>Total Hotel Allowance (estimated)</th>
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<tr>
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<td>January 15</td>
<td>Wednesday</td>
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<tr>
<td>January 16</td>
<td>Thursday</td>
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<tr>
<td>January 17</td>
<td>Friday</td>
<td>$71</td>
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<tr>
<td>January 18</td>
<td>Saturday</td>
<td>$71</td>
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<tr>
<td>January 19</td>
<td>Sunday</td>
<td>$71</td>
<td>$53.25</td>
<td>$53.25</td>
</tr>
</tbody>
</table>

**Total**  
$532.50  
$833.00

Traveling days will be Sunday, January 12th and Sunday, January 19th, 2020.

As per the U.S. General Service Administration (GSA rates), the Daily Meal and IE for Baltimore City County is **$71**  
While the nightly Lodging rate for Baltimore City County is **$119**
# HRE 347: Historic Real Estate Finance Training

## Problem Solving and Deal Structuring

### Hotel and Travel Logistics

| DATE / TIME         | Workshop Begins: 8:30 am, Monday, January 13, 2020  
|                     | Workshop Ends: 1:00 pm, Friday, January 17, 2020    |

| HOTEL LOCATION (ROOMS AND ALL SESSIONS) | **Residence Inn by Marriott Baltimore**  
|                                         | at the Johns Hopkins Medical Campus  
|                                         | 800 N. Wolfe Street  
|                                         | Baltimore, MD 21205 |

| ACCOMMODATIONS | **MSAI Block:** $129/night from January 12 through January 17, 2020.  
|                | **To reserve:** [Use this link](#) or call 443-524-8405 and mention the group code **Main Street**. Reservations must be made by December 13, 2020.  
|                | **Hotel Check-in:** 4:00 pm (please arrange early check-in directly with the hotel)  
|                | **Hotel Check-out:** 12:00 pm (guests can store luggage until end of workshop) |

| TRANSPORTATION | **Airports:** Baltimore/Washington International Thurgood Marshall Airport (BWI) is located 15 miles from the hotel.  
|                | **Ground Transportation:** Estimated cost for a taxi from the airport is $32 and will take 30 minutes.  
|                | **Parking:** Valet parking is available at the hotel for $32/day. Off-site parking is available nearby for $10-16/day. |
ONLINE REGISTRATION

« Back

HRE347-REAL ESTATE DEVELOPMENT FINANCE: PROBLEM SOLVING AND DEAL STRUCTURING

Description

Real Estate Development Finance

Classes

<table>
<thead>
<tr>
<th>Add</th>
<th>Section</th>
<th>Location</th>
<th>Instructor</th>
<th>Dates</th>
<th>Days</th>
<th>Times</th>
<th>Fees</th>
<th>Details</th>
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<td>HRE347-0120BA</td>
<td>Baltimore, Md Residence Inn By Marriott Baltimore</td>
<td>Leon</td>
<td>1/11 - 1/17</td>
<td>Mo Tu We Th Fr</td>
<td>Varied</td>
<td>$1,425.00</td>
<td>View</td>
<td></td>
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</tbody>
</table>

Register Now!
ONLINE REGISTRATION

HRE347-REAL ESTATE DEVELOPMENT FINANCE:
PROBLEM SOLVING AND DEAL STRUCTURING

Dates: 1/13/2020 to 1/17/2020
Schedule:
Mo 08:30 AM - 05:00 PM
Tu 08:30 AM - 05:00 PM
We 08:30 AM - 05:00 PM
Th 08:30 AM - 05:00 PM
Fr 08:30 AM - 01:00 PM

(View complete list of dates)

Located in: Baltimore MD, Residence Inn By Marriott Baltimore
Instructor: Corey Leon

Regular Student: $1,425.00
Class is in Cart.
Real Estate Development Finance

Additional Information

The National Development Council is proud to Partner with Main Street America and the 1772 Foundation to present this training opportunity.
TO: Noel Bernal, City Manager
FROM: Rick Vasquez, Planning & Redevelopment Director
SUBJECT: Travel Request - Constanza Miner (Fort Worth, TX)
DATE: 12/9/2019
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM

Information: Please include additional information/request.

Consideration and Action to request authorization for Ms. Constanza Miner, Retail and Redevelopment Manager, to be able to attend the ICSC Red River States Conference and Deal Making being held in Fort Worth, Texas from January 8 thru 10, 2020.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

City Attorney
Date Reviewed: By:
Comments:

Finance Department
Date Reviewed: By:
Comments:

City Commission  Assistant City Manager  Deputy City Manager
Approved:  Yes  No  Approved:  Yes  No  Approved:  Yes  No
Date:      Initials: Date: Initials: Date:

City Manager's Approval
Signature: Date:

Revised 3/2019
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
DATE: 12/09/19
FROM: Rick Vasquez
DEPARTMENT: Planning & Redevelopment Department

I hereby request authorization for travel, at City expense, for the following employee as follows:

Constanza Miner

EMPLOYEE NAME: Retail & Redevelopment Manager

POSITION

1. Destination: Fort Worth, TX
2. Est. date and time leaving: Wed., Jan. 8, 2020
   Est. date and time returning: Friday, Jan. 10, 2020
3. Transportation mode:
   ☐ City Vehicle ☐ Private Vehicle ☑ Airplane (scheduled) ☐ No Transportation Cost
4. Purpose of Trip:

To attend the ICSC Red River States Conference and Deal Making in Fort Worth, Texas.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed)

   To join colleagues across the region and start our 2020 opportunity to network and expand businesses in Brownsville.

   Will any costs be paid by a grant or sponsor: YES ☐ NO ☐ (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home.

REFER TO THE CITY'S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)
   a. Transportation ________ miles x .58 cents a mile for private vehicle $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY @ 75% FOR FIRST & LAST DAY OF TRAVEL $52.50
   c. Lodging $166 ________ per night x 2 GSA rate: $166 $332.00
   d. Registration Fees $95 ________ per person $95.00
   e. Other costs (e.g. airfare, rental, etc. please explain): Airfare R/T ($350) and Taxi/shuttle/luggage fees ($100) $450.00

   TOTAL: $1,029.50

8. I HEREBY REQUEST AN ADVANCE OF $252.50 FOR THE PURPOSE OF THIS TRIP.

9. Charges to be made to line item # 610 _______ 770 _______ which has a balance of $28,520.69 as of this date.

10. This request is hereby ☐ APPROVED ☐ DENIED. The Accounting Department is instructed to issue a check in the amount of $_________ _______ as an advance expense.

   /S/ _______________________________
City of Brownsville, Texas
Analysis of Meal and IE Per Diem Allowance

ICSC Red River States Conference & Deal Making
in Fort Worth, TX

From: **Wednesday, January 8th thru Friday, January 10th, 2020**

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem Daily Rate</th>
<th>First and Last Travel Day at 75% of Daily Rate</th>
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<th>Total Hotel Allowance (estimated)</th>
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<td>$45.75</td>
<td>$45.75</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$152.50</strong></td>
<td><strong>$332.00</strong></td>
</tr>
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Traveling days will be Wednesday, January 8th and Friday, January 10th, 2020.

As per the U. S. General Service Administration (GSA rates),
the Daily Meal and IE for Fort Worth, Tx is $61
While the nightly Lodging rate for Fort Worth/Tarrant County is $166
Constanza, join colleagues from across the region at Red River States Conference & Deal Making. Start 2020 with the opportunity to network, make deals and expand your business.

REGISTER

Can’t Miss Sessions

Keynote Speaker Robert O’Neill
Hear from the former SEAL Team Six Leader and The New York Times best-selling author, as he highlights some of the many lessons learned from over 400 combat missions with the U.S. Navy. Learn more.

Transforming Today’s Ordinary Spaces into Tomorrow’s Industry Defining Places: How to Reimagine Retail Real Estate
Today’s retail properties must be hospitality-driven and consumer-oriented to succeed. Hear how to transform vacant spaces through design, technology and creative activations. Learn more.

The Co-Working Craze
As the Dallas-Fort Worth Metroplex becomes a hotbed for co-working, find out how top market players are approaching this sensation to set them up for success. Learn more.

How Technology is Redefining the Role of the Store
Gain insight on the metrics being used to measure ROI in brick-and-mortar, the technologies that power access to them and the brands that are rethinking store format and function. Learn more.

Driving Dining Forward: Inside New Restaurant Concepts
It’s time to take stock of your center’s food service options. Our panel of restaurateurs share their thoughts on designing creative, compelling concepts that click. Learn more.
Registration Fees

<table>
<thead>
<tr>
<th>Category</th>
<th>Advance (Dec. 9, 2019)</th>
<th>On-Site</th>
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<td>Non-Member</td>
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<td>Public Official Member</td>
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</tr>
<tr>
<td>Student Member**</td>
<td>$50</td>
<td>n/a</td>
</tr>
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</table>

*Advance registration is required — on-site complimentary registration is not available. Third-party retail representatives are not eligible.

**On-site student registration is not available — advance registration is required. Only active student members can register. To learn more about ICSC membership click here.

Hotel Reservations
In partnership with onPeak, we are offering discounted rates at select hotels. Click here to conveniently book your stay, plus find the most affordable hotel options. Hotel registration deadline: December 19, 2019.

Featured events

New York Deal Making  
December 10-12, 2019  
Javits Center  
New York, NY United States

CenterBuild Conference  
December 3-6, 2019  
Arizona Biltmore  
Phoenix, AZ United States

Red River States Conference & Deal Making  
January 8-10, 2020  
Fort Worth Convention Center  
Fort Worth, TX United States

Connect faster with ICSC on the go  
Search directories, see's who's at the same conference, or register for your next event. All while OOO.
2020 ICSC Red River States Conference and Deal Making
January 8 - 10, 2020 | Fort Worth Convention Center | Fort Worth, TX

Filter & Sort

HILTON FORT WORTH
$215 USD | avg/night
Up to 2 rooms available
Distance 0.2 Miles

OMNI FORT WORTH HOTEL
$299 USD | avg/night
Up to 2 rooms available
Distance 0.2 Miles

https://compass.onpeak.com/e/012605404/0#hotels
REGISTRATION FORM

How to Register
Fax: +1 732 694 1800
Online: www.icsc.com/2020RRS
Mail: ICSC
P.O. Box 49622
Boston, MA 02241-9822

Registration Fees

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<tr>
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<td>$900</td>
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<tr>
<td>Public Official Member</td>
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<tr>
<td>Retailer Member**</td>
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<td>N/A</td>
</tr>
<tr>
<td>Student Member***</td>
<td>$50</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Must be an ICSC member or affiliate member—visit www.icsc.com/membership or call +1 646 728 3800 to join.
**Advance registration is required—on-site complimentary registration is not available. Third-party retail representatives are not eligible.
***On-site student registration is not available—advance registration required.

Deadline
Advance registrations must be received by December 9, 2019.

Continuing Education Credit
ICSC-Certified professionals earn 1.0 credit (A3) towards CRRP certification renewal.

Hotel Reservations
A block of rooms has been reserved at:

<table>
<thead>
<tr>
<th>Hotel</th>
<th>Address</th>
<th>Rate</th>
</tr>
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<tbody>
<tr>
<td>Omni Fort Worth Hotel</td>
<td>1300 Houston Street</td>
<td>$299 Single/Double</td>
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<tr>
<td>Hilton Fort Worth</td>
<td>815 Main Street</td>
<td>$215 Single/Double</td>
</tr>
<tr>
<td>Fort Worth, TX 76102</td>
<td>Fort Worth, TX 76102</td>
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</tr>
</tbody>
</table>

Cut-Off Date: December 19, 2019
To make a reservation, visit www.icsc.com/2020RRS. For assistance, call +1 877 541 5670, or internationally at +1 312 527 7300.

Cancellations
All cancellations are subject to a $100 cancellation fee for members and non-members; $25 for Public Official Members and Student Members. Refunds will not be given for cancellations received after December 9, 2019. All requests for refunds must be received by ICSC in writing.

Accessibility
Anyone desiring an auxiliary aid for this event should notify Catherine O’Hare at +1 844 728 3504 no later than December 6, 2019.

Terms, Conditions and Rules
This Registration Form is subject to ICSC Terms, Conditions and Rules for Event Registrants available at www.icsc.com/event-terms-and-conditions, which are hereby incorporated by reference.

Please Check One: □ Member □ Non-Member □ Public Official Member □ Student Member

Name ____________________________ Title ____________________________

Company ____________________________

Address ____________________________

City ____________________________ State/Province ____________________________ Zip/Postal Code ____________________________

Telephone ____________________________ Fax ____________________________

Email ____________________________ Your Membership I.D. # (2020RRS) ____________________________

REQURED FOR NON-U.S. APPLICANTS: Date of Birth ____________________________ Country of Citizenship ____________________________

☐ Please check here if any of the above information has recently changed.

Method of Payment (No cash accepted in advance or on site.)

☐ Check made payable to ICSC enclosed for $ ________  ☐ MasterCard  ☐ Visa  ☐ AMEX  ☐ Discover $ ________  

Name (as it appears on credit card) ____________________________ Signature ____________________________

Credit Card Number (include all digits) ____________________________ Expiration Date (month/year) ____________________________
Red River States Conference & Deal Making

Schedule

Wednesday January 8, 2020

11:00am - 2:00pm
Topgolf Tournament
Topgolf Fort Worth, 2201 East 4th Street, Fort Worth, TX 76102

To participate in this optional event, please complete and return the Topgolf Tournament registration form, available he...

1:30pm - 5:00pm
Registration
Halls AB Foyer – Fort Worth Convention Center

2:00pm - 2:30pm
First-Timer & New Member Orientation
Room 202CD – Fort Worth Convention Center

4:00pm - 5:30pm
Next Generation & Student Reception, with Speed Mentoring
Ballroom 4 – Omni Fort Worth

Build connections with senior industry leaders in this speed mentoring reception. You’ll have the chance to meet and gai...

5:30pm - 6:30pm
Member-Hosted Reception
Ballroom 1-3 – Omni Fort Worth

Join us to kick off the 2020 Red River States Conference and get excited for the deal making, networking, and industry p...
Red River States Conference & Deal Making

Schedule

Thursday January 9, 2020

7:30am - 8:00pm
Registration
Halls AB Foyer – Fort Worth Convention Center

8:00am - 9:00am
Breakfast & Networking
Ballroom – Fort Worth Convention Center

8:00am - 9:00am
Women’s Networking & Leadership Breakfast
202D – Fort Worth Convention Center

Gain insight into cultivating leadership skills and learn strategies for building supportive, empowering communities bot...
8:45am - 9:15am
How to Earn ICSC’s New Certification, the CRRP
Find out how earning ICSC’s Certified Retail Real Estate Professional (CRRP) designation will help you increase your ind...
9:00am - 9:30pm
Deal Making
9:15am - 10:15am
Professional Development Workshop: Leasing Keys in Today’s Environment
Show Floor Theater

In order to understand leasing, you must know the fundamentals of tenant relations, merchandise mix, tenant mix and the...
10:15am - 11:15am
Professional Development Workshop: Retail Real Estate Finance
Show Floor Theater

Whether you are brand new to the industry or have a few years’ experience, it is always useful to learn and refresh fina...
11:15am - 12:15pm
Transforming Today’s Ordinary Spaces into Tomorrow’s Industry Defining Places: How To Reimagine Retail Real Estate
Show Floor Theater

To succeed in today’s landscape, retail properties need to be more than just bricks and mortar—they must be hospitality—...
12:15pm - 12:45pm
Lunch
Ballroom – Fort Worth Convention Center

No lunch service after 12:45 pm.
12:45pm - 1:30pm
Keynote: Robert O’Neill
Ballroom – Fort Worth Convention Center

Never Quit Decorated former Navy SEAL Robert O’Neill describes lessons learned from more than 400 combat missions.
SPE...
1:45pm - 2:15pm
The Co-Working Craze

Show Floor Theater

DFW is a fast-growing metropolitan market for co-working. Hear from these top players in the market on how their approach...  
2:15pm - 2:45pm  
Economic Forecast  
Show Floor Theater  

Find out what key economic indicators predict for the Red River states and broader U.S. economies, as well as the retail...  
2:45pm - 3:20pm  
Driving Dining Forward: Inside New Restaurant Concepts  
Show Floor Theater  

When studies show that 40% of visitors are basing their choice of shopping centers primarily on the dining options avail...  
3:20pm - 3:55pm  
How Technology is Redefining the Role of the Store  
Show Floor Theater  

Walk through a shopping center today and chances are you'll see a mix of legacy retail formats alongside trending format...  
3:55pm - 4:30pm  
Accelerating Proptech Innovation  
Show Floor Theater  

Get a deeper look inside the proptech innovation ecosystem that is fueling massive transformation within our industry. L...
Red River States Conference & Deal Making

Schedule

Friday January 10, 2020

7:30am - 12:00pm
Registration
Halls AB Foyer – Fort Worth Convention Center

8:00am - 8:30am
Breakfast & Networking
Ballroom – Fort Worth Convention Center

8:30am - 9:15am
Retailer Runway
Show Floor Theater

Hear directly from retailers pitching their expansion plans. Retailers Include: RaceTrac Petroleum Regis Corporation Se...

9:00am - 12:00pm
Deal Making & Retailer Central
TO: Noel Bernal, City Manager
FROM: Rick Vasquez, Planning & Redevelopment Director
SUBJECT: Travel Request - Angel Sanchez (Birmingham, AL)
DATE: 12/12/2019
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM COMMISSION MEETING DATE 01/07/20

<table>
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<tr>
<td>Action Item:</td>
<td></td>
<td></td>
<td>Second Reading</td>
</tr>
</tbody>
</table>

Information: Please include additional information/request.

Consideration and Action to request authorization for Mr. Angel Sanchez, Combination Plans Reviewer, to be able to attend the International Existing Building Code course in Birmingham, AL from January 20-22, 2020.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

<table>
<thead>
<tr>
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</table>

City Commission Assistant City Manager Deputy City Manager

<table>
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<tr>
<th>Approved:</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
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</tbody>
</table>

Initials: Date:

Initials: Date:

City Manager's Approval

Signature: Date:

Revised 3/2019
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
FROM: Rick Vasquez
DEPARTMENT: Planning & Redevelopment

DATE: 12/12/19

I hereby request authorization for travel, at City expense, for the following employee as follows:

Angel Sanchez
Combination Plans Examiner

1. Destination: Birmingham, AL
2. Est. date and time leaving: Monday, 01-20-20
   Est. date and time returning: Wednesday, 01-22-20
3. Transportation mode: ☑ Airplane (scheduled)
   ☐ City Vehicle
   ☐ Private Vehicle
   ☐ No Transportation Cost

4. Purpose of Trip:

To attend the International Existing Building Code seminar.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed.)

To learn about the scope and administration of the International Existing Building Code

6. Will any costs be paid by a grant or sponsor: YES ☐ NO ☑ (List)

Meals & Incidental Expenses are based on a per diem M&IE rate when conducting City business away from home. REFER TO THE CITY’S TRAVEL EXPENSE POLICY FOR FURTHER INFORMATION REGARDING TRAVEL ON CITY BUSINESS.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)
   a. Transportation miles x .58 cents a mile for private vehicle
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]
   c. Lodging $110 per night x 2
   d. Registration Fees $269 per person
   e. Other costs (e.g. airfare, rental, etc. please explain): R/T Airfare $450, shuttle/taxi $100

   TOTAL: $1,179.00

8. I HEREBY REQUEST AN ADVANCE OF $240 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: _____________________________

* Employee Signatures: _________________________________

9. Charges to be made to line item # 615 - 770 which has a balance of $29,696.00 as of this date.

10. This request is hereby ☑ APPROVED ☐ DENIED The Accounting Department is instructed to issue a check in the amount of $___________ as an advance expense.

   /S/

211 - Finance Department - Revised 1/2019
City of Brownsville, Texas
Analysis of Meal and IE Per Diem Allowance

International Existing Building Code
in Birmingham, AL

From: Monday, January 20th thru Wednesday, January 22nd, 2020

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem Daily Rate</th>
<th>First and Last Travel Day at 75% of Daily Rate</th>
<th>Total Daily Allowance</th>
<th>Total Hotel Allowance (estimated)</th>
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<td>January 20</td>
<td>Monday</td>
<td>$56</td>
<td>$42</td>
<td>$42</td>
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<tr>
<td>January 21</td>
<td>Tuesday</td>
<td>$56</td>
<td>$56</td>
<td>$110</td>
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<tr>
<td>January 22</td>
<td>Wednesday</td>
<td>$56</td>
<td>$42</td>
<td>$42</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$140.00</strong></td>
<td><strong>$220.00</strong></td>
</tr>
</tbody>
</table>

Traveling days will be Monday, January 20th and Wednesday, January 22nd, 2020.

As per the U. S. General Service Administration (GSA rates), the Daily Meal and IE for Birmingham, AL is **$56**

While the nightly Lodging rate for Birmingham/Jefferson County is **$110**
Agenda

Presented by Jared Agee, MCP, CBO

- Working with the International Existing Building Code
- Development of the Code
- Chapter 2: Scope and Administration
- Chapter 3: Definitions

- Chapter 3: Provisions for All Compliance Methods
  - Option 1: Prescriptive compliance method
  - Option 2: Work area compliance method
  - Option 3: Performance compliance method

- Chapters 4 and 6
  - Classification of work

- Chapters 7-10: Alterations
  - Alterations: levels 1, 2, and 3

- Chapter 10: Change of Occupancy
  - Change of occupancy classification
  - Means of egress
  - Code compliance for building elements

- Chapter 11: Additions
  - Heights and areas
  - Structural requirements

- Chapters 12 and 14
  - Historic buildings
  - Moved or relocated buildings

Can't Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!

Audio recordings of this seminar are available for purchase starting at $2.99. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if the learning method is eligible for continuing education credit.

Learning Objectives

You'll be able to:

- Explore the challenges of maintaining and upgrading existing building stock to maintain functionality
- Review three options for determining existing building code compliance
- Explore requirements for repairs and alterations
- Discuss requirements for changing occupancy
- Get tips on complying with code provisions for building additions
- Review specific provisions for historic buildings

International Existing Building Code

Birmingham, AL - Tuesday, January 21, 2020

Learn about the scope and administration of the International Existing Building Code

Discuss the prescriptive, work area, and performance code compliance methods

Observe code provisions related to repairs, alterations and additions

Determine how to maintain code compliance when changing occupancy

Explore code requirements for historic buildings

Continuing Education Credits

Professional Engineers
7.0 PDHs

Architects
7.0 HSW CEUs
7.0 AIA LU|HSW

Interior Designers
7.0 Alabama CEUs
(Codes and Standards)

International Code Council
7 CEUs (Building)

Contractors
Non-Credit Continuing Ed
Faculty

Jared Agee, MCP, CBC Director of Building and Code Enforcement for St. Charles County, Missouri

Mr. Agee is the director of building and code enforcement for St. Charles County, Missouri. Previously, he worked in urban and suburban municipal governments managing code enforcement, facilities, and information technology. Prior to his public sector positions, Mr. Agee worked in the construction industry in design and project management.

He has an undergraduate degree in Architectural and Mechanical Design and a graduate degree in Public Administration and Policy Analysis. As a master code professional, Mr. Agee is one of approximately 800 people to obtain the highest level of certification from the International Code Council. He currently holds a total of 28 certifications in building, energy, plumbing, mechanical, electrical, and accessibility areas.

Mr. Agee is a former president of the Missouri Association of Building Officials and Inspectors (MABOI). In addition, he founded Rigsbee Consulting PLLC, which provides code training and technology consulting to various organizations across the country.

Seminar Information

Birmingham Marriott
5390 Grandview Parkway
Birmingham, AL 35223
(205) 946-3775

Tuition
$295 for individual registration
$275 for three or more registrations.

Included with your registration: Complimentary continental breakfast and printed seminar materials. Registration does not include a copy of the code itself.

Receive a reduced tuition rate of $101 by registering before the registration deadline to be seated in a code-based seminar for the day. For available code classes, please visit www.halfmoonseminars.org.

How to Register
- Visit our online at www.halfmoonseminars.org
- Mail or fax the attached form to 713-875-5066
- Call customer service at 713-835-5900

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSW continuing education hours to architects in all states. Educaters and courses are not subject to penaeprovival in Alabama.

This seminar is approved by the American Institute of Architects Continuing Education System for 7.0 EU credits under 0854. Only full attendance is permitted by the AIA/CEES. Visit www.halfmoonseminars.org for complete AIA/CEES information under this course listing.

This course offers 7.0 HSW CEUs to Alabama interior designers, including 7.0 Codes and Standards hours. Courses approved by the AIA/CEES are accepted for continuing education compliance. HalfMoon Education is an approved continuing education provider in Florida, Indiana, and Kentucky.

International Code Council has approved this course for 7.0 CEUs in the specialty area of building (Provider Code No. 1234).

This program offers a non-credit continuing education opportunity to Alabama construction contractors. It has not been submitted to any state contractor licensing entity for course approval.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Additional Learning

Webinar Series
National Electrical Code:
Onsite Power Generation and Distribution
Part I
Wed., Dec. 4, 2019, 11:00 AM - 2:10 PM CST
Part II
Thurs., Dec. 5, 2019, 1:00 AM - 2:10 PM CST
Floodplain Mapping and Regulation
Floods and Floodplains Introduction to Floodplain Management
Wed., Dec. 4, 2019, 11:00 AM - 2:10 PM CST
Flood Maps and Flood Zones
Wed., Dec. 4, 2019, 1:00 - 2:10 PM CST
Elevations in the National Flood Insurance Program (NFIP) and Floodplain Regulation
Thurs., Dec. 5, 2019, 11:00 AM - 2:10 PM CST
Practical Floodplain Management
Thurs., Dec. 5, 2019, 1:00 - 2:10 PM CST
Retaining Walls and Slope Stabilization
Retaining Wall Basics
Tues., Dec. 10, 2019, 11:00 AM - 12:00 PM CST
Geosynthetics and Retaining Walls
Tues., Dec. 10, 2019, 12:00 - 1:00 PM CST
Slope Stability and Geosynthetics
Wed., Dec. 11, 2019, 11:00 AM - 12:00 PM CST
Slope and Retaining Wall Failures, Fixes and Prevention
Wed., Dec. 11, 2019, 1:00 - 2:00 PM CST
International Green Construction Code
Introduction to the International Green Construction Code (IGCC)
Wed., Dec. 11, 2019, 11:00 AM - 12:10 PM CST
IGCC Chapters 4-5: Site Development and Material Use
Wed., Dec. 11, 2019, 1:00 - 2:10 PM CST
IGCC Chapters 6-7: Energy, Water, Environmental Quality and Building Commissioning
Thurs., Dec. 12, 2019, 11:00 AM - 12:30 PM CST
IGCC Chapters 10-11: Existing Buildings
Thurs., Dec. 12, 2019, 1:00 - 2:30 PM CST

How to Register
Online:
www.halfmoonseminars.org

Phone:
713-835-5900

Fax:
713-835-6066

Complete the entire form. Attach duplicates if necessary.

Registration
International Existing Building Code
Birmingham, AL - Tuesday, January 21, 2020

How to Register

Online:
www.halfmoonseminars.org

Phone:
713-835-5900

Fax:
713-835-6066

Complete the entire form. Attach duplicates if necessary.

Registration Information

Name:
Company/Firm:
Address:
City: State:
Zip:
Phone:
Email:

Complimentary continental breakfast and printed seminar materials. Registration does not include a copy of the code itself.

Receive a reduced tuition rate of $101 by registering before the registration deadline to be seated in a code-based seminar for the day. For available code classes, please visit www.halfmoonseminars.org.

How to Register
- Visit our online at www.halfmoonseminars.org
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Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Tuition
- I will be attending the live seminar. Single registrant: $295.00. Three or more registrants from the same company registering at the same time - $250.00 each.
- I am not attending. Please send me the self-study package:
  - Downloadable MP3 Audio/PDF Manual for $265.00.
  - USB/Manual Package $285.00. (Mail included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

Credit Card:
- MasterCard
- Visa
- American Express
- Discover

Cardholder Name:
Expiration Date:
CV2 Code:
Cardholder Name:
Billing Address:
City: State: Zip:
Signature:
Email:

© 2019 HEI #20 AJEBCO01 21 BIRM W1
HalfMoon Education Inc.
Knowledge Gets You There

International Existing Building Code Seminar

Seminar Date: Tuesday, January 21, 2020
Seminar Location: Birmingham, AL
Birmingham Marriott
3590 Grandview Parkway
Birmingham, AL 35243
Phone: 205-968-3775

Register Now

Login before you register to load your information.

Other Dates/Locations

- December 17, 2019 in COLUMBIA, MD
- December 19, 2019 in NATICK, MA
- December 20, 2019 in AMHERST, NY
- January 14, 2020 in TEMPE, AZ
- January 21, 2020 in BIRMINGHAM, AL

Seminar-Related Products
E-mail a Friend
Share This

Agenda
Credits
Speakers
Tuition

Agenda:

Registration: 8:00 - 8:30 am
Morning Session: 8:30 - 11:45 pm
Lunch (On your own): 11:45 am - 12:45 pm
Afternoon Session: 12:45 - 5:00 pm

Working with the International Existing Building Code

Existing building stock: challenges and opportunities
Development of the Code

https://www.halfmoonseminars.org/seminars/132922/international-existing-building-code-seminar/birmingham-al
TO: Noel Bernal, City Manager  
FROM: Rick Vasquez, Planning & Redevelopment Director  
SUBJECT: Travel Request - Omar Ochoa (Birmingham, AL)  
DATE: 12/12/2019  
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM COMMISSION MEETING DATE 01/07/20

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| Time Needed:                          |        | Public Hearing | First Reading |
|                                      |        | Contract       | Second Reading |
|                                      |        | Grant          |              |
|                                      |        | Action         |              |
|                                      |        | ✓ Consent      |              |

Information: Please include additional information/request.

Consideration and Action to request authorization for Mr. Omar Ochoa, Building Official, to be able to attend the International Existing Building Code course in Birmingham, AL from January 20-22, 2020.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Manager’s Approval

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<th>Date:</th>
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Revised 3/2019
CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out within five (5) days after completion of travel. Travel reports which remain outstanding will result in suspension of further travel until all reports are completed.

TO: FINANCE DIRECTOR
FROM: Rick Vasquez
DEPARTMENT Planning & Redevelopment
DATE: 12/12/19

I hereby request authorization for travel, at City expense, for the following employee as follows:

Omar Ochoa
EMPLOYEE NAME
Building Official
POSITION

1. Destination: Birmingham, AL
2. Est. date and time leaving: Monday, 01-20-20
   Est. date and time returning: Wednesday, 01-22-20
3. Transportation mode: [ ] City Vehicle [x] Private Vehicle [ ] Airplane (scheduled) [ ] No Transportation Cost
4. Purpose of Trip:
   To attend the International Existing Building Code seminar.
5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (attach additional memo as needed.)

To learn about the scope and administration of the International Existing Building Code

6. Will any costs be paid by a grant or sponsor: [ ] YES [x] NO (List)

Meals & Incidental Expenses are based on a per diem M&E rate when conducting City business away from home.

