1. AGENDA FOR JANUARY 21, 2020
   Documents:
   
   A-01-21-2020.PDF

2. BINDER FOR JANUARY 21, 2020
   Documents:
   
   BINDER01-21-2020.PDF
NOTICE OF A PUBLIC MEETING OF THE
CITY COMMISSION OF THE CITY OF BROWNSVILLE

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CALL TO ORDER

a) Roll Call
b) Invocation
c) Pledge of Allegiance United States Pledge and Texas Pledge.
d) Presentation(s) Grant-Healthy Texas Mothers and Babies Community Coalition (Public Health Department)

PUBLIC COMMENT PERIOD

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

I certify that a copy of the January 21, 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 17, 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

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Griselda Rosas, Interim City Secretary
TO: Noel Bernal, City Manager
FROM: Arturo Rodriguez, DNP, MPH, CPM Director of Public Health and Wellness
SUBJECT: Presentation on Community Health Needs Assessment
DATE: 12/27/2019
THROUGH:

AGENDA ITEM

PRESENTATION ON UPDATE OF TITLE V GRANT - HEALTHY TEXAS MOTHERS AND BABIES COMMUNITY COALITION, COMMUNITY HEALTH NEEDS ASSESSMENT

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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Revised 3/2019
To: Mayor Mendez and City Commission

Through: Noel Bernal, City Manager

From: Dr. Arturo Rodriguez, DNP, MPH, CPM, Public Health and Wellness Director

Date: January 21, 2020

Agenda: Healthy Texas Mothers and Babies Community Coalition, Title V Grant Update

Summary:

The City of Brownsville Public Health Department received a Title V grant, Healthy Texas Mothers and Babies Community Coalition (HTMBCC), formerly Healthy Texas Babies Community Coalition (HTBCC). As part of the grant, the City of Brownsville Public Health Department was tasked with conducting a Community Health Needs Assessment (CHNA) for Maternal and Child Health. The presentation will inform and update the Mayor and Commissioners on the completion of the first stage of the grant and present the most relevant findings from the CHNA.
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Griselda Rosas, Interim City Secretary

Date: January 08, 2020


Summary:

The minutes of December 10, 2019 have been corrected to record the motion as evident by the video recording and inadvertently left off the record as previously submitted. The following change is submitted to item 9 on page 8:

Commissioner John F. Cowen, Jr., appointed Gerardo Martinez to the Downtown Tax Increment Reinvestment Zone No. 3. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Though submitted as attached with highlight to indicate the amendment, a clean copy of the minutes for December 10, 2019 will be filed for the record.
Minutes December 10, 2019 – Page 1 of 10

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

COMMISSIONERS

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.

 Minutes December 10, 2019 – Page 1 of 10
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 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:

<table>
<thead>
<tr>
<th>Employee</th>
<th>Department</th>
<th>Destination</th>
<th>Date</th>
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<tbody>
<tr>
<td>Arturo Rodriguez</td>
<td>Health</td>
<td>Austin, TX</td>
<td>Dec. 12-13, 2019</td>
</tr>
<tr>
<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 Vasquez</td>
<td>Health</td>
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<td>Mar. 24-27, 2020</td>
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<tr>
<td>Jarrett V. Sheldon</td>
<td>Fire</td>
<td>San Marcos, TX</td>
<td>Jan. 19-22, 2020</td>
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<td>Ricardo Najera</td>
<td>Fire</td>
<td>San Marcos, TX</td>
<td>Jan. 19-22, 2020</td>
</tr>
<tr>
<td>Phill Bellamy</td>
<td>Municipal Court</td>
<td>San Antonio, TX</td>
<td>Jan. 06-08, 2020</td>
</tr>
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</table>

b) Consideration and ACTION on Resolution 2019-095 authorizing the City Manager or his designees 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.

d) 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 Munguía 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 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.

Commissioner John F. Cowen, Jr., moved to appoint Gerardo Martinez to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board. The motion was seconded by Commissioner Rose Gowen 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 Escareno 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

Commented [YG1]: Added Commissioner John Cowen, Jr. appointment to the TIRZ Board (this appointment was not on the previous minutes presented to the Commission on January 7, 2020 for approval)
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 21st 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

Minutes December 10, 2019 – Page 10 of 10
**AGENDA ITEM**

**COMMISSION MEETING DATE 01/21/20**

<table>
<thead>
<tr>
<th>Executive Session (City Attorney Only)</th>
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<td>Public Hearing</td>
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**Information:** Please include additional information/request.

Consideration and ACTION to authorize Bryant Walker, AAE, Director of Aviation, to travel to Washington, DC to attend the 2020 Commercial Space Transportation Conference, on January 28, 2020, through January 31, 2020.

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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**

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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
AGENDA ITEM

Consideration and action to approve Joanna Medina, Health Inspector I, to attend the Food and Drug Administration 207 Plan Review for Food Establishment Course on January 20-23, 2020 in Austin, Texas.

Note: This is written with the sense of urgency. There was a late notice from agency providing the course. There is limited availability to this course, it is rarely offered in Texas, the course will be free and we were fortunate to secure a slot. We also just learned that our Plan Reviewer will be retiring this January 2020.

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

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Deputy City Manager

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City Manager’s Approval

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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: Arturo Rodriguez
DATE: 12/26/19
DEPARTMENT: Public Health

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

Joanna Medina
EMPLOYEE NAME
Health Inspector I
POSITION

1. Destination: Austin, Texas

2. Est. date and time leaving: Monday, January 20, 2020
Est. date and time returning: Thursday, January 23, 2020

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

4. Purpose of Trip:
To attend the Food Drug Administration 207 Plan Review for Food Establishment course.

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

Will be utilized when checking plan review plans for food establishments.

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 $ 0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] $ 167.75
   c. Lodging $ 163.00 per night x 2 GSA rate: $ 163 $ 326.00
   d. Registration Fees $ __________ per person $ 0.00
   e. Other costs (e.g. airfare, rental, etc. please explain): Gas & Parking $ 150.00

   TOTAL: $ 643.75

8. I HEREBY REQUEST AN ADVANCE OF $ 317.75 FOR THE PURPOSE OF THIS TRIP.

   Department Director Signature: ____________________________  * Employee Signatures: ____________________________

9. Charges to be made to line item # 01 - 533-770 which has a balance of $ 1,200.00 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 & IE Per Diem Allowance  
During the Food and Drug Administration 207 Plan Review Course  
in Austin, Texas  
From January 20-23, 2020  
The Daily Meal & IE For Austin, Texas is $61

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<td><strong>45.75</strong></td>
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Nightly Lodging from January 20 through January 23, 2020 and checked out on Friday January 23, 2020. Monday January 20, 2020 (first day), and Thursday January 23, 2020 (last day) were traveling days.
FD207 Plan Review Course

Course Overview

This is a face-to-face classroom course that involves a mix of instructor presentation and group and individual hands-on learning activities. The goal of this course is to provide a comprehensive overview of the plan review process for retail food establishments with an emphasis on equipment and architectural design. The plan review process covered in this course is based on menu and food preparation procedures with an end goal of reducing foodborne illnesses resulting from poor facility design. Lessons will cover reviewing the application and menu, reading architectural drawings, review a complete plan set, reviewing equipment, plumbing, and physical facilities, conducting preoperational inspections, communicating with key players, and reviewing mobile establishments.

The course content is divided into eight (8) modules, and each module is comprised of specific lessons and topics. Exercises to support learning include practical application exercises to support learning outcomes in every lesson and include presentation or discussion of results. Exercises are designed to solicit discussion, as this course is based on best practice guidance. The course learning strategies include a blend of presentation, group discussion, group exercises, video presentation, and instructor demonstration.

Upcoming Courses

- December 3-5, 2019 Sacramento, CA
- January 21-23, 2020 Austin, TX
- January 27-29, 2020 Raleigh, NC
- April 28-30, 2020 Minneapolis, MN
- May 12-14, 2020 Tacoma, WA
- December 8-10, 2020 Tallahassee, FL
- January 12-14, 2021 Springfield, MA
- March 23-25, 2021 Salt Lake City, UT

Registration


Applying for Travel Funding
- **Accepting Applications August 21 - September 11, 2019 (For Fall 2019 Courses)**
  <http://foodsafetygrants.org/retailstandards/documents/RPSAdditional2019FallCourses.pdf>
- **Accepting Applications September 4 - October 15, 2019 (For Calendar Year 2020 Courses)**
  <http://foodsafetygrants.org/retailstandards/>
- Questions about funding opportunities; email **retailstandards@afdo.org** or call (850) 583-4593

[**National Retail Food Program Courses**](https://www.neha.org/national-retail-food-program-courses)

**EH Topics:** **Food Safety**
FD207 Plan Review for Food Establishments January 21 – 23, 2020

Location: Austin, TX

Begin: Tuesday, January 21, 2020 at 8:00 a.m.
End: Thursday, January 23, 2020 at 5:00 p.m.