Refer to the City's Travel Expense Policy for further information regarding Travel on City Business.

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)
   a. Transportation ______ miles x .58 cents a mile for private vehicle
   Estimated Cost to the City: $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY ( @ 75% for First & Last Day of Travel)
   GSA rate: $110
   $140.00
   c. Lodging $110 per night x 2
   $220.00
   d. Registration Fees $269 per person
   $269.00
   e. Other costs (e.g. airfare, rental, etc. please explain): R/T Airfare $450, shuttle/taxi $100
   $550.00
   TOTAL: $1,179.00

8. I HEREBY REQUEST AN ADVANCE OF $240 FOR THE PURPOSE OF THIS TRIP.

9. Charges to be made to line item # 615 which has a balance of $30,872 as of this date.

10. This request is hereby [ ] APPROVED [ ] DENIED
    The Accounting Department is instructed to issue a check in the amount of $_________ as an advance expense.

/S/
City of Brownsville, Texas
Analysis of Meal and IE Per Diem Allowance

International Existing Building Code
in Birmingham, AL

From: Monday, January 20th thru Wednesday, January 22nd, 2020

<table>
<thead>
<tr>
<th>Date</th>
<th>Meal Per Diem Daily Rate</th>
<th>First and Last Travel Day at 75% of Daily Rate</th>
<th>Total Daily Allowance</th>
<th>Total Hotel Allowance (estimated)</th>
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<tr>
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<td>Monday $56</td>
<td>$42</td>
<td>$42</td>
<td>$110</td>
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<td>January 21</td>
<td>Tuesday $56</td>
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<td>January 22</td>
<td>Wednesday $56</td>
<td>$42</td>
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**Total**

$140.00  $220.00

Traveling days will be Monday, January 20th and Wednesday, January 22nd, 2020.

As per the U. S. General Service Administration (GSA rates),
the Daily Meal and IE for Birmingham, AL is **$56**
While the nightly Lodging rate for Birmingham/Jefferson County is **$110**
Agenda

Presented by Jared Agee, MCP, CBO

Working with the International Existing Building Code
- Existing building stock: challenges and opportunities
  - Development of the Code
  - Chapter 1: Scope and Administration
  - Chapter 2: Definitions
- Chapter 3: Provisions for All Compliance Methods
  - Option 1: prescriptive compliance method
  - Option 2: work area compliance method
  - Option 3: performance compliance method
- Chapters 4 and 6
  - Repairs
  - Classification of work
- Chapters 7-9: Alterations
  - Alterations 1, 2, and 3
- Chapter 10: Change of Occupancy
  - Change of occupancy classification
  - Means of egress
  - Code compliance for building elements
- Chapter 11: Additions
  - Heights and areas
  - Structural requirements
- Chapters 12 and 14
  - Historic buildings
  - Moved or relocated buildings

Learning Objectives

You'll be able to:
- Explore the challenges of maintaining and upgrading existing building stock to maintain functionality.
- Review three options for determining existing building code compliance.
- Explore requirements for repairs and alterations.
- Discuss requirements for changing occupancy.
- Get tips on complying with code provisions for building additions.
- Review specific provisions for historic buildings.

Can't Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!

Audio recordings of this seminar are available for purchase starting at $359. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.
Faculty

Jared Agee, MCP, CBO Director of Building and Code Enforcement for St. Charles County, Missouri

Mr. Agee is the director of building and code enforcement for St. Charles County, Missouri. Previously, he worked in urban and suburban municipal governments managing building code enforcement, facilities, and information technology. Prior to his public sector positions, Mr. Agee worked in the construction industry in design and project management.

He has an undergraduate degree in Architectural and Mechanical Design and a graduate degree in Public Administration and Policy Analysis. As a master code professional, Mr. Agee is one of approximately 800 people to obtain the highest level of certification from the International Code Council. He currently holds a total of 20 certifications in building, energy, plumbing, mechanical, electrical, and accessibility areas.

Mr. Agee is a former president of the Missouri Association of Building Officials and Inspectors (MABOI). In addition, he founded Regionem Consulting LLC, which provides code training and technology consultation to various organizations across the country.

Seminar Information

Birmingham Marriott
3590 Grandview Pkwy
Birmingham, AL 35243
(205) 968-3775

Tuition
$289 for Individual registration
$269 for three or more registrations.

Included with your registration: Complimentary continental breakfast and printed seminar manual. Registration does not include a copy of the code itself.

Receive a reduced tuition rate of $100 by registering to be on our on-sale coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

How to Register
Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached forms to 715-835-5090
- Call customer service at 715-835-5090

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a $50 service charge for each registrant. cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

Can't Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!
Audio recordings of this seminar are available for purchase starting at $49. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

International Existing Building Code
Birmingham, AL - Tuesday, January 21, 2020

How to Register
Online: www.halfmoonseminars.org

Registrant Information
Name:
Company/Firm:
Address:
City:
State:
Zip:
Phone:
Fax:
Code:

Mail:
HalfMoon Education Inc.,
PO Box 278, Altoona, WI
54720-0278

Complete the entire form. Attach duplicates if necessary.

Additional Learning

Webinar Series

National Electrical Code:
Onsite Power Generation and Distribution
- Part I
Wed., Dec. 4, 2019, 11:00 AM - 1:15 PM CST
- Part II
Thurs., Dec. 5, 2019, 11:00 AM - 1:15 PM CST

Floodplain Mapping and Regulation
- Floods, Floodplains and Introduction to Floodplain Management
Wed., Dec. 4, 2019, 11:00 AM - 12:30 PM CST
- Flood Maps and Flood Zones
Wed., Dec. 4, 2019, 1:00 - 2:30 PM CST
- Elevations in the National Flood Insurance Program (NFIP) and Floodplain Regulation
Thurs., Dec. 5, 2019, 11:00 AM - 12:30 PM CST

Additional Information

Secondary Education Credit Information
This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSUs continuing education hours to architects in all states. Educators and courses are not subject to preapproval in Alabama.

This seminar is approved by the American Institute of Architects Continuing Education System for 7.0 LU/HSW (Sponsor No. 1885). Only full attendance is reportable to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA/CES information under this course listing.

This course offers 7.0 HSUs to Alabama interior designers, including 7.0 Codes and Standards hours. Courses approved by the AIA/CES are accepted for continuing education compliance.

HalfMoon is an approved continuing education provider in Florida, Indiana (License No. CE21706059), Maryland, New Jersey (Approval No. 26G00007600), North Carolina, and North Dakota. Halbcc is an approved Florida architect continuing education provider and is deemed an approved continuing education provider for New York engineers and architects.

The International Code Council has approved this course for 7 CEUs in the specialty area of Building (Preferred Provider No. 1221).

This program offers a non-credit continuing education opportunity to Alabama construction contractors. It has not been submitted to any state contractor licensing entity for course approval.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Tuition

( ) I will be attending the live seminar. Single Registrant - $289.00 Three or more registrants from the same company registering at the same time - $269.00 each.

( ) I am not attending. Please send me the self-study package:
- Downloadable PDF Manual for $269.00
- CD/Manual Package for $299.00
- USB/Manual Packages $329.00

( & / included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.
Credit Card: Mastercard, Visa, American Express, or Discover
Credit Card Number:
Expiration Date:
CV2 Code:

Cardholder Name:
Billing Address:
City:
State:
Zip:
Signature:
Email:

© 2019 HEI #20 ALIEBCOD 1 21 BIRM W1
HalfMoon Education Inc.

Knowledge Gets You There

International Existing Building Code Seminar

Seminar Date: Tuesday, January 21, 2020
Seminar Location: Birmingham, AL
Birmingham Marriott
3590 Grandview Parkway
Birmingham, AL 35243
Phone: 205-968-3775

Other Dates/Locations

- December 17, 2019 in COLUMBIA, MD
- December 19, 2019 in NATICK, MA
- December 20, 2019 in AMHERST, NY
- January 14, 2020 in TEMPE, AZ
- January 21, 2020 in BIRMINGHAM, AL

.Login before you register to load your information.

Agenda:

Registration: 8:00 - 8:30 am
Morning Session: 8:30 - 11:45 am
Lunch (On your own): 11:45 am - 12:45 pm
Afternoon Session: 12:45 - 5:00 pm

Working with the International Existing Building Code

Existing building stock: challenges and opportunities
Development of the Code

https://www.halfmoonevents.org/seminars/132922/international-existing-building-code-seminar/birmingham-al
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<td>First Reading</td>
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<td>Action Item:</td>
<td>Time Needed:</td>
<td>Public Hearing</td>
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<td></td>
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<td>Contract</td>
<td>Second Reading</td>
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<td>Action</td>
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</tr>
<tr>
<td></td>
<td>✔</td>
<td>Consent</td>
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**Information:** Please include additional information/request.

Consideration and Action to Approve a Change Order to TxDot Boca Chica Blvd. Raised Median Project Contract in the amount for $209,901.14, as budgeted. The scope of this work will consist of site preparation of trenching and boring followed by the PVC conduit installation, which includes excavation and removal of driveways that fall within the length of proposed conduit.

Account Number: 01-9111-876-1003

---

**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

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<th>Department</th>
<th>Date Reviewed:</th>
<th>By:</th>
<th>Comments:</th>
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<td>Finance Department</td>
<td>Date Reviewed:</td>
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<th>Assistant City Manager</th>
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<td>Initials:</td>
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**City Manager’s Approval**

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
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Revised 3/2019
To: Mayor and City Commission  
Through: Noel Bernal, City Manager  
From: Armando Gutierrez, P.E. Engineering/ P.W. Director  
Date: December 11, 2019  
Agenda: Consideration and ACTION to approve a Change Order to TxDOT Boca Chica Boulevard Raised Median Project Contract in the amount for $209,901.14, as budgeted.

Summary:  
The City of Brownsville is asking for Approval of a Change Order to the Texas Department of Transportation (TXDOT) Boca Chica Blvd. Raised Median Project Contract in the amount for $209,901.14, as budgeted.

The scope of this work will consist of site preparation of trenching and boring followed by the PVC conduit installation, which includes excavation and removal of driveways that fall within the length of proposed conduit.

Funding for this project is available through Account 01-9111-876-1003 Fiber Major Arterial with the balance of 1,019,700.00 as part of the Phase I Traffic Signal Improvements Project.

SH 48 - Boca Chica Blvd. Raised Median Project - City of Brownsville Fiber Optic Line Installation-Change Order No. 1
CHANGE ORDER NBR.  1

FUNCTIONS:

- Extra Work
- Force Account
- Zero Dollar
- Final Quantity
- Overrun/Underrun
- Change Project Limits
- Time Adjustment
- Delete/Add CSJ
- Stock Account

CONTRACT ID:  022005075
PROJECT:  NH 2019(774)
CONTRACT:  04193230
AWARD AMOUNT:  $3,422,327.05
PROJECTED AMOUNT:  $3,646,327.05
ADJ PROJECTED AMT:  $3,646,327.05
PEND ADJ PROJ AMT:  $3,646,327.05
CONTRACTOR:  TEXAS CORDIA CONSTRUCTION, LLC
CO AMOUNT:  $196,261.00
CO TYPE:  NON-PARTICIPATING
3RD PARTY AMOUNT:  $196,261.00
APPRV LEVEL:  OVERRIDE

HIGHWAY:  SH 48
DISTRICT:  21
COUNTY:  CAMERON
AREA ENGINEER:  Juan Bosquez, P.E.
AREA NUMBER:  055

DESCRIPTION:  Change Order No.1 - Installation of Fiber Optic Conduit
REASON:  4B - 4B-3RD PARTY REQUEST FOR ADDITIONAL WORK
SECONDARY REASON(S):

DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:

ITEM 0618-6033 CONDT (PVC) (SCH 40) (4") & ITEM 0618-6034 CONDT (PVC) (SCH 40) (4") (BORE)
This change order is being submitted to introduce the installation of 8,000 LF of 4" PVC Conduit along SH 48 R.O.W. between IH 69E and SH 4. This additional work was requested by the City of Brownsville to take advantage of the ongoing Raised Median Construction project along Boca Chica Blvd. The Fiber Optic Conduit Line will be installed along the same limits of the project on the North side of the road. This conduit line installation is part of the City of Brownsville Fiber Infrastructure Project that will assist in modernizing the City Traffic Infrastructure System in the future.

Additional Sheets:
Layouts and details provided by the City of Brownsville

Additional Time:
Additional time is not needed because this work is not part of the critical path.

ADDITIONAL TIME NOT NEEDED
"By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses: additional changes for time, overhead and profit; or loss of compensation as a result of this change and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

THE CONTRACTOR

BY: ____________________________ DATE
TYPED/PRINTED NAME: ____________________________ DATE
TYPED/PRINTED TITLE: ____________________________ DATE
AREA ENGINEER: ____________________________ DATE
AREA ENGINEER'S SEAL: ____________________________ DATE

DISTRICT ENGINEER: ____________________________ DATE
DIRECTOR, CONSTRUCTION DIVISION: ____________________________ DATE
DEPUTY EXECUTIVE DIRECTOR: ____________________________ DATE
FHWA: ____________________________ DATE
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<th>ITEM CODE</th>
<th>SP NBR</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>ORIG + PREV REV QTY</th>
<th>QTY THIS CO</th>
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<th>AMOUNT THIS CO</th>
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<td>700.000</td>
<td>700.000</td>
<td>$21,861.00</td>
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<td>Change Order No.1 - Installation of Fiber Optic Conduit</td>
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**CHANGE ORDER AMOUNT**: $196,261.00
TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 1

Third Party Funding Notification Sheet

This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT, and involves third parties who are providing funding under an Advance Funding Agreement or Donation Agreement.

1. Outside funding provided by:

City of Brownsville

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change:

☐ Existing  ☐ Amended  ☐ New

[ Check one ]

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount $196,261.00 )

☐ Actual Cost

(a) Contract Items (Bid Items):

$196,261.00

(b) E&C*: (a) x enter % = $13,640.14

TOTAL $209,901.14

Use as needed:

I hereby acknowledge notification of the modifications covered by this Change Order.

Date ____________

By ________________________________

Typed/Printed Name ________________________________

Typed/Printed Title ________________________________

* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project depending on the contract amount of the project. Projects with a higher contract amount will have a lower rate of E&C charge. For a specific project, E&C rate (%) can be derived from the cost of "Engineering and Contingencies" in the "Estimated Cost" of the project.

Funding for this Change Order has been arranged:

TxDOT Representative ________________________________ Date ____________

Typed/Printed Name: ________________________________

TXDOT Form 2146-AFA
INSTALLATION OF FIBER CONDUIT

Contract ID: TCC JOB# 1083  
Project: CSJ: 0220-05-075  
Highway: SH48  
County: CAMERON

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<th>Item#</th>
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<th>Unit Price</th>
<th>Total</th>
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<td>700</td>
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$196,261.00

NOTES: **Prices listed on this document are valid for 30 days from issued Date**
### Labor Cost

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<tr>
<th>Name</th>
<th>Hours</th>
<th>Rate</th>
<th>Cost X 0.25</th>
<th>Cost X 0.55</th>
<th>Cost + Profit</th>
<th>Burden</th>
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<td>$18,000.00</td>
<td>$4,500.00</td>
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<td>$9,138.00</td>
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<td>$5,025.90</td>
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<td>$16,448.40</td>
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<td>Pipe Setter</td>
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<td>$7,122.00</td>
<td>$1,780.50</td>
<td>$3,917.10</td>
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<td>$12,819.60</td>
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<tr>
<td>Pipe Setter</td>
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<td>$11.87</td>
<td>$7,122.00</td>
<td>$1,780.50</td>
<td>$3,917.10</td>
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<td>$12,819.60</td>
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<tr>
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<td>$6,918.00</td>
<td>$1,729.50</td>
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### Equipment

<table>
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<th>Rate</th>
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<th>Cost + Profit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Back Hoe</td>
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<td>$24,450.00</td>
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<td>Pick Up Truck</td>
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<td>$21.05</td>
<td>$12,630.00</td>
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<td>$3.33</td>
<td>$1,998.00</td>
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### Materials

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<th>Cost + Profit</th>
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### Subcontractor

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<th>Unit Cost X Qty.</th>
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<td></td>
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Labor: $86,940.00  
Equipment: $48,879.60  
Material: $18,245.18  
Subs: $0.00  
Total: $152,064.78  
1% Bond: $1,520.65  
Grand Total: $153,585.42

$19.20 per LF
### Labor Cost

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<th>Cost X 0.55</th>
<th>Cost + Profit + Burden</th>
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### Equipment

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<th>Cost + Profit</th>
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<tbody>
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### Materials

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<th>Cost + Profit</th>
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### Subcontractor

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<th>Unit</th>
<th>Qty.</th>
<th>Unit Cost X Qty.</th>
<th>Cost + Profit</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIAMONDBACK</td>
<td>BORE</td>
<td>LF</td>
<td>700</td>
<td>$24.00</td>
<td>$840.00</td>
</tr>
</tbody>
</table>

**Cost Breakdown:**

- Labor: $0.00
- Equipment: $0.00
- Material: $1,365.88
- Subs: $17,640.00
- Total: $19,005.88
- 1% Bond: $190.06
- Grand Total: $19,195.93

**Cost per LF:** $27.42
<table>
<thead>
<tr>
<th>Labor</th>
<th>Unit</th>
<th>Pieces</th>
<th>Quantity</th>
<th>Rate</th>
<th>Base Total</th>
<th>PROFIT</th>
<th>BURDEN</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>BARRICADE CREW CHIEF</td>
<td>HR</td>
<td>1</td>
<td>200</td>
<td>$28.00</td>
<td>$5,600.00</td>
<td>$1,400.00</td>
<td>$3,080.00</td>
<td>$10,080.00</td>
</tr>
<tr>
<td>BARRICADE SERVICER/FLAGGER</td>
<td>HR</td>
<td>1</td>
<td>200</td>
<td>$9.10</td>
<td>$1,820.00</td>
<td>$455.00</td>
<td>$1,001.00</td>
<td>$3,276.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Unit</th>
<th>Pieces</th>
<th>Quantity</th>
<th>Rate</th>
<th>Base Total</th>
<th>10%</th>
<th>15%</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>PICK UP TRUCK</td>
<td>HR</td>
<td>1</td>
<td>200</td>
<td>$25.05</td>
<td>$5,010.00</td>
<td>$501.00</td>
<td>$751.50</td>
<td>$6,262.50</td>
</tr>
<tr>
<td>TRAILER</td>
<td>HR</td>
<td>1</td>
<td>200</td>
<td>$5.71</td>
<td>$1,142.00</td>
<td>$114.20</td>
<td>$171.30</td>
<td>$1,427.50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Materials / Other</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Material Cost</th>
<th>10%</th>
<th>15%</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobilization</td>
<td>Is</td>
<td>1</td>
<td>$2,200.00</td>
<td>$2,200.00</td>
<td>-</td>
<td>-</td>
<td>$2,200.00</td>
</tr>
</tbody>
</table>

SubTotal: $23,246.00
Bond 1%: $233.46
Total: $23,479.46
## Rental Rate Blue Book®

**Caterpillar 416F**  
Tractor-Loader-Backhoes  

Size Class:  
14' to Under 15'  

Weight:  
feet  

### Configuration for 416F

<table>
<thead>
<tr>
<th>Drive</th>
<th>2WD</th>
<th>Loader Bucket Capacity – Heaped</th>
<th>1.0 cu yd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Horsepower</td>
<td>87.0 hp</td>
<td>Operator Protection</td>
<td>ROPS/FOPS</td>
</tr>
<tr>
<td>Power Mode</td>
<td>Diesel</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Blue Book Rates

**FHWA Rate** is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

<table>
<thead>
<tr>
<th>Ownership Costs</th>
<th>Estimated Operating Costs</th>
<th>FHWA Rate**</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Monthly</strong></td>
<td><strong>Weekly</strong></td>
<td><strong>Daily</strong></td>
</tr>
<tr>
<td>USD $3,835.00</td>
<td>USD $1,075.00</td>
<td>USD $270.00</td>
</tr>
</tbody>
</table>

**Adjustments**

<table>
<thead>
<tr>
<th>Region (Texas: 88.9%)</th>
<th>(USD $425.68)</th>
<th>(USD $119.32)</th>
<th>(USD $29.97)</th>
<th>(USD $4.55)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Model Year (2019: 100%)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Adjusted Hourly</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ownership Cost (100%)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>USD $3,409.31</td>
<td>USD $955.67</td>
<td>USD $240.83</td>
<td>USD $36.45</td>
</tr>
</tbody>
</table>

### Non-Active Use Rates

<table>
<thead>
<tr>
<th>Standby Rate</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD $9.69</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Idling Rate</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD $29.76</td>
<td></td>
</tr>
</tbody>
</table>

### Rate Element Allocation

<table>
<thead>
<tr>
<th>Element</th>
<th>Percentage</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation (ownership)</td>
<td>34%</td>
<td>USD $1,303.90/mo</td>
</tr>
<tr>
<td>Overhead (ownership)</td>
<td>45%</td>
<td>USD $1,725.75/mo</td>
</tr>
<tr>
<td>CFC (ownership)</td>
<td>11%</td>
<td>USD $421.85/mo</td>
</tr>
<tr>
<td>Indirect (ownership)</td>
<td>10%</td>
<td>USD $383.50/mo</td>
</tr>
<tr>
<td>Fuel (operating) @ USD 3.07</td>
<td>49%</td>
<td>USD $10.39/hr</td>
</tr>
</tbody>
</table>

Revised Date: 2nd half 2019

These are the most accurate rates for the selected Revision Date(s). However, due to more frequent online updates, these rates may not match Rental Rate Blue Book Print. Visit the Cost: Recovery Product Guide on our Help page for more information.

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Rental Rate Blue Book®

Miscellaneous TOW 2220
Non-Tilt Deck Utility Trailers

Size Class:
All
Weight:
UNKNOWN

Configuration for TOW 2220

<table>
<thead>
<tr>
<th>Capacity</th>
<th>20.0 t</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number Of Axles</td>
<td>2.0</td>
</tr>
<tr>
<td>Hitch Type</td>
<td>8.0</td>
</tr>
<tr>
<td>Number Of Tires</td>
<td></td>
</tr>
</tbody>
</table>

Blue Book Rates

**FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.**

<table>
<thead>
<tr>
<th>Ownership Costs</th>
<th>Estimated Operating Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Published Rates</td>
<td>Hourly</td>
</tr>
<tr>
<td>Monthly</td>
<td>USD $580.00</td>
</tr>
<tr>
<td>Weekly</td>
<td>USD $165.00</td>
</tr>
<tr>
<td>Daily</td>
<td>USD $41.00</td>
</tr>
<tr>
<td>Hourly</td>
<td>USD $6.00</td>
</tr>
</tbody>
</table>

Adjustments

Region (Texas: 86.8%)
(USD $76.56)
(USD $21.76)
(USD $5.41)
(USD $0.79)

Model Year
(2019: 100%)

Adjusted Hourly
Ownership Cost (100%)

Hourly Operating Cost (100%)

Total:
USD $503.44
USD $143.22
USD $35.59
USD $5.21
USD $2.85
USD $5.71

Non-Active Use Rates

Standby Rate
USD $1.43

Idling Rate
USD $2.86

Rate Element Allocation

<table>
<thead>
<tr>
<th>Element</th>
<th>Percentage</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation (ownership)</td>
<td>43%</td>
<td>USD $249.40/mo</td>
</tr>
<tr>
<td>Overhaul (ownership)</td>
<td>37%</td>
<td>USD $214.60/mo</td>
</tr>
<tr>
<td>CFC (ownership)</td>
<td>6%</td>
<td>USD $46.49/mo</td>
</tr>
<tr>
<td>Indirect (ownership)</td>
<td>12%</td>
<td>USD $69.69/mo</td>
</tr>
</tbody>
</table>

Fuel cost data is not available for these rates.

Revised Date: 2nd half 2019

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Rental Rate Blue Book®

GMC/ CHEVY 2500
On-Highway Light Duty Trucks

Size Class: 300 HP & Over
Weight: HP

Configuration for 2500

Axle Configuration: 4.0 x 2.0
Horsepower: 310.0 hp
Ton Rating: 3.0 / 4.0
Cab Type: Power Mode
Crew: Diesel

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

<table>
<thead>
<tr>
<th>Ownership Costs</th>
<th>Estimated Operating Costs</th>
<th>FHWA Rate**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Published Rates</td>
<td>Monthly (USD $1,105.00)</td>
<td>Hourly (USD $15.35)</td>
</tr>
<tr>
<td>Adjustments</td>
<td>Weekly (USD $1,105.00)</td>
<td></td>
</tr>
<tr>
<td>Region (Texas: 91.4%)</td>
<td>Hourly (USD $1,105.00)</td>
<td></td>
</tr>
<tr>
<td>Model Year (2017: 99.3%)</td>
<td>Hourly (USD $1,105.00)</td>
<td></td>
</tr>
<tr>
<td>Adjusted Hourly</td>
<td>Hourly (USD $1,105.00)</td>
<td></td>
</tr>
<tr>
<td>Ownership Cost (100%)</td>
<td>Hourly (USD $1,105.00)</td>
<td></td>
</tr>
<tr>
<td>Total:</td>
<td>Hourly (USD $1,105.00)</td>
<td></td>
</tr>
</tbody>
</table>

Non-Active Use Rates

| Standby Rate | Hourly (USD $2.85) |
| Idling Rate  | Hourly (USD $17.12) |

Rate Element Allocation

<table>
<thead>
<tr>
<th>Element</th>
<th>Percentage</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation (ownership)</td>
<td>54%</td>
<td>USD $596.70/mo</td>
</tr>
<tr>
<td>Overhaul (ownership)</td>
<td>26%</td>
<td>USD $320.45/mo</td>
</tr>
<tr>
<td>CFC (ownership)</td>
<td>7%</td>
<td>USD $77.35/mo</td>
</tr>
<tr>
<td>Indirect (ownership)</td>
<td>10%</td>
<td>USD $110.50/mo</td>
</tr>
<tr>
<td>Fuel (operating) @ USD 3.07</td>
<td>74%</td>
<td>USD $11.42/hr</td>
</tr>
</tbody>
</table>

Revised Date: 2nd half 2019

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Rental Rate Blue Book®

Wacker Neuson WP1550A
Hand Held Vibratory Plate Compactors

Size Class:
To 95 Kg
Weight:
Kg

Configuration for WP1550A

<table>
<thead>
<tr>
<th>Horsepower</th>
<th>4.8 hp</th>
<th>Plate Width</th>
<th>19.6 in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pounds Per Blow</td>
<td>3375 lbs</td>
<td>Power Mode</td>
<td>Gasoline</td>
</tr>
</tbody>
</table>

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

<table>
<thead>
<tr>
<th>Ownership Costs</th>
<th>Estimated Operating Costs</th>
<th>FHWA Rate**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly</td>
<td>Hourly</td>
<td>Hourly</td>
</tr>
<tr>
<td>USD $200.00</td>
<td>USD $2.31</td>
<td>USD $3.45</td>
</tr>
<tr>
<td>Weekly</td>
<td>USD $56.00</td>
<td></td>
</tr>
<tr>
<td>USD $6.54</td>
<td>USD $1.48</td>
<td></td>
</tr>
<tr>
<td>Daily</td>
<td>USD $14.00</td>
<td>USD $0.21</td>
</tr>
<tr>
<td>Hourly</td>
<td>USD $2.00</td>
<td></td>
</tr>
</tbody>
</table>

Non-Active Use Rates

<table>
<thead>
<tr>
<th>Non-Active Use Rates</th>
<th>Hourly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standby Rate</td>
<td>USD $0.51</td>
</tr>
<tr>
<td>Idling Rate</td>
<td>USD $2.10</td>
</tr>
</tbody>
</table>

Rate Element Allocation

<table>
<thead>
<tr>
<th>Element</th>
<th>Percentage</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation</td>
<td>59%</td>
<td>USD $118.00/mo</td>
</tr>
<tr>
<td>(ownership)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overhaul</td>
<td>27%</td>
<td>USD $54.00/mo</td>
</tr>
<tr>
<td>(ownership)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CFC</td>
<td>6%</td>
<td>USD $12.00/mo</td>
</tr>
<tr>
<td>(ownership)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect</td>
<td>6%</td>
<td>USD $16.00/mo</td>
</tr>
<tr>
<td>(ownership)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel</td>
<td>47%</td>
<td>USD $1.08/hr</td>
</tr>
<tr>
<td>(operating) @ USD 2.51</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Revised Date: 2nd half 2019

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(yara@texascordia.com)
CRAWFORD ELECTRIC SUPPLY
1105 BUSINESS PARK DR
MISSION, TX 78572
956-519-1422 Fax 956-519-1455
alfcastillo@crawfoederelectricsupply.com

<table>
<thead>
<tr>
<th>QUOTE TO:</th>
<th>SHIP TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>CASH SALE MISSION ACCOUNT</td>
<td>CASH SALE MISSION ACCOUNT</td>
</tr>
<tr>
<td>1105 BUSINESS PARK DRIVE</td>
<td>1105 BUSINESS PARK DRIVE</td>
</tr>
<tr>
<td>MISSION, TX 78572</td>
<td>MISSION, TX 78572</td>
</tr>
<tr>
<td>956-519-1422</td>
<td>956-519-1422</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CUSTOMER NUMBER</th>
<th>CUSTOMER ORDER NUMBER</th>
<th>JOB NAME</th>
<th>QUOTED TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>30313</td>
<td>0920-2019</td>
<td>JOSE CASTRO</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SALES PERSON</th>
<th>SHIP VIA</th>
<th>FREIGHT ALLOWED</th>
<th>EXPIRATION DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALFREDO CASTILLO</td>
<td>BID</td>
<td>Yes</td>
<td>11:59pm CT 09/27/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ORDER QTY</th>
<th>UPC</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>U</th>
<th>EXT PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>8000ft</td>
<td>9800600606010</td>
<td>PVC 400P 4IN SCH40 PVC PIPE</td>
<td>156.060</td>
<td>c</td>
<td>12,484.80</td>
</tr>
<tr>
<td>40ft</td>
<td>98001000110</td>
<td>GAL 400G 4IN GALV CONDUIT</td>
<td>1693.790</td>
<td>c</td>
<td>677.52</td>
</tr>
<tr>
<td>9ea</td>
<td>05112857780</td>
<td>3M 407</td>
<td>55.690</td>
<td>e</td>
<td>501.21</td>
</tr>
</tbody>
</table>

TERMS & CONDITIONS
This order is subject to Company Terms and Conditions of Sale, which provisions shall govern in the event of any conflict with any Terms or Conditions of Purchaser's proposal, purchase order or other documents. All quotes/bids for Pipe and Wire are good for the date of the bid only. No extension of the pricing of these items is authorized by any employee of the Company without express written consent in the form of an official letter or signed acknowledgement of an Officer of the Company.

<table>
<thead>
<tr>
<th>Subtotal</th>
<th>13663.53</th>
</tr>
</thead>
<tbody>
<tr>
<td>S&amp;H CHGS</td>
<td>0.00</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>1127.24</td>
</tr>
<tr>
<td><strong>Amount Due</strong></td>
<td><strong>14790.77</strong></td>
</tr>
</tbody>
</table>
NOTES:
1. DEPENDING ON # OF FIBER RUNS CONDUIT SIZE TO BE APPROVED BY E.PUB ENG.

PVC SCH. 40 CONDUIT
ABOVE 10' SIZE AS REQUIRED.

CONDUIT WITHIN 10' OF GROUND,
SHALL BE RIGID GALVANIZED STEEL OR SCH. 80 PVC.

36" MIN. RADIUS.
36" MIN. COVER

MIN 2" PVC SCH 40
LONG RADIUS 90° ELBOW

TRAFFIC CONTROL BOX.

TYPICAL FIBER OPTIC RISER

BROWNSVILLE
PUBLIC UTILITIES BOARD
TO: Mr. Noel Bernal, City Manager
FROM: Armando Gutierrez, P.E. Engineering / P.W. Director
SUBJECT: Term Contract for Traffic Paint for the City of Brownsville
DATE: 12/6/2019
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM

EXECUTIVE SESSION (City Attorney Only)

Time Needed:
Action Item:

SELECT

Time Needed:

AGENDA

Public Hearing
Contract
Grant
Action
Consent

ORDINANCE

First Reading
Second Reading

INFORMATION: Please include additional information/request.

Consideration and ACTION to award a term contract Bid #CTP-03-1220, for the purchase and delivery of traffic paint for the City of Brownsville Engineering / Public Works Department in the amount not to exceed $65,000, as budgeted.

Project Name-Traffic Paint CTP-03-1220
Funding for this project is available through account 01-522-755

REVIEWING DEPARTMENTS: Please review and forward to the next reviewing department in a timely manner.

City Attorney
Date Reviewed:
By:
Comments:

Finance Department
Date Reviewed:
By:
Comments:

CITY COMMISSION

Approved: Yes No
Date:
Initials: Date:

ASSISTANT CITY MANAGER

Approved: Yes No
Initials: Date:

DEPUTY CITY MANAGER

Approved: Yes No
Initials: Date:

CITY MANAGER’S APPROVAL

Signature:
Date:

Revised 3/2019
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Armando Gutierrez, P.E. Engineering/ P.W. Director
Date: December 5, 2019
Agenda: Consideration and ACTION to award a term contract Bid #CTP-03-1220, for the purchase and delivery of traffic paint for the City of Brownsville Engineering / Public Works Department in the amount not to exceed $65,000, as budgeted

Summary:
The City of Brownsville received two (2) bids for the Term Contract of Traffic paint on November 7, 2019, from Ennis-Flint Inc. and Trantex Transportation. The paint crews completed a performance test on the field at Wild rose. The purpose of the sampling was to field verify drying times and application of paint samples provided by both vendors. Both products were applied under similar conditions and based on sampling of products and reviewing the bids we are recommending to award the contract to the second lowest vendor Trantex Transportation based on performance. Purchase of the paint will be as needed.

Project Name-Traffic Paint CTP-03-1220

Funding for this project is available through account 01-522-755 - Pavement Markings.
Date: November 27, 2019
To: Mr. Noel Bernal City Manager
From: Mr. Lupe Granado III, Finance Director
CC: Roberto C. Luna, Chief Procurement and Contracts Officer
Subject: Agenda Item for the City Commission meeting of January 07, 2020
“Consideration and Action to award a term contract for traffic paint
Bid #: CTP-03-1220

At the request of Engineering and Public Works Director, Armando Gutierrez, the Purchasing & Contract Services Department solicited bids for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared in The Brownsville Herald two times on October 13, and 20, 2019, and was posted to BidNet Direct and City of Brownsville websites.

2. A “Pre-Bid” meeting was conducted on October 22, 2019 at the City of Brownsville. There were one (1) vendors represented at the pre-bid meeting. There was one (1) addendum issued during the bidding process to clarify questions received during the procurement process and extend the due date.

3. Sealed formal bids were received for the subject project on November 7th, 2019 at the Purchasing & Contract Services Department. A total of two (2) bids were received and publicly opened.

Procurement results:
Sec. 252.043. AWARD OF CONTRACT.
In determining the best value for the municipality, the municipality may consider:

(1) the quality of the bidder's goods or services;
(2) the extent to which the goods or services meet the municipality's needs.

1. The best value and responsive and responsible vendor is Trantex Transportation Products of Texas, Inc. of Houston, TX. (See attached Tabulation Sheet)

2. The contract shall commence upon approval by the City Commission and expire one year from approval date.

3. The administration of the Public Works & Engineering-Traffic Department concurs with this recommendation. Please see the attached memorandum from Armando Gutierrez, Public Works Director. [Bookmark “B” recommendation]
# BID TABULATION

**Invitation for Bids Term Contract for The Purchase & Delivery of Traffic Paint for The City of Brownsville**

**BID # CTP-03-1220**  
**November 7, 2019 at 2:00 P.M.**

| Vendors: | Ennis-Flint, Inc.  
115 Todd Court  
Thomasville, NC 27360  
Attn: Steven Vetter  
PH # 336-308-3769  
FX # 336-475-7900 | Trantex Transportation Products of Texas, Inc.  
3310-D Frick Rd.  
Houston, TX 77086  
Attn: H. Steven Nelson  
PH # 281-448-7711  
FX # 281-591-6827 |
|---|---|
| 1.- **White** - Chlorinated rubber-alkyd  
2,600 Gallons (520 buckets)  
(5 Gallon Bucket) | **$61.00** | **$68.25** |
| 2.- **Yellow** - Chlorinated rubber-alkyd  
2,600 Gallons (520 buckets)  
(5 Gallon Bucket) | **$66.00** | **$70.00** |
| 3.- **Red** - Chlorinated rubber-alkyd  
600 Gallons (120 buckets)  
(5 Gallon Bucket) | **$71.00** | **$87.50** |
| Addendum Acknowledged | YES | YES |
| Samples | YES | YES |
| Specification Criteria | RESPONSIVE | RESPONSIVE |
**AGENDA ITEM**

**COMMISSION MEETING DATE 01/07/20**

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**Information:** Please include additional information/request.

Consideration and ACTION to award Bid #CBT-04-1220, for the Construction of the Belden Trail Phase III Project to Villarreal Construction in the amount of $289,038.30, as budgeted.

Project Name-CBT-04-1220

Funding for this project is available through account 803-8200-9129-33 Sidewalks & Trails Belden Trail Ph III

**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

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**Assistant City Manager**

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**Deputy City Manager**

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**City Manager’s Approval**

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Revised 3/2019
TO: Mayor and City Commission  
FROM: Armando Gutierrez, P.E. Engineering & P.W. Director  
DATE: December 18, 2019,  
RE: Consideration and ACTION to award Bid #CBT-04-1220, for the Construction of the Belden Trail Phase III Project to Villarreal Construction in the amount of $289,038.30, as budgeted.

Summary

The City of Brownsville received seven (7) bids for aforementioned project on November 25, 2019. The bids received were from G&T Paving, NM Contracting, Ziwa, Villarreal Construction, Lucania Construction, Celso Gonzalez Construction and Sames. Minor corrections were made as shown on attached bid tabulation. The lowest bid amount was submitted by Villarreal Construction in the amount of $289,038.30.

Scope of Work

The project scope consists of a 10 foot concrete trail spanning approximate 2450 linear ft. including architectural amenities within of City of Brownsville Right of Way. The Belden Trail Phase III project is within Electoral District 4, starting from E. Tyler to Ringgold St. The construction time for this project is estimated to be one hundred and fifty (150) consecutive calendar days from the issuance of the Notice to Proceed.

The Engineering Department recommends that Villarreal Construction be awarded the bid in the amount of $289,038.30 for said project. Funding for this project is available under the Sidewalks & Trail Belden Trails Phase III Account 803-8200-9129-33.
At the request of, Ramiro Gonzalez, Director of Government and Community Affairs, the Office of Procurement Services solicited bids for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared in *The Brownsville Herald* two times on October 20th and 27th, 2019, and was posted to BidNet Direct and City of Brownsville websites.

2. A “Pre-Bid” meeting was conducted on November 5, 2019 at 11:00 A.M., 2019 at the City of Brownsville, Procurement Services Department. There were four (4) vendors represented at the pre-bid meeting. There were four (4) addendums issued during the bidding process to clarify questions received during the procurement process and extend the due date.

3. Sealed formal bids were received for the subject project on November 25th, 2019 at the Procurement Services Department. A total of seven (7) bids were received and publicly opened.  
   [Bookmark “A” Tabulation Sheet]

**Procurement results:**

1. The lowest responsive and responsible vendor is Villarreal Construction, LLC of Edinburg, TX for a total amount of $289,038.30  
   [Bookmark “A” Tabulation Sheet]

2. Completion time for this project is 60 consecutive calendar days after notice to proceed.

3. The administration of Government and Community Affairs, Mr. Ramiro Gonzalez concurs with this recommendation.  
   [Bookmark “B” recommendation]
| DESCRIPTION                                                                 | QTY | UNIT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE | AMOUNT | PRICE 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**City of Brownsville & BC Workshop Project**

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* Red indicates error on contractor's tabulation
Consideration and ACTION to authorize the Brownsville Police Department to enter into an Interlocal Agreement for the acceptance of a grant award for the Multi-Agency Inter-jurisdictional South Texas Auto Theft Enforcement Task Force a between the City of Brownsville, Texas, the City of McAllen, Texas, the City of Pharr, Texas and the City of Edinburg, Texas.

This Interlocal Agreement is required for continued participation in the South Texas Auto Theft Task Force for FY 2020.

I hereby respectfully request that the acceptance and execution of this agreement be placed on the next City Commission meeting for approval.
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Felix Sauced, Chief of Police
Date: December 30, 2019

Agenda: Consideration and ACTION to authorize the Brownsville Police Department to enter into an Interlocal Agreement for the acceptance of a grant award for the Multi-Agency Inter-jurisdictional South Texas Auto Theft Enforcement Task Force between the City of Brownsville, Texas, The City of McAllen, Texas, The City of Pharr, Texas, and the City of Edinburg, Texas.

Summary:
The Brownsville Police Department is respectfully requesting City Commission approval to enter into a Interlocal Agreement for the acceptance of a grant award for the Multi-Agency Inter-jurisdictional South Texas Auto Theft Enforcement Task Force between the City of Brownsville, Texas, the City of McAllen, Texas, the City of Pharr, Texas, and the City of Edinburg, Texas.

The purpose of the agreement is the establishment of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE by the above-named parties to utilize a grant from the State of Texas to combat motor vehicle theft crimes throughout Cameron County, Texas and Hidalgo County, Texas. To this end, the above-named parties, pursuant to action taken by the governing bodies of said parties at duly-scheduled open meetings, allow for the mutual aid law enforcement task force to cooperate in motor vehicle theft and burglary criminal investigations, whereby certain peace officers employed by said parties (as covered by this Agreement) will have the additional investigative authority throughout said counties as set forth in the Agreement, which shall provide for the compensation of the peace officers involved in the activities of the Task Force, which shall be known as the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE.

The Brownsville Police Department recommends approval.

City of Brownsville, Texas

1001 E. Elizabeth St., P.O. Box 911, Brownsville, Texas 78522 Telephone: 956-548-6007 Fax: 956-546-4021 www.cob.us
INTERLOCAL AGREEMENT BETWEEN THE CITY OF BROWNSVILLE, THE CITY OF MCALLEN, TEXAS, THE CITY OF PHARR, TEXAS AND THE CITY OF EDINBURG, TEXAS REGARDING A MUTUAL AID (BURGLARY AND THEFT OF MOTOR VEHICLE) LAW ENFORCEMENT TASK FORCE TO COOPERATE IN CERTAIN CRIMINAL INVESTIGATIONS

THIS AGREEMENT is made this __________ day of ____________, 2019, in the City of Brownsville, State of Texas, pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791, regarding Law Enforcement Services Provided Through Cooperation of Municipalities, Counties, and certain other local Governments, between: (1) the City of Brownsville, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 1001 E. Elizabeth, Brownsville, Cameron County, Texas 78520, acting through the Brownsville City Commission, (2) the City of McAllen, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 1300 West Houston, McAllen, Hidalgo County, Texas 78501, acting through the McAllen City Commission, (3) the City of Pharr, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 118 S. Cage, Pharr, Hidalgo County, Texas 78577, acting through the Pharr City Commission, (4) the City of Edinburg, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 415 W. University Drive, Edinburg, Hidalgo County, Texas 78541, acting through the Edinburg City Council.

WHEREAS, CAMERON and HIDALGO COUNTIES have been plagued by motor vehicle theft crimes because of its proximity to the international border with Mexico, and the utilization of this area as a well-traveled route for stolen motor vehicles into the interior of Mexico via one of the many International Bridges in the area.

WHEREAS, to continue to combat this state and county problem, working with the appropriate agencies and officials of the State of Texas, the Automobile Burglary and Theft Prevention Authority has budgeted certain monies to be funneled to local governments for use in fighting such motor vehicle theft crime problems.

WHEREAS, THE CITY OF BROWNSVILLE, several counties and municipalities therein jointly applied, through THE CITY OF BROWNSVILLE, for a share of these monies, to be used in establishing the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE to combat said motor vehicle theft crime problems.

WHEREAS, the AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY which is administering such funds on behalf of the State of Texas has authorized a grant in the sum of $924,350 to be awarded to THE CITY OF BROWNSVILLE and the said participating counties and municipalities for such purposes.
WHEREAS, it is necessary for THE CITY OF BROWNSVILLE, THE CITY OF MCALLEN, THE CITY OF PHARR, AND THE CITY OF EDINBURG to establish a working relationship to best utilize the said grant and to combat motor vehicle burglary and theft, and to then reduce such relationship to writing in the form of an Interlocal Agreement.

NOW, THEREFORE, for and in consideration of the premises and the mutual promises of the parties and mutual benefits they will gain by the performance thereof, all in accordance with the provisions hereinafter set forth, THE CITY OF BROWNSVILLE, THE CITY OF MCALLEN, THE CITY OF PHARR AND THE CITY OF EDINBURG AGREE AS FOLLOWS:

I.

PURPOSE OF AGREEMENT

The purpose of the agreement is the establishment of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE by the above-named parties to utilize a grant from the State of Texas to combat motor vehicle theft crimes throughout Cameron County, Texas and Hidalgo County, Texas. To this extent, the above-named parties, pursuant to action taken by the governing bodies of said parties at duly-scheduled open meetings of same (by resolution of order, as appropriate) have entered into this Agreement to form a mutual aid law enforcement task force to cooperate in motor vehicle theft & burglary criminal investigations, to include the agreement to conduct 68A vehicle inspections as often as scheduling and operations will allow for the individual cities of the task force for purposes of identifying stolen vehicles before titling in Texas. Whereby certain peace officers employed by said parities (as covered by this Agreement) will have the additional investigative authority throughout said counties as set forth in the Agreement, which shall provide for the compensation of the peace officers involved in the activities of the Task Force, which shall be known as the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE.

II.

PERSONNEL AND EQUIPMENT

The SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE shall consist of the following personnel, assigned by the respective entities set forth hereinafter: (1) Detectives/Investigators/Officer, not more than Eighteen (18) at any one time, assigned to the Task Force by the Brownsville Police Department, McAllen Police Department, Pharr Police Department, and Edinburg Police Department, the final assignments to be approved by the Board of Governors pursuant to administrative provisions below. The personnel, supplies, and direct operating expenses for the Task Force shall be financed pursuant to and by the aforesaid state grant; a copy of the Budget Schedule there under being annexed hereto as Exhibit “A”, which is incorporated by reference herein. The Task Force Commander and all other personnel assigned by the parties to this Agreement shall remain the employees of the party making such assignment and shall not, by virtue of serving on the South Texas Auto Theft Enforcement Task Force, be considered as employees, agents, or servants, of the Board of Governors, of the South Texas Auto Theft Enforcement Task Force, or of any party to this agreement other than the party making said assignment. Upon termination of this agreement, equipment including vehicles, hardware, and other non-expendable items will revert back to the applicant (City of Brownsville). The Auto Burglary and Theft Prevention Authority of the State of Texas will be notified and inventory records will be updated.
III.

ADMINISTRATION

The SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE is to be supervised by a Board of Governors, which shall consist of one representative for each of the Three participating municipalities or counties (i.e., parties to this agreement), and the City of Brownsville, for a total of Four members; each of the said Four entities shall select a representative in any manner deemed to serve the interest of said entity which complies with any pertinent law, preferably the Chief of Police, the County Sheriff, or one of their department supervisors. The said Board of Governors shall adopt rules and regulations relating to the administration, operation and procedures of the TASK FORCE within the parameters of this Agreement and any pertinent law; such rules and regulations shall be formally adopted by the Board in compliance with the Texas Open Meetings Act, be reduced to writing, and be maintained as part of the records of the Board of Governors. The Board of Governors will cooperate with the officials and agents of the City of Brownsville in connections with the administration of the said grant in connection with purchasing, auditing, and any other financial or administrative matters required by said grant or any pertinent law.

IV.

EXTENT OF AUTHORITY

A law enforcement officer covered by this Agreement may make an arrest anywhere outside the jurisdiction in which the officer is or would be regularly employed, throughout Cameron, and Hidalgo Counties and any other area where such arrest is authorized by law. As required by statute, the law enforcement agencies of the area where the said arrest is made shall be notified of the said arrest without delay, and the notified agency shall make available the notice to the arrest in the same manner as if the arrest were made by a member of that agency.

V.

EMPLOYEE STATUS

A law enforcement officer regularly employed by another municipality (i.e. city or county) shall remain the employee of such municipality but shall be considered, for the purpose of making an arrest at any location throughout Cameron and Hidalgo County, to be in service of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE and a peace officer in and about Cameron and Hidalgo County under the command and supervision of the TASK FORCE COMMANDER. Accordingly, the officer has all the powers of a regular law enforcement officer anywhere in Cameron and Hidalgo, County; to this extent, qualification for office in the municipality (i.e., city or county) or regular employment constitutes qualification for office anywhere in Cameron and Hidalgo Counties, and no additional oath, bond, or compensation is needed. The party who assigns a peace officer to the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE or that regularly employs the TASK FORCE COMMANDER shall remain solely responsible for the health, safety, acts or omissions of that assigned peace officer or TASK FORCE COMMANDER.
VI.

COMPENSATION

The officers serving on the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE are entitled to the same wages, salary, pension, and other compensation and rights, including injury or death benefits, as if the service were rendered in the municipality (i.e., city or county) of the officer’s regular employment. Moreover, the Officer is also entitled to payment for any reasonable expenses incurred for travel, food or lodging while on duty outside the limits of the territory of the officer’s regular employment. To this extent, the officers serving on the TASK FORCE will be compensated in accordance with the salary schedule (which is annexed hereto as Exhibit “A”) incorporated into the Budget, as administered by the Board of Governors. Moreover, the municipality (i.e., city or county) regularly employing said officers; shall pay (subject to reimbursement pursuant to the procedures established under the aforesaid state grant, after the payment is made and reimbursement is requested), all wages and disability payments, pension payments, damages to equipment and clothing, medical expenses, and travel, food, lodging, and vehicle lease.

The personnel and sub grantee personnel (listed in the Professional and Contract Services Category) included in this grant shall only perform duties related to statutory purposes outlined in Texas Revised Civil Statutes Art. 4413(37). If the positions funded or used as cash match engage in general government duties then the grantee (and sub-grantees) shall not submit for reimbursement the portion attributed to general government law enforcement operations.

VII.

TERM OF AGREEMENT

This agreement will be effective from September 1, 2019 to August 31, 2020, at which time, said Agreement will terminate. Upon mutual agreement of the parties, set forth in writing and signed by the (participating) parties, assuming that funds are available to do so, this Agreement may be continued, on the same terms, for such periods as desired or is feasible, until modified by subsequent amendment. This Agreement, subject to applicable law and restrictions contained in the aforesaid state grant, may be terminated at any time by mutual agreement of the parties, set forth in writing and signed by the parties.

VIII.

FUNDING

The said parties paying for the performance of the aforesaid governmental functions or services shall make payment therefore from current revenues available to the paying party.

IX.
All parties to this Agreement will act, at all times in compliance with all pertinent City and County ordinances, orders, regulations and policies, as well as all applicable State and Federal laws.

X.

ENTIRE AGREEMENT

This instrument contains the entire agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral presentations or modifications concerning this instrument shall be of no force or effect, excepting a subsequent modification in writing, signed by the party to be charged.

XI.

BREACH OF OBLIGATION

This Agreement is entire as to all of the performances to be rendered under it. Breach of any obligation to be performed by any party shall constitute a breach of the entire Agreement and shall give the other parties the right to terminate this Agreement.

XII.

LAW GOVERNING; VENUE

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The obligations and undertaking of each of the parties to this Agreement shall be performable in Cameron and Hidalgo Counties, Texas.

EXECUTED by the respective parties singularly on an identical duplicate of this document on the dates stated below at the office or facility of the said county’s or municipality governing body in Cameron and Hidalgo, County, Texas.
This is to certify that the objectives of the Brownsville Police Department - South Texas Auto Theft Enforcement Task Force grant application for fiscal year funding by the Texas Automobile Burglary and Theft Prevention Authority of the Governor’s Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, The Brownsville Police Department is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.

Felix Saucedo  
Chief of Police  
Brownsville Police Department  

Date: 12 03 19
This is to certify that the objectives of the Brownsville Police Department - South Texas Auto Theft Enforcement Task Force grant application for fiscal year funding by the Texas Automobile Burglary and Theft Prevention Authority of the Governor’s Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, The McAllen Police Department is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.

Felix Saucedo
Chief of Police
Brownsville Police Department
Date: 12/19/19

Victor Rodriguez
Chief of Police
McAllen Police Department
Date: 09/24/2019
COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the Brownsville Police Department - South Texas Auto Theft Enforcement Task Force grant application for fiscal year funding by the Texas Automobile Burglary and Theft Prevention Authority of the Governor’s Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, The Pharr Police Department is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.

Felix Sauceda  
Chief of Police  
Brownsville Police Department

Date: 12/5/19

Jose A. Luengo  
Chief of Police  
Pharr Police Department

Date: 10/7/19
COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the Brownsville Police Department - South Texas Auto Theft Enforcement Task Force grant application for fiscal year funding by the Texas Automobile Burglary and Theft Prevention Authority of the Governor’s Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, The Edinburg Police Department is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.

Felix Saucedo  
Chief of Police  
Brownsville Police Department  

Date: 12/3/19

Cesar Torres  
Chief of Police  
Edinburg Police Department  

Date: 11/15/19
CITY OF BROWNSVILLE, TEXAS

By: __________________________
    Trey Mendez, Mayor
    (On , 2019)

ATTEST:

___________________________

Name: _______________________

Title: _______________________

"Approved as to Form and Legality
This 5th day of December 2019
Title Asst. City Atty.
Office of the Brownsville City Attorney"

CITY OF McALLEN, TEXAS

By: _______________________
    James Darling, Mayor
    (On October 16th, 2019)

ATTEST:

___________________________

Name: _______________________

Title: _______________________

CITY OF PHARR, TEXAS

By: Ambrosio Hernandez, Mayor
   (On __________, 2019)

ATTEST:

__________________________
Name: Hilda Pedraza
Title: City Clerk

APPROVED BY
CITY COMMISSION
ON: 10/07/19

CITY OF EDINBURG, TEXAS

By: _______________________
   Richard Molina, Mayor
   (On __________, 2019)

ATTEST:

__________________________
Name: ___________________
Title: ___________________
CITY OF PHARR, TEXAS

By: ________________
Ambrosio Hernandez, Mayor
(On ____, 2019)

ATTEST:

__________________________________________________________

Name: ________________
Title: ________________

CITY OF EDINBURG, TEXAS

By: ____________________
Richard M. Hinojosa
Interim City Manager

ATTEST:

____________________________
Joe Rios, Interim City Secretary

APPROVED AS TO FORM:
OMAR OCHOA LAW FIRM, P.C.

By: _______________________
Omar Ochoa, City Attorney

COOPERATIVE WORKING AGREEMENT
I certify that the programs proposed in this application meet all the requirements of the Texas Automobile Burglary and Theft Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Automobile Burglary and Theft Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

Authorized Official
Trey Mendez, Mayor
Brownsville, Texas  78520
ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Automobile Burglary and Theft Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Automobile Burglary and Theft Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

[Signature]
Authorized Official
James Darling, Mayor
City of McAllen, Texas  78501

10/16/10
Date
ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Automobile Burglary and Theft Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Automobile Burglary Theft Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

[Signature]

Authorized Official
Ambrosio Hernandez, Mayor
City of Pharr, Texas 78577

10/07/19 Date
ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Automobile Burglary and Theft Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Automobile Burglary and Theft Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, subgrant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

CITY OF EDINBURG, TEXAS

By: ________________________________
    Richard M. Hinojosa
    Interim City Manager

[Signature]

6/22/19
Date
Non Supplanting Certification

I certify that the programs proposed in this application meet all the requirements of the Texas Civil Statutes, Article 4413(32a), §6(a)(7), (a) Texas Civil Statutes, Article 4413(32a), §6(a)(7), requires that state funds provided by this Act shall not be used to supplant state or local funds. Public Law 98-473 requires that federal funds provided by that Act shall not be used to supplant state or local funds.

I further certify that ABTPA funds have not been used to replace state or local funds that would have been available in the absence of ABTPA funds. The certification shall be incorporated in each grantee’s report of expenditure and status of funds referred to under §57.3(6) of this title (relating to Adoption by Reference).

AUTHORIZED OFFICIAL
Noel Bernal

DATE

City of Brownsville

GRANTEE

"Approved as to Form and Legality
This 5th day of December 1994
Title of the Brownsville City Attorney"
TO: Noel Bernal, City Manager  
FROM: Rick Vasquez, Director of Planning & Redevelopment Serv.  
SUBJECT: Public Hearings  
DATE: 1/7/2020  
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM  COMMISSION MEETING DATE 01/07/20

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Information: Please include additional information/request.

APPROVAL on SECOND and FINAL READING on ORDINANCE NUMBER 235-2019-061: To rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 7, Villa Maria Gardens Subdivision, Cameron County, Texas, located at 432 West Washington Street, Brownsville, Texas 78520, as shown in Exhibit "A", (District 4).

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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<tr>
<th>Reviewing Departments</th>
<th>Date Reviewed</th>
<th>By</th>
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City Commission  Assistant City Manager  Deputy City Manager

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City Manager’s Approval

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<th>Signature</th>
<th>Date</th>
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Revised 3/2019
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Rick Vasquez, Planning & Redevelopment Services Department Director

Date: January 7, 2020

RE: APPROVAL on SECOND and FINAL READING on Ord. No. 235-2019-061

Purpose
Property owner, Nelly Perez Zamora, proposes to change the zoning designation of Lot 9, Block 7, Villa Maria Gardens Subdivision, City of Brownsville, Cameron County, Texas, located at 432 West Washington Street, Brownsville, Texas 78520. The applicant is requesting to rezone the subject property from Dwelling “A” (DA) to Dwelling “G” (DG) to reduce setbacks for the purpose of constructing an alternative dwelling unit (guest house) in the property back yard.

<table>
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<tr>
<th>Area District “A” (Residential)</th>
<th>Area District “G” (Residential)</th>
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<tbody>
<tr>
<td>6,000 sq. ft.-Minimum Lot Size</td>
<td>5,000 sq. ft.-Minimum Lot Size</td>
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<tr>
<td>25 ft.-front setback</td>
<td>25 ft.-front setback</td>
</tr>
<tr>
<td>5.5 ft.-lateral setback</td>
<td>3.5 ft.-lateral setback</td>
</tr>
<tr>
<td>25 ft.- rear setback</td>
<td>3.5 ft.-rear setback</td>
</tr>
</tbody>
</table>

Property Analysis
The predominant land use in the surrounding area is single family dwelling. Additional uses such as commercial business (restaurants, notary services, professional offices, retail, etc.) and civic institution (football stadium) are also present within proximity of the subject property.

The property is located within the Downtown Riverside District and Downtown Node, and the request is consistent with the Future Land Use Map.

Background
The subject property currently harbors an existing single family home and an accessory structure in the property back yard which is to be demolished due to its poor condition. Once demolition concludes, the applicant plans on constructing an alternative dwelling unit (guest house). A zoning change is necessary since the proposed structure would encroach in the current rear setback requirement of 25 feet (area district “A”). The proposed area district “G” has a less restrictive rear setback of 3.5 feet which would allow the existence of the alternative dwelling unit (guest house) in the back yard without encroachment.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on December 5, 2019. Planning and Zoning Commission supports this rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).

Item introduced and passed at First Reading on December 10, 2019. There was no verbal or written opposition.
Zoning Application

Multi-Family/Office/Commercial/Retail/Industrial

- 0-1 Acres ....$500.00
- 1.5- Acres ....$750.00
- 5.10 Acres ....$1,000.00
- 10. and Up ....$1,500.00

- Planning and Zoning Commission
- City Commission

Single Family

- 0-1 Acres ....$250.00
- 1.10 Acres ....$500.00
- 10. and Up ....$1,000.00

Tentative Date: __________________
Tentative Date: __________________

* For submittal requirements, see Appendix A. Zoning Processing Fees

Geographic ID #: 07 4350 0070 0090 10
Project Address: 432 W. Washington Street
Subdivision: Villa Maria Gardens
Lot(s)/Block: 9 BLK 7

Current Area Classification: ___________________ Proposed Area Classification: G Gross Acreage: 0.14
Current Zoning: Dwelling Proposed Zoning: Dwelling
Overlay Districts: 011

Proposed Used: [Alternative Dwelling Unit]**

Owner Information

Name: Nelly N. Perez/Zamora
Address: 432 W. Washington St
City: Brownsville
State: TX Zip Code: 78520
Telephone: 956.204.6906
Fax: 956.542.7310
Email: neilynt71@hotmail.com
Signature: 

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

Representative/Agent Information

Name: ____________________________
Address: __________________________
City: _____________________________
State: _____________________________ Zip Code: __________
Telephone: ________________________
Fax: ______________________________
Email: ____________________________
Signature: _________________________

Office Use Only

Date Submitted: 06-14-19 Code: ZN 30 Application Fee: $250.00
Accepted By: BA-”— Brownsville

Case Number 235- 2019 - OLC

1034 E. Lewis Street 20 Floor • City Plaza • Brownsville, Texas 78520
Phone (956) 548-6150 • Fax (956) 548-6144 Form 04-1003U
AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING $2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 7, Villa Maria Gardens Subdivision, Cameron County, Texas, located at 432 West Washington Street, Brownsville, Texas 78520, as shown in Exhibit “A”; the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on December 10, 2019. Passed at First Reading on December 10, 2019. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on January 7, 2020.