AUTHORIZED TRAVEL DATES:
Arrival: Monday, January 20
Departure: Friday, January 24

Everyone is expected to return on the departure date (if you choose to depart on January 23, please make your flight for after 7:30 pm)

POINTS OF CONTACT:
Participants seeking information or assistance with this training course should contact in the following order:
1) Immediate Supervisor (first source of information and assistance)
2) Deirdra Holloway, Project Officer
   FDA/Office of Training, Education and Development
   Office: 301-796-4475;
   e-mail: Deirdra.Holloway@fda.hhs.gov

FD207 Plan Review for Food Establishments January 21 – 23, 2020

Course Description: This 3 day course that involves a mix of instructor presentation and group and individual hands-on learning activities. The goal of this course is to provide a comprehensive overview of the plan review process for retail food establishments with an emphasis on equipment and architectural design. The plan review process covered in this course is based on menu and food preparation procedures with an end goal of reducing foodborne illnesses resulting from poor facility design. Lessons will cover reviewing the application and menu, reading architectural drawings, review a complete plan set, reviewing equipment, plumbing, and physical facilities, conducting preoperational inspections, communicating with key players, and reviewing mobile establishments. The course content is divided into eight (8) modules, and each module is comprised of specific lessons and topics. Exercises to support learning include practical application exercises to support learning outcomes in every lesson and include presentation or discussion of results. Exercises are designed to solicit discussion, as this course is based on best practice guidance. The course learning strategies include a blend of presentation, group discussion, group exercises, video presentation, and instructor demonstration.

Objectives: Upon Completion of this course, participants will be able to:
1. Explain the Plan Review course objectives and completion requirements in a group setting.
2. Review a mock plan review submission for at least five critical elements.
3. Demonstrate the ability to read a set of architecturally drawn plan set using an architect’s scale with accuracy to the nearest foot measurement.
4. Given a checklist, evaluate a mock application, plan, and specifications from a food establishment in order to meet the provisions of the FDA Food Code.
5. Communicate reasons for acceptance, rejection, or requesting more information for a mock food establishment plan review submission based on code and policy requirements.
6. After watching a video inspection, verify that a food establishment is constructed and equipped in accordance with an approved plan.
7. Assess a mock mobile food establishment’s design and layout for control of the five foodborne illness risk factors, given an application, menu and plan set.
8. Conduct a plan review of a food establishment in a small group, given a mock application, menu and plan set, with 70% identification of deficiencies.

Target Audience: Federal, state, local, territorial and tribal officials who are responsible for the plan review of retail food service establishments and retail food stores.
**AGENDA ITEM**

<table>
<thead>
<tr>
<th>Executive Session <em>(City Attorney Only)</em></th>
<th>Select</th>
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**Information:** Please include additional information/request.

Consideration and ACTION to authorize Sigifredo Zavala, Aquatics & Compliance Coordinator to attend the 2020 Association of Aquatic Professionals (AOAP) 9th Annual Conference & Expo in Frisco, Texas on February 16 - 23, 2020.

For City Commission Meeting on January 21, 2020

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

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<tr>
<th>Department</th>
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**City Commission**

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**City Manager’s Approval**

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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: 01/09/20

FROM: Damaris McGlone
DEPARTMENT: Parks & Recreation

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

Sigifredo Zavala
EMPLOYEE NAME
Aquatics & Compliance Coordinator
POSITION

1. Destination: Frisco, Texas

2. Est. date and time leaving: February 16, 2020
Est. date and time returning: February 23, 2020

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

4. Purpose of Trip:
Attend the Association of Aquatic Professionals (AOAP) 9th Annual Conference & Expo.

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

To meet with like minded people and get feedback or ideas on the industry of Aquatics that will have a positive impact for the City of Brownsville Aquatics programs.

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 53.5 cents a mile for private vehicle (list other) $0.00
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] $322.00
   GSA rate: $121
   $875.00
c. Lodging: $125.00 per night x 7
   $884.00
d. Registration Fees: $844.00 per person
   $844.00
d. Other costs (explain) refueling - $175.00
   $175.00

8. I HEREBY REQUEST AN ADVANCE OF $497.00 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: __________________________ * Employee Signatures: __________________________

9. Charges to be made to line item # 01-513 770 which has a balance of $4,796.00 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 12/2017
REGISTRATION FORM

Must submit both parts 1 and 2 for registration if you are mailing in with a check. NOTE: All registrations paid via credit card should be done on-line.

Last Name First Name

Credential(s)

AOAP Member Not a Member First Time Attendee Need a Mentor Want to be a Mentor

Name (as you prefer it to appear on your badge) Position

Employer Department (if applicable)

Street Address Mailing address provided is for: Home Work

City/State/Zip Country

Daytime Phone Email Address*

*Registration confirmation will be sent via email only.

CANCELLATION/REPLACEMENT POLICY

Refunds are not available once you register. Please make sure that you are able to attend prior to registering. Discounted rates are available the earlier you register, however, if you choose to take advantage of those, refunds are not available. Registration substitutions may be made if requested in writing before February 10, 2020. AOAP reserves the right to cancel/change any general session, pre- or post-conference workshop and/or breakout session. Refunds will not be given for no-shows.

MEAL/SOCIAL TICKETS ARE INCLUDED IN THE FULL CONFERENCE REGISTRATION PACKAGE, HOWEVER, TICKETS MUST BE ORDERED AT THE TIME OF REGISTRATION (For conference attendees only)

--- Monday dinner/social --- Tuesday Exhibit Hall
--- Wednesday Exhibit Hall Lunch --- Wednesday Night Dinner/Social

Guest Tickets: (Must be accompanying a non-discounted conference registrant - ONLY available on Monday and Wednesday nights)

NAME: _____________________________________________
--- Monday dinner/social $75
--- Wednesday dinner/social $75

BECOME A MEMBER TODAY AND TAKE ADVANTAGE OF THE MEMBER RATES!

Join AOAP now to take advantage of the member rates for the conference registration fees. Please add your membership to the application on page 23 and submit with registration or you may join online at https://aquaticpros.org/register/.

PRE/POST-CONFERENCE WORKSHOPS:

SATURDAY, FEBRUARY 15, 2020
--- AquaTech Pool Operator Certification
--- Swim Series 1
--- Swim Series 2
--- Swim Series 3

SUNDAY, FEBRUARY 16, 2020
--- Aquatic Revenue and Innovations Boot Camp Half Day
--- Aquatic Revenue and Innovations Boot Camp Full Day
--- Learn and Lead Log Rolling
--- The Jury’s Out so YOU Be the Judge
--- Fifteen Fantastic First Aid Facilitations

MONDAY, FEBRUARY 17, 2020
--- Aquatic Risk Management (New and Updated) ARM
--- Developing Effective Training Skills for Lifeguards: Land
--- Adapted Swim Program: Learn How to Integrate Strategies for Overcoming Roadblocks for Successful Swimming
--- Transgender - Are You In Over Your Head?
--- The Body Says Yes to Aqua Stretch

TUESDAY, FEBRUARY 18, 2020
--- Golf

THURSDAY, FEBRUARY 20, 2020
--- Developing Effective Training Skills for Lifeguards: Water
--- American Red Cross Training Classes
--- American Red Cross Training Classes

FRIDAY, FEBRUARY 21, 2020
--- American Red Cross Training Classes
--- American Red Cross Training Classes

FRIDAY AND SATURDAY, FEBRUARY 21/22, 2020
--- Aquatic Facility Operator Course (AFO)
--- Build and Program a Pool Conference
### Registration Fees

Your current membership will be verified upon receipt. (The dates for fees will be adhered to. Payment must be post marked by the listed date to receive the discounts).

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If you are not registering for Full Conference, please indicate which day you will be attending (PLEASE NOTE: The daily fee can only be used for 1 day ONLY, not both - If you are wanting to attend more than 1 day, you must register for the full conference).

Tuesday OR Wednesday

Your full conference registration fee will include a flash drive with all of the session handouts that are turned in by the presenters. If a presenter does not submit handouts for their session by the deadline date, unfortunately, they will not be able to be included.