(SEAL)

BY: ______________________________
    Juan “Trey” Mendez
    Mayor

ATTEST: _________________________
    Griselda Rosas
    Interim City Secretary
**EXHIBIT “A”**

Rezoning Request:

**Case # 235-2019-061**

Nelly Perez

Current Zoning: Dwelling "A"

Proposed Zoning: Dwelling "G"
City of Brownsville
FUTURE LAND USE PLAN

DISTRICTS NAME
- Core Central
- Core East
- Core West
- Downtown Enterprise
- Downtown Riverside
- Emerging City Central
- Emerging City East
- Emerging City West
- Employment Hub
- Future Employment Hub
- Reserve Future City
- Transition Central
- Transition East
- Transition West
- Water Management

CORRIDORS
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME
- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

Zoning Case No.
235-2019-061
SUBJECT PROPERTY
SUBJECT PROPERTY

Case No. 235-2019-061
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).

C. Subject Property

The subject property is located on Lot 9, Block 7, Villa Maria Gardens Subdivision, City of Brownsville, Cameron County, Texas, located at 432 West Washington Street, Brownsville, Texas 78520. The property is fronting West Washington Street, a local street. Single family dwelling is the predominant existing land use within the subject property’s immediate area. The subject property is located within Brownsville Public Utility Board’s (BPUB) water service area #1, which has several projects planned in 2020 including a new transmission main on FM 511 and improvements to 3 lift stations (LS 55, LS 86, and LS 143) within a 4 mile radius of the subject property.

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North: Single Family Dwelling and Commercial Business
- East: Single Family Dwelling and Sports Stadium
- South: Single Family Dwelling and Commercial Business
- West: Single Family Dwelling and Commercial Business

**Figure 1: Existing Zoning Map**

The following map illustrates existing zoning of the subject property and properties within the immediate area.

- North: Dwelling (D) and General Retail (4C)
- South: Dwelling (D), General Retail (4C), and Light Industrial (7C)
- East: Dwelling (D), General Retail (4C), and Light Industrial (7C)
- West: Dwelling (D) and General Retail (4C)
Figure 2: Existing Land Use
The following map illustrates the existing land uses surrounding the subject property.
A review of the adopted City of Brownsville Comprehensive Plan and its Future Land Use Plan indicates that the subject property is located within the “Downtown Riverside District” and “Downtown Node”. According to this plan, the Downtown Riverside District should be a balanced mixture of residential, community facilities, and commercial, with some institutional land uses. Residential uses should have an average density of 10 dwelling units per acre and should consist of single family dwellings, duplexes, triplexes, row houses, and some apartment buildings.

The Downtown Node consists primarily of commercial land uses, as well as residential, community facilities, and institutional uses. No industrial land uses should be allowed. The average density of residential land uses should be 21 dwelling units per acre, which represents primarily urban and attached residential forms. It is the opinion of the staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

**Figure 3: Future Land Use Map (Downtown Riverside District and Downtown Node):**
The following map illustrates the Future Land Use Map. The subject property is within the “Downtown Riverside District” and “Downtown Node”.
Is the proposed amendment consistent with all applicable provisions of the Comprehensive Plan and Future Land Use Plan?

It is the opinion of staff that the request is consistent with the goals, objectives, and policies of the Comprehensive Plan and Future Land Use Plan.

Will the proposed district amendment be compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use?

The area surrounding the subject property is developed primarily of single family dwellings. It is the opinion of staff that the proposed zoning/use would generally be compatible.

Will the proposed amendment result in significant or burdensome demands on existing public facilities?

It is the opinion of staff that the proposed zoning/use would not create significant or burdensome demands on public facilities such as water, wastewater, or transportation.

Will the proposed amendment result in logical, timely and orderly development patterns that preserve the value of existing development?

It is the opinion of staff that the proposed zoning/use would generally complement existing development and would not have adverse impacts on the area.

Based upon the analysis presented in this report and based on observations from the Planning and Redevelopment Services Department, staff recommends to support this rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).
AGENDA ITEM

COMMISSION MEETING DATE 01/07/20

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**Information:** Please include additional information/request.

APPROVAL on SECOND and FINAL READING on ORDINANCE NUMBER 235-2019-062: To rezone from Dwelling “G” (DG) to Apartment “H” (AH) for Lots 23 and 24, Block 1, Canyon Valley Replat Subdivision, Cameron County, Texas, located at 3704 Menchaca Court, Brownsville, Texas 78526, as shown in Exhibit "A", (District 2).

**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

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**City Commission**

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**Assistant City Manager**

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**Deputy City Manager**

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**City Manager's Approval**

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Revised 3/2019
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 7, 2020

RE: APPROVAL on SECOND and FINAL READING on Ord. No. 235-2019-062

Purpose
Property owner, Dante O. Vazquez, proposes to change the zoning designation of Lots 23 and 24, Block 1, Canyon Valley Subdivision Replat, City of Brownsville, Cameron County, Texas, located at 3704 Menchaca Court, Brownsville, Texas 78526. The applicant is requesting to rezone the subject property from Dwelling “G” (DG) to Apartment “H” (AH) for the purpose of constructing two (2) additional duplex on a property (Lots 23 and 24) where a duplex already exists. The zoning designation change will also increase the allowable intensity from 12.5 units per acre to 25 units per acre.

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<th>Area District “G” (Multifamily)</th>
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<tr>
<td>12.5 units per acre</td>
<td>25 units per acre</td>
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Property Analysis
The predominant land use in the surrounding area is single family dwelling. Additional uses such as apartments, civic institution (church), and commercial business (body shop and wrecker service) are also present within proximity of the subject property.

The property is located within the Transition Central District and Town Corridor, and the request is consistent with the Future Land Use Map.

Background
The subject property (Lots 23 and 24) currently harbors a duplex on the Lot 24 portion. This existing duplex is in compliance and is allowed by right. Adding 2 more duplex, as proposed by the applicant, would turn the development into an apartment complex since 3 or more units will be existing on one property; such development would require an “Apartment” use district. A zoning change is necessary since the current use district ( Dwelling) does not allow the proposed use. Changing the use district to “Apartment” would allow the proposed development. Additionally, due to the size of the property (0.3108 acre), only 3 units are allowed under the current area district regulations (area district “G”). The proposed area district “H” would allow the applicant to accommodate the proposed amount of units (6 units).

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on December 5, 2019. Planning and Zoning Commission supports this rezoning from Dwelling “G” (DG) to Apartment “H” (AH).

Item introduced and passed at First Reading on December 10, 2019. There was no verbal or written opposition.
Zoning Application

Multi-Family/Office/Commercial/Retail/Industrial
- 0-1 Acres .....$500.00
- 1.5- Acres .....$750.00
- 5-10 Acres ...$1,000.00
- 10. and Up .....$1,500.00

Planning and Zoning Commission
City Commission

Tentative Date: ______________________
Tentative Date: ______________________

For submittal requirements, see Appendix A. Zoning Processing Fees

Geographic ID #: 74-7928-0010-0230-00

Project Address: 3704 Merchana Court

Subdivision: Canyon Valley Replat
Lot(s)/Block: Lots 23-824 Blocks 1

Current Area Classification: G
Proposed Area Classification: H
Gross Acreage: .31084

Current Zoning: Dwelling
Proposed Zoning: Apartment
Overlay Districts: N/A

Proposed Used: Multi-Family

If property is not within and you will need to provide survey map and acreage and bounds.

Owner Information

Name: Dante Omar Vazquez
Address: 36 San Peal Blvd. Apt 129
City: Brownsville
State: TX Zip Code: 78521
Telephone: 956-293-4938
Fax: 
Email: DAVAZQUEZML@YAHOO.COM
Signature: 

Representative/Agent Information

Name: Loma Alta Construction & Development, LLC
Address: PO Box 3383
City: Brownsville
State: TX Zip Code: 78523
Telephone: 956-550-1114
Fax: 
Email: BRO. BUSINESS.GROUP6@GMAIL.COM
Signature: 

Special Note: Incomplete Application Will Not Be Accepted

Office Use Only

Date Submitted: 10/11/19 Code: ZN31 Application Fee: $500.00
Accepted By: Raul Vega Case Number 235-2019-062

1034 E. LEVEE STREET 2ND FLOOR • CITY PLAZA • BROWNSVILLE, TEXAS 78520
PHONE (956) 544-0150 • FAX (956) 544-0144 Form 04-18834
AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING $2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to rezone from Dwelling “G” (DG) to Apartment “H” (AH) for Lots 23 and 24, Block 1, Canyon Valley Replat Subdivision, Cameron County, Texas, located at 3704 Menchaca Court, Brownsville, Texas 78526, as shown in Exhibit “A”; the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on December 10, 2019. Passed at First Reading on December 10, 2019. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on January 7, 2020.

(SEAL)

BY: ________________________________
Juan “Trey” Mendez
Mayor

ATTEST: ________________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:
Case # 235-2019-062
Dante Omar Vasquez

Current Zoning:
Dwelling "G"

Proposed Zoning:
Apartment "H"
City of Brownsville
FUTURE LAND USE PLAN

DISTRICTS NAME
- Core Central
- Core East
- Core West
- Downtown Enterprise
- Downtown Riverside
- Emerging City Central
- Emerging City East
- Emerging City West
- Employment Hub
- Future Employment Hub
- Reserve Future City
- Transition Central
- Transition East
- Transition West
- Water Management

CORRIDORS
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME
- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

Zoning Case No.
235-2019-062
Case No. 235-2019-062
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from Dwelling “G” (DG) to Apartment “H” (AH).

C. Subject Property

The subject property is located on Lots 23 and 24, Block 1, Canyon Valley Subdivision Replat, City of Brownsville, Cameron County, Texas, located at 3704 Menchaca Court, Brownsville, Texas 78526. The property is fronting Menchaca Court, a local street. Single family dwelling is the predominant existing land use within the subject property’s immediate area. The subject property is located within Brownsville Public Utility Board’s (BPUB) water service area #2, which has several projects planned in 2020 including a new transmission main on FM 511 and improvements to 2 lift stations (LS 86 and LS 120) within a 4 mile radius of the subject property.

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North: Undeveloped Land, Single Family Dwelling, and Apartment
- East: Undeveloped Land, Single Family Dwelling, and Apartment
- South: Undeveloped Land, Single Family Dwelling, Apartment, and Commercial Business
- West: Single Family Dwelling

**Figure 1: Existing Zoning Map**

The following map illustrates existing zoning of the subject property and properties within the immediate area.

- North: Dwelling (D) and Light Retail (2C)
- South: Apartment (A), Light Retail (2C), General Retail (4C), and Medium Commercial (6C)
- East: Dwelling (D)
- West: Dwelling (D) and Light Retail (2C)
Figure 2: Existing Land Use
The following map illustrates the existing land uses surrounding the subject property.
A review of the adopted City of Brownsville Comprehensive Plan and its Future Land Use Plan indicates that the subject property is located within the “Transition Central District” and “Town Corridor”. According to this plan, the Transition Central District should be neighborhood and service oriented, and industrial uses could include both light and medium industry and warehousing. Residential uses in this district should have an average density of 2 dwelling units per acre and should consist primarily of single family homes.

The Town Corridor is primarily residential with small clusters of commercial land uses at regularly spaced intervals. Residential uses should have a density of 3 dwelling units per acre and should primarily consist of single family dwellings. It is the opinion of the staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

**Figure 3: Future Land Use Map (Transition Central District and Town Corridor):** The following map illustrates the Future Land Use Map. The subject property is within the “Transition Central District” and “Town Corridor”.

![Future Land Use Map](image-url)
E. Review Criteria

*Is the proposed amendment consistent with all applicable provisions of the Comprehensive Plan and Future Land Use Plan?*

It is the opinion of staff that the request is consistent with the goals, objectives, and policies of the Comprehensive Plan and Future Land Use Plan.

*Will the proposed district amendment be compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use?*

The area surrounding the subject property is developed primarily of single family dwellings. It is the opinion of staff that the proposed zoning/use would generally be compatible.

*Will the proposed amendment result in significant or burdensome demands on existing public facilities?*

It is the opinion of staff that the proposed zoning/use would not create significant or burdensome demands on public facilities such as water, wastewater, or transportation.

*Will the proposed amendment result in logical, timely and orderly development patterns that preserve the value of existing development?*

It is the opinion of staff that the proposed zoning/use would generally complement existing development and would not have adverse impacts on the area.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning and Redevelopment Services Department, staff recommends to support this rezoning from Dwelling “G” (DG) to Apartment “H” (AH).
Executive Session (City Attorney Only)

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Information: Please include additional information/request.

APPROVAL on SECOND and FINAL READING on ORDINANCE NUMBER 235-2019-064-S: To allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 & 41, La Villita Unit No. 4 Subdivision, Cameron County, Texas, located at 313 Manzano Street, Brownsville, Texas 78521, as shown in Exhibit "A", (District 1).

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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<th>By:</th>
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City Commission | Assistant City Manager | Deputy City Manager
Approved: | Yes | No | Approved: | Yes | No | Approved: | Yes | No
Date: | | | | |
Initials: | Date: | |
Initials: | Date: | |

City Manager’s Approval
Signature: | Date: |
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 7, 2020

RE: APPROVAL on SECOND and FINAL READING on Ord. No. 235-2019-064-S

Purpose
Applicant, Cleotilde Canela, is requesting a Specific Use Permit to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 and 41, Block 1, La Villita Unit No. 4 Subdivision, Cameron County, Texas, located at 313 Manzano Street, Brownsville, Texas 78521.

Property Analysis
The predominant land use in the surrounding area is single family dwelling. No additional uses, other than single family dwelling, are present within proximity of the subject property.

The property is located within the Core East District and the request is consistent with the Future Land Use Map.

Background
The subject property currently harbors an existing wooden home that is to be removed due to its poor condition. The applicant will be constructing a new structure that will serve as the proposed restaurant. A Specific Use Permit is required to allow the proposed business since the current use district (Dwelling) prohibits it; a minimum use district designation of Medium Retail (3C) is required. Due to the area’s predominant Dwelling (D) classification, and to avoid spot-zoning, changing the zoning designation of the property is not recommended. The applicant has submitted a site plan depicting the concept of the proposed business.

Opposition
A neighboring resident of the subject property appeared before the Planning and Zoning Commission on December 5, 2019 to express concerns regarding increased traffic and potential on-street parking caused by the proposed development.

Recommendation
Planning and Zoning Commission supports this Specific Use Permit to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA).

Item introduced and passed at First Reading on December 10, 2019. There was no verbal or written opposition.
Specific Use Permit Application

Multi-Family/Office/Commercial/Retail/Industrial

- 0-1 Acres .....$500.00
- 1-.5 Acres .....$750.00
- 5-.10 Acres ....$1,000.00
- 10. and Up ....$1,250.00

☐ Planning and Zoning Commission
☐ City Commission

Single Family

- 0-1 Acres .....$250.00
- 1-.10 Acres .....$500.00
- 10. and Up ....$1,000.00

Tentative Date: __________________

Tentative Date: __________________

* For submittal requirements, see Appendix A. Zoning Processing Fees

Geographic ID #:

04/24/10/000010/400/00 04/24/10/000010/10/00

Project Address:

313 Manzano St

Subdivision:

La Villita Subdivision Unit #4

Lot(s)/Block:

Lot 40 & Lot 41

Current Zoning:

Dwelling "A" And overlay district if applicable: NA

Proposed Use:

Restaurant

Gross Acreage: 0.38

* If property is not subdivided need to provide survey map and/or metes and bounds.

Owner Information

Name: Cleotilde Canele
Address: 4132 Westland Dr.
City: Brownsville
State: TX Zip Code: 78521
Telephone: (956) 408-7343
Fax: 
Email: 
Signature: Cleotilde Canele

Representative/Agent Information

Name: Alejandro Hdz
Address: 4132 Westland Dr.
City: Brownsville TX
State: TX Zip Code: 78521
Telephone: (956) 408-7343
Fax: 
Email: 
Signature: 

Office Use Only

Date Submitted: November 8, 2019 Code: ZN32 Application Fee: $500.00

Accepted By: Erika Espinosa Case Number 235- 2019 - 044 -S
ORDINANCE NUMBER 235-2019-064-S

AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING $2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA) for Lots 40 & 41, La Villita Unit No. 4 Subdivision, Cameron County, Texas, located at 313 Manzano Street, Brownsville, Texas 78521, as shown in Exhibit “A”; the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That the area rezoned by this amendment shall continue to be subject to all applicable regulations.

Section 3. That whenever one provision of this ordinance conflicts with another provision of this ordinance, the provision which governs shall be the one listed sooner on the following list: Section 3 of this ordinance, Section 2 of this ordinance, Section 1 of this ordinance.

Section 4. That all provisions of Section 348 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof, and that this ordinance shall become effective on the earliest date allowed by law.

Section 5. Specific Use shall be valid for one year from the passage of this ordinance. If no construction occurs within one year from the time of passage the specific use permit shall be null and void.

INTRODUCED at a public hearing on December 10, 2019. Passed at First Reading on December 10, 2019. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on January 7, 2020.

(SEAL)

BY: ________________
Juan “Trey” Mendez
Mayor

ATTEST: ________________
Griselda Rosas
Interim City Secretary
Case # 235-2019-064-S
Cleotilde Canela

Current Zoning:
Dwelling "A"

Proposed Use:
Restaurant
Medium Retail "A"

Brownsville Electoral District #1
SUBJECT PROPERTY

Case # 235-2019-064-S
A. Application Information

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B. Application Type/Background

The applicant is requesting a Specific Use Permit to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA).

C. Subject Property

The subject property is located on Lots 40 and 41, Block 1, La Villita Unit No. 4 Subdivision, Cameron County, Texas, located at 313 Manzano Street, Brownsville, Texas 78521. The property is fronting Manzano Street, a local street. Single family dwelling is the predominant existing land use within the subject property’s immediate area. The subject property is located within Brownsville Public Utility Board’s (BPUB) water service area #1, which has several projects planned in 2020 including a new transmission main on FM 511 and improvements to 2 lift stations (LS 106 and LS 120) within a 4 mile radius of the subject property.

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North: Single Family Dwelling
- East: Single Family Dwelling
- South: Single Family Dwelling
- West: Single Family Dwelling

**Figure 1: Existing Zoning Map**

The following map illustrates existing zoning of the subject property and properties within the immediate area.

- North: Dwelling (D), Medium Retail (3C), Light Commercial (5C), and Light Industrial (7C)
- South: Professional Office (1C), Light Retail (2C), and General Retail (4C)
- East: Dwelling (D)
- West: Dwelling (D), Dwelling/Retail (DR), Medium Retail (3C), and General Retail (4C)
Figure 2: Existing Land Use
The following map illustrates the existing land uses surrounding the subject property.
A review of the adopted City of Brownsville Comprehensive Plan and its Future Land Use Plan indicates that the subject property is located within the “Core East District”. According to this plan, the Core East District is primarily residential, with a large amount of community facilities as well. Residential uses should have an average density of 3 dwelling units per acre and consist of single family homes. It is the opinion of the staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

**Figure 3: Future Land Use Map (Core East District):** The following map illustrates the Future Land Use Map. The subject property is within the “Core East District”.
E. Review Criteria

*Is the proposed amendment consistent with all applicable provisions of the Comprehensive Plan and Future Land Use Plan?*

It is the opinion of staff that the request is consistent with the goals, objectives, and policies of the Comprehensive Plan and Future Land Use Plan.

*Will the proposed district amendment be compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use?*

The area surrounding the subject property is developed primarily of single family dwellings. It is the opinion of staff that the proposed zoning/use would generally be compatible.

*Will the proposed amendment result in significant or burdensome demands on existing public facilities?*

It is the opinion of staff that the proposed zoning/use would not create significant or burdensome demands on public facilities such as water, wastewater, or transportation.

*Will the proposed amendment result in logical, timely and orderly development patterns that preserve the value of existing development?*

It is the opinion of staff that the proposed zoning/use would generally complement existing development and would not have adverse impacts on the area.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning and Redevelopment Services Department, staff recommends to support this request to allow a restaurant, a Medium Retail (3C) use, in Dwelling “A” (DA).
**TO:** Noel Bernal, City Manager  
**FROM:** Rick Vasquez, Director of Planning & Redevelopment Serv.  
**SUBJECT:** Public Hearings  
**DATE:** 1/7/2020  
**THROUGH:** Helen Ramirez, Deputy City Manager

**AGENDA ITEM**  
**COMMISSION MEETING DATE 01/07/20**

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**Information:** Please include additional information/request.

APPROVAL on SECOND and FINAL READING on ORDINANCE NUMBER 235-2019-065: To rezone from General Retail “H” (4CH) to General Retail “J” (4CJ) for Lots 7 and 8, Block 96, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 905 East Adams Street, Brownsville, Texas 78520, as shown in Exhibit "A", (District 4).

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**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

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**City Commission**  
**Assistant City Manager**  
**Deputy City Manager**

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**City Manager's Approval**

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Revised 3/2019
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 7, 2020

RE: APPROVAL on SECOND and FINAL READING on Ord. No. 235-2019-065

**Purpose**
Property owner, Jesus Caballero, proposes to change the zoning designation of Lots 7 and 8, Block 96, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 905 East Adams Street, Brownsville, Texas 78520. The applicant requests to rezone the subject property from General Retail “H” (4CH) to General Retail “J” (4CJ) to increase the allowable intensity from 25 units per acre to 50 units per acre. The proposed use is apartments (14 units/existing 2 stories).

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<th>Area District “H” (Multifamily)</th>
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<td>25 units per acre</td>
<td>50 units per acre</td>
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**Property Analysis**
The predominant land use in the surrounding area is commercial business. Additional uses, such as single-family dwellings and civic institutions (churches and schools) are also present within proximity of the subject property.

The property is located within the Downtown Riverside District and Downtown Node, and the request is consistent with the Future Land Use Map.

**Background**
The subject property currently harbors an existing abandoned 2-story structure. The applicant is proposing to refurbish the existing building and use it as an apartment complex with a total of 14 units. The proposed use is allowed in the current use district, but the area district limits the amount of dwelling units allowed. Due to the size of the property (0.28 acre), only 7 units are allowed under the current area district regulations (area district “H”). The proposed area district “J” would allow the applicant to accommodate the proposed amount of units.

**Recommendation**
There was no written or verbal opposition at the Planning and Zoning Commission meeting on December 5, 2019. Planning and Zoning Commission supports this rezoning from General Retail “H” (4CH) to General Retail “J” (4CJ).

Item introduced and passed at First Reading on December 10, 2019. There was no verbal or written opposition.
# Zoning Application

**Multi-Family/Office/Commercial/Retail/Industrial**
- 0-1 Acres ....$500.00
- 1-5. Acres ....$750.00
- 5-10. Acres ....$1,000.00
- 10. and Up ....$1,500.00

- Planning and Zoning Commission
- City Commission

**Single Family**
- 0-1 Acres ....$250.00
- 1-10. Acres ....$500.00
- 10. and Up ....$1,000.00

**Tentative Date:**

---

**Geographic ID #:**

01-0000-0960-0070-00

**Project Address:**

905 E. Adams Brownsville TX. 78520

**Subdivision:**

Original Town Site

**Lot(s)/Block:**

LOT 7 & 8 BLOCK 90

**Current Area Classification:**

**General Retail (H)**

**Proposed Area Classification:**

**General Retail (4c)**

**Gross Acreage:**

2.75

**Current Zoning:**

H AREA DISTRICT

**Proposed Zoning:**

**J AREA DISTRICT**

**Proposed Used:**

Apartments

**Overlay Districts:**

011/ENT/DOD

* If property is not subdivided you will need to provide survey map and/or metes and bounds

* If the application is signed by the representative we need a notarized authorization letter from the owner.

---

## Owner Information

**Name:**

JESUS CABALLERO

**Address:**

1796 FM 82 SPRING

**City:**

Brownsville

**State:**

TX

**Zip Code:**

78520

**Telephone:**

(956) 592 8095

**Fax:**

---

**Email:**

Signature: [Signature]

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

---

## Representative/Agent Information

**Name:**

Arnold Hinojos

**Address:**

2017 PALM BLVD.

**City:**

Brownsville

**State:**

TX

**Zip Code:**

78520

**Telephone:**

(956) 203-2335

**Fax:**

---

**Email:**

arnoldhde@yahoo.com

**Signature:**

Signature: [Signature]

---

## Office Use Only

**Date Submitted:**

11.08.19

**Code:**

**Application Fee:**

$500.00

**Accepted By:**

[Signature]

**Case Number:**

235-2019-065

---

1934 Levee Street 2nd Floor • City Plaza • Brownsville, Texas 78520
Phone: (956) 548-6150 • Fax: (956) 548-6144
Form 04-1003U
AN ORDINANCE AMENDING THE "CITY ZONING ORDINANCE" BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING $2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the "City Zoning Ordinance" by amending the Official Zoning Atlas so to rezone from General Retail “H” (4CH) to General Retail “J” (4CJ) for Lots 7 and 8, Block 96, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 905 East Adams Street, Brownsville, Texas 78520, as shown in Exhibit “A”; the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on December 10, 2019. Passed at First Reading on December 10, 2019. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on January 7, 2020.

(SEAL)

BY: _________________________________________
Juan "Trey" Mendez
Mayor

ATTEST: _________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:

Case # 235-2019-065
Jesus Caballero

Current Zoning:
General Retail "H"

Proposed Zoning:
General Retail "J"
City of Brownsville

FUTURE LAND USE PLAN

Zoning Case No.
235-2019-065
SUBJECT PROPERTY
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from General Retail “H” (4CH) to General Retail “J” (4CJ).

C. Subject Property

The subject property is located on Lots 7 and 8, Block 96, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 905 East Adams Street, Brownsville, Texas 78520. The property is fronting East Adams Street, a local street. Commercial business is the predominant existing land use within the subject property’s immediate area. The subject property is located within Brownsville Public Utility Board’s (BPUB) water service area #1, which has several projects planned in 2020 including a new transmission main on FM 511 and improvements to 2 lift stations (LS 55 and LS 86) within a 4 mile radius of the subject property.

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North: Single Family Dwelling, Civic Institution, and Commercial Business
- East: Single Family Dwelling, Civic Institution, and Commercial Business
- South: Commercial Business
- West: Commercial Business

**Figure 1: Existing Zoning Map**

The following map illustrates existing zoning of the subject property and properties within the immediate area.

- North: Apartment (A) and General Retail (4C)
- South: General Retail (4C)
- East: General Retail (4C)
- West: Professional Office (1C), Medium Retail (3C), General Retail (4C), Light Industrial (7C)
Figure 2: Existing Land Use
The following map illustrates the existing land uses surrounding the subject property.
A review of the adopted City of Brownsville Comprehensive Plan and its Future Land Use Plan indicates that the subject property is located within the “Downtown Riverside District” and “Downtown Node”. According to this plan, the Downtown Riverside District should be a balanced mixture of residential, community facilities, and commercial, with some institutional land uses. Residential uses should have an average density of 10 dwelling units per acre and should consist of single family dwellings, duplexes, triplexes, row houses, and some apartment buildings.

The Downtown Node consists primarily of commercial land uses, as well as residential, community facilities, and institutional uses. No industrial land uses should be allowed. The average density of residential land uses should be 21 dwelling units per acre, which represents primarily urban and attached residential forms. It is the opinion of the staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Downtown Riverside District and Downtown Node): The following map illustrates the Future Land Use Map. The subject property is within the “Downtown Riverside District” and “Downtown Node”.

![Future Land Use Map](image-url)
Is the proposed amendment consistent with all applicable provisions of the Comprehensive Plan and Future Land Use Plan?

It is the opinion of staff that the request is consistent with the goals, objectives, and policies of the Comprehensive Plan and Future Land Use Plan.

Will the proposed district amendment be compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use?

The area surrounding the subject property is developed primarily of commercial business. It is the opinion of staff that the proposed zoning/use would generally be compatible.

Will the proposed amendment result in significant or burdensome demands on existing public facilities?

It is the opinion of staff that the proposed zoning/use would not create significant or burdensome demands on public facilities such as water, wastewater, or transportation.

Will the proposed amendment result in logical, timely and orderly development patterns that preserve the value of existing development?

It is the opinion of staff that the proposed zoning/use would generally complement existing development and would not have adverse impacts on the area.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning and Redevelopment Services Department, staff recommends to support this rezoning from General Retail “H” (4CH) to General Retail “J” (4CJ).
AGENDA ITEM  COMMISSION MEETING DATE 01/07/20

Time Needed:

Action Item:

Public Hearing  
Contract  
Grant  
Action  
Consent

APPROVAL on SECOND and FINAL READING on ORDINANCE NUMBER 235-2019-066: To rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 2, Block 76, West Brownsville Addition, City of Brownsville, Cameron County, Texas, located at 1815 West Madison Street, Brownsville, Texas 78520, as shown in Exhibit "A", (District 4).

TO: Noel Bernal, City Manager
FROM: Rick Vasquez, Director of Planning & Redevelopment Serv.
SUBJECT: Public Hearings
DATE: 1/7/2020
THROUGH: Helen Ramirez, Deputy City Manager

Information: Please include additional information/request.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Manager’s Approval

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<tr>
<th>Signature:</th>
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</table>
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 7, 2020

RE: APPROVAL on SECOND and FINAL READING on Ord. No. 235-2019-066

Purpose
Property owner, Bago Investments, LLC, proposes to change the zoning designation of Lot 2, Block 76, West Brownsville Addition, City of Brownsville, Cameron County, Texas, located at 1815 West Madison Street, Brownsville, Texas 78520. The applicant is requesting to rezone the subject property from Dwelling “A” (DA) to Dwelling “G” (DG) to reduce setbacks and required minimum lot size for the purpose of constructing a duplex.

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<tr>
<td>9,000 sq. ft.-Minimum Lot Size</td>
<td>6,000 sq. ft.-Minimum Lot Size</td>
</tr>
<tr>
<td>75 ft.-Minimum Frontage</td>
<td>50 ft.-Minimum Frontage</td>
</tr>
<tr>
<td>25 ft.-front setback</td>
<td>25 ft.-front setback</td>
</tr>
<tr>
<td>5.5 ft.-lateral setback</td>
<td>3.5 ft.-lateral setback</td>
</tr>
<tr>
<td>25 ft.-rear setback</td>
<td>3.5 ft.-rear setback</td>
</tr>
</tbody>
</table>

Property Analysis
The predominant land use in the surrounding area is single family dwelling. Additional uses such as apartments, commercial business (notary services, professional offices, and day care), and civic institution (elementary school and church) are also present within proximity of the subject property.

The property is located within the Loop Corridor and the request is consistent with the Future Land Use Map.

Background
The subject property on which the applicant is looking to construct a duplex is currently vacant. A zoning change is necessary since the proposed structure would encroach in the current rear setback requirement of 25 feet (area district “A”). The current area district is a limiting factor to the amount of remaining buildable area. The proposed area district “G” has a less restrictive rear setback of 3.5 feet which would better accommodate the proposed structure. More importantly, a zoning change is necessary since area district “A” only allows a duplex if the property has a minimum of 9,000 square feet and 75 feet of frontage; the subject property only has 6,000 square feet and 50 feet of frontage. Area district “G” would allow a duplex on the property since it complies with minimum area and frontage requirements.

Opposition
A neighboring resident of the subject property appeared before the Planning and Zoning Commission on December 5, 2019 to express concerns regarding increased traffic and a possible increase in property taxes caused by the proposed development.