### TOTAL FEES DUE:

- **WORKSHOP FEES:**
  - AquaTech Pool Operator Certification (8 hours)
    - Member: $250
    - Non-Member: $275
  - Aquatic Revenue and Innovations Boot Camp (1/2)
    - Member: $59.99
    - Non-Member: $59.99
  - Aquatic Revenue and Innovations Booth Camp (Full)
    - Member: $99
    - Non-Member: $99
  - Learn and Lead Log Rolling (4 1/2 hours)
    - Member: $50
    - Non-Member: $65
  - The Jury’s Out (4 1/2 hours)
    - Member: $30
    - Non-Member: $45
  - Aquatic Risk Management (6.25 hours)
    - Member: $90
    - Non-Member: $125
  - Developing Lifeguard Training Land (6.25 hours)
    - Member: $50
    - Non-Member: $65
  - Adapted Swim Program (4 hours)
    - Member: $200
    - Non-Member: $200
  - Transgender - Are You In Over Your Head (3 hours)
    - Member: $35
    - Non-Member: $45
  - The Body Says Yes to Aqua Stretch (4 hours)
    - Member: $50
    - Non-Member: $65
  - Developing Lifeguard Training Water (6 hours)
    - Member: $50
    - Non-Member: $65
  - Golf
    - Member: $95
    - Non-Member: $95
  - Aquatic Facility Operator (2 days)
    - Member: $250
    - Non-Member: $275
  - Swim Series 1 (SAI) (2 ½ hours)
    - Member: $59
    - Non-Member: $69
  - Swim Series 2 (SAI) (2 hours)
    - Member: $59
    - Non-Member: $69
  - Swim Series 3 (SAI) (1.75 hours)
    - Member: $59
    - Non-Member: $69
  - Swim Series All 3 (SAI) (6.25 hours)
    - Member: $145
    - Non-Member: $175
  - Fifteen Fantastic First Aid Facilitations (SAI) (3 hours)
    - Member: $59
    - Non-Member: $69

- **CEU FEES ($20):**
- **EXTRA MEAL FEES:**
  - (Monday or Wednesday $75 each)
- **MEMBERSHIP FEE:**
  - (Individual Rate $40)
- **CONFERENCE FEE DUE:**
  - $399.00

**TOTAL DUE:** $884.00

**METHOD OF PAYMENT**

Check (payable to AOAP), Registrations using a credit card should be completed on the AOAP website at: https://aquaticpros.org/event/aoap-9th-annual-conference-and-exposition/

### Registration Form

- **Received on or Before Oct. 1, 2019**
- **Received By January 2, 2020**
- **Received after January 2, 2020**

**Y our current membership will be verified upon receipt. (The dates for fees will be adhered to. Payment must be post marked by the listed date to receive the discounts).**

space is LIMITED in all pre and post-conference workshops so register early to ensure your spot.

### Remit payment with Registration Form to:

AOAP, PO Box 92107, Austin, TX 78709. Payment must accompany registration form.

There will be a $30 charge for returned checks. If registering by credit card you may do so on the AOAP Website for secure payment processing.

*Registration confirmation will be sent via email only.

### Payment must accompany registration form. Questions about Registration? Call the AOAP Office at 262-894-9772 or email info@aquaticpros.org.

### Space is LIMITED in all pre and post-conference workshops so register early to ensure your spot.

### Workshops

(Saturday, February 15, Sunday, February 16, Monday, February 17, Thursday, February 20, Friday, February 21 or Saturday, February 22)

AOAP reserves the right to cancel any Pre or Post-conference Workshop if the minimum registration is not met. Check your selections:

- AquaTech Pool Operator Certification (8 hours)
- Aquatic Revenue and Innovations Boot Camp (1/2)
- Aquatic Revenue and Innovations Booth Camp (Full)
- Learn and Lead Log Rolling (4 1/2 hours)
- The Jury’s Out (4 1/2 hours)
- Aquatic Risk Management (6.25 hours)
- Developing Lifeguard Training Land (6.25 hours)
- Adapted Swim Program (4 hours)
- Transgender - Are You In Over Your Head (3 hours)
- The Body Says Yes to Aqua Stretch (4 hours)
- Developing Lifeguard Training Water (6 hours)
- Golf
- Aquatic Facility Operator (2 days)
- Swim Series 1 (SAI) (2 ½ hours)
- Swim Series 2 (SAI) (2 hours)
- Swim Series 3 (SAI) (1.75 hours)
- Swim Series All 3 (SAI) (6.25 hours)
- Fifteen Fantastic First Aid Facilitations (SAI) (3 hours)
AOAP 9TH ANNUAL CONFERENCE & EXPOSITION

MISSION FOCUSED
EXCEPTIONAL SERVICE
INNOVATIVE SOLUTIONS

2020 FEBRUARY 17-20
Frisco Embassy Suites and Convention Center
FRISCO, TEXAS

#AOAP2020
FRISCO is a city in Texas and part of the Dallas-Fort Worth metro area. Downtown, the Frisco Heritage Museum displays antiques, vintage cars and railroad memorabilia. The National Videogame Museum has rare gaming consoles and arcade machines. Next door, Sci-Tech Discovery Center offers hands-on exhibits for kids. To the northeast, Frisco Commons Park features playgrounds, a fishing pond and an amphitheater.

THINGS TO DO

If you’re looking for something to do in Frisco, you’ve made it to the right page.

Like sports? Us too. Whether you call it futbol or soccer, cheer on FC Dallas at Toyota Stadium; catch a Frisco RoughRiders baseball game while floating the Lazy River at Dr Pepper Ballpark, or watch the Dallas Cowboys practice and then tour their all-new headquarters and practice facility at The Star. No matter which team you root for, Frisco is the ultimate destination for sports fans. If shopping is your sport of choice, check out Frisco’s more than 9 million square feet of retail space throughout the city.

Of course, there’s food too. Between BBQ, sushi, pizza and pho, take your pick from Frisco’s more than 400 restaurants. Featuring more than 90 miles of trails, Frisco offers hikers, bikers, runners and walkers plenty of pathways to explore and was even named a “Bicycle Friendly” Community (1 of 8 in Texas) by The League of American Bicyclists. When it comes to arts and culture, Frisco has that going on as well. The city’s growing public art trail includes the nationally recognized Texas Sculpture Garden and the Bronze Cattle Drive Depictions, the longest continuous-themed bronze sculpture collection in the United States. And no visit to Frisco would be complete without learning about Frisco’s rich history at the Frisco Heritage Museum, standing alongside “Big Boy” at the Museum of the American Railroad or playing Pong on the world’s largest home Pong console at the National Videogame Museum.

No matter your age or interests, there’s plenty of fun to find in Frisco!

11 FACTS ABOUT FRISCO

1. HOME OF THE WORLD HEADQUARTERS OF THE DALLAS COWBOYS.

2. HOME OF THE NATIONAL HEADQUARTERS FOR KIDZANIA AND ALSO WILL BE HOME OF THE FIRST U.S. KIDZANIA LOCATION.

3. FUTURE HOME OF THE PGA OF AMERICA.

4. A COMMUNITY OF ABOUT 183,000 RESIDENTS.

5. 6.1 MILLION PEOPLE VISIT FRISCO EACH YEAR.

6. #1 BEST PLACE TO LIVE IN THE U.S. (MONEY MAGAZINE 2018).

7. 9 MILLION SQUARE FEET OF RETAIL SPACE.

8. MORE THAN 400 RESTAURANTS WITH MORE THAN 30 “UNIQUE TO FRISCO” DINING OPTIONS.

9. LAZY RIVER AT DR. PEPPER BALLPARK IS THE LARGEST BODY OF WATER INSIDE ANY PROFESSIONAL STADIUM IN THE U.S. AT 174 FEET, IT’S LONGER THAN AN OLYMPIC-SIZED SWIMMING POOL AND COULD HOLD 1,267,000 BASEBALLS OR 8,706,000 OUNCES OF NACHO CHEESE.

10. HOME TO 8 PROFESSIONAL SPORTS ORGANIZATIONS.

11. HOME TO 2 PROFESSIONAL ESPORTS TEAMS.
TRANSPORTATION TO AND AROUND FRISCO

Dallas/Fort Worth International Airport and Dallas Love Field

Frisco, TX is located just 20 minutes due north of Dallas and is a quick drive from both DFW International Airport and Dallas Love Field. Once you’re in town, it’s very easy to get around Frisco or travel to nearby cities. From airport shuttles and luxury transportation to app-based Uber and Lyft, your commute around Frisco can be made easier by our transportation options below.

BY AIR

Dallas/Fort Worth International Airport

Dallas/Fort Worth International Airport (DFW) is the primary international airport serving the Dallas–Fort Worth area. It is centrally located between Dallas and Fort Worth, just south of Grapevine and North of Arlington. It is the largest hub for American Airlines, which is headquartered near the airport. DFW Airport features 26 total passenger airlines (Domestic: 10; Foreign Flag: 16) and offers service to more than 209 destinations world-wide. Every major city in the continental United States can be accessed from DFW Airport within four hours.

Driving Directions from Dallas/Fort Worth International Airport:
Head north on International Pkwy and merge onto TX-121 N. Continue onto TX-121/SAM Rayburn Tollway and exit toward Dallas North Tollway N. Take Dallas North Tollway N and exit Main Street in Frisco.

Dallas Love Field Airport

Dallas Love Field Airport (DAL) is a city-owned (Dallas) public airport six miles northwest of downtown Dallas. The corporate headquarters for Southwest Airlines is located at Love Field. The airport services more than 55 destinations through three passenger airlines: Delta Air Lines, Southwest Airlines and Virgin America. Dallas Love Field welcomed more than 14 million passengers in 2015.

Driving Directions from Dallas Love Field Airport:
Head West on Mockingbird Ln then turn left to merge onto Dallas North Tollway N. Take Dallas North Tollway N and exit Main Street in Frisco.

TRANSPORTATION TO AND FROM THE AIRPORTS

Airport shuttles and luxury transportation or app-based Uber and Lyft are your choices to and from the airports.

TENTATIVE GENERAL SCHEDULE

SATURDAY, FEBRUARY 15, 2020
8:00 AM - 6:00 PM - AquaTech

SUNDAY, FEBRUARY 16, 2020
8:00 AM - 5:00 PM - Aquatic Revenue and Innovations Boot Camp Full Day
1:00 PM - 5:00 PM - Aquatic Revenue and Innovations Boot Camp Half Day
1:00 PM - 5:30 PM - Learn and Lead Log Rolling
1:00 PM - 5:30 PM - The Jury Is Out, So You Be the Judge!

MONDAY, FEBRUARY 17, 2020
7:45 AM - 1:45 PM - Aquatic Risk Management *New and Updated*
7:45 AM - 1:45 PM - Developing Effective Training Skills for Lifeguards: Land (Updated for 2020)
8:00 AM - 12:30 PM - Adapted Swim Program: Learn how to Integrate Strategies for Overcoming Roadblocks for Successful Swimming
8:00 AM - 12:00 PM - The Body Says Yes to Aqua Stretch
8:30 AM - 11:30 AM - Transgender - Are You In Over Your Head?
10:00 AM - 5:30 PM - Registration Desk Open
11:00 AM - 11:30 AM - Welcome to First Time Attendees
11:45 AM - 12:45 PM - The Latest on High Performance Drowning Response - Sponsored by SAI and SGE
12:45 PM - 1:45 PM - Lunch on Your Own
1:45 PM - 2:45 PM - Opening Session/Keynote: Rowdy Gaines - “Be a Dream Chaser”
3:00 PM - 5:40 PM - Educational Sessions
7:30 PM - 11:00 PM - Dinner and Social (Embassy Suites Atrium) (Ticket Required)
TENTATIVE GENERAL SCHEDULE (Continued)

TUESDAY, FEBRUARY 18, 2020
7:45 AM - 6:00 PM  - Registration Desk Open
8:00 AM - 9:00 AM  - Aquatics International Sponsored General Session - Award Winning Programs and Special Events (Also, recognition of the 2019 Award Winning Programs and Power Winners)
9:15 AM - 11:55 AM       - Educational Sessions
11:55 AM - 1:15 PM       - Food Truck Frenzy! - Join us for a food truck lunch. $5.00 coupons will be handed out to any full conference registrations and exhibitors - sponsored by Recreonics
1:15PM - 3:55 PM  - Educational Sessions
4:00 PM - 6:30 PM  - Exhibit Hall Grand Opening (Ticket Required)

WEDNESDAY, FEBRUARY 19, 2020
8:30 AM - 5:30 PM  - Registration Desk Open
8:45 AM - 9:15 AM  - AOAP Membership Meeting
9:30 AM - 12:10 PM        - Educational Sessions
12:30 PM - 1:00 PM        - Lunch in the Exhibit Hall (Ticket Required)
1:00 PM - 3:00 PM  - Exhibit Hall Open
  (FREE to the Public - No registration necessary)
3:15 PM - 5:55 PM  - Educational Sessions
7:00 PM - 11:00 PM        - AOAP All Conference and Exhibitor Dinner and Social (Ticket Required) sponsored by Lincoln Aquatics and Maytronics

THURSDAY, FEBRUARY 20, 2020
8:30 AM - 12:30 PM       - Registration Desk Open (Turn in CEU forms before leaving)
8:45 AM - 11:25 AM       - Educational Sessions
11:45 AM - 1:15 PM       - Closing Session/Endnote Joey Rusnak “Our Legacy” and Update on Drowning Statistics in Aquatic Operations
1:30PM - 7:30 PM        - Developing Effective Training Skills for Lifeguards: Water (Updated for 2020)

FRIDAY, FEBRUARY 21, 2020
8:00 AM - 6:00 PM  - Aquatic Facility Operator (AFO) Certification Course
8:00 AM - 6:00 PM  - Build and Program a Pool Conference

SATURDAY, FEBRUARY 22, 2020
8:00 AM - 6:00 PM  - Aquatic Facility Operator (AFO) Certification Course
8:00 AM - 6:00 PM  - Build and Program a Pool Conference
**Monday, February 17 - Keynote**
1:45 PM - 2:45 PM

"Be A Dream Chaser"

Rowdy Gaines, Olympian, Scripps, San Diego, CA

Rowdy Gaines’ life is one of inspiration and courage. Gaines, born in Winter Haven, Florida, didn't start swimming until the age of 17. He tried other sports as a youngster but was either too short, too slow, or not coordinated enough. As he recalls, "I wanted to play football but was so intimidated by the size of the other players."

A shy boy growing up, Rowdy Gaines found the solitude of swimming laps to be just what the doctor ordered. But his shyness quickly dissipated with his new found swimming success. After two years of rapid improvement as a high school swimmer, he was offered a scholarship to swim for Auburn University and under legendary coach Richard Quick. If not for the 1980 Olympic boycott, Rowdy Gaines might very well be one of America's most famous Olympians. He was favored to win 4 Olympic Gold Medals in 1980. He had broken 11 World Records. But as he says today, while disappointed by the decision to boycott, he supported President Carter and the U.S.A 100%.

With every set back in his life, Rowdy Gaines has persevered. He graduated from Auburn in 1981 and thought his swimming career was over. Professional swimming didn't exist at that time. He left the water for nearly a year, worked in his dad's gas station, and went through post-collegiate depression thinking he'd missed his dream to swim in the Olympics. If you are not a swimmer, you have to understand the Olympics are swimming's Super Bowl. Four years is a very long time in a sport where the biological clock is ticking. At his father's coaxing to "stop feeling sorry for yourself," Rowdy Gaines came out of retirement and in late 1981 returned to the sport he so loved.

**Thursday, February 20 - Endnote**
11:45 AM - 1:15 PM

"Our Legacy"

Joey Rusnak, Founder, Lifeguard Authority

Joey Rusnak, the Founder of Lifeguard Authority, an organization working towards preventing drowning and saving lives, will share his dream of a time when lifeguarded environments are free from drowning. For decades, aquatic professionals have been relentlessly working towards eliminating fatalities in our communities. Joey believes it is within our grasp to be the generation of aquatic professionals that cross this finish line. With the development of new technologies and rapid communication methods, we can experience unprecedented advancement because we have all the tools needed to succeed. As we have grown smarter with data and experience, so too has the world around us, evolving and providing fresh opportunities.

This endnote explores the roles, accountability, innovation, and collaboration play in our quest to eliminate drowning from our communities. Be entertained as Joey shares his personal story and adventure as an Aquatic Professional. Be inspired as he takes you along his journey from a teenager forced into a job as a lifeguard, to being an international advocate for drowning prevention. Be ready to learn how your own story can impact the future and how as an industry we need to be intentional about building our legacy.

**BONUS INFORMATION:** Update on Drowning Statistics in Aquatic Operations

Mick Nelson will present an update on drowning statistics in Aquatic Operations. Hear first-hand what the report covers, the different categories and break down by all states. This is one discussion that you will not want to miss as you will be able to find out how to receive the full report.
Pre-Conference Workshops

Sunday, February 16, 2020
Aquatic Revenue and Innovations Boot Camp
Ken Handler, President – Global Management Amusement Professionals, Krista Myrick, Director of Revenue – Seven Peaks Waterpark, Provo Utah, Mark Moore, General Manager – Gulf Islands Waterpark, Gulfport MS, Cheryl Salazar, Recreation Supervisor – City of San Marcos, CA and Jimmy Holmes, President – H Two Marketing
Fees: $59.99 half day option, $99 full day option

Full Day Option: (8:00 AM - 5:00 PM)
Choose the full day option and enjoy both the Renovations and Innovations program described below. Full day participants will also enjoy a networking lunch. Tuition is $99 for the full day option and pre-registration is recommended as space is limited.

Half Day Option: (1:00 PM - 5:00 PM)
Choose the half day option and start off after the networking lunch with the afternoon Innovations program described below. Tuition for the half day program is $59.99 and pre-registration is recommended as space is limited.

Aquatic Revenue School: Renovations (8:00 AM -12:00 PM)
Revenue sources at aquatic facilities come from so much more than just the sale of admission tickets. Learn what you can do to improve spending and cut costs in the traditional revenue areas inside your facilities including food & beverage, retail and rentals. In this morning program, you will enjoy hearing from panelists from top-level industry leaders from waterparks, resorts, aquatic facilities and industry experts that will help examine your existing processes and operations, and provide ideas to renovate your revenue areas to allow for higher per caps and improved profitability.