Recommendation
Planning and Zoning Commission supports this rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).

Item introduced and passed at First Reading on December 10, 2019. There was no verbal or written opposition.
# Zoning Application

**Multi-Family/Office/Commercial/Retail/Industrial**
- □ 0-1 Acres .....$500.00
- □ 1-5. Acres ......$750.00
- □ 5-10. Acres ...$1,000.00
- □ 10. and Up ......$1,500.00

**Single Family**
- □ 0-1 Acres ......$250.00
- □ 1-10. Acres ......$500.00
- □ 10. and Up ......$1,000.00

□ Planning and Zoning Commission
□ City Commission

*For submittal requirements, see Appendix A. Zoning Processing Fees*

<table>
<thead>
<tr>
<th>Geographic ID #</th>
<th>07-69,90-0760-0020-00</th>
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<tbody>
<tr>
<td>Project Address</td>
<td>1815 W. MADISON ST.</td>
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<tr>
<td>Subdivision</td>
<td>WEST BROWNSVILLE ADDITION</td>
</tr>
<tr>
<td>Lot(s)/Block</td>
<td>LOT 2, BLOCK 76</td>
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<tr>
<td>Current Area Classification</td>
<td>A</td>
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<td>Proposed Area Classification</td>
<td>G</td>
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<td>Gross Acreage</td>
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<td>Current Zoning</td>
<td>DWELLING A</td>
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<tr>
<td>Proposed Zoning</td>
<td>DWELLING G</td>
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<tr>
<td>Proposed Used</td>
<td>DUPLEX (ONE)</td>
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<td>Overlay Districts</td>
<td>0-11</td>
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</table>

* If property is not subdivided you will need to provide survey map and/or metes and bounds
* If the application is signed by the representative we need a notarized authorization letter from the owner.

### Owner Information

<table>
<thead>
<tr>
<th>Name</th>
<th>BACCO INVESTMENTS LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>4764 LAKEWAY DR.</td>
</tr>
<tr>
<td>City</td>
<td>BROWNSVILLE TX</td>
</tr>
<tr>
<td>State</td>
<td>TX</td>
</tr>
<tr>
<td>Zip Code</td>
<td>78520</td>
</tr>
<tr>
<td>Telephone</td>
<td>(956) 404-4241</td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:BACCOINVESTMENTSLLC@GMAIL.COM">BACCOINVESTMENTSLLC@GMAIL.COM</a></td>
</tr>
<tr>
<td>Signature</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

### Representative/Agent Information

<table>
<thead>
<tr>
<th>Name</th>
<th>BASILIO GOMEZ III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>4764 LAKEWAY DR.</td>
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<td>BROWNSVILLE TX</td>
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**Office Use Only**

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**Case Number 235-**

**1014 E LEVEE STREET 2ND FLOOR • CITY PLAZA • BROWNSVILLE, TEXAS 78520**

PHONE (956) 548-6130 • FAX (956) 548-6144  

[Form 04-1003U](#)
AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING $2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 2, Block 76, West Brownsville Addition, City of Brownsville, Cameron County, Texas, located at 1815 West Madison Street, Brownsville, Texas 78520, as shown in Exhibit “A”; the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on December 10, 2019. Passed at First Reading on December 10, 2019. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on January 7, 2020.

(SEAL)

BY: ______________________________________________________________________
Juan “Trey” Mendez
Mayor

ATTEST: ___________________________________________________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:
Case # 235-2019-066
Bago Investments, LLC

Current Zoning:
Dwelling "A"

Proposed Zoning:
Dwelling "G"
City of Brownsville
FUTURE LAND USE PLAN

DISTRICTS NAME
- Core Central
- Core East
- Core West
- Downtown Enterprise
- Downtown Riverside
- Emerging City Central
- Emerging City East
- Emerging City West
- Employment Hub
- Future Employment Hub
- Reserve Future City
- Transition Central
- Transition East
- Transition West
- Water Management

CORRIDORS
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME
- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

Brownsville's City Limits
Brownsville's ETJ Boundary

Zoning Case No. 235-2019-066
A. Application Information

<table>
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<tr>
<th>Applicant/Property Owner:</th>
<th>Bago Investments, LLC/Basilio Gomez III</th>
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<td>07-6890-0760-0020-00</td>
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<td>235-2019-066</td>
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<td>Proposed Use:</td>
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<tr>
<td>Proposed Zoning District:</td>
<td>Dwelling “G” (DG)</td>
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<td>Date Application Submitted:</td>
<td>November 12, 2019</td>
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<td>Planning &amp; Zoning Commission Meeting Date:</td>
<td>December 5, 2019</td>
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<td>City Commission Meeting Dates:</td>
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<td>Annexation year:</td>
<td>1930-1964</td>
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<td>Overlay in area:</td>
<td>O11 – Historic District</td>
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<td>Number of Public Notice Letters:</td>
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B. Application Type/Background

The applicant is requesting a rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).

C. Subject Property

The subject property is located on Lot 2, Block 76, West Brownsville Addition, City of Brownsville, Cameron County, Texas, located at 1815 West Madison Street, Brownsville, Texas 78520. The property is fronting East Adams Street, a local street. Single family dwelling is the predominant existing land use within the subject property’s immediate area. The subject property is located within Brownsville Public Utility Board’s (BPUB) water service area #1, which has several projects planned in 2020 including a new transmission main on FM 511 and improvements to 3 lift stations (LS 55, LS 86, and LS 143) within a 4 mile radius of the subject property.

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North: Single Family Dwelling, Apartment, and Commercial Business
- East: Single Family Dwelling, Civic Institution, and Apartment
- South: Single Family Dwelling
- West: Single Family Dwelling

**Figure 1: Existing Zoning Map**

The following map illustrates existing zoning of the subject property and properties within the immediate area.

- North: Dwelling (D), Professional Office (1C), General Retail (4C), and Light Industrial (7C)
- South: Dwelling (D) and Apartment (A)
- East: Dwelling (D) and Apartment (A)
- West: Dwelling (D), Professional Office (1C), General Retail (4C), and Light Industrial (7C)
Figure 2: Existing Land Use
The following map illustrates the existing land uses surrounding the subject property.
A review of the adopted City of Brownsville Comprehensive Plan and its Future Land Use Plan indicates that the subject property is located within the “Loop Corridor”. According to this plan, the Loop Corridor is primarily commercial, but with a healthy mixture of residential, institutional, and industrial; community facility land uses are also permitted. Residential uses should have a density of 4 dwelling units per acre and consist primarily of single family dwellings and attached apartment homes. It is the opinion of the staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

**Figure 3: Future Land Use Map (Loop Corridor):** The following map illustrates the Future Land Use Map. The subject property is within the “Loop Corridor”.

![Future Land Use Map](image-url)
Is the proposed amendment consistent with all applicable provisions of the Comprehensive Plan and Future Land Use Plan?

It is the opinion of staff that the request is consistent with the goals, objectives, and policies of the Comprehensive Plan and Future Land Use Plan.

Will the proposed district amendment be compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use?

The area surrounding the subject property is developed primarily of single family dwellings. It is the opinion of staff that the proposed zoning/use would generally be compatible.

Will the proposed amendment result in significant or burdensome demands on existing public facilities?

It is the opinion of staff that the proposed zoning/use would not create significant or burdensome demands on public facilities such as water, wastewater, or transportation.

Will the proposed amendment result in logical, timely and orderly development patterns that preserve the value of existing development?

It is the opinion of staff that the proposed zoning/use would generally complement existing development and would not have adverse impacts on the area.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning and Redevelopment Services Department, staff recommends to support this rezoning from Dwelling “A” (DA) to Dwelling “G” (DG).
Executive Session *(City Attorney Only)*  
**TO:**  Noel Bernal, City Manager  
**FROM:**  Rick Vasquez, Director, Planning and Redevelopment  
**SUBJECT:**  Public Hearing and Action On Ord. No. 2019-1664  
**DATE:**  1/7/2020  
**THROUGH:**  Helen Ramirez, Deputy City Manager

**AGENDA ITEM**  
**COMMISSION MEETING DATE 01/07/20**

<table>
<thead>
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<th>Select</th>
<th>Agenda</th>
<th>Ordinance</th>
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<tr>
<td>Time Needed:</td>
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<td>✔ Public Hearing</td>
<td>✔ First Reading</td>
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<tr>
<td></td>
<td></td>
<td>✔ Consent</td>
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**Information:** Please include additional information/request.

Public Hearing and Action on First Reading on Ordinance Number 2019-1664 annexing territory to the City of Brownsville, Cameron County, Texas and extending the boundaries of said City; and adopting a service plan.

**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

<table>
<thead>
<tr>
<th>Department</th>
<th>Date Reviewed:</th>
<th>By:</th>
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<tbody>
<tr>
<td>City Attorney</td>
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<tr>
<td>Finance Department</td>
<td>Date Reviewed:</td>
<td>By:</td>
</tr>
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</table>

**City Commission**  
**Assistant City Manager**  
**Deputy City Manager**  

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<tr>
<th>City Commission</th>
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</table>

**City Manager’s Approval**

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
</tr>
</thead>
</table>
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Rick Vasquez, Planning & Redevelopment Department Director

Date: January 7, 2020

RE: Public Hearing and Action on Ordinance No. 2019-1664 annexing territory to the City of Brownsville, Cameron County, Texas and extending the boundaries of said City; and adopting a service plan.

The City of Brownsville has submitted a petition for a voluntary annexation to the City of Brownsville for 95 acres of land located in Cameron County, Texas near Southmost Boulevard and South Indiana Avenue. The subject property is the future site of the Brownsville Tactical Training Center.

As a home-rule municipality of more than 5,000 people, the City of Brownsville has the authority to extend its boundaries and annex adjacent area following the procedures established by Chapter 43 of the Texas Local Government Code. Given that this is a voluntary annexation initiated by the owner, the City is required to complete the following:

1. Negotiate and enter into a written agreement with the owners of the land in the area for the provision of services (Sec. 43.0672)
2. Hold a public hearing before adopting ordinance annexing area and provide persons interested in the annexation the opportunity to be heard (Sec. 43.0673).
3. Public hearing must be properly noticed by publishing the hearing notice in the newspaper at least 10 days before the date of hearing and by advertising the notice on the City’s website at least 10 days before the date of the hearing and remain posted until the day of the hearing (Sec. 43.0673).

The written agreement or service plan is included along with the agenda request packet. As per the agreement, fire protection, police protection, building inspection as well as planning and zoning services will be made available on the effective date of the annexation. All other municipal services will be provided within 2 ½ years after the effective date of the annexation. If services cannot be provided during that time, the City will propose a schedule for providing said services within a period of 4 ½ years after the effective date of the annexation. The City of Brownsville will be responsible for extending adequate infrastructure to the subject property.
ORDINANCE NUMBER 2019-1664

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, the City of Brownsville is a home rule municipality created and existing under the laws of the State of Texas and situated in Cameron County, Texas; and,

WHEREAS, §43.003 of the Texas Local Government Code authorizes a home rule municipality to extend the boundaries of the municipality and annex area adjacent to the municipality in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43.

WHEREAS, all procedural requirements have been duly followed with respect to the following described territory, to wit:

Lots Two (2), Three (3), and Four (4), Block Three Hundred and Two (302), El Jardin Re-Subdivision, Cameron County, Texas, according to the map or plat thereof recorded in Volume 4, Page 48, Map Records of Cameron County, Texas, being more particularly described in Exhibit A.

WHEREAS, the annexation of the territory escribed in Exhibit A serves the interests of the current and future residents of the City of Brownsville.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS:

1. That the heretofore described property is hereby annexed to the City of Brownsville, Cameron County, Texas, and that the boundary limits of the City of Brownsville be and the same are hereby extended to include the above described territory within the city limits of the City of Brownsville, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Brownsville and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

2. A service plan or agreement for the area is hereby adopted and attached as Exhibit B.


BY: ________________________
    Trey Mendez, Mayor
    City of Brownsville, Texas
ATTEST:

________________________
Griselda Rosas, City Secretary
City of Brownsville, Texas

APPROVED AS TO FORM AND LEGALITY:

________________________
Rene De Coss, City Attorney
OF TRANSPORTATION PROJECT No. CSR-684-4

stantially conforms to the Minimum Standards of Practice as

THIS TRACT LIES IN ZONE "C", AS PER THE F.I.A. FLOOD

approved by the Texas Board of Professional Land Surveyors.

EXISTING R.O.W. ON THE NORTH OF SOUTHMOST RD. AND THE WEST

SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE

NOTE:

INSURANCE RATE MAP OF COMMUNITY NO. 480101, PANEL NO.

0400, SUFFIX "B", EFFECTIVE SEPT. 15, 1983.

TEXAS.

" The undersigned hereby certifies that this survey, as described

no visible encroachments, visible overlapings, apparent conflicts,

" The undersigned hereby certifies that this survey, as described

BEARINGS AND DISTANCES USED ON THIS SURVEY ARE BASED

on the recorded plat EL JARDIN RE-SUBDIVISION, AS RECORDED

TEXAS ENGINEERING FIRM REGISTRATION NO. 1

PHONE: (956) 546-5515 FAX: (956) 546-2804

SHEET 2 OF 2

BOUNDARY & TOPOGRAPHIC SURVEY

LO D TWO (2), THREE (3), AND FOUR (4) BLOCK THREE HUNDRED AN

AND TWO (2) EL JARDIN RE-SUBDIVISION, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDO.

VOLUME 4, PAGE 48, MAP RECORDS OF CAMERON COUNTY, TEXAS.

FOR: BROWNSVILLE POLICE DEPARTMENT

MATCHLINE "A"

(SEE SHEET 1)
Exhibit “B”

CITY OF BROWNSVILLE, TEXAS
SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan: Lots Two (2), Three (3), and Four (4), Block Three Hundred and Two (302), El Jardin Re-Subdivision, Cameron County, Texas, according to the map or plat thereof recorded in Volume 4, Page 48, Map Records of Cameron County, Texas, being more particularly described in Exhibit A.

Location and Acreage: Approximately 95 acres of land in Cameron County, Texas located along Southmost Boulevard (FM 1419) and South Indiana Avenue (FM 3068).

Municipal services to the annexation area will be furnished by or on behalf of the City of Brownsville, Texas, at the following levels and in accordance with the following service plan programs:

1. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION.

The City will provide the following services in the annexation area on the effective date of the annexation, unless otherwise noted.

As used in this plan, the term “providing services” includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City’s infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances.

A. Fire Protection

Fire protection services will be provided by existing personnel and equipment of the City of Brownsville Fire Department. These services will be provided based upon available water, road and street conditions, and distances from existing fire stations.

On the date of annexation, the first responding fire services will come from existing Fire Station No. 3, located at 814 Hortencia Boulevard.

B. Police Protection

The Brownsville Police Department will provide protection and law enforcement services in the annexation area commencing on the effective date of annexation. The area will fall under the existing Southeast Zone.
C. Building Inspection, Planning and Zoning

The Planning and Redevelopment Department will provide the following services in the annexation area commencing on the effective date of annexation:

(1) Issuance of building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Brownsville.

(2) Code enforcement services.

(3) Development and land use regulation through the administration of the City of Brownsville Zoning Ordinance and the Subdivision Ordinance.

D. Solid Waste Collection

Solid waste collection shall be provided to the annexation area in accordance with existing City ordinances and policies commencing on the effective date of the annexation. For residential collections, private solid waste service providers under contract with the City will provide services. Residential customers using the services of a privately owned solid waste management service provider other than the City’s contracted service provider may continue to use such services until the second anniversary of the annexation.

At the discretion of the customer, private service providers may provide solid waste collection services for businesses and multi-family dwelling complexes having three or more units. Private solid waste collection providers must have an active grant of privilege issued by the City of Brownsville to provide service within the city limits.

E. Operation and Maintenance of Roads and Streets, Including Street Lighting

There are currently no roadways within the proposed annexation area. The owner will be responsible for the construction of all roadways within the development with each final plat in accordance with the City of Brownsville’s ordinances. Upon construction, inspection and acceptance by the city, the future repair and maintenance of the roadways will be done as needed in accordance with the City’s roadway maintenance policy.

Streetlights installed on improved public streets shall be installed in accordance with the City of Brownsville specifications at the time of the final plat in accordance with City ordinances. All street lights within the proposed annexation area shall be LED lighting and shall be inspected by the City of Brownsville prior to acceptance for maintenance.

All regulatory signage shall be installed by the owner/developer at the time of final plat in accordance with the latest version of the Texas Manual of Uniformed Traffic Control Devices (TMUCTD).

F. Operation and Maintenance of Water and Wastewater Facilities
The proposed annexation area is dual certified to the Brownsville Public Utilities Board (BPUB) and the El Jardin Water Supply Corporation for water service. Both entities maintain Certificates of Convenience and Necessity (CCN). The nearest water main is located at the Intersection of South Dakota Avenue and FM 1419 Southmost Road. The existing 16” water main is located approximately 3,275 feet from the Southwest corner of the proposed annexation area. Said water main will need to be extended to service the proposed area.

Further, the proposed annexation area is certified to the Brownsville Public Utilities Board (BPUB) for wastewater service. BPUB maintains the Certificate of Convenience and Necessity (CCN). A lift station and collection system will be required to serve the proposed annexation area.

Capital improvements for future needs will be in accordance with the BPUB Water and Wastewater Service policies, applicable city policies, codes and ordinances.

G. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service

In the event the City acquires any other facilities, buildings or services necessary for municipal services located in the annexation area, the appropriate City department will provide maintenance services upon the effective date of the full-purpose annexation.

2. PROGRAM FOR PROVIDING FULL MUNICIPAL SERVICES WITHIN 2 ½ YEARS

In addition to the services listed above, the City will provide full municipal services to the annexation area commensurate with the levels of services provided in other parts of the City except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service, no later than two and one-half (2-½) years after the effective date of the annexation. If full municipal services cannot be reasonably provided within the aforementioned time period, the City will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation, and/or upon commencement of development of a subdivision within this property, whichever occurs later.

“Full municipal services” are services provided by the annexing municipality within its full-purpose boundaries, excluding gas or electrical service. The City shall provide the services by any of the methods by which it extends the services to any other area of the City.

3. CAPITAL IMPROVEMENTS PROGRAM

No capital improvements are planned for the annexed area but if any are undertaken they will be initiated and substantially completed according to City policies and State law.

4. IMPACT FEES
Notwithstanding any other provision of this service plan, a landowner within the annexation area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code governing impact fees, unless otherwise agreed to by the landowner.
December 17, 2019

Juan Mendez
Mayor of Brownsville
City Hall
1001 E. Elizabeth St.
Brownsville Texas 78520

RE: Petition Requesting Annexation of City-Owned Tracts of Land

Honorable Mayor Mendez:

We are writing to formally petition your honorable Body to extend the present city limits to include the following described territory, to wit:

Lots Two (2), Three (3), and Four (4), Block Three Hundred and Two (302), El Jardin Re-Subdivision, Cameron County, Texas, according to the map or plat thereof recorded in Volume 4, Page 48, Map Records of Cameron County, Texas, being more particularly described in Exhibit A.

The City of Brownsville is the current owner of record and as property owner, it must provide a written request to be annexed into the City.

The Planning and Redevelopment Department staff has certified that the above-described tract of land is contiguous and adjacent to the City of Brownsville, Texas and that all procedural requirements prescribed by the Texas Local Government Code Chapter 43 have been duly followed with respect to the aforementioned territory.

Please feel free to contact me with any questions.

Sincerely,

Noel Bernal
City Manager, ICMA-CM
City of Brownsville
Proposed Annexation 95 Acres
Public Hearing and ACTION on FIRST READING on Ordinance Number 2020-1569-A, amending Chapter 102 “Utilities” and which provides for Electric, amending Sections 102-204 and 102-218 to provide for adjustments to Electrical Service Rates, Fees and Chargers for Municipal Street Lighting and Private Security Lightning; and providing a severability clause and effective date.

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<th>Ordinance</th>
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<td>Time Needed:</td>
<td>Public Hearing</td>
<td>First Reading</td>
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<td>Contract</td>
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Information: Please include additional information/request.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Commission

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Assistant City Manager

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Deputy City Manager

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<tr>
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City Manager’s Approval

<table>
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<tr>
<th>Signature:</th>
<th>Date:</th>
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</table>
December 23, 2019

Noel Bernal
City Manager
City of Brownsville
P.O. Box 911
Brownsville, Texas 78520

RE: Request for Agenda Item Placement on City Commission Meeting Agenda for January 7, 2020 (First Reading and Public Hearing) and January 21, 2020 (Second Reading)

Dear Mr. Bernal:

Under the Charter of the City of Brownsville, if any adjustments to the rates, fees and charges for utility services are recommended by the Brownsville Public Utilities Board ("BPUB" or "Board"), the Board must submit to the City Commission a report of its review and the basis upon which the proposed adjustment is predicated, requesting approval and adoption of the rates, fees and charges recommended by the Board. As BPUB’s General Manager and CEO, I am pleased to forward the Board’s request and report to the City Commission for consideration, public hearing, and possible action.

Working in conjunction with staff of the City of Brownsville, BPUB was asked to assess potential scenarios involving the deployment of lighting rates based upon emerging use of light-emitting diode (LED) technology. BPUB subsequently retained an independent engineering consulting firm, Black & Veatch, to conduct a cost of service study of electric street lighting and private security lighting rates, fees and charges. (Attachment 1) The study recommended a restructuring and revision of charges for street lights and private security lighting, to include fixtures utilizing light-emitting diodes (LED) and to anticipate future conversion of all municipal streetlights to LED technology.

On December 9, 2019, the Board considered the study, in addition to comments and recommendations of BPUB staff (Attachment 2), and the Board approved a resolution recommending changes to two sections of the Code of Ordinances, affecting the municipal streetlight and private security lighting rates. (Attachment 3) Proposed changes will accomplish the following:

1. Update costs and establish rates for the transition of streetlight and private security lights to newer technologies, such as LED.
2. Make provisions for appropriate charges for any lighting not yet anticipated or available.
3. Reflect and extend current billing practices applied to municipal streetlights.
BPUB Staff has been in communication with City staff throughout this process. With this agenda item the City Commission will be considering formal action to update Sections 102-204 and 102-218 of Brownsville’s Code of Ordinances. A draft ordinance to this effect (Attachment 4) is provided to facilitate the City Commission’s consideration. BPUB staff is available to address any questions or comments that may be raised through the City Commission’s process of consideration. Please contact my office should you have questions.

Sincerely,

[Signature]

John S. Bruciak, P.E.
General Manager & CEO

Enclosure

nlc

c: Mayor Trey Mendez
   COB City Commissioners
   Leandro G. Garcia, BPUB CFO
   Monica Garza Cavazos, BPUB Financial Manager
   File
ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, CONCERNING CHAPTER 102 OF THE CODE OF ORDINANCES ENTITLED “UTILITIES” AND WHICH PROVIDES FOR ELECTRIC, AMENDING SECTIONS 102-204 AND 102-218 OF CHAPTER 102 TO PROVIDE FOR ADJUSTMENTS TO ELECTRICAL SERVICE RATES, FEES AND CHARGES FOR MUNICIPAL STREET LIGHTING AND PRIVATE SECURITY LIGHTING; SETTING A PUBLIC HEARING THEREON FOR _______________; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.

WHEREAS, pursuant to Article VI, Sec. 4(b) of the City Charter, the Public Utilities Board of the City of Brownsville, Texas has reviewed its electric fees and charges and customer classifications, and recommends that retail service rates for municipal street lighting and private security lighting services be adopted to support maintenance and proposed accommodation and promotion of light-emitting diode technologies, and has submitted its recommendations to the City Commission; and

WHEREAS, the Public Utilities Board bases its request upon the cost of service study of electric street lighting and private security lighting rates, fees and charges prepared by Black & Veatch, an independent engineering consulting firm, and upon recommendations of the Board’s professional staff, which have been provided with the Board’s recommendations;

WHEREAS, the City Commission of the City of Brownsville hereby finds that the recommendations of the Public Utilities Board should be approved and adopted in order to provide for the continued preservation of the public health, safety and welfare of the people;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BROWNSVILLE, TEXAS:

Section 1. Streetlight Service Rate Amendments. Section 102-204, chapter 102 of the Code of Ordinances of the City of Brownsville, Texas is hereby repealed and replaced to provide as follows:

Sec. 102-204. - Streetlight service rates.

(a) Streetlight service rates charged and collected for municipal streetlights are calculated under the M-ND rate, to which a fixed monthly charge based upon the public utilities board’s operating and maintenance expenses shall be added until such time as section 102-104(b) may apply. The fixed monthly charge, which may be adjusted no more than once annually by the public utilities board in the manner provided under section 102-17(a), is equal to $20,550.
(b) Ten years after the date a city’s municipal streetlights are converted to utilize only lighting utilizing light-emitting diode (“LED”) technology, the streetlight service rates charged and collected for municipal streetlights are calculated under this section. Monthly capital recovery, operational and maintenance charges, exclusive of demand and energy charges, shall be as follows:

<table>
<thead>
<tr>
<th>Fixture Size and Type</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>40-watt (LED) streetlight</td>
<td>$7.14</td>
</tr>
<tr>
<td>50-watt (LED) streetlight</td>
<td>$7.34</td>
</tr>
<tr>
<td>120-watt (LED) streetlight</td>
<td>$8.58</td>
</tr>
<tr>
<td>125-watt (LED) streetlight</td>
<td>$8.68</td>
</tr>
<tr>
<td>185-watt (LED) streetlight</td>
<td>$9.78</td>
</tr>
<tr>
<td>200-watt (LED) streetlight</td>
<td>$10.07</td>
</tr>
<tr>
<td>252-watt (LED) streetlight</td>
<td>$10.97</td>
</tr>
</tbody>
</table>

(c) To the extent a Fixture Size or Type that is not listed in part (b) of this section is used as part of the utility systems, the public utilities board shall apply the monthly charge that most closely recovers the equivalent wattage for the type of streetlight indicated.

(d) The fuel, purchased energy, and marketing charge as enumerated in section 102-193 shall be applicable to streetlight service.

Section 2. *Private Security Lighting Rate Amendments.* Section 102-218, chapter 102 of the Code of Ordinances of the City of Brownsville, Texas is hereby repealed and replaced to provide as follows:

Sec. 102-218. - Private security lighting rates.

(a) The monthly rental charges for private security light fixtures are as follows:

<table>
<thead>
<tr>
<th>Fixture Size and Type</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>40-watt (LED) Area</td>
<td>$12.53</td>
</tr>
<tr>
<td>40-watt (LED) Flood</td>
<td>$13.02</td>
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<tr>
<td>50-watt (LED) Area</td>
<td>$13.80</td>
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<tr>
<td>50-watt (LED) Flood</td>
<td>$14.77</td>
</tr>
<tr>
<td>100-watt (HPS) Area</td>
<td>$20.55</td>
</tr>
<tr>
<td>100-watt (HPS) Flood</td>
<td>$20.68</td>
</tr>
<tr>
<td>100-watt (MH) Area</td>
<td>$20.42</td>
</tr>
<tr>
<td>100-watt (MH) Flood</td>
<td>$20.61</td>
</tr>
<tr>
<td>120-watt (LED) Area</td>
<td>$15.41</td>
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<td>120-watt (LED) Flood</td>
<td>$15.89</td>
</tr>
<tr>
<td>125-watt (LED) Area</td>
<td>$17.87</td>
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<td>125-watt (LED) Flood</td>
<td>$18.80</td>
</tr>
<tr>
<td>Fixture Size and Type</td>
<td>Rate</td>
</tr>
<tr>
<td>----------------------</td>
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<tr>
<td>150-watt (HPS) Area</td>
<td>$21.97</td>
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<td>150-watt (HPS) Flood</td>
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<td>150-watt (MH) Area</td>
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<td>185-watt (LED) Area</td>
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<td>200-watt (LED) Area</td>
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<td>250-watt (HPS) Area</td>
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<td>252-watt (LED) Area</td>
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<td>400-watt (MH) Area</td>
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<td>400-watt (MH) Flood</td>
<td>$27.18</td>
</tr>
<tr>
<td>1000-watt (HPS) Area</td>
<td>$40.30</td>
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<tr>
<td>1000-watt (HPS) Flood</td>
<td>$40.65</td>
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<tr>
<td>1000-watt (MH) Area</td>
<td>$40.03</td>
</tr>
<tr>
<td>1000-watt (MH) Flood</td>
<td>$40.23</td>
</tr>
</tbody>
</table>

(b) To the extent a Fixture Size or Type that is not listed in part (a) of this section is used as part of the utility systems, the public utilities board shall apply the monthly charge that most closely recovers the equivalent wattage for the type of fixture indicated.

(c) The fuel, purchased energy, and marketing charge as enumerated in section 102-193 shall be applicable to private security lighting service.

Section 3. Public Hearing. A hearing for public input as to the rate adjustments set forth in Sections 1 through 3 of this Ordinance will be held at ___ p.m., ____________, 20___, in City Commission Chambers at City Hall.

Section 4. Severability. If any section, sentence, phrase or clause of this Ordinance is declared by a Court of competent jurisdiction to be unconstitutional, invalid or unenforceable, such declaration shall not be deemed to affect the remaining sections, sentences, phrases or clauses of this Ordinance.

Section 5. Effective Dates. This Ordinance shall become effective at 12:01 a.m. on the date of final approval upon second reading, as provided by the Charter of the City of Brownsville and the laws of the State of Texas. The electric service rates provided for in the Ordinance shall apply to all meter readings for the billing month immediately preceding the month in which the
adjusted rates are made effective as set forth herein, so that the rates shall be reflected in the first bill received after the first day of the month the rates are effective.

PASSED and APPROVED following public hearing on FIRST READING on the _____ day of _____________, 20____.

PASSED and APPROVED on SECOND READING on the _____ day of _____________, 20____.