Aquatic Revenue School: Networking Lunch (12:00 PM - 1:00 PM)
- Full day option only

Aquatic Revenue School: Innovations (1:00 PM - 5:00 PM)
Discover what parks are doing to add new sources of revenue to their parks. Hear about successes from your peers who have increased their profits by adding new revenue areas, incorporating new technologies and/or implementing new management processes to further raise profits and guest satisfaction.

Sunday, February 16, 2020
Learn and Lead Log Rolling – 1:00 PM - 5:30 PM
Abby Delaney and Emily Ward, Key Log Rolling
Fees: $50 AOAP member, $65 non-member

Learn to log roll and teach log rolling! Log rolling is a fun, safe, exciting, low-impact activity with high rewards. Perfect for all settings and popular with youth and adults, including non-swimmers since you can roll in as little as 2 ft of water. Much of the session will be in-water to learn basic log rolling proficiency as well as knowledge to teach and facilitate. This is a unique opportunity to add "Log Rolling instructor" to your resume!

Sunday, February 16, 2020
The Jury is Out, So YOU Be The Judge!
1:00 PM - 5:30 PM
Shawn DeRosa, J.D., DeRosa Aquatic Consulting
Fees: $30 AOAP member, $45 non-member

Using detailed fact patterns and case studies, you will discuss key elements in aquatic injury claims. What is the standard of care? Where do we find it? Are there aquatic standards or do we rely more heavily on best practices in the industry? Do the same standards apply to pools as to beaches? Do the standards apply equally in all situations? Learn to evaluate aquatic claims as would an expert, by reviewing facts and data and comparing the same to the standard of care. Working in groups, you will discuss actual cases; identify applicable standards; weigh the evidence; arrive at an opinion and defend your opinion to the group. Participants will leave with a better understanding of how the various puzzle pieces of evidence fit together in an attempt to paint a picture of what really happened during an incident. Some pieces of the puzzle may be missing, but in the end there’s likely to be enough to create a masterpiece.

Monday, February 17, 2020
Aquatic Risk Management (ARM) – Updated
7:45 AM - 1:45 PM
Dr. Tom Griffiths and Rachel Griffiths, Aquatic Research Group, LLC
Fees: $90 AOAP member, $125 non-member

The Aquatic Risk Management (ARM) workshop “arms” you with simple, practical, and affordable tools to minimize risks that could lead to catastrophic injuries and large jury verdicts for pool, waterpark, and beach managers. Gain an understanding of the applicable standards of care through this fast-paced class using videos, PowerPoints, and lively discussion. Participants receive a certificate upon completion. Some of the topics to be discussed include:
- Significant aquatic risks with risk management strategies for mitigation
- Psychology of Lifeguarding and Lifeguard Blindness
- Case studies from real aquatic facilities throughout the country: The “do’s and don’ts”
- Shallow Water Blackout
- Effective Signage
- Engineering and programming for drowning prevention
- Real drowning videos ... and much more!

Most of these seven topics were researched and developed by the Aquatic Safety Research Group and are exclusive and unique to this ARM Seminar. Much of the information presented simply cannot be found elsewhere. Cutting edge lifeguard videos, actual drowning videos, and summaries of actual court cases and aquatics will also be included with the major topics. The program is very interactive, encouraging Q&A concerning any area of water safety that attendees would like to discuss. No topic is too small or too controversial to discuss.
Pre-Conference Workshops (continued)

Monday, February 17, 2020
Transgender - Are You In Over Your Head?
8:30 AM - 11:30 AM
Leslie McMurray, Resource Center
Fees: $35 AOAP member, $45 non-member (minimum of 30 required)

This workshop will clearly lay out many of the issues facing aquatic facility operators when dealing with transgender or gender non-conforming guests. The discussion will present best practices to be inclusive and also discuss lawsuits that have been filed by those who feel they were mistreated or laws weren’t followed. There will be plenty of opportunity for discussion. This workshop will cover understanding best practices for accommodating everyone, training staff, defining policy and understanding the trans population.

Monday, February 17, 2020
Developing Effective Training Skills for Lifeguards: Land (Updated for 2020)
7:45 AM - 1:45 PM
Pete DeQuincy, East Bay Park District
Fees: $50 AOAP member, $65 non-member (Minimum of 30 required)

This workshop focuses on strengthening your skills as an effective trainer. We will review ideologies, learning objectives and strategies to streamline in-service training. This is an intensive, hands-on skill session with the opportunity for group teach backs, individual instructor development and troubleshooting of skill areas. Participants are strongly encouraged to attend the post-conference Water Workshop as well.

Learning Objectives
1. Strong knowledge of in-service training and objectives
2. Proficiency in land skills for lifeguard in-service: team work, primary assessment, ventilations, CPR
3. Ability to build effective in-service training components
4. Better understanding of troubleshooting and overcoming challenges during in-service academic support:
   - Goal Work, Enhancing Personal Motivation, Focus on Future, and Study Skills. Groups are offered around each of these approaches.

Monday, February 17, 2020
The Body Says Yes to AquaStretch
8:00 AM - 12:00 PM
Laurie Denomme, Water Exercise Coach
Fees: $50 AOAP member, $65 non-member (Minimum of 15 required)

AquaStretch™ is a clinically proven, groundbreaking technique helping to restore flexibility, decrease pain, increase exercise training efficiency, improve sports performance and improve general well-being. Using weighted resistance in shallow water, the body is dynamically stretched in ways virtually impossible on land. The result is significant pain reduction and movement freedom. In this interactive introduction to AquaStretch™ you will feel the power and simplicity of the AquaStretch™ four-step technique: Play – Freeze – Pressure – Move. Discover why individual clients, companies and health care providers are seeking AquaStretch™ facilitators at a rapidly growing pace. Be the first to learn the benefits of this revolutionary technique – providing immediate as well as long-term benefits to a wide variety of people.

Learning Objectives:
1. Explain how facial adhesions may restrict flexibility and/or cause pain on movement.
2. Distinguish the two major ways that the AquaStretch™ differs from many other forms of myo-fascial work: Client encouragement to “move, if you feel the need to move”, so the client will not inhibit intuitive movement, and because Aqua Stretch™ accents the client’s intuitive movement rather than just following that movement.
4. Demonstrate the ability to effectively facilitate AquaStretch™ starting positions: one leg standing and two heavy feet lean back.

Monday, February 17, 2020
Adapted Swim Program Success: Learn How to Integrate Strategies for Overcoming Roadblocks For Successful Swimming
8:00 AM - 12:30 PM
Cindy Freedman and Ailene Tisser, Swim Angelfish
Fees: $200  (Minimum of 10 required)

Are you having trouble achieving certain swim skill benchmarks with swimmers with special needs? Do you find you are not able to progress swim skills with your current curriculum? Learn how to recognize the signs of 4 common roadblocks to successful swimming for special needs swimmers. Once you address the underlying problem these swimmers are having, with our movement strategies, you can go back to teaching within your current swim curriculum with success.

Swim Angelfish - Swim Whisperer method is universal for all diagnosis and abilities. We work to educate aquatic instructors by overcoming roadblocks that swimmers with special needs are having, regardless of their specific diagnosis. A swimmer with Down Syndrome, Autism or Cerebral Palsy, may be fearful going under water. By using our movement strategies to address this particular roadblock, you can overcome it, and go back to progressing their swim skills.
Post-Conference Workshops

Thursday, February 20, 2020

Developing Effective Training Skills for Lifeguards: Water (Updated for 2020)

1:30 PM - 7:30 PM

Pete DeQuincy, East Bay Park District

Fees: $50 AOAP member, $65 non-member (Minimum of 30 required)

This workshop develops a trainer's in-service skill set for the water portion of lifeguarding. We’ll cover ideology, objectives and strategies. The expectation is full participation in the water and in the teach backs. It is highly encouraged to attend the pre-conference Land Workshop as well.

Learning Objectives
1. Better understanding of trainer ideology, strategies and objectives
2. Proficiency in water lifeguarding skills
3. Development of streamlining in-services and troubleshooting
4. Practical application of management of space and resources and time

Friday and Saturday, February 21 & 22, 2020

Build and Program a Pool Conference

Friday and Saturday 8:00 AM - 6:00 PM

Mick and Sue Nelson, and Kevin Post

Register through USA Swimming at:
http://www.usaswimming.org/BuildAPool

What is the Build & Program a Pool Conference? USA Swimming's Build & Program a Pool Conference has offered this workshop /conference since 2006. Over 1700 people have attended resulting in over 170 new aquatic facilities. The information presented is cutting edge for the process of building and programming pools to be community centerpieces for safety and health and wellness while being financially sustainable. One of the goals of the presentation is to provide attendees with information that helps make the best choices for architects, engineers and other professionals to form your team of planners. The right people involved with the best plan for programming and design gives the project the best chance for success.

Friday and Saturday, February 21 & 22, 2020

Aquatic Facility Operator Course (AFO)

8:00 AM - 6:00 PM

John Whitmore, AFO Instructor Trainer, Texas

Fees: $250 AOAP member, $275 non-member (Minimum of 10 required)

The Aquatic Facility Operator (AFO) program is designed for pool operators and management staff in aquatic facility operation and management. Certification can be achieved by passing the AFO Certification examination. The AFO course is a two day training program designed to educate individuals on the systematic approach to pool operations including pool chemistry, management, pool safety and risk reduction. The course uses an AFO manual which is a comprehensive training manual for AFO certification; reviews organization, safety, risk management, filtration, circulation and control, basic chemistry, and purchasing.

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AOAP Golf Tournament

Tuesday, February 18, 2020

The Tribute

7:30 AM - 1:30 PM

The Colony, Texas

Fees: $95 includes 18 holes, tournament prizes, lunch and beverages (minimum of 30 required)

Located in The Colony, TX, just off the eastern shores of Lake Lewisville, The Tribute offers a unique Scottish links-style golf experience that pays homage to the legendary courses of Scotland. Enjoy wind-swept dunes and sea-washed grasses as you soak in the experience of The Tribute.

The Tribute offers an experience like no other. The British Open replica layout offers you the opportunity to experience the challenges faced by Open Championship golfers throughout history, like the much feared "Postage Stamp", "The Road Hole", and the 18th at Royal St. Andrews complete your journey. What a way to spend a day!
### Saturday and Sunday February 15 & 16 Pre-Conference Workshops

<table>
<thead>
<tr>
<th>Time</th>
<th>Workshop</th>
<th>Location</th>
</tr>
</thead>
</table>
| 7:45 AM – 1:45 PM (6-hour WS) | **Workshop**  
Aquatic Risk Management (New and Updated)  
Tom Griffiths and Rachel Griffiths, Aquatic Safety Research Group | Aqua Tech         |
| 8:00 AM – 12:00 PM (4-hour WS) | **Workshop**  
The Body Says Yes to Aqua Stretch  
Laurie DeNomme | Frisco 1           |
| 8:00 AM – 12:30 PM (4 1/2-hour WS) | **Workshop**  
Adapted Swim Program: Learn how to Integrate Strategies for Overcoming Roadblocks for Successful Swimming  
Cindy Freedman and Ailene Tisser, Swim Angelfish | Frisco 2           |
| 8:30 AM – 11:30 AM (3-hour WS) | **Workshop**  
Transgender - Are You In Over Your Head?  
Leslie McMurray, Resource Center | Frisco 2           |

### Monday February 17 – Pre-Conference Workshops

<table>
<thead>
<tr>
<th>Time</th>
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| 7:45 AM – 1:45 PM (6-hour WS) | **Workshop**  
Developing Effective Skills for Lifeguards: Land (Updated for 2020)  
Pete DeQuincy, East Bay Park District | Frisco 2           |
| 8:00 AM – 12:00 PM (4-hour WS) | **Workshop**  
Developing Effective Skills for Lifeguards: Land (Updated for 2020)  
Pete DeQuincy, East Bay Park District | Frisco 2           |
| 11:00 AM – 11:30 AM | **Welcome to First Time Attendees**  
AOAP Board Members | Frisco 2           |
| 11:45 AM – 12:45 PM | **The Latest on High Performance Drowning Response**  
Sponsored by SAI and SGE (everyone welcome to attend) | Frisco 2           |
| 1:45 PM – 2:45 PM | **Opening Session/Keynote: “Be a Dream Chaser”**  
Rowdy Gaines, Olympian, Scripps, San Diego, California | Frisco 2           |
| 3:00 PM – 4:10 PM | **University/College Aquatic Forum**  
(University/College)  
Craig Merkey | Frisco 3           |
| 4:30 PM – 5:40 PM | **Small Drops of Change that Make Big Splashes**  
(Management)  
Justin Caron | Frisco 1           |
| 4:30 PM – 5:40 PM | **AqP ... It’s for Me!**  
(Management)  
Tara Eggleston-Stewart & Donita Grinde-Houtman | Frisco 4           |
| 3:00 PM – 4:10 PM | **Log Rolling for Everyone**  
(Programming)  
Abby Delaney | POOL              |
| 4:30 PM – 5:40 PM | **Mediocre Aquatic Operations Start at the Top**  
(Management)  
George Deines | Frisco 4           |
| 5:45 PM – 6:45 PM | **Diverse Partnerships and Community Collaborations in Aquatics**  
(Diversity)  
Miriam Lynch | Frisco 5           |
| 5:45 PM – 6:45 PM | **Creating A Swim Lesson Program that Encourages Community Participation**  
(Programming)  
Bob Floyd & Ashley Wells | POOL              |
<table>
<thead>
<tr>
<th>Time</th>
<th>Venue</th>
<th>Session Title</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 AM – 9:00 AM</td>
<td>Frisco 2</td>
<td>Aquatics International General Session &amp; Awards Presentation</td>
<td></td>
</tr>
<tr>
<td>9:15 AM – 11:55 AM</td>
<td>Frisco 5</td>
<td>The Mindful Lifeguard <em>(Risk Management/Lifeguard Management)</em></td>
<td>Tom Griffiths</td>
</tr>
<tr>
<td>9:15 AM – 10:25 AM</td>
<td>Frisco 5</td>
<td>Where have all the Lifeguards Gone? Recruiting and Retention - Do's &amp; Don'ts Learned From the Road <em>(Lifeguard Management)</em></td>
<td>Wes Long</td>
</tr>
<tr>
<td>9:15 AM – 10:25 AM</td>
<td>Frisco 3</td>
<td>The Mindful Lifeguard <em>(Risk Management/Lifeguard Management)</em></td>
<td>Tom Griffiths</td>
</tr>
<tr>
<td>1:15 PM – 2:25 PM</td>
<td>Frisco 3</td>
<td>Not Your Same Ole' Lifeguard Competition Event <em>(Programming)</em></td>
<td>Kelly Martinez</td>
</tr>
<tr>
<td>1:15 PM – 2:25 PM</td>
<td>Frisco 5</td>
<td>Water Safety Instruction in School - High School P.E. Curriculum <em>(Programming)</em></td>
<td>Kevin Cronin</td>
</tr>
<tr>
<td>1:15 PM – 2:25 PM</td>
<td>Ranger/Sea Biscuit/Traveller</td>
<td>Protecting Swimmers From Drowning Using the MAHC <em>(Lifeguard Management)</em></td>
<td>Kristie Riester</td>
</tr>
<tr>
<td>2:45 PM – 3:55 PM</td>
<td>Frisco 3</td>
<td>How to Develop a Growth Strategy for Your Swim School <em>(Programming)</em></td>
<td>Emily Smith</td>
</tr>
<tr>
<td>2:45 PM – 3:55 PM</td>
<td>Frisco 5</td>
<td>Don’t Tell Me That! <em>(Risk Management)</em></td>
<td>Tommy Thomassie</td>
</tr>
<tr>
<td>3:15 PM – 4:25 PM</td>
<td>Frisco 4</td>
<td>Implementing Your Vision <em>(Management)</em></td>
<td>Becky Hulett</td>
</tr>
<tr>
<td>3:15 PM – 4:25 PM</td>
<td>Frisco 5</td>
<td>Implementing Your Vision <em>(Management)</em></td>
<td>Becky Hulett</td>
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<tr>
<td>3:15 PM – 4:25 PM</td>
<td>Ranger/Sea Biscuit/Traveller</td>
<td>Tapping Into Video Footage to Train Your Lifeguards <em>(Lifeguard Management)</em></td>
<td>Tonya Roy</td>
</tr>
<tr>
<td>3:15 PM – 4:25 PM</td>
<td>Pool</td>
<td>Making Water Safety the Cool Family Tradition <em>(Programming)</em></td>
<td>Kevin McCarthy</td>
</tr>
<tr>
<td>3:15 PM – 4:25 PM</td>
<td>Pool</td>
<td>Making Water Safety the Cool Family Tradition <em>(Programming)</em></td>
<td>Kevin McCarthy</td>
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</table>

EXHIBIT HALL GRAND OPENING

Join us in the exhibit hall for a fabulous time visiting the many companies that support the AOAP Conference and offer fabulous aquatic products and services. Grab a snack as you walk around the hall, bid on the Kathie Luecker silent auction items and purchase a cork from our fabulous cork pull!