Juan "Trey" Mendez III
Mayor

Griselda Rosas
Interim City Secretary
RESOLUTION 2019 – 1209 – (IC-04)

A RESOLUTION APPROVING THE STREET LIGHTING COST OF SERVICE RATE STUDY BY BLACK & VEATCH, AN INDEPENDENT CONSULTING AND ENGINEERING FIRM, OF BROWNSVILLE PUBLIC UTILITIES BOARD’S ELECTRIC STREET LIGHTING AND PRIVATE SECURITY LIGHTING RATES, FEES AND CHARGES, CONSIDERING RECOMMENDATIONS THEREON OF BPUB STAFF, AND REQUESTING THE CITY COMMISSION TO AMEND CHAPTER 102 OF THE CODE OF ORDINANCES ENTITLED “UTILITIES” TO APPROVE AND ADOPT THE RECOMMENDED CHANGES AND RATES IDENTIFIED IN THE STUDY

WHEREAS, Article VI, Section 4(b) of the Charter of the City of Brownsville, Texas, requires the Board to periodically review the rates, fees and charges for services rendered by the utilities systems, and with due consideration being accorded to the terms, covenants and conditions contained in any contract of the City or the Board relating to the utilities systems or ordinance authorizing the issuance of any utility system revenue bonds; and

WHEREAS, section 1502.057, Texas Government Code, mandates that a municipality impose and collect charges for services provided by its utility systems in amounts at least sufficient to pay, among other things, all operating, maintenance, depreciation, replacement, improvement, and interest charges in connection with the utility systems; and

WHEREAS, Black & Veatch, an independent consulting and engineering firm, working with BPUB staff, has reviewed the rates, fees and charges related to electric street lighting and to private security lighting established in sections 102-202(a), 102-204 and 102-218 of the Code of Ordinances of the City of Brownsville Chapter 102, “Utilities,” and has recommended to the Board that it restructure and adjust the rates reviewed to support the maintenance and anticipated changes to the electric system; and

WHEREAS, BPUB staff, working in conjunction with Black & Veatch, has endorsed and recommended that certain of the study’s recommended rate changes to accomplish the goal of working towards more equitable cost-based rates without extreme changes to any particular classes be approved by the Board, and recommends that the Board request the City Commission to amend Chapter 102 accordingly; and

WHEREAS, the Board has reviewed the recommended changes to Chapter 102 of the Code of Ordinances and determined that the recommendations adopted hereunder are based upon a sound evaluation consistent with applicable ratemaking standards and are in the public interest of the Board’s utility customers; now therefore
BE IT RESOLVED BY THE PUBLIC UTILITIES BOARD OF THE CITY OF BROWNSVILLE, TEXAS:

1. That the Board’s General Manager and Chief Executive Officer submit immediately the recommendations to amend Chapter 102 of the Code of Ordinances to the City Commission of the City of Brownsville, Texas, to provide for restructuring and revision of charges for street lights and private security lighting, to include fixtures utilizing light-emitting diodes, as indicated on Attachment A, attached hereto, together with a copy of this Resolution and a draft ordinance to reflect the requested amendments to Chapter 102 of the Code of Ordinances.

2. That the Board by this Resolution requests in writing that the City Commission approve and adopt the rates, fees and charges recommended by BPUB on Attachment A by passing an appropriate ordinance placing such rates, fees and charges and modifications in effect.

PASSED and APPROVED this 9th day of December 2019.

Anna E. Oquin, Chair
Public Utilities Board of the
City of Brownsville, Texas

Sandra Lopez-Langley, Secretary/Treasurer
Public Utilities Board of the
City of Brownsville, Texas
Consideration and ACTION to award Bid #CMB-70-1219, to Argio Roofing & Construction for the Roof & Window Replacement for the Children's Museum of Brownsville in the amount of $658,000.00, as budgeted.

Project Name-CMB-70-1219
Funding for this project is available through account 89-8115-8347-Children's Museum of Brownsville

### Reviewing Departments:
Please review and forward to the next reviewing department in a timely manner.

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### City Commission

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### Deputy City Manager

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### City Manager's Approval

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TO: Mayor and City Commission  
FROM: Armando Gutierrez, P.E. Engineering & P.W. Director  
DATE: December 18, 2019,  
RE: Consideration and ACTION to award Bid #CMB-70-1219, to Argio Roofing & Construction for the Roof & Window Replacement for the Children's Museum of Brownsville in the amount of $658,000.00, as budgeted

Summary

The City of Brownsville received seven (7) bids for aforementioned project on November 07, 2019. The bids received were from Rain Seal Masters, Sechrist Hall, NM Contracting, LLC, TADCO Roofing, R.E. Friedrichs, American Construction and Argio Roofing & Construction. The lowest bid amount was submitted by Argio Roofing & Construction in the amount of $658,000.00.

Scope of Work

The project scope consists of replacing the roof, air conditioner unit, and exterior sheet metal from the Children’s Museum.

The Engineering Department recommends that Argio Roofing & Construction be awarded the bid in the amount of $658,000.00, for said project. Funding for this project is available under the 2017 Certificate of Obligation funds Account 89-8115-8347 as part of the Facilities Improvement Plan.
**Date:** December 11, 2019  
**To:** Mr. Noel Bernal, City Manager  
**From:** Mr. Lupe Granado III, Finance Director  
**CC:** Roberto C. Luna, Chief Procurement and Contracting Officer  
**Subject:** Agenda Item for the City Commission meeting of January 7th, 2020: “Consideration and Action to award a contract for “Roof & Window Replacement Project for the Children’s Museum of Brownsville”  

Bid #: CMB-70-1219

At the request of, Doroteo Garcia, Assistant City Engineer, the Procurement Services Department solicited bids for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared in *The Brownsville Herald* two times on October 20th and 27th, 2019, and was posted to BidNet Direct and City of Brownsville websites.

2. A “Pre-Bid” meeting was conducted on October 30th, 2019 at 10:00 A.M., 2019 at the City of Brownsville, Procurement Services Department. There were seven (7) vendors represented at the pre-bid meeting. There was one (1) addendum issued during the bidding process to clarify questions received during the procurement process.

3. Sealed formal bids were received for the subject project on November 7th, 2019 at the Procurement Services Department. A total of seven (7) bids were received and publicly opened.

Procurement results:

1. The lowest responsive and responsible vendor is Argio Roofing & Construction, LLC, of Rio Hondo, TX for a total amount of $658,000.00
2. Completion time for this project is 180 calendar days after notice to proceed.
3. The administration of Public Works & Engineering-Traffic Department concurs with this recommendation.
# BID TABULATION

Request for Bid for the Roof & Window Replacement for the Children’s Museum of Brownsville  
**BID # CMB-70-1219**  
Thursday, November 7, 2019 at 3:00 P.M.

<table>
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<tr>
<th>Vendors:</th>
<th>Rain Seal Masters 2306 Port Lavaca Dr. Victoria, TX 77901 (361) 576-0926</th>
<th>Sechrist Hall 2826 W Expressway 83 Harlingen, TX 78552 (956) 423-7086</th>
<th>NM Contracting, LLC 2022 Orchid Ave. McAllen, TX 78504 (956) 631-5667</th>
<th>TADCO Roofing 902 E. Owassa Rd. Edinburg, TX 78542 (956) 961-4736</th>
<th>R.E. Friedrichs (Refco) 3409 S. Jackson Rd. Pharr, TX 78577 (956) 687-8261</th>
<th>American Cont. U.S.A., Inc. 1606 S. Reynolds Rio Hondo, TX 78583 (956) 748-4030</th>
<th>Argio Roofing &amp; Const. 29729 Norman Rd. Rio Hondo, TX 78583 (956) 748-9507</th>
</tr>
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<tbody>
<tr>
<td>All labor, materials, services &amp; equipment A.</td>
<td>$1,010,350.00</td>
<td>$828,700.00</td>
<td>$970,000.00</td>
<td>$899,150.00</td>
<td>$1,035,801.00</td>
<td>$895,000.00</td>
<td>$658,000.00</td>
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<td>N/A</td>
<td>N/A</td>
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<td>$125.00 sq. ft.</td>
<td>$9.60</td>
<td>$5.00</td>
<td>$12.00</td>
<td>$9.60</td>
<td>$12.00</td>
<td>$8.00</td>
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<tr>
<td>Unit Price #2</td>
<td>$25.00 per b/f</td>
<td>$2.80</td>
<td>$3.00</td>
<td>$2.00</td>
<td>$4.00</td>
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<td>Bid Bond</td>
<td>Included with submittal</td>
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December 5, 2019

Mr. Roberto C. Luna  
City of Brownsville  
P.O. Box 911  
Brownsville, Texas 78520

Re: City of Brownsville Roof & Window Replacement for the Children’s Museum of Brownsville BID # CMB-70-1219

Dear Mr. Luna:

In regards to the above referenced project, we have reviewed the bids and find them to be in order. We recommend the bid be awarded to the low bidder Argio Roofing and Construction, LLC, for the base bid amount of $658,000.00.

Also, enclosed is Argio Roofing and Construction, LLC’s review letter of their base bid amount.

If you should have any questions, please contact me.

Sincerely,

[Signature]

RUDY V. GOMEZ, AIA  
ARCHITECT – PLANNER

RVG:sh  
Encl.
December 5, 2019

The Garland Company
Attn: Brian Wilkins
117 Windy Range Loop
Mathis, Texas. 78368

Re: City of Brownsville Children's Museum Project

Mr. Wilkins:

In reference to the Brownsville Children's Museum, we have reviewed and analyzed our bid and we found no errors or mistakes. We own all of our heavy equipment, sheet metal shop, and trash dumpsters. We also aim for a well planned and executed project to minimize and prevent errors and increase efficiency and profits.

Please contact me with any questions.

Regards,

Rogerio Escobedo
Argio Roofing & Construction, LLC
### AGENDA ITEM

**EXECUTIVE SESSION** (City Attorney Only)

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<th>Time Needed:</th>
<th>Action Item:</th>
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**AGENDA**

- [ ] Public Hearing
- [ ] First Reading
- [ ] Contract
- [ ] Second Reading
- [x] Action
- [ ] Consent

**Information:** Please include additional information/request.

Consideration and ACTION on Resolution Number 2020-001, authorizing the approval and ratification of amendments to the Bylaws of the Greater Brownsville Incentives Corporation (GBIC).

### Reviewing Departments:

Please review and forward to the next reviewing department in a timely manner.

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### City Commission

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### Assistant City Manager

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### Deputy City Manager

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### City Manager’s Approval

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Revised 3/2019
RESOLUTION NO. ____________

STATE OF TEXAS §
§
COUNTY OF CAMERON §
§
CITY OF BROWNSVILLE §

A RESOLUTION AUTHORIZING THE APPROVAL AND RATIFICATION OF AMENDMENTS TO THE BYLAWS OF THE GREATER BROWNSVILLE INCENTIVES CORPORATION

Now, Therefore be it Resolved by the City Commission of the City of Brownsville, that:

SECTION 1: Approval and Ratification of Bylaws. In accordance with Texas Local Government Code Chapter 501, Section 501.064(c)(2), the elected body approves and ratifies the Bylaws, as proposed to be amended, on August 6, 2019 and December 3, 2019.

SECTION 2: Savings Clause. Except as hereby resolved, any other directives or actions of the City of Brownsville, not in conflict with this Resolution, shall remain in full force and effect, unimpaired hereby.

SECTION 3: Severability Clause. The invalidity of any section, clause, sentence or provision of this Resolution shall not affect the validity of any other part thereof. The effects of this Resolution shall at all times be in compliance with state, federal, and other guidelines as directed.

SECTION 4: Effective Date. This Resolution shall take effect immediately upon passage by the members of the Brownsville City Commission.

SECTION 5: Posting of Notice of Meeting. It is hereby officially found and determined that the meeting at which this Resolution was deliberated and adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED BY THE
CITY COMMISSIONERS OF BROWNSVILLE, TEXAS

On this the ________ day of __________________, 2019.
BYLAWS OF THE GREATER BROWNSVILLE INCENTIVES CORPORATION, A NON-PROFIT CORPORATION

I.

OFFICES

Principal Office

1.01 The principal office of the corporation shall be located at the Brownsville City Hall, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas 78520.

Registered Office and Registered Agent

1.02 The corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be, identical with the principal office of the corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board Of Directors. No solicitations or communications shall be addressed to the Board Of Directors individually, but instead, all such solicitations or communications shall be addressed to the Board Of Directors and shall be forwarded to the corporation in a manner and to that address that the Board Of Directors may select after the adoption of these Bylaws, as a matter of policy.

II.

MEMBERS

Classes of Members

2.01 The corporation shall have no classes of members, in that this is a non—stock corporation.

III.

BOARD OF DIRECTORS

General Powers

3.01 The affairs of the corporation shall be managed by its Board Of Directors.

Number, Tenure, And Qualifications

3.02 The number of directors shall be seven (7), as established by law. Each director shall hold office for a term of four (4) years and thereafter only until his or her successor shall have been duly appointed and qualified. However, the initial Board Of Directors appointed by the Brownsville City Commission shall hold office as follows: three (3) directors will serve for a two (2) year term only, but be subject to reappointment by the Brownsville City Commission; two (2) directors will serve for a three (3) year term only, and not be subject to reappointment; one (1) director will serve for a four (4) year term only, and not
be subject to reappointment; and one (1) director will serve for a five (5) year term only, and not be subject to reappointment. Upon the completion of the foregoing terms of the initial Board of Directors, the vacancy in such offices shall be filled and any successor shall serve for a term of four (4) years, subject to the provision that no director shall serve more than two (2) terms of four (4) years under any circumstances. The term of all directors of the corporation shall commence on January 1 of the first year of appointment, and end on December 31 of the last year of appointment, regardless of the date of appointment to, qualification for, or assumption of the said office.

Regular Meetings

3.03 A regular monthly meeting of the Board Of Directors shall be conducted without any other notice than this Bylaw and any other requirements set forth herein, provided that an agenda of such meeting shall be posted in accordance with the requirements of the Texas Open Meetings Act, codified as Article 6252-17 of the Texas Revised Civil Statutes. To this extent, the Board Of Directors shall conduct such regular meetings on the third Thursday of the month at 5:30 P.M. at Brownsville City Hall, in City Commission Chambers, located at 1001 East Elizabeth Street, Brownsville, Texas 78520, or such other time as may be determined by the Directors of said corporation at a regular or special called meeting.

Special Meetings

3.04 Special meetings of the Board Of Directors may be called by or at the request of the Chairman of the Board Of Directors or any two directors. The person or persons authorized to call special meetings of the Board Of Directors shall establish the place for conducting any such special meeting of the Board Of Directors (as called by them).

Notice

3.05 Notice of any meeting of the Board of Directors shall be given by posting an agenda for that purpose at the Brownsville City Hall in accordance with the said Texas Open Meetings Act and by mailing a copy of same to each director, as well as mailing a copy of said agenda to any party designated by resolution of the Board Of Directors to receive same. If mailed, such notice shall be deemed to be delivered when deposited in the United States Mail, properly addressed with postage thereon prepaid. Any director may waive notice of any meeting and the attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except when a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Furthermore, all meetings of the Board Of Directors are to be conducted (including notice of same) in accordance with the Texas Open Meetings Act, codified as Article 6252-17 of the Texas Revised Civil Statutes.

Quorum

3.06 A majority of the Board Of Directors shall constitute a quorum for the transaction of business at any meeting of the Board Of Directors. If less than a majority of the Board Of Directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Corporate Acts

3.07 The act of three (3) affirmative votes of the Board Of Directors present at a meeting at which a quorum is present shall constitute the act of the Board Of Directors, unless the act of a greater number is otherwise required by law or by these Bylaws.
Vacancies

3.08 Any vacancy occurring in the Board of Directors shall be filled by the Brownsville City Commission, in accordance with Article 5190.6 of the Texas Revised Civil Statutes, the Development Corporation Act of 1979. Directors appointed to fill a vacancy shall serve only for the unexpired term of his or her predecessor in office. If a Director is unable to attend a meeting, he may be excused from attending said meeting by the Chairman of the GBIC, or by the GBIC Board for reasons pertaining to personal or family illness or conflicting work. The procedure from being excused from a meeting shall be as follows: the Chairman of GBIC should be contacted in writing within 72 hours of the meeting. The Chairman, or GBIC Board may grant an excused absence for reasons relating to illness, conflicting work or other good and valid cause at any regular or special meeting of the GBIC. All excused absences will be recorded in writing, signed by the Chairman or recorded in the minutes of the corporation. An absence due to personal or family illness or conflict with work schedule will be presumed to be an excused absence. The unexcused failure to attend three consecutive regular meetings of the Board of Directors by a Director in one calendar year after enactment of this bylaw provision, shall constitute a vacancy of the office; The failure to maintain the qualifications of a director set forth in the Articles of Incorporation of this corporation shall also constitute a vacancy in the office of director. In the event of a vacancy in office, the Chairman shall advise the City Commission of such, and the City Commission should appoint a replacement for the unexpired term of the vacant position.

Compensation

3.09 Directors as such shall not receive any stated salaries for their services, but by action of the Board Of Directors, the reasonable expenses incurred by the directors in the performance of their duties, if any, may be allowed at any regular or special meeting of the Board of Directors, if funds for same are available.

IV.

OFFICERS

Selection

401 The officers of the corporation shall be a President, one or more Vice—Presidents (the number thereof to be determined by the Board Of Directors), a Secretary, a Treasurer, and such other officers as may be appointed in accordance with the provisions of these Bylaws. The Board Of Directors may appoint such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as the Board shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board Of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Election And Term Of Office

4.02 The officers of the corporation shall be appointed every year by the Board Of Directors (after the appointment of the Board Of Directors by the Brownsville city Commission). If the appointment of officers shall not occur at such meeting, such appointment shall occur as soon thereafter as convenient. New offices may be created and filled at any meeting of the Board Of Directors. Each officer shall hold office for a term of one (1) year, subject to reappointment, and thereafter only until his or her successor shall have been duly appointed and qualified.
Removal

4.03 Any officer appointed by the Board Of Directors may be removed by the Board Of Directors whenever, in the Board’s sole judgment, the best interests of the corporation would be served thereby, but any such removal shall be without prejudice to the contract rights, if any, of the officer to be removed. Nevertheless, absent a contract to the contrary, such officer may be removed at the will of or for cause by the Board Of Directors.

Vacancies

4.04 A vacancy in any office of the corporation existing because of the death, resignation, disqualification or otherwise of such officer, may be filled by the Board Of Directors for the unexpired portion of the officer’s term.

President

4.05 The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He or she shall preside at all meetings of the Board Of Directors. He or she may sign, with the Secretary or any other proper officer of the corporation authorized by the Board Of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board Of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board Of Directors or by these Bylaws or by statute to some other officer or agent of the corporation. In general, he or she shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board Of Directors from time to time.

Vice-President

4.06 In the absence of the President or in the event of his or her inability or refusal to act, the Vice—President (or in the event there are more than one Vice—President, the Vice—Presidents in order of their appointment) shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. Any Vice—President shall perform such other duties as from time to time may be assigned to him or her by the President or the Board Of Directors.

Secretary

4.07 The Secretary shall keep the minutes of the meetings of the Board Of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these Bylaws or as required by law; be custodian of the corporate records; keep a register of the mailing address of each director which shall be furnished to the Secretary by each director; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the President or by the Board Of Directors.

Treasurer

4.08 If required by the Board Of Directors, the Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board Of Directors shall determine, the cost of same to be reimbursed by the corporation. He or she, as Treasurer, shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for monies due and payable to the corporation from any source whatsoever, and deposit all such monies in the name of the corporation in such banks, trust, companies, or
other depositories as shall be selected in accordance with the provisions of these Bylaws; and, in general, perform all duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the President or by the Board Of Directors.

**Assistant Secretaries And Assistant Treasurers**

4.09 If required by the Board Of Directors, the Assistant Treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board Of Directors shall determine, the cost of same to be reimbursed by the corporation. The Assistant Secretaries and the Assistant Treasurers, in general, shall perform such duties as shall be assigned to them by the Secretary or the Treasurer, respectively, or by the President or the Board Of Directors.

V.

**COMMITTEES**

**Incentives Committee**

5.01 The Incentive Committee shall be established as a standing Committee by the Board of Directors and shall consist of no more than seven members who shall serve without compensation. No member of the incentives committee shall be currently serving on the GBIC Board of Directors or as a currently elected public official. The sole duty of the incentives committee shall be to review applications for economic incentives and to make non binding recommendations regarding the award of financial incentives and performance agreements to the Board of Directors. The Incentives Committee shall utilize the criteria adopted by the Board of Directors in making recommendations to the GBIC Board regarding the award of economic incentives. Members of the Incentive Committee shall be appointed by the GBIC Board of Directors. Any member of the incentive committee may be removed by the Board of Directors whenever in their judgment the best interests of the corporation shall be served by such removal. The members of the incentive committee shall serve for terms of two years unless removed, resign, or cease to qualify as a member.

**Ad Hoc Committees**

5.02 The Board of Directors may provide for such other advisory, ad hoc committees, consisting in whole or in part of persons who are not directors of the corporation, as it deems necessary or desirable, and discontinue any such committee at its pleasure. It shall be the function and purpose of each such committee to advise the Board of Directors on matters relating to the business and affairs of the corporation as directed by the Board. Appointments to these committees shall be made by Board of Directors.

VI.

**CONTRACTS AND FUNDS**

**Contracts**

6.01 The Board Of Directors may authorize any officer or agent of the corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the corporation.
Checks and Drafts

6.02 All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer or agent of the corporation and in such manner as shall from time to time be determined by resolution of the Board Of Directors. In the absence of such determination by the Board Of Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer and countersigned by the President or a Vice-President of the corporation.

Deposits

6.03 All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board Of Directors may select, provided that all of such funds are maintained (where possible) in insured and/or collateralized (and where possible, interest bearing) accounts.

Gifts

6.04 The Board Of Directors may accept, on behalf of the corporation, any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the corporation.

BOOKS AND RECORDS

6.05 The corporation shall keep correct and complete books and records of accounts and shall also keep minutes of the proceedings of its Board Of Directors. All books and records of the corporation may be inspected by any member of the Board Of Directors or of the Brownsville City Commission or his or her agent or attorney for any proper purpose at any reasonable time, or to any authorized individual, pursuant to the Texas Open Records Act, codified as Article 6252-17a of the Texas Revised Civil Statutes, which applies to this corporation.

VII.

FISCAL MATTERS

7.01 The fiscal year of the corporation shall begin on the first day of January and end on the last day of December of each year. At the close of such fiscal year, the Board Of Directors will have an audit performed by an independent certified public accountant, at the corporation’s expense, of the corporation’s financial affairs for the previous year. This audit, when completed, shall constitute an annual report of the corporation’s financial activities for such year. Prior to the start of each fiscal year, the Board of Directors shall adopt a budget setting forth estimated revenues and expenditures for the upcoming fiscal year.
VIII.

WAIVER OF NOTICE

8.01 Whenever any notice is required to be given under the provisions of the Texas Non—Profit Corporation Act or under the provisions of the Articles Of Incorporation or the Bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice. Nevertheless, the Corporation shall comply – at all times – with the said Texas Open Meetings Act.

IX.

ETHICS

9.01 The GBIC enters into economic incentive agreements, including contracts with the private sector, for job creation and retention. The public interest demands the utmost transparency in the award of public monies for private economic incentives to ensure the basis of such recommendations are the public interests of job creation, job retention and the expansion of the local economy.

9.02 Applicability. This policy applies to all GBIC Board Members, employees, due diligence contractors and their board members and executive director, hereinafter referred to as “required parties”.

9.03 Obligation to Disclose. Each required party shall file with the City Secretary, on a yearly basis, or within ten days of being made aware of any conflict of interest, Form CIS, Local Government Officer Conflicts Disclosure Statement.

9.04 Obligation to Abstain from Deliberations. Each “required party” shall abstain from the deliberations regarding the recommendation or approval of an award of economic incentives where he or she has a conflict of interest.

9.05 Obligation to Abstain from Decision. In any conflict of interest situation, the person concerned shall not vote or otherwise participate in any decision concerning that matter.

9.06 The GBIC Board of Directors shall require any service contractor providing due diligence recommendations to approve economic incentive agreements to agree to this policy a condition precedent to entering into any service agreement with the GBIC. The GBIC shall not enter or extend any service agreement for services where the contractor willfully refuses to agree with the terms of this policy.

IX.

AMENDMENTS TO BYLAWS

9.01 These Bylaws may be altered, amended, or repealed and new bylaws may be adopted by a majority of the Board of Directors present at any regular meeting or at any special meeting, if at least ten (10) days advance written notice is given of an intention to alter, amend, or repeal these Bylaws or to adopt new bylaws at such meeting. However, these Bylaws and any changes therein are subject to the approval of the Brownsville City Commission.
X.

APPLICATION OF GOVERNING LAW

10.01 This corporation has been established in accordance with the (Texas) Development Corporation Act of 1979, codified as Article 5190.6 of the Texas Revised Civil Statutes, and particularly, Section 4A of the said Act. To this extent, and in the event of a question of procedure or interpretation, any act of the corporation or provision of these Bylaws is to be conducted or interpreted in accordance with said law, along with -- generally -- the laws of the State of Texas, which shall supersede any conflicting act or rule.

10.02 In accordance with the said Act, the corporation, acting by and through its Board of Directors, is independent of the City of Brownsville, and the State of Texas, and as such, all debts of the corporation are not debts of the State or the City. Thus, this corporation shall be a “constituted authority and an instrumentality” (as defined by law) but same is not intended to be and shall not be a political subdivision or a political corporation within the meaning of the laws of this State.

THE STATE OF TEXAS

COUNTY OF CAMERON

CERTIFICATE OF ADOPTION

I, ________________________, the Secretary of the Board Of Directors of and the Secretary of the GREATER BROWNSVILLE INCENTIVES CORPORATION, do hereby certify that the foregoing (newly-promulgated) Bylaws of the said corporation were adopted by the said corporation’s Board of Directors, pursuant to Section 13 Article 5190.6 of the Texas Revised Civil Statutes, on January 25, 2018, subject to the approval of the Brownsville City Commission, which approval was granted on August 6, 2019 at a Regular Public Meeting conducted by the said Commission on that date.

EXECUTED this _____ day of _____________, 20____ at Brownsville, Texas.

BY:

Esteban Guerra, President Board Of Directors
GREATER BROWNSVILLE INCENTIVES CORPORATION

Juan “Trey” Mendez, III
Mayor

Attest: ______________________

Griselda Rosas
City Secretary
BYLAWS OF THE GREATER BROWNSVILLE INCENTIVES CORPORATION, INC.
A TEXAS NON-PROFIT CORPORATION, BROWNSVILLE, TEXAS

SECTION I OFFICES

1.01 Registered Office and Registered Agent

The Greater Brownsville Incentives Corporation, Inc. (hereinafter referred to as the “Corporation”) shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The Board of Directors may, from time to time, change the registered agent and/or the address of the registered office, provided that such change is appropriately reflected in these Bylaws and in the Articles of Incorporation.

The registered office of the Corporation is located at Brownsville City Hall, 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520. The registered agent is such agent designated and on file with the State of Texas.

1.02 Principal Office

The principal office of the Corporation in the State of Texas shall be located in the City of Brownsville, Cameron County, and it may be, but need not be, identical with the registered office of the Corporation.

SECTION II PURPOSES

The Corporation is a Type A economic development corporation, and a Texas non-profit corporation specifically governed by the Texas Development Corporation Act, as defined in Chapters 501, 502 and 504 of the Texas Local Government Code, as amended (formerly Art. 5190.6 of the Texas Revised Civil Statutes). The purpose of the Corporation is to promote, assist, and enhance economic development in accordance with the Articles of Incorporation and as allowed by applicable state laws.

SECTION III MEMBERS

The Corporation shall have no members.
SECTION IV BOARD OF DIRECTORS

4.01 Board of Directors

The business and affairs of the Corporation and all corporate powers shall be exercised by or under authority of the Board of Directors (the "Board"), appointed by the governing body of the City of Brownsville (the "City Commission"), and subject to applicable limitations imposed by the Texas Development Corporation Act, Texas Non-Profit Corporation Act, the Texas Business Corporation Act, the Articles of Incorporation, or these Bylaws. The Board may, by contract, resolution, or otherwise, give general or limited or special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization.

The Board may plan and direct its work through a Chief Executive Officer (the "CEO"), who will be charged with the responsibility of carrying out the Corporation’s programs as may be adopted and planned by the Board. The Board may contract with another entity for the services of a CEO subject to budgetary limitations and the terms and conditions of effective contracts.

4.02 Number and Qualifications

The authorized number of Directors of this Board shall be seven (7).

The City Commission shall appoint the Directors of the Corporation and they serve at the pleasure of the City Commission, subject to removal at any time without cause as provided by law. Each Director shall serve subject to the following:

1. A Director shall be appointed for a term of four years.
2. A Director may not serve more than two terms of four years.
3. The membership of the board of directors may include not more than one member of the Brownsville City Commission.
4. The term of all Directors shall commence on January 1st of the first year of appointment, and end on December 31st of the last year of the term, regardless of the date of appointment to, qualification for, or assumption of said office.
5. Any vacancy occurring on the Board shall be filled by the City Commission in
according to the governing laws and any Director appointed to fill a vacancy shall serve only for the unexpired term of his or her predecessor in office.

6. A Director who serves the remainder of an unexpired term is eligible to serve two four-year terms following the unexpired term.

The City Commission shall consider an individual’s experience, accomplishments, and educational background in appointing members to the Board to ensure that the interests and concerns of all segments of the community are considered.

4.03 Errors and Omissions

The GBIC will at all times have an insurance policy to cover official acts of the board of directors and authorized agents in furtherance of corporate business.

4.04 General Duties of the Board

The Board is hereby required to perform the following duties:

1. The Board shall develop an overall economic development plan for the City which shall include and set forth intermittent and/or short-term goals which the Board deems necessary to accomplish compliance with its overall economic development plan. Such plan shall be communicated to City Commission. The overall plan developed by the Board shall be one that includes the following elements:

   a. An economic development strategy to permanently bolster the business climate throughout the City.

   b. Strategies to fully utilize the assets of the City which enhance economic development.

   c. Identification of strategies to coordinate public, private, and academic resources to develop and enhance business opportunities for all citizens of Brownsville. This plan shall include methods to improve communication and cooperation between the above-mentioned entities.

   d. Assurance of accountability of all tax moneys expended for its implementation of the overall economic development plan.
e. Identification of strategies and provide for implementation of identified strategies for direct economic development as defined in this Section.

f. To assist the Board in the implementation of the overall economic development plan, the Board may seek out and employ a CEO. The CEO shall be responsible to the Board and shall act as the Board's administrator and shall assist the Board in carrying out the duties of the Board as set forth in this section. The Board shall, in the annual budget, make provisions for the compensation to be paid to the CEO and such compensation so established by the Board shall comprise the salary and benefits paid to the CEO for his/her services subject to the terms and conditions of a valid and effective contract.

g. The Board may employ or contract for such personnel as may be necessary to discharge the Corporation's assigned duties. The compensation for all such employees shall be set by the Board in its annual budget and such compensation so established by the Board shall comprise the salary and benefits for such employees, and provided further, no such employee shall be hired until such time as the Board has established such compensation for the position in question.

h. The CEO shall be hired by the Board with the approval of the City Commission and may be removed by a majority vote of the Board subject to the terms and conditions of a valid and effective contract.

2. The Board shall expend the tax funds received by it only in accordance with State law and ensure that such expenditures will have a direct economic benefit to the citizens of Brownsville.

As used in this Section, "direct economic development" shall mean the expenditure of such tax funds for programs that directly accomplish or aid in the accomplishment of creating identifiable new jobs or retaining identifiable existing jobs including job training and/or planning and research activities necessary to promote said job creation and expand the tax base and as otherwise defined by applicable state laws and legal authorities.

4.05 Implied Duties

The Corporation is authorized to do that which the Board deems desirable to accomplish any of the purposes or duties set out or alluded to in Section 4.04 of
these Bylaws and in accordance with State law.

4.06 Meetings

Regular Meetings

A regular monthly meeting of the Board of Directors shall be conducted without any other notice than this Bylaw and any other requirements set forth herein, provided that an agenda of such meeting shall be posted in accordance with the requirements of the Texas Open Meetings Act, codified as Article 6252-17 of the Texas Revised Civil Statutes. To this extent, the Board of Directors shall conduct such regular meetings on the third Thursday of the month at 5:30 P.M. at Brownsville City Hall, in City Commission Chambers, located at 1001 East Elizabeth Street, Brownsville, Texas 78520, or such other time as may be determined by the Directors of said corporation at a regular or special called meeting. Any two members of the Board may request that an item be placed on the agenda by delivering the same in writing twenty-four (24) hours prior to the required posting of meeting date.

Special Meetings

Special meetings of the Board of Directors may be called by or at the request of the Chairman of the Board of Directors or any two directors. The person or persons authorized to call special meetings of the Board of Directors shall establish the place for conducting any such special meeting of the Board of Directors (as called by them). Any two members of the Board may request that an item be placed on the agenda by delivering the same in writing twenty-four (24) hours prior to the required posting of meeting date.

2. Notice of any meeting shall contain information regarding the particular time, date, and location of the meeting and the agenda to be considered.

3. The annual meeting of the Board of Directors shall be during the first regularly scheduled Board meeting of each calendar year.

4. All meetings must be conducted within the boundaries of Brownsville, Texas, in accordance with State law.

5. The Board may adopt Rules of Procedure and Decorum to govern its meetings and the manner in which it conducts business.
4.07 Attendance

Regular attendance of the Board meetings is required of all Directors. The following number of unexcused absences constitutes the automatic forfeiture of appointment of a Director: three (3) consecutive absences, or attendance reflecting absences constituting seventy-five percent (75%) of the meetings over a 12-month period. In the event replacement is indicated, the member will be counseled by the President and, subsequently, the President shall submit in writing to the City Secretary the need to replace the Board member in question.

4.08 Quorum and Voting

A majority of the Board of Directors shall constitute a quorum for the conduct of the official business of the Corporation. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors and of the Corporation unless the act of a greater number is required by law. A Director may not vote by proxy. Directors must be present in order to vote at any meeting.

4.09 Compensation

The duly appointed Directors of the Board shall serve without compensation, but shall be reimbursed for actual or commensurate cost of travel, lodging and incidental expenses while on official business of the Board in accordance with State law.

4.10 Conflicts of Interest and Ethics

In the event that a Director is aware of a conflict of interest or potential conflict of interest, with regard to any particular vote, the Board’s actions shall be governed by the Texas Business Organizations Code, Title 2 Corporations, Chapter 22 Non-Profit Corporations, Section 22.230, as amended.

Additionally, no Director or employee of the corporation who exercises any functions or responsibilities in the review or the approval of the undertaking or carrying out of any project, shall participate in any decision relating to the Agreement which affects his personal interest, nor shall he have any personal or pecuniary interest direct or indirect in any project or proceeds thereof. The Board shall abide by, and be subject to, any code of ethics adopted by the City Ethics Commission, and any guidelines.
provide by the Audit and Oversight Committee appointed by the City Commission.

4.11 Board's Relationship with City Commission

In accordance with State law, Section 501.073 of the Texas Local Government Code the City Commission shall require that the Corporation be responsible to it for the proper discharge of its duties. All programs and expenditures shall be submitted for City Commission approval, and the Board shall administer said programs accordingly. The Board shall determine its policies and direction within the limitations of the duties herein imposed by applicable laws, the Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities. The Corporation shall be regularly accountable to the City Commission for all activities undertaken by them or on their behalf, and shall report on all significant activities of the Corporation to the City Commission, whether discharged directly by the Board or by any person, firm, corporation, agency, association or other entity on behalf of the Corporation.

4.12 Board's Relationship with Administrative Departments of the City

Any request for services made to the administrative departments of the City shall be made by the Board or its designee in writing to the City Manager. The City Manager may approve such request for assistance from the Board when he/she finds such requested services are available within the administrative departments of the City and that the Board has agreed to reimburse the administrative department’s budget for the costs of such services so provided. The City and Corporation shall annually determine the need for a Services Contract to account for regular services provided to the Corporation by the City.

The Corporation may directly contract for professional legal services for consultation and other representation as it deems reasonable and necessary.

SECTION V OFFICERS

5.01 Officers of the Corporation

The elected officers of the Corporation shall be a President, Vice President, Secretary, and Treasurer. The Board may resolve to elect one or more Assistant Secretaries or one or more Assistant Treasurers as it may consider desirable. Such officers shall have the authority and perform the duties of the office as the Board may from time to time prescribe or as the Secretary or Treasurer may from time to time delegate to his or her respective Assistant. One person may hold more than one office, except that the President shall not hold the office of Secretary.
5.02 Selection of the Officers

The initial President and Vice President shall be elected by the Board and shall serve a term of one (1) year. On the expiration of the term of office of the original President and Vice President, the Board shall select from among its members individuals to hold such office. The term of office of the President and Vice President shall always be for a period of one year; provided, however, that the President and Vice President continue to serve until the election of their successors.

The Secretary and Treasurer shall be selected by the members of the Board and shall hold office for a period of one (1) year; provided, however, that they shall continue to serve until the election of their successors. Elections shall be held at the annual meeting of the Board.

5.03 Vacancies

Vacancies in any office which occur by reason of death, resignation, disqualification, removal, or otherwise, may be filled shall be filled by the City Commission for the unexpired portion of the term of that office.

5.04 President

The President shall be the presiding officer of the Board with the following authority:

1. Shall preside over all meetings of the Board.
2. Shall have the right to vote on all matters coming before the Board.
3. Shall have the authority, upon notice to the members of the Board, to call a special meeting of the Board when in his judgment such meeting is required.
4. Shall have the authority to appoint standing committees to aid and assist the Board in its business undertakings or other matters incidental to the operation and functions of the Board.
5. Shall have the authority to appoint ad hoc committees which may address issues of a temporary nature of concern or which have a temporary effect on the business of the Board.
In addition to the above-mentioned duties, the President shall sign with the Secretary of the Board any deed, mortgage, bonds, contracts, or other instruments which the Board of Directors has approved and unless the execution of said document has been expressly delegated to some other officer or agent of the Corporation by appropriate Board resolution, by a specific provision of these Bylaws, or by statute. In general, the President shall perform all duties incident to the office, and such other duties as shall be prescribed from time to time by the Board of Directors.

5.05 Vice President

In the absence of the President, or in the event of his or her inability to act, the Vice President shall perform the duties of the President. When so acting, the Vice President shall have all power of and be subject to all the same restrictions as upon the President. The Vice President shall also perform other duties as from time to time may be assigned to him or her by the President.

5.06 Secretary

The Secretary shall keep, or cause to be kept, at the registered office a record of the minutes of all meetings of the Board and of any committees of the Board. The Secretary shall also file a copy of said Minutes with the City and the same to be given, in accordance with the provisions of these Bylaws, or as required by the Texas Open Meetings Act or the Texas Public Information Act or other applicable law. The Secretary shall be custodian of the corporate records and seal of the Corporation, and shall keep a register of the mailing address and street address, if different, of each director.

5.07 Treasurer

If the City of Brownsville is not designated to act as the fiscal agent for the Corporation, the Treasurer shall be bonded for the faithful discharge of his/her duties with such surety or sureties and in such sum as the Board of Directors shall determine by Board resolution, but in no event shall the amount of such bond be less than an amount equal to the average of the sums which the Treasurer has access to and the ability to convert during a twelve (12) month period of time. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer shall receive and give receipt for money due and payable to the Corporation from any source whatsoever, and shall deposit all such moneys in the name of the Corporation in such bank, trust corporation, and/or other depositories as shall be specified in accordance with
Section VII of these Bylaws. The Treasurer shall, in general, perform all the duties incident to that office, and such other duties as from time to time may be assigned to him by the President of the Board.

5.08 Assistant Secretaries and Assistant Treasurers

The Assistant Secretaries and Assistant Treasurers, if any, shall in general, perform such duties as may be assigned to them by the Secretary or the Treasurer, or by the President or the Board of Directors.

5.09 Chief Executive Officer

The Corporation may employ a Chief Executive Officer. The CEO of the Corporation shall oversee all administrative functions of the Corporation. The CEO shall develop policies and procedures for the Corporation including financial, accounting, and purchasing policies and procedures to be approved by the Board.

5.10 Other Employees and Benefits

The Corporation may employ, or contract for, such full or part-time employees as needed to carry out the programs of the Corporation. These employees shall perform those duties as are assigned to them by the CEO. The CEO shall hire, direct, and control the work of all Corporation employees.

In accordance with Section 501.067 of the Texas Local Government Code, and subject to City Commission approval, the Corporation may obtain:

a. health benefits coverage, liability coverage, workers’ compensation coverage, and property coverage under the City’s insurance policies, through self-funded coverage, or under coverage provided under an interlocal agreement with a political subdivision; or

b. retirement benefits under a retirement program the City participates in or operates.

Health benefits coverage may be extended to the Directors and employees, and to the dependents of the Directors and employees. Workers’ compensation benefits may be extended to the Directors, employees, and volunteers. Liability coverage may be extended to protect the Corporation and the Directors and employees. Retirement benefits may be extended to the Corporation’s employees. The Corporation must reimburse the City for any expense in providing said benefits.
5.11 **Contract for Services**

The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties. However, no such contract shall ever be approved or entered into which it seeks or attempts to divest the Board of Directors of its discretion and policy-making functions in discharging the duties herein above set forth in this section.

**SECTION VI COMMITTEES**

6.01 **Committees**

The President may designate not more than (3) three directors to constitute an official committee of the Board of Directors, with such other non-Board members of the committee as may be appointed by the Board, to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

6.02 **Ex-Officio Members**

The City Manager or his designee and the Mayor or his designee may attend all meetings of the Board of Directors or Committees. These representatives shall not have the power to vote in the meetings they attend. Their attendance shall be for the sole purpose of ensuring that information about the meetings are accurately communicated to the City Commission and to satisfy the City Commissions obligations as the authorizing unit of the Corporation, pursuant to State law.

**SECTION VII FINANCIAL ADMINISTRATION**

The Corporation may independently contract for professional accounting or auditing services, or with the City for financial and accounting services. The Corporation's financing and accounting records shall be maintained according to the following guidelines.
7.01 Fiscal Year

The fiscal year of the Corporation shall begin on October 1st and end on September 30th of the following calendar year to coincide with the fiscal year of the City for budget purposes.

7.02 Budget

A budget for the forthcoming fiscal year shall be submitted to, and approved by, the Board of Directors, and the City Commission. In submitting the budget to the City Commission, the Board of Directors shall submit the budget on forms prescribed by the City Manager and in accordance with the annual budget preparation schedule as set forth by the City Manager. The budget shall be submitted to the City Manager for inclusion of it in the annual budget presentation to the City Commission. The budget proposed for adoption shall include the projected operating expenses, and such other budgetary information as shall be useful to or appropriate for the Board of Directors and the City Commission.

7.03 Contracts

As provided in Section V above, the President and Secretary shall execute any contracts or other instruments which the Board has approved and authorized to be executed, provided, however, that the Board may by appropriate resolution, authorize any other officer or officers or any other agent or agents, including the CEO, to enter into contracts or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority may be confined to specific instances or defined in general terms. When appropriate, the Board may grant a specific or general power of attorney to carry out some action on behalf of the Board, provided, however that no such power of attorney may be granted unless an appropriate resolution of the Board authorizes the same to be done.

7.04 Checks and Drafts

If the City of Brownsville is not designated act as the fiscal agent for the Corporation, all checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed or bear the facsimile of the President or the Treasurer, or such other person as designated by the Board.
7.05 Deposits

All funds of the Corporation shall be deposited on a regular basis to the credit of the Corporation in a local bank which shall be federally insured and shall be selected following procedures and requirements for selecting a depository as set forth in Chapter 105 of the Texas Local Government Code.

7.06 Gifts

The Corporation may accept on behalf of the Corporation any contribution, gift, bequest, or device for the general purpose or for any special purposes of the Corporation.

7.07 Purchasing

All purchases made and contracts executed by the Corporation shall be made in accordance with the requirements of the Texas Constitution and statutes of the State of Texas including but not limited to the provisions of a Type A economic development corporation, and a Texas non-profit corporation specifically governed by the Texas Development Corporation Act, as defined in Chapters 501, 502 and 504 of the Texas Local Government Code, as amended (formerly Art. 5190.6 of the Texas Revised Civil Statutes).

7.08 Investments

The Corporation may determine on a case by case basis whether temporary and idle funds which are not needed for immediate obligations of the Corporation may be invested in any legal manner provided in the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, as amended.

7.09 Bonds

Any bonds issued by the Corporation shall be in accordance with the statute governing this Corporation but, in any event, no bonds shall be issued without approval of the City Commission after review and comment by the City's bond counsel and financial advisor.

7.10 Uncommitted Funds

Any undesignated funds of the Corporation at the end of the fiscal year shall
be considered a part of the Fund Balance. The Undesignated Fund Balance may be committed for any legal purpose subject to applicable limitations imposed by the Texas Development Corporation Act, Texas Non-Profit Corporation Act, the Texas Business Corporation Act, the Articles of Incorporation, or these Bylaws.

7.11 Expenditures of Corporation Money for Projects or Borrow Money

In accordance with the provisions of a Type A economic development corporation, and a Texas non-profit corporation specifically governed by the Texas Development Corporation Act, as defined in Chapters 501. 502 and 504 of the Texas Local Government Code, as amended (formerly Art. 5190.6 of the Texas Revised Civil Statutes), for any program, project, job training, promotional expenditure, borrowing of funds, purchase of land, or other expenditure the Board of Directors has sole approval authority and may begin making expenditures or borrow monies upon approval by the Board, provided adequate funds were allocated and approved within the annual budget process by the Corporation and the City Commission. Any program, project, job training, promotional expenditure, borrowing of funds, purchase of land, or other expenditure which exceeds budgetary appropriations must also be approved by the Corporation and the City Commission by majority vote. The Corporation shall not expend any funds for a program, project, job training, promotional expenditure, borrowing of funds, purchase of land, nor complete the sale of any land that exceeds budgetary appropriations, which fail to receive the required Corporation and City Commission approval.

SECTION VIII BOOKS AND RECORDS

8.01 Books and Records

The Corporation shall keep correct and complete books and records of all actions of the Corporation, including books and records of account and the minutes of meetings of the Board of Directors and of any committee having any authority of the Board. The City Commission is entitled to access of the Corporation’s books and records at all times. All books and records of the Corporation may be inspected by Directors of the Corporation or his/her agent or attorney at any reasonable time; and any information which may be designated as public information by law shall be open to public inspection at any reasonable time. The Texas Public Information Act and Texas Open Meetings Act shall apply to disclosure of public information. The books, records, accounts, and financial statements of the Corporation shall be audited at least once each fiscal year by an outside, independent auditing and accounting firm approved by the Board of Directors. This audit may be prepared in conjunction with the annual financial audit of the City.
SECTION IX SEAL

9.01 Seal

The Board of Directors shall obtain a corporate seal which shall bear the words "Corporate Seal of Greater Brownsville Incentives Corporation, Inc.". The Board may thereafter use the corporate seal and may later alter the seal as necessary without changing the corporate name; but these Bylaws shall not be construed to require the use of the corporate seal.

SECTION X PROGRAM

10.01 Authorization

The Corporation shall carry out its program subject to its Articles of Incorporation and these Bylaws, and such resolutions as the Board and City Commission may from time to time authorize.

10.02 Program

The program of the Corporation shall be to assist, stimulate, and enhance economic development for the City of Brownsville, Texas, subject to applicable state and Federal law, these Bylaws, and the Articles of Incorporation.

SECTION XI PRELIMINARY AUTHORITY

11.01 Effective Date

These Bylaws shall become effective upon the occurrence of all of the following events: the adoption of these Bylaws by the Board of Directors; and the approval and adoption of these Bylaws by the City Commission.

11.02 Amendments to Bylaws

These Bylaws may be amended or repealed and amended Bylaws may be adopted by an affirmative vote of at least four (4) Directors present at any regular meeting or any special meeting, if at least three (3) days written notice is given of an intention to amend, repeal, and/or adopt new Bylaws. Any Bylaw amendments will be effective upon approval of the City Commission by resolution.
SECTION XII INDEMNITY

12.01 Indemnity

As provided in the Section 504.107 of the Texas Local Government Code, the Corporation is, for the purposes of the Texas Tort Claims Act (Subchapter A, Chapter 101, Texas Civil Practices and Remedies Code), a governmental unit and its actions are governmental functions.

The Corporation shall indemnify each and every member or former member of the Board of Directors, its officers, its employees, its attorneys, each member of the City Commission and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys’ fees incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation.

The Board of Directors shall authorize the Corporation to pay or reimburse any current or former Director or Officer of the Corporation for any costs, expenses, fines, settlements, judgments, and other amounts, actually and reasonable incurred by such person in any action, suit, or proceeding to which he or she is made a party by reason of holding such position as Officer or Director; provided, however, that such Officer or Director shall not receive such indemnification if he/she be finally adjudicated in such instance to be liable for gross negligence or intentional misconduct in office. The indemnification herein provided shall also extend to good faith expenditures incurred in anticipation of, or preparation for, threatened or proposed litigation. The Board of Directors may, in proper cases, extend the indemnification to cover the good faith settlement of any such action, suit, or proceedings, whether formally instituted or not.

Corporation further agrees that it shall at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of its officers, agents, employees, licensees, invitees, and other persons, as well as their property, while in the vicinity where activities are being performed. It is expressly understood and agreed that City of Brownsville shall not be liable or responsible for the negligence of Corporation including but not limited to its officers, agents, employees, licensees, invitees, and other persons.

It is further agreed with respect to the above indemnity, that the City of Brownsville and Corporation will provide the other prompt and timely notice of any event covered which in any way, directly or indirectly, contingently or otherwise, affects or might affect Corporation or City, and City shall have the right to
compromise and defend the same to the extent of its own interests. It is further agreed this indemnity clause shall be an additional remedy to City.

SECTION XIII MISCELLANEOUS

These Bylaws are subject to, and governed by, the Articles of Incorporation and applicable State statutes under which the Corporation is organized.

THE STATE OF TEXAS §

COUNTY OF CAMERON §

CERTIFICATE OF ADOPTION

I, ___________________, the Secretary of the Board of Directors of and the Secretary of the GREATER BROWNSVILLE INCENTIVES CORPORATION, do hereby certify that the foregoing (newly-promulgated) Bylaws of the said corporation were adopted by the said corporation’s Board of Directors, pursuant to Section 13 Article 5190.6 of the Texas Revised Civil Statutes, on October 17, 2019, subject to the approval of the Brownsville City Commission, which approval was granted on December 3, 2019 at a Regular Public Meeting conducted by the said Commission on that date.

EXECUTED this _____ day of _____________, 20___ at Brownsville, Texas.

BY: ______________________ ______________________
Esteban Guerra, President of Board of Directors Juan “Trey” Mendez, III
GREATER BROWNSVILLE INCENTIVES Mayor
CORPORATION

Attest: ______________________
Griselda Rosas
City Secretary
EXECUTIVE SESSION (City Attorney Only)

TO: Noel Bernal, City Manager
FROM: Ramiro Gonzalez - Director of Gov't & Community Affairs
SUBJECT: Crossroads Interactive Festival
DATE: 1/7/2020

AGENDA ITEM COMMISSION MEETING DATE 01/07/20

Executive Session (City Attorney Only) | Select | Agenda | Ordinance
--- | --- | --- | ---
Time Needed: | Time Needed: | Action | First Reading
Action Item: | | Public Hearing | Second Reading

Information: Please include additional information/request.

Consideration and ACTION on allocation of funding for Crossroads Interactive Festival.

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

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City Manager's Approval

| | Date: |
| Signature: | |

Revised 3/2019
Consideration and ACTION on Resolution Number 2020-003, to amend Resolution Number 2019-091, authorizing the execution of an advanced funding agreement between the city of Brownsville and the Texas Department of Transportation for hazard elimination/safety project off-system.

### Executive Session  *(City Attorney Only)*

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### Agenda

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6.
To:        Mayor and City Commission  
Through:   Noel Bernal, City Manager  
From:      Armando Gutierrez, P.E. Engineering/ P.W. Director  
Date:      January 03, 2020  
Agenda:    Consideration and ACTION on Resolution Number 2020-003, to amend Resolution Number 2019-091, authorizing the execution of an advanced funding agreement between the city of Brownsville and the Texas Department of Transportation for hazard elimination/safety project off-system

Summary:

The City of Brownsville, Texas, City Commission approved on November 5, 2019, Resolution Number 2019-091 authorizing the execution of an advanced funding agreement between the City of Brownsville and the Texas Department of Transportation for hazard elimination / safety project off-system

The financial considerations of the Advanced Funding Agreement have materially changed since they were presented for approval by this body and having considered that the financial considerations to the city have increased from $10,431.00 to $14,819.00, the City Commission believes that it is still in the best interests of the City of Brownsville to continue with the project.

The Resolution is to authorize the execution of an Advanced Funding Agreement between the City of Brownsville and the Texas Department of Transportation (TxDOT) for Hazard Elimination/Safety Project (Traffic Signals) Off-System
RESOLUTION NUMBER 2020-003

A RESOLUTION AMENDING RESOLUTION NO. 2019-091 OF THE CITY OF BROWNSVILLE, TEXAS for “AUTHORIZING THE EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF BROWNSVILLE AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR HAZARD ELIMINATION / SAFETY PROJECT (TRAFFIC SIGNALS) OFF-SYSTEM”; AND AUTHORIZING SUCH OTHER ACTIONS NECESSARY OR CONVENIENT TO CARRY OUT THIS RESOLUTION.

WHEREAS, the City of Brownsville, Texas, City Commission approved on November 5, 2019, Resolution Number 2019-091 authorizing the execution of an advanced funding agreement between the City of Brownsville and the Texas Department of Transportation for hazard elimination / safety project off-system; and

WHEREAS, the financial considerations of the Advanced Funding Agreement have materially changed since they were presented for approval by this body; and

WHEREAS, having considered that the financial considerations to the city have increased from $10,431.00 to $14,819.00, the City Commission believes that it is still in the best interests of the City of Brownsville to continue with the project.

NOW, THEREFORE BE IT RESOLVED that the City of Brownsville, acting through its governing body, hereby amends Resolution Number 2019-091 by considering the updated financial figures regarding the hazard elimination / safety project off-system and hereby authorizes the City Manager to finalize and execute the advanced funding agreement between the city of Brownsville and the Texas Department of Transportation to carry out this resolution.

DULY PASSED, ADOPTED AND APPROVED by the City Commission of the City of Brownsville, Texas, on the ____7th____ day of ____January____, 2020.

Juan “Trey” Mendez III,
Mayor of the City of Brownsville, Texas

ATTEST:

___________________________________
Griselda Rosas
Interim City Secretary
STATE OF TEXAS §
COUNTY OF TRAVIS §

ADVANCE FUNDING AGREEMENT
For
Hazard Elimination/Safety Project (Traffic Signals)
Off-System

THIS AGREEMENT (Agreement) is made by and between the State of Texas, acting by and through the Texas Department of Transportation called the “State”, and the City of Brownsville, acting by and through its duly authorized officials, called the “Local Government”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the Texas Transportation Commission passed Minute Order Number 115291 authorizing the State to undertake and complete a highway improvement or other transportation project generally described as installation of traffic signal. The portion of the project work covered by this Agreement is identified in the Agreement, Article 3, Scope of Work (Project), and

WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution, ordinance, or commissioners court order dated ______________, which is attached to and made a part of this Agreement as Attachment A, Resolution, Ordinance, or Commissioners Court Order (Attachment A). A map showing the Project location appears in Attachment B, Location Map Showing Project (Attachment B), which is attached to and made a part of this Agreement.
NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as set forth in this Agreement, it is agreed as follows:

AGREEMENT

1. Responsible Parties:
For the Project covered by this Agreement, the parties shall be responsible for the following work as stated in the article of the Agreement referenced in the table below:

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<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td>Utilities</td>
</tr>
<tr>
<td>2.</td>
<td>N/A</td>
<td>Environmental Assessment and Mitigation</td>
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<tr>
<td>3.</td>
<td>Local Government</td>
<td>Architectural and Engineering Services</td>
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<tr>
<td>4.</td>
<td>State</td>
<td>Construction Responsibilities</td>
</tr>
<tr>
<td>5.</td>
<td>N/A</td>
<td>Right of Way and Real Property</td>
</tr>
</tbody>
</table>

2. Period of the Agreement
This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the Project is completed or unless terminated as provided below.

3. Scope of Work
The scope of work for the Project consists of the installation of traffic signal at the intersection of Tulipan Avenue with East Avenue, as shown on Attachment B.

4. Project Sources and Uses of Funds
The total estimated cost of the Project is shown in Attachment C, Project Budget (Attachment C) which is attached to and made a part of this Agreement.

A. If the Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled “Local Government Project Procedures and Qualification for the Texas Department of Transportation” and retains qualification in accordance with applicable TxDOT procedures. Upon request, the Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.
B. The expected cash contributions from the federal government, the State, the Local Government, or other parties are shown in Attachment C. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission. For projects with federal funds, the State and the federal government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration (FHWA). After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.

C. Attachment C shows, by major cost categories, the cost estimates and the party responsible for performing the work for each category. These categories may include but are not limited to: (1) costs of real property; (2) costs of utility work; (3) costs of environmental assessment and remediation; (4) cost of preliminary engineering and design; (5) cost of construction and construction management; and (6) any other local project costs.

D. The State will be responsible for securing the federal and State share of the funding required for the development and construction of the local Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.

E. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment C and for overruns in excess of the amount specified in Attachment C to be paid by the Local Government.

F. The budget in Attachment C will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.

G. When the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from the receipt of the State's written notification of additional funds being due.

H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment C. Fixed prices are not subject to adjustment unless (1) differing site conditions are encountered; (2) further definition of the Local Government's requested scope of work identifies greatly differing costs from those estimated; (3) work requested by the Local Government is determined to be ineligible for federal participation; or (4) the adjustment is mutually agreed to by the State and the Local Government.

I. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering performed or reviewed by the State for the Project. At least
sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State’s estimated construction oversight and construction cost.

J. The State will not execute the contract for the construction of the Project until the required funding has been made available by the Local Government in accordance with this Agreement.

K. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the “Texas Department of Transportation” or may use the State’s Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided by TxDOT’s Finance Division. The funds shall be deposited and managed by the State and may only be applied by the State to the Project.

L. The State will not pay interest on any funds provided by the Local Government.

M. If a waiver for the collection of indirect costs for a service project has been granted under 43 TAC §15.56, the State will not charge the Local Government for the indirect costs the State incurs on the Project, unless this Agreement is terminated at the request of the Local Government prior to completion of the Project.

N. If the Local Government is an Economically Disadvantaged County (EDC) and if the State has approved adjustments to the standard financing arrangement, this Agreement reflects those adjustments.

O. Where the Local Government is authorized to perform services under this Agreement and be reimbursed by the State, the Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice, in a form and containing all items required by the State, no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

P. Upon completion of the Project, the State will perform a final accounting of the Project costs for all items of work with specified percentage funding. Any funds due by the Local Government, the State, or the federal government for these work items will be promptly paid by the owing party.

Q. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. Acceptance of funds directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

R. Payment under this Agreement beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this Agreement shall be terminated immediately with no liability to either party.
5. Termination of This Agreement
This Agreement shall remain in effect until the Project is completed and accepted by all parties, unless:
A. The Agreement is terminated in writing with the mutual consent of the parties;
B. The Agreement is terminated by one party because of a breach, in which case any costs incurred because of the breach shall be paid by the breaching party;
C. The Local Government elects not to provide funding after the completion of preliminary engineering, specifications, and estimates (PS&E) and the Project does not proceed because of insufficient funds, in which case the Local Government agrees to reimburse the State for its reasonable actual costs incurred during the Project; or
D. The Agreement is terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly due to differing site conditions, determination that Local government requested work is ineligible for federal or state cost participation, or amore thorough definition of the Local Government’s proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination; or
E. The Project is inactive for thirty-six (36) consecutive months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this Agreement.

6. Amendments
Amendments to this Agreement due to changes in the character of the work, terms of the Agreement, or responsibilities of the parties relating to the Project may be enacted through a mutually agreed upon, written amendment.

7. Remedies
This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

8. Utilities
The party named in Article 1, Responsible Parties, under AGREEMENT shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable state laws, regulations, rules, policies, and procedures, including any cost to the State of a delay resulting from the Local Government’s failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. The Local Government will not be reimbursed with federal or State funds for the cost of required utility work. The Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, the Local Government shall provide, at the State’s request, a certification stating that the Local Government has completed the adjustment of all utilities that must be adjusted before construction is commenced.
9. **Environmental Assessment and Mitigation**
Development of a transportation project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects. The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the following:

A. The identification and assessment of any environmental problems associated with the development of a local project governed by this Agreement.

B. The cost of any environmental problem’s mitigation and remediation.

C. Providing any public meetings or public hearings required for the environmental assessment process. Public hearings will not be held prior to the approval of the Project schematic.

D. The preparation of the NEPA documents required for the environmental clearance of this Project.

If the Local Government is responsible for the environmental assessment and mitigation, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

10. **Compliance with Accessibility Standards**
All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

11. **Architectural and Engineering Services**
The party named in Article 1, Responsible Parties, under AGREEMENT has responsibility for the performance of architectural and engineering services. The engineering plans shall be developed in accordance with the applicable State’s *Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges* and the special specifications and special provisions related to it. For projects on the State highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the State highway system, the design shall, at a minimum, conform to applicable American Association of State Highway and Transportation Officials (AASHTO) design standards.

In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if the Project is federally funded and with Texas Government Code 2254, Subchapter A, in all cases. Professional contracts for federally funded projects must conform to federal requirements, specifically including the provision for participation by Disadvantaged Business Enterprises (DBEs), ADA, and environmental matters. If the Local Government is the responsible party, the Local Government shall submit its procurement selection process for prior approval by the State. All professional services contracts must be reviewed and approved by the State prior to execution by the Local Government.
12. **Construction Responsibilities**

The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the following:

- **A.** Advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.

- **B.** If the State is the responsible party, the State will use its approved contract letting and award procedures to let and award the construction contract.

- **C.** If the Local Government is the responsible party, the Local Government shall submit its contract letting and award procedures to the State for review and approval prior to letting.

- **D.** If the Local Government is the responsible party, the State must concur with the low bidder selection before the Local Government can enter into a contract with the vendor.

- **E.** If the Local Government is the responsible party, the State must review and approve change orders.

- **F.** Upon completion of the Project, the party responsible for constructing the Project will issue and sign a “Notification of Completion” acknowledging the Project's construction completion and submit certification(s) sealed by a professional engineer(s) licensed in the State of Texas.

- **G.** For federally funded contracts, the parties to this Agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form “FHWA-1273” in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

13. **Project Maintenance**

The Local Government shall be responsible for maintenance of locally owned roads and locally owned facilities after completion of the work. The State shall be responsible for maintenance of the State highway system after completion of the work if the work was on the State highway system, unless otherwise provided for in existing maintenance agreements with the Local Government.