4:00 PM – 6:30 PM
### WEDNESDAY

#### FEBRUARY 19 – REGULAR CONFERENCE SESSIONS

<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 5</th>
<th>AOAP General Membership Meeting</th>
<th>AOAP Board of Directors Team Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:45 – 9:15 AM</td>
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<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 4</th>
<th>SAF Aqua Drum Vibes</th>
<th>Programming</th>
<th>Andrea Velazquez and Paula Raphael</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:30 AM – 10:40 AM</td>
<td></td>
<td>Vigilance Awareness They Can’t Rescue What They Can’t See</td>
<td>Lifeguard Management</td>
<td>Lori Thompson</td>
</tr>
<tr>
<td>Frisco 5</td>
<td></td>
<td>AngelFishGA Stories - Adaptive Aquatics Gets Personal</td>
<td>Diversity/Adaptive Aquatics</td>
<td>Linda Cosby</td>
</tr>
<tr>
<td>Bass/Bush/Erudia</td>
<td></td>
<td>Scheme of Managing Chronic Pain by the Safe Way - The Healing Way - The Water Way</td>
<td>Programming</td>
<td>Sue Nelson</td>
</tr>
<tr>
<td>Bass/Bush/Erudia</td>
<td></td>
<td>Open Water Events Planning, Preparation and Process</td>
<td>Programming</td>
<td>Richard Carlson</td>
</tr>
<tr>
<td>Ranger/Sea Biscuit/Traveller</td>
<td></td>
<td>Can You Teach a Gorilla to Swim?</td>
<td>Management/Marketing</td>
<td>Kent Nelson</td>
</tr>
</tbody>
</table>

#### 11:00 AM – 12:10 PM

<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 3</th>
<th>Common Mistakes in Managing Hazardous Materials</th>
<th>Pool Operation</th>
<th>Justin Caron</th>
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</thead>
<tbody>
<tr>
<td>Pool</td>
<td></td>
<td>Acquapole Tone</td>
<td>Programming</td>
<td>Paula Raphael</td>
</tr>
<tr>
<td>Frisco 4</td>
<td></td>
<td>How to Lose a 21 Million Dollar Lawsuit</td>
<td>Risk Management</td>
<td>Juliene Hefter and Tom Griffiths</td>
</tr>
<tr>
<td>Bass/Bush/Erudia</td>
<td></td>
<td>Teaching Children With Autism to Learn Lifesaving Swim Skills</td>
<td>Diversity/Adapted Aquatics</td>
<td>Vincent Lamarca</td>
</tr>
<tr>
<td>Ranger/Sea Biscuit/Traveller</td>
<td></td>
<td>Leadership for All</td>
<td>Management</td>
<td>Jenna Stevenson</td>
</tr>
<tr>
<td>Frisco 5</td>
<td></td>
<td>The Business of Drowning Prevention</td>
<td>Drowning Prevention</td>
<td>Nathalie V Martin</td>
</tr>
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</table>

#### 3:15 PM – 4:25 PM

<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 4</th>
<th>Lifeguards: Where Are They? On Vacation!</th>
<th>Lifeguard Management</th>
<th>Becky Hulett</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frisco 5</td>
<td></td>
<td>The Formulation and Application of a Good EAP</td>
<td>Risk Management</td>
<td>Joe Stefanyak</td>
</tr>
<tr>
<td>Ranger/Sea Biscuit/Traveller</td>
<td></td>
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<td>Management</td>
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<td>Nathalie V Martin</td>
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#### 4:45 PM – 5:55 PM

<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 4</th>
<th>Transform Your Pool in 60 Seconds - Healthy Competition for All Ages</th>
<th>Programming</th>
<th>Kyle Rieger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frisco 5</td>
<td></td>
<td>Quis Custodiet Ipsos Custodes? Auditing 101</td>
<td>Lifeguard Management</td>
<td>Sandra Kellogg</td>
</tr>
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</table>

#### * 9:30 AM – 12:10 PM *

<table>
<thead>
<tr>
<th>Time</th>
<th>Frisco 3</th>
<th>Increase Safety Utilizing Controller Technology</th>
<th>Pool Operation</th>
<th>Dustin Kauffman</th>
</tr>
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<tbody>
<tr>
<td>Ranger/Sea Biscuit/Traveller</td>
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* 3:15 PM – 5:55 PM *

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<thead>
<tr>
<th>Time</th>
<th>Frisco 3</th>
<th>Sponsorship 101</th>
<th>Management</th>
<th>Mark Abdo</th>
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</thead>
<tbody>
<tr>
<td>Frisco 5</td>
<td></td>
<td>The Art of Contractor Communication and Coordination</td>
<td>Management</td>
<td>Connan Campbell</td>
</tr>
</tbody>
</table>
### SESSIONS AT A GLANCE

#### THURSDAY

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<tr>
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<tbody>
<tr>
<td>8:45 AM – 9:55 AM</td>
<td>Pool&lt;br&gt;<code>HydroRevolution Fitness</code> <em>(Programming)</em>&lt;br&gt;Andrea Velazquez</td>
</tr>
<tr>
<td></td>
<td>Frisco 3&lt;br&gt;<code>Build a Program/Benefits of Bridge Programs Keeping Pools Open</code> <em>(Programming)</em>&lt;br&gt;Sue Nelson</td>
</tr>
<tr>
<td>10:15 AM – 11:25 AM</td>
<td>Frisco 4&lt;br&gt;<code>Emergencies are Stressful: Will the Lifeguards Freeze?</code> <em>(Risk Management/Lifeguard Management)</em>&lt;br&gt;Kelly Martinez</td>
</tr>
<tr>
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<td>Ranger/Sea Biscuit/Traveller&lt;br&gt;<code>Diversity in Aquatics</code> <em>(Diversity/Adapted Aquatics)</em>&lt;br&gt;Miriam Lynch</td>
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<td>11:45 AM – 1:15 AM</td>
<td>Bass/Bush/Erudia&lt;br&gt;<code>Creating Your Own Happy Hour</code> <em>(Management)</em>&lt;br&gt;Rachael Arroyo and Paul Macias</td>
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<td>Frisco 5 <em>(2½ hr session)</em>&lt;br&gt;<code>Drowning Prevention: Real Stories &amp; Tips for Your Facility and Guard In-Services</code> <em>(Drowning Prevention/Risk Management)</em>&lt;br&gt;Alissa Magrum</td>
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#### THURSDAY, FRIDAY AND SATURDAY

### POST CONFERENCE WORKSHOPS

**Thursday, February 20** - 1:30 PM - 7:30 PM<br>`Developing Effective Training Skills for Lifeguards - Water` *(Pool)* *(Updated for 2020)*<br>Pete DeQuincy

**Friday, February 21 & Saturday, February 22** - 8:00 AM - 6:00 PM<br>`Build and Program a Pool Conference` *(Hamilton - Lebanon)*<br>Richard Carlson

**Friday, February 21 & Saturday, February 22** - 8:00 AM - 6:00 PM<br>`Aquatic Facility Operator Course` *(AFO)* *(Fri - Frisco 5, Sat - Frisco 1)*<br>John Whitmore and Willa Whitacre

Receive a 5% discount when a minimum of 5 employees from the same organization register at the same time.<br>Must submit payment via check by mail.
City of Brownsville, Texas  
Analysis of Meal & IE Per Diem Allowance  
During The 2020 AOAP 9th Annual Conference & Expo  
in Frisco, Texas  
From February 18 Through February 21, 2020  
The Daily Meal & IE For Frisco, Texas, is $56.00  
for Sigifredo Zavala

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Sunday, February 16, 2020 (first day), and Sunday, February 23, 2020 (last day) were traveling days.
Consideration and ACTION to authorize Damaris McGlone, Parks & Recreation Director, Graciela Salazar, Assistant Marketing & Business Development Director, & Gloria Gonzalez, Recreation and Community Inclusion Coordinator to attend the 2020 TRAPS (Texas Recreation and Parks Society) Annual Institute & Expo on February 24-28, 2020 in Galveston, Texas.

For City Commission meeting on January 21, 2020
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: Damaris McGlone
DEPARTMENT Parks and Recreation

DATE: 01/09/20

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

Damaris McGlone

EMPLOYEE NAME

Parks & Recreation Director

POSITION

1. Destination: Galveston, Texas

2. Est. date and time leaving: February 24, 2020
   Est. date and time returning: February 28, 2020

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

4. Purpose of Trip:
   Attend the 2020 TRAPS TRAPS Annual Institute & Expo

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

This will be an opportunity for the Parks & Recreation Department & myself to attend & learn on topics of tourism, promote quality of life statewide initiative, how to work with designers on the Vision & implementation for the best facilities, connecting with Park resources to meet Therapeutic goals, working alongside with the community & many other sessions that we can implement to our Parks and Recreation Department for the future.