14. **Right of Way and Real Property**

The party named in Article 1, Responsible Parties, under AGREEMENT is responsible for the provision and acquisition of any needed right of way or real property.

15. **Insurance**

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all
persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

16. Notices
All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

<table>
<thead>
<tr>
<th>Local Government:</th>
<th>State:</th>
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<tbody>
<tr>
<td>City of Brownsville</td>
<td>Texas Department of Transportation</td>
</tr>
<tr>
<td>ATTN: Mayor</td>
<td>ATTN: Director of Contract Services</td>
</tr>
<tr>
<td>PO Box 911</td>
<td>125 E. 11th Street</td>
</tr>
<tr>
<td>Brownsville, TX 78522-0911</td>
<td>Austin, TX 78701</td>
</tr>
</tbody>
</table>

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this Agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

17. Legal Construction
If one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

18. Responsibilities of the Parties
The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

19. Ownership of Documents
Upon completion or termination of this Agreement, all documents prepared by the State shall remain the property of the State. All data and information prepared under this Agreement shall be made available to the State without restriction or limitation on their further use. All documents produced or approved or otherwise created by the Local Government shall be transmitted to the State, in the format directed by the State, on a monthly basis or as required by the State. The originals shall remain the property of the Local Government.
20. Compliance with Laws
The parties to this Agreement shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this Agreement. When required, the Local Government shall furnish the State with satisfactory proof of this compliance.

21. Sole Agreement
This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement’s subject matter.

22. Cost Principles
In order to be reimbursed with federal funds, the parties shall comply with the cost principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

23. Procurement and Property Management Standards
The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government’s procurement procedures for purchases to be eligible for state or federal funds.

24. Inspection of Books and Records
The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

25. Civil Rights Compliance
The parties to this Agreement are responsible for the following:
   A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
   B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national
origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government’s obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance: In the event of the Local Government’s noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
2. cancelling, terminating, or suspending of the Agreement, in whole or in part.

F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

26. Pertinent Non-Discrimination Authorities
During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).


F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).

G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).

H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).

J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.

K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).

L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

27. Disadvantaged Business Enterprise (DBE) Program Requirements
If federal funds are used:
A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
B. The Local Government shall adopt, in its totality, the State’s federally approved DBE program.

C. The Local Government shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State’s DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall submit its proposed scope of services and quantity estimates to the State to allow the State to establish a DBE goal for each Local Government contract with a subprovider. The Local Government shall be responsible for documenting its actions.

D. The Local Government shall follow all other parts of the State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.

E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State’s DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.

28. Debarment Certifications
If federal funds are used, the parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, “Debarment and Suspension.” By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or
otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a subcontract or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

29. Lobbying Certification
If federal funds are used, in executing this Agreement, each signatory certifies to the best of that signatory’s knowledge and belief, that:
A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

30. Federal Funding Accountability and Transparency Act Requirements
If federal funds are used, the following requirements apply:
A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This Agreement is subject to the following award terms: http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf and http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf.
B. The Local Government agrees that it shall:
   1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more
than $25,000 in federal funding. The SAM number may be obtained by visiting the SAM website whose address is: https://www.sam.gov/portal/public/SAM/

2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website http://fedgov.dnb.com/webform; and

3. Report the total compensation and names of its top five executives to the State if:
   i. More than 80% of annual gross revenues are from the federal government, and those revenues are greater than $25,000,000; and
   ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

31. **Single Audit Report**
   If federal funds are used:
   A. The parties shall comply with the single audit report requirements stipulated in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
   B. If threshold expenditures of $750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT’s Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT’s Compliance Division by email at singleaudits@txdot.gov.
   C. If expenditures are less than the threshold during the Local Government’s fiscal year, the Local Government must submit a statement to TxDOT’s Compliance Division as follows: "We did not meet the $_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
   D. For each year the Project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the Agreement, unless otherwise amended or the Project has been formally closed out and no charges have been incurred within the current fiscal year.

32. **Signatory Warranty**
   Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.
Each party is signing this Agreement on the date stated under that party’s signature.

THE STATE OF TEXAS

Signature

Kenneth Stewart
Typed or Printed Name

Director of Contract Services
Typed or Printed Title

Date

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Typed or Printed Title

Date
ATTACHMENT A
RESOLUTION, ORDINACE, OR COMMISSIONERS COURT ORDER
### ATTACHMENT B
LOCATION MAP SHOWING PROJECT

<table>
<thead>
<tr>
<th>TxDOT:</th>
<th>Federal Highway Administration:</th>
</tr>
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<tbody>
<tr>
<td>CSJ #</td>
<td>0921-06-318</td>
</tr>
<tr>
<td>District #</td>
<td>21 – Pharr</td>
</tr>
<tr>
<td>Code Chart 64 #</td>
<td>05950</td>
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<tr>
<td>Project Name</td>
<td>Traffic Signal - Tulipan Street</td>
</tr>
<tr>
<td></td>
<td>CFDA No. 20.205</td>
</tr>
<tr>
<td></td>
<td>CFDA Title Highway Planning and Construction</td>
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<tr>
<td></td>
<td>AFA LongGen Attachment B</td>
</tr>
<tr>
<td></td>
<td>AFA Not Used For Research &amp; Development</td>
</tr>
</tbody>
</table>

**ATTACHMENT B**

LOCATION MAP SHOWING PROJECT

[Image of a map showing the location of Tulipan Street traffic signal at East Avenue.]
ATTACHMENT C
PROJECT BUDGET

The cost for construction totals $182,846 which includes a combination of Category 8 (Hazard Elimination/Safety Project) federal funds, state funds and local funds. Considering an 76% Economically Disadvantaged County Program reduction, the federal share is 80%, the state share is 7.6% and the local government share is 2.4%. The Local Government will be responsible for 100% of the Preliminary Engineering (PE), direct state costs for PE and construction, and all project costs exceeding the approved federal funding.

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Estimated Cost</th>
<th>Federal Participation</th>
<th>State Participation</th>
<th>Local Participation</th>
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<tbody>
<tr>
<td>Preliminary Engineering (by LG)</td>
<td>$24,730</td>
<td>0%</td>
<td>$0</td>
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<tr>
<td>Construction (by State) Cat 8</td>
<td>$182,846</td>
<td>90%</td>
<td>$164,561</td>
<td>0%</td>
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<tr>
<td>Subtotal</td>
<td>$207,576</td>
<td>90%</td>
<td>$164,561</td>
<td>0%</td>
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<tr>
<td>PE Direct State Costs</td>
<td>$4,946</td>
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<tr>
<td>Construction Direct State Costs</td>
<td>$5,485</td>
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<td>$0</td>
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<tr>
<td>Indirect State Costs (5.33%)</td>
<td>$11,064</td>
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<tr>
<td>Subtotal</td>
<td>$21,495</td>
<td>0%</td>
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<tr>
<td>TOTAL</td>
<td>$229,071</td>
<td>90%</td>
<td>$164,561</td>
<td>0%</td>
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Initial payment by the Local Government to the State: $ 4,946
Payment by the Local Government to the State before construction: $ 9,873
Estimated total payment by the Local Government to the State: $14,819

This is an estimate. The final amount of Local Government participation will be based on actual costs.
RESOLUTION NUMBER 2019-091

Commissioner Nurith Galonsky Pizana introduced the following resolution and moved its adoption: the motion was duly seconded by

Commissioner Rose Gowen and carried by the following vote:

AYES: Commissioners Galonsky Pizana, Tetreau, Gowen, Neece and Mayor Mendez III
NAYS: None
ABSENT: Commissioners Cowen, Jr. and Munguia

The resolution thus adopted is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, AUTHORIZING THE EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF BROWNSVILLE AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR HAZARD ELIMINATION / SAFETY PROJECT (TRAFFIC SIGNALS) OFF-SYSTEM

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and that state highway system with the political subdivision, and

WHEREAS, federal and state laws require local governments to meet certain contracts standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the Texas Transportation Commission passed Minute Order Number 115291 authorizing the State to undertake and complete a highway improvement or other transportation project generally described as installation of traffic signal. The portion of the project work covered by this Agreement is identified in the Agreement, Article 3 Scope of Work (Project), and
WHEREAS, the Governing Body of the Local Government has approved entering into this Agreement by resolution, ordinance, or commission court order dated November 5, 2019, which is attached to and made a part of this Agreement as Attachment A, Resolution, Ordinance, or Commissioners Court Order (Attachment A). A map showing the Project location appears in Attachment B, Location Map Showing Project (Attachment B), which is attached to and made a part of this Agreement.

NOW, THEREFORE, WE, THE MEMBERS OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, by virtue of the authority vested by the Charter of said City, do hereby resolve to enter into an Advance Funding Agreement between the City of Brownsville and the Texas Department of Transportation (TxDot) for Hazard Elimination / Safety Project (Traffic Signals) Off-System

DONE THIS 5th day of November, 2019

CITY OF BROWNSVILLE

Juan “Trey” Mendez, III
Mayor

ATTEST

Griselda Rosas
City Secretary

“Approved as to Form and Legality
This 1st day of October 2019
Title Office of the Brownsville City Attorney”
TO: Noel Bernal, City Manager
FROM: Griselda Rosas, Interim City Secretary
SUBJECT: Resolution Number 2019-109
DATE: 12/6/2019
THROUGH: Elizabeth Walker, Assistant City Manager

AGENDA ITEM    COMMISSION MEETING DATE 12/10/19

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<thead>
<tr>
<th>Executive Session (City Attorney Only)</th>
<th>Workshop</th>
<th>Agenda</th>
<th>Ordinance</th>
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<td>Time Needed:</td>
<td>Public Hearing</td>
<td>First Reading</td>
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<tr>
<td>Action Item:</td>
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<td>Contract</td>
<td>Second Reading</td>
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<td>Grant</td>
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<td>Action</td>
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<tr>
<td></td>
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<td>Consent</td>
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Information: Please include additional information/request.

Consideration and ACTION on Resolution Number 2019-109 to remove and appoint a member(s) to the Greater Brownsville Incentives Corporation (GBIC).

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

<table>
<thead>
<tr>
<th>City Attorney</th>
<th>Date Reviewed:</th>
<th>By:</th>
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<td>Comments:</td>
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<td>Comments:</td>
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<tr>
<th>City Commission</th>
<th>Approved:</th>
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<th>Initials:</th>
<th>Date:</th>
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<td>Assistant City Manager</td>
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<td>Deputy City Manager</td>
<td>Approved:</td>
<td>Yes</td>
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<tr>
<td>City Manager’s Approval</td>
<td></td>
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</tr>
<tr>
<td>Signature:</td>
<td>Date:</td>
<td></td>
<td></td>
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</table>
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Griselda Rosas, Interim City Secretary

Date: December 06, 2019

Consideration and ACTION on Resolution Number 2019-109 to remove and appoint a member(s) to the Greater Brownsville Incentives Corporation (GBIC).

The Greater Brownsville Incentives Corporation (GBIC) Board of Directors purpose is to oversee the 501(c) 6, non-profit corporation as established in accordance with the Texas Development Corporation Act of 1979; and

GBIC provides job creation incentives to recruit and/or expand industries, incentives for various grant programs related to infrastructure and job training; and

The City Commission shall appoint each Board member, four (4) year term, no director shall serve more than two (2) terms of four (4) years. The term of all directors of the corporation shall commence on January 1 of the first year of appointment, and end on December 31 of the last year of appointment and shall serve without compensation.
### Composition: 7 members

<table>
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<tr>
<th>Present Board Members</th>
<th>Residing District</th>
<th>Term</th>
<th>Appointed</th>
<th>Expires</th>
<th>Eligible for Re-Appt (Y/N)</th>
<th>Willing to Serve (Y/N)</th>
<th>Staff Recommendation (Y/N)</th>
<th>Serving on Other City Boards</th>
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<tbody>
<tr>
<td>Pedro E. Cardenas</td>
<td>4</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>12/04/2018</td>
<td>12/31/2022</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sandra Duran</td>
<td>4</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>08/20/2019</td>
<td>12/31/2023</td>
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</tr>
<tr>
<td>Esteban Guerra</td>
<td>3</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>12/04/2018</td>
<td>12/31/2022</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Dennis Sanchez</td>
<td>2</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>12/03/2019</td>
<td>12/31/2023</td>
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<tr>
<td>Nico Schaefer</td>
<td>3</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
<td>07/30/2019</td>
<td>12/31/2021</td>
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<td></td>
<td>Filled unexpired term (Comm. Tetreau)</td>
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<tr>
<td>Graham Sevier-Schultz</td>
<td>3</td>
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<td>12/31/2023</td>
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<tr>
<td>Jason Wolfe</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
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<td>08/20/2019</td>
<td>12/31/2023</td>
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**APPLICATIONS ON FILE - PROSPECTIVE BOARD MEMBERS - CANNOT SERVE ON MORE THAN 1 BOARD**

<table>
<thead>
<tr>
<th>Applicants</th>
<th>Residing District</th>
<th>Serving on Other City Boards</th>
<th>Eligible for Re-Appt (Y/N)</th>
<th>Staff Recommendation (Y/N)</th>
<th>Areas of Interest</th>
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<tbody>
<tr>
<td>Carlos Guerrero</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
</tr>
<tr>
<td>Herman O. Powers, Jr.</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
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<tr>
<td>Vanessa Sandoval</td>
<td>1</td>
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<td>Brownsville Community Improvement Corporation (BCIC) Greater Brownsville Incentives Corporation (GBIC) Main Street Advisory Board</td>
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<tr>
<td>Maria R. Pena</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
</tr>
<tr>
<td>Mark R. Stimac</td>
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<td>Community Improvement Corporation (BCIC)/Greater Brownsville Incentives Corporation (GBIC)/Planning &amp; Zoning/Public Utilities Board (BPUB)</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
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<tr>
<td>Erasmo Castro</td>
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<td>Airport Advisory Board/Beautification Committee (BBC)/Community Improvement Corporation (BCIC)/Greater Brownsville Incentives Corporation (GBIC)/Planning &amp; Zoning/Public Utilities Board (BPUB)</td>
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<td>Julio Grana</td>
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<td>Greater Brownsville Incentives Corporation (GBIC)/Public Utilities Board (BPUB)</td>
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<td>Rene Xavier Gonzalez</td>
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<tr>
<td>Ismael H. Hinojosa</td>
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<td>Board of Adjustment/Capital Improvements Advisory Committee (CIAC)/Community Improvement Corporation (GBIC)/Greater Brownsville Incentives Corporation (GBIC)/</td>
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<td>Greater Brownsville Incentives Corporation (GBIC) Public Utilities Board (BPUB)</td>
</tr>
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</table>

**Term of Office:**
- Term of four (4) years
- Subject to the provision that no director shall serve more than two (2) terms of four (4) years

**Meeting Date:**
- Every 3<sup>rd</sup> Thursday of every month
- At 5:30 p.m.
- At City Commission Chambers

**Ordinance Number:**
The Greater Brownsville Incentives Corporation is a non-profit corporation as established in accordance with the Texas Development Corporation Act of 1979, codified by Section 13 of Article 5190.6 of the Texas Revised Civil Statutes. The By-Laws were adopted on February 24, 1992.
<table>
<thead>
<tr>
<th>Name</th>
<th>Term</th>
<th>Organization.</th>
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<tr>
<td>Gerardo Martinez</td>
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<td>Planning &amp; Zoning Commission/Public Utilities Board (BPUB)/Transit Advisory Committee</td>
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<td>Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Wesley Reed</td>
<td>3</td>
<td>Bicycle &amp; Pedestrian Advisory Committee/Film Commission/Greater Brownsville Incentives Corporation (GBIC)/Main Street Advisory Board</td>
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<tr>
<td>Brandon Mohler</td>
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<td>Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Murad Abusalim</td>
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<tr>
<td>Claudia Lozano</td>
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<td>Animal Shelter Advisory Committee/Capital Improvements Advisory Committee(CIAC)/Library Advisory Board/Public Utilities Board (BPUB)</td>
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<tr>
<td>Eric Garza</td>
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<td>Greater Brownsville Incentives Corporation (GBIC), Planning &amp; Zoning Commission</td>
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<tr>
<td>Luis A. Flores</td>
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<td>Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Jorge Castillo</td>
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<td>Airport Advisory Board, Beautification Committee (BBC), Board of Adjustment, Convention &amp; Visitors Bureau (BCVB), Greater Brownsville Incentives Corporation (GBIC), Main Street Advisory Board, Parks &amp; Recreation Advisory Committee, Planning &amp; Zoning Commission, Public Library System Advisory Board, Public Utilities Board (BPUB), Reinvestment Zone 1</td>
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<td>Ian E. Buenrostro</td>
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<td>Anisa H. Ramirez</td>
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<tr>
<td>James L. Barton</td>
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<td>Airport Advisory Board, Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Sylvia Patriarca</td>
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<td>Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Juan Pequeno</td>
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<td>Airport Advisory Board, Beautification Committee (BBC), Bicycle &amp; Pedestrian Advisory Committee, Board of Adjustment, Building &amp; Standards Commission, Capital Improvements Advisory Committee (CIAC), Charter Review Committee, Citizens Advisory Committee (BCAC), Community Improvement Corporation, Greater Brownsville Incentives Corporation (GBIC), Historic Preservation and Design Review Board, Main Street Advisory Board, Parks &amp; Recreation Advisory Committee, Paseo de la Resaca Landscaping &amp; Lighting, Planning &amp; Zoning Commission, Public Library System Advisory Board, Public Utilities Board (BPUB), Reinvestment Zone 1</td>
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<td>Applicants</td>
<td>Residing District</td>
<td>Serving on Other City Boards</td>
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<tr>
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<tr>
<td>Miguel H. Gaytan</td>
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<td>Bob Torres, Jr.</td>
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<td>Tito Shane</td>
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APPLICATIONS ON FILE - PROSPECTIVE BOARD MEMBERS - CANNOT SERVE ON MORE THAN 2 BOARDS

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<td>Greater Brownsville Incentives Corporation (GBIC)</td>
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<tr>
<td>Louis Leal</td>
<td>OUTSIDE CITY LIMITS OF BROWNSVILLE</td>
<td>Airport Advisory Board, Beautification Committee (BBC), Bicycle &amp; Pedestrian Advisory Committee, Board of Adjustment, Building &amp; Standards Commission, Capital Improvements Advisory Committee (CIAC), Charter Review Committee, Citizens Advisory Committee (BCAC), Community Improvement Corporation, Greater Brownsville Incentives Corporation (GBIC), Historic Preservation and Design Review Board, Main Street Advisory Board, Parks &amp; Recreation Advisory Committee, Paseo de la Resaca Landscaping &amp; Lighting, Planning &amp; Zoning Commission, Public Library System Advisory Board, Public Utilities Board (BPUB), Reinvestment Zone 1</td>
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**Executive Session (City Attorney Only)**

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<tr>
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<th>Action Item:</th>
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<td>Consent</td>
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**Information:** Please include additional information/request.

Consideration and ACTION on Resolution Number 2020-002 to appoint a member to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board of Directors. TABLED 12/10/2019

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**Reviewing Departments:** Please review and forward to the next reviewing department in a timely manner.

<table>
<thead>
<tr>
<th>Department</th>
<th>Date Reviewed</th>
<th>By:</th>
<th>Comments:</th>
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<tbody>
<tr>
<td>City Attorney</td>
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<tr>
<td>Finance Department</td>
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**City Commission**

<table>
<thead>
<tr>
<th>Approved:</th>
<th>Yes</th>
<th>No</th>
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<td>Date:</td>
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**Assistant City Manager**

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<tr>
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<th>No</th>
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**Deputy City Manager**

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</table>

**City Manager’s Approval**

<table>
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<th>Signature:</th>
<th>Date:</th>
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Revised 3/2019
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Rick Vasquez, Planning & Redevelopment Department Director

Date: January 7, 2020

RE: Consideration and Action to appoint members to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville (TIRZ #3) Board of Directors.

The Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville (TIRZ #3) was authorized by Ordinance No. 2019-1663 on December 3, 2019. This ordinance also provides for the creation of a Board of Directors to make recommendations to the City Commission concerning the administration, management and operation of TIRZ #3. Specifically, the board is responsible for preparing and adopting a project plan and a reinvestment zone financing plan for said TIRZ, among other duties.

The TIRZ #3 Board of Directors consists of six (6) regular members, plus any members appointed by the participating taxing jurisdictions. Positions one (1) through six (6) are reserved for the City and must be appointed by City Commission. Directors appointed to odd-numbered positions must be appointed for a two-year term, while the directors appointed even-numbered positions must be appointed to a one-year term, beginning on the effective date of Ordinance No. 2019-1663.

Pursuant to Section 311.009 of the Tax Code an applicant seeking appointment must be at least 18 years of age and be a resident of the county in which the zone is located or a county adjacent to that county; or own real property in the zone, whether or not the individual resides in the county in which the zone is located or a county adjacent to that county.

Presently, there is one vacancy out of the six (6) regular members.
RESOLUTION NUMBER 2020-002

A RESOLUTION OF THE CITY OF BROWNSVILLE
APPOINTING MEMBERS TO DOWNTOWN TAX
INCREMENT REINVESTMENT ZONE NO. 3, CITY OF
BROWNSVILLE BOARD.

WHEREAS, the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville (TIRZ #3) was authorized by Ordinance No. 2019-1663 on December 3, 2019; and,

WHEREAS, the TIRZ #3 Board of Directors is responsible for making recommendations concerning the administration, management and operation of said TIRZ; and,

WHEREAS, the TIRZ #3 is composed of six (6) regular members, plus any members appointed by participating jurisdictions; and,

WHEREAS, board positions one (1) through six (6) are reserved for the City of Brownsville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, that the following individuals are appointed or re-appointed to serve an expired or un-expired term on the TIRZ #3 Board of Directors.

<table>
<thead>
<tr>
<th>NAME</th>
<th>EXPIRED/UN-EXPIRED</th>
<th>TERM ENDING</th>
</tr>
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</table>

PASSED and APPROVED on this 7th day of January 2020.

Juan “Trey” Mendez III, Mayor
City of Brownsville

ATTEST:

Griselda Rosas, Interim City Secretary
City of Brownsville
City of Brownsville

AGENDA ITEM  COMMISSION MEETING DATE 01/07/20

<table>
<thead>
<tr>
<th>Executive Session (City Attorney Only)</th>
<th>Select</th>
<th>Agenda</th>
<th>Ordinance</th>
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<td>Action</td>
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<td>Consent</td>
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</table>

Information: Please include additional information/request.

Consideration and ACTION on Resolution Number 2020-004, to appoint or reappoint member(s) to the Transit Advisory Committee.

WHEREAS, the Transit Advisory Committee shall monitor the performance of Brownsville Metro quality statistical reports, reviews requested and proposed service, policy and procedure changes to assure that user and institutional needs have been addressed.

Transit Advisory Committee (TAC) Active Members:
Ms. Viola Currier, District 1
Ms. Sylvia Berry, District 2
Ms. Sandra Gomez, District 3
Mr. Jacob James Gutierrez, District 4
Ms. Norleen Ann Valadez, District 1
Mr. Scott C. Fry, District 2

New Members:
Ms. Guillermina Manjarrez, District 3

Reviewing Departments: Please review and forward to the next reviewing department in a timely manner.

<table>
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<tr>
<th>City Attorney</th>
<th>Date Reviewed:</th>
<th>By:</th>
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<th>Finance Department</th>
<th>Date Reviewed:</th>
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<tr>
<th>City Commission</th>
<th>Assistant City Manager</th>
<th>Deputy City Manager</th>
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<tr>
<td>Approved:</td>
<td>Yes  No</td>
<td>Yes  No</td>
</tr>
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<td>Date:</td>
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<td>Initials: Date:</td>
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City Manager’s Approval

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<th>Signature:</th>
<th>Date:</th>
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Revised 3/2019
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Norma Zamora, Director – Multimodal Transportation

Date: January 7, 2019

Agenda: Consideration and ACTION on Resolution 2020-004, to appoint or reappoint member(s) to the Transit Advisory Committee

Summary:
The Multimodal Transportation Departments Transit Advisory Committee (TAC) consists of a seven (7) members and it currently has one (1) vacancy. The Transit Advisory Committee is appointed by the Brownsville City Commission. Staff has reviewed the application and considers the applicant eligible to participate.

We received one (1) interested applicant for consideration: (see attachment for more details of applicant)
  - Guillermina Manjarrez

Project Scope and Analysis:
The TAC committee members are tasked as follows:
  1. Monitor the performance of Brownsville Metro Quality statistical reports.
  2. Monitor users through a statistical report of service production for Paratransit and Fixed Route operations in order to determine deterioration due to use or abuse.
  3. Review requested and proposed service, policy and procedure changes to assure that user and institutional needs have been addressed.
  4. Review individual complaints, incidents and/or suggestions as needed to determine applicability to policies and procedures.
  5. Provide support to staff on enforcing policies, procedures, and practices.
  6. Provide advocacy support in community program benefits.
  7. Provide input to staff on ideas to improve system performance, responsiveness, and productivity.
  8. Review the acquisition/development of major facilities or equipment to assure it addresses the needs of the entire community.

Recommendation:

Staff recommends appointing Guillermina Manjarrez to the Transit Advisory Committee (TAC).
RESOLUTION NUMBER 2020-004

A RESOLUTION OF THE CITY OF BROWNSVILLE
APPOINTING MEMBERS TO THE TRANSIT ADVISORY COMMITTEE.

WHEREAS, The Transit Advisory Committee was created in 1991 and amended by the By Laws accepted January 10, 2003, and further amended by Resolution Number 2006-039 on June 06, 2006; and

WHEREAS, the Transit Advisory Committee shall monitor the performance of Brownsville Metro quality statistical reports, reviews requested and proposed service, policy and procedure changes to assure that user and institutional needs have been addressed;

To provide advice and guidance to the Brownsville City Commission through staff on the development, implementation and operation of the Paratransit and Fixed Route Services consistent with all State and Federal Rules and Regulations, and to further:

1. Monitor the performance of Brownsville Metro quality statistical reports.
2. Monitor users through a statistical report of service productions for Paratransit and Fixed Route operations in order to determine deterioration due to use or abuse.
3. Review requested and proposed service, policy and procedure changes to assure that user and institutional needs have been addressed.
4. Review individual complaints, incidents and/or suggestions as needed to determine applicability to policies and procedures.
5. Provide support to staff on enforcing policies, procedures and practices; and

WHEREAS, the Transit Advisory Committee is composed of seven (7) members, and one (1) member shall be appointed by the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS, that the following individuals are appointed or re-appointed to serve an expired or un-expired term on the Transit Advisory Committee.

<table>
<thead>
<tr>
<th>NAME</th>
<th>EXPIRED/UN-EXPIRED</th>
<th>TERM ENDING</th>
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PASSED and APPROVED on this 7th day of January 2020.

City of Brownsville

Juan “Trey” Mendez III
Mayor

ATTEST:

Griselda Rosas
Interim City Secretary

Approved as to legality and form this ________ day of ________ 2019

Office of the City Attorney
## Ordinance Number
By-Laws were adopted on June 6, 2006. (Resolution No. 2019-0099)

## Board Name
Transit Advisory Committee (TAC) Norma H. Zamora, Director

## Meeting Date
January 07, 2020

### Composition
No less than 7 members, no more than 9 members

### Term of Office
Two (2) years of terms.

### Present Board Members

<table>
<thead>
<tr>
<th>Resident</th>
<th>Term</th>
<th>Appointed</th>
<th>Expires</th>
<th>Eligible for Re-Appt (Y/N)</th>
<th>Willing to Serve (Y/N)</th>
<th>Staff Recommendation (Y/N)</th>
<th>Serving on Other City Boards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Viola Currier</td>
<td>1st</td>
<td>06/20/2017</td>
<td>10/4/2020</td>
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<tr>
<td>Francisco Salazar, Jr. (Deceased)</td>
<td>1st</td>
<td>11/13/2018</td>
<td>11/13/2020</td>
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<tr>
<td>Sylvia Berry</td>
<td>2nd</td>
<td>11/13/2018</td>
<td>11/13/2020</td>
<td>N</td>
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<tr>
<td>Scott Fry</td>
<td>2nd</td>
<td>12/3/2019</td>
<td>11/13/2020</td>
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<td>Sandra Gomez</td>
<td>3rd</td>
<td>11/13/2018</td>
<td>11/13/2020</td>
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<td>Jacob James Gutierrez</td>
<td>4th</td>
<td>11/13/2018</td>
<td>11/13/2020</td>
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### APPLICATIONS ON FILE - PROSPECTIVE BOARD MEMBERS - CANNOT SERVE ON MORE THAN 1 BOARD

<table>
<thead>
<tr>
<th>Applicants</th>
<th>Residing District</th>
<th>Serving on Other City Boards</th>
<th>Eligible for Re-Appt (Y/N)</th>
<th>Staff Recommendation (Y/N)</th>
<th>Areas of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ana C. Pena</td>
<td>2</td>
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<tr>
<td>Guillermina Manjarrez</td>
<td>3</td>
<td>N/A</td>
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<tr>
<td>Ismael H. Hinojosa</td>
<td>3</td>
<td>N/A</td>
<td>Y</td>
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<td>Board of Adjustment, Capital Improvements Advisory Committee(CIAC), Community Improvement Corporation, Greater Brownsville Incentives Corporation(GBIC), Planning &amp; Zoning Commission, Public Utilities Board(BPUB), Transit Advisory Committee</td>
</tr>
<tr>
<td>Miguel H. Gaytan</td>
<td>4</td>
<td>N/A</td>
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<td></td>
<td>Beautification Committee (BBC), Capital Improvements Advisory Committee(CIAC), Charter Review Committee, Greater Brownsville Incentives Corporation (GBIC), Parks &amp; Recreation Advisory Committee, Planning &amp; Zoning Commission, Transit Advisory Committee</td>
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<tr>
<td>Melva Pena</td>
<td>4</td>
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<td>Planning &amp; Zoning Commission/Transit Advisory Committee</td>
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</table>
## AGENDA ITEM

**COMMISSION MEETING DATE 01/07/20**

### Executive Session (City Attorney Only)

<table>
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- Public Hearing
- Contract
- Grant
- Action
- Consent
- Second Reading

### Information

Please include additional information/request.

Consideration and ACTION to create an Environmental and Conservation Task Force.

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### City Commission

- Approved: ☐ Yes ☐ No
- Date: 

### Assistant City Manager

- Approved: ☐ Yes ☐ No
- Initials: 
- Date: 

### Deputy City Manager

- Approved: ☐ Yes ☐ No
- Initials: 
- Date: 

### City Manager's Approval

- Signature: 
- Date: 

Revised 3/2019
To: Mayor and City Commission

From: Noel Bernal, City Manager

Date: January 3, 2020

RE: Consideration and ACTION to create an Environmental and Conservation Task Force.

**Background:** City staff is seeking direction from the City Commission on the creation of an Environmental and Conservation Task Force. The purpose of the Task Force would be to explore measures for improving upon the city’s existing environmental and conservation efforts based on best practices in these respective areas.

**Agenda Item:**
Approval of Creation of Environmental and Conservation Task Force with appointments made by the City Commission.