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 .535 cents a mile for private vehicle (list other) _________________ $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] $274.50
   c. Lodging $103.00 per night x 4 GSA rate: $103 $412.00
   d. Registration Fees $340.00 per person $340.00
   e. Other costs (explain) Refueling - $100.00 $100.00

   TOTAL: $1,126.50

8. I HEREBY REQUEST AN ADVANCE OF $374.50 FOR THE PURPOSE OF THIS Trip.

Department Director Signature:  ☑️ Employee Signatures:

9. Charges to be made to item # 01-510 767 which has a balance of $5,946.64 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
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: 01/09/20

FROM: Damaris McGlone
DEPARTMENT Parks and Recreation

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

Graciela L. Salazar
Employee Name
Assistant Marketing & Business Development Director
Position

1. Destination: Galveston, Texas
2. Est. date and time leaving: February 24, 2020
Est. date and time returning: February 28, 2020

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

4. Purpose of Trip:
Attend the 2020 TRAPS TRAPS Annual Institute & Expo

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

Allowing me to attend to the Texas Recreation and Park Society for the first time will help me learn about new initiatives, regulations, compliance issues, trends and ideas we can apply to the Parks and Recreation Department of the City of Brownsville.

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 .535 cents a mile for private vehicle (list other) $0.00
   b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY @ 75% FOR FIRST & LAST DAY OF TRAVEL $274.50
   c. Lodging: $103 per night x 4 GSA rate: $103 $412.00
   d. Registration Fees: $100.00 per person $100.00
   e. Other costs (explain) $0.00

   TOTAL: $786.50

8. I HEREBY REQUEST AN ADVANCE OF $274.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: ____________________________
Employee Signature: ____________________________

9. Charges to be made to line item # 01-510 - 767 which has a balance of $5,946.64 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 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: Damaris McGlone
DEPARTMENT Parks and Recreation

DATE: 01/09/20

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

Gloria Gonzalez
Employer Name

Recreation & Community Inclusion Coordinator
Position

1. Destination: Galveston, Texas

2. Est. date and time leaving: February 24, 2020
Est. date and time returning: February 28, 2020

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

4. Purpose of Trip:
Attend the 2020 TRAPS TRAPS Annual Institute & Expo

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

The TRAPS Institute and expo 2020 will help me identify current and new trends, hot topics and potential future trends in a variety of parks and recreation facets. We will also cover youth development benefits and revenue of summer camps.

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 .535 cents a mile for private vehicle (list other)

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

c. Lodging $103 per night x 4 GSA rate: $ 103

d. Registration Fees $395.00 per person

e. Other costs (explain) fuel expense - $125.00

TOTAL: $1,206.50

8. I HEREBY REQUEST AN ADVANCE OF $399.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: ____________________________

* Employee Signature: ____________________________

9. Charges to be made to line item # 01-511 - 767 which has a balance of $3,000.00 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.

/Δ/ ____________________________
Name: Damaris McGlone
Agency/Organization: City of Brownsville PARD
Title: Parks and Recreation Director
Email: damaris.mcglone@cob.us
Address: 1338 E. 8th St.
City: Brownsville
State: Texas
Zip: 78520
Telephone: 956-542-2064
Fax: 956-982-1049

TRAPS ANNUAL INSTITUTE & EXPO
February 24 - 28 Galveston, TX

REGISTRATION:
After February 14, do not mail or fax registration. Full price with payment will be accepted on-site in Galveston.

ALL PAYMENTS MUST BE MADE PRIOR TO THE START OF THE CONFERENCE.

Ways to Register:
1) Mail - complete the registration form and mail with payment to:
TRAPS Institute Registration, PO Box 5188, Jonestown, TX  78645
2) Online at www.traps.org
3) By Fax (512) 267-5557
We Accept Visa, MasterCard and Discover ONLY.
Make checks payable to “TRAPS Institute Registration.”

REFUND POLICY:
80% refund before January 31, 2020. After January 31 no refunds will be given, but a delegate substitution will be allowed.

*Includes education sessions, CEUs, exhibit hall admission (no social events are included unless specifically designated as requiring a separate ticket).
**Includes education sessions, CEUs, exhibit hall admission and all social events, unless specifically designated as requiring a separate ticket.
***All socials are included in full packets. Individuals not purchasing a full packet or those wishing for extras may purchase tickets to any individual social/meal event.

Questions: Please call (512) 267-5550 if you have any questions.

Credit Card
Card Number________________________________________________  Expiration Date______________    Purchase Amt.___________
Name on Card___________________________________________________ Security Code (3 digit) _____________________________
Billing Street Address___________________________________ City _______________________ State___________ Zip____________
Billing Phone _______________________  Signature of Card Holder_________________________________
Email Address for receipt ____________________________________________________________________

MEMBERSHIP:
TRAPS Member  NRPA Member/SW Region       Texas Parks & Wildlife  Non-Member
Are you :  Executive (Policy/Decision Maker)  First Timer  Professional  Park  Recreation  Staff
Student  Retired  Other _______________________
Please Circle Selection

Please Circle Selection

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Institute Packages*

| Full Institute Package | $300 | $400 | $475 | $575 |
| Student Full Institute Package | $150 | $170 | $195 | $220 |
| Retired Professionals Full Institute Package | $150 | $170 | $195 | $235 |

Daily Packages**

| Daily - Wednesday (includes Social Ticket) | $175 | $225 | $375 | $425 |
| Daily - Thursday (includes Lunch and Reception) | $175 | $225 | $375 | $425 |

Pre-Institute Seminars

| CPSI Course (Feb 24, 25) | $450 | $450 | $500 | $500 |
| CPSI Exam (Feb 26) | $150 | $150 | $150 | $150 |
| ADA Compliance Issues & Trends (Feb 25) | $100 | $100 | $155 | $155 |
| Marketing 101 for Programmers (Feb 25) | $40 | $40 | $95 | $95 |
| Adapted Sports (Feb 25) | $40 | $40 | $95 | $95 |

Tours & Events

| Golf Tournament (Feb 25) | $85 | $100 | $85 | $100 |
| Galveston County Park Tour (Feb 28) | $10 | $10 | $10 | $10 |
| Moody Gardens (Feb 28) | $45 | $45 | $45 | $45 |
| Salt Bay: Kayaking at Galveston Island State Park (Feb 28) | $25 | $25 | $25 | $25 |

Post Institute Seminars

| Protective Actions at Recreation and Park Facilities (Feb 28) | $50 | $50 | $50 | $50 |

Event Tickets***

| Welcome Social (Feb 26) | $45 | $45 | $45 | $45 |
| Lunch with Exhibitors (Feb 27) | $25 | $25 | $25 | $25 |
| Awards Reception (Feb 27) | $30 | $30 | $30 | $30 |

Less $10 Discount for Full Institute Package purchased before December 6th -$10.00

Total 340.00

SPECIAL THANK YOU TO THE TITLE SPONSOR

GameTime

Texas Star partner
### 2020 TRAPS ANNUAL INSTITUTE & EXPO
February 24 - 28    Galveston, TX

**REGISTRATION:**

After February 14, do not mail or fax registration. Full price with payment will be accepted on-site in Galveston.

**ALL PAYMENTS MUST BE MADE PRIOR TO THE START OF THE CONFERENCE.**

**Ways to Register:**

1) Mail - complete the registration form and mail with payment to:
   TRAPS Institute Registration, PO Box 5188, Jonestown, TX 78645
2) Online at www.traps.org
3) By Fax (512) 267-5557

We Accept Visa, MasterCard and Discover ONLY.

Make checks payable to “TRAPS Institute Registration.”

**REFUND POLICY:**

80% refund before January 31, 2020. After January 31 no refunds will be given, but a delegate substitution will be allowed.

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**Includes education sessions, CEUs, exhibit hall admission (no social events are included unless specified - individual tickets may be purchased below).

***All socials are included in full packets. Individuals not purchasing a full packet or those wishing for extras may purchase tickets to any individual social/meal event.

**Questions:** Please call (512) 267-5550 if you have any questions.

### Agency Membership Registration

return to jrosales@traps.org
REGISTRATION:
After February 14, do not mail or fax registration. Full price with payment will be accepted on-site in Galveston.

ALL PAYMENTS MUST BE MADE PRIOR TO THE START OF THE CONFERENCE.

Ways to Register:
1) Mail - complete the registration form and mail with payment to:
   TRAPS Institute Registration, PO Box 5188, Jonestown, TX 78645
2) Online at www.traps.org
3) By Fax (512) 267-5557

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***All socials are included in full packets. Individuals not purchasing a full packet or those wishing for extras may purchase tickets to any individual social/meal event.

Questions: Please call (512) 267-5550 if you have any questions.
Schedule at a Glance

TRAPS 2020 INSTITUTE & EXPO | February 24-28, Moody Gardens

Seven Hope Blvd., Galveston, TX 77554

TRAPS 2020: Vision - Focus - Action
Title Sponsor: GameTime by Total Recreation Products
All events at Moody Gardens

Monday, February 24
8 a.m.-5 p.m. Certified Playground Safety Inspector Course, sponsored by Lea Park and Play
2-5 p.m. TRAPS Board Meeting

Tuesday, February 25 — Fat Tuesday
8 a.m.-5 p.m. Certified Playground Safety Inspector Course, sponsored by Lea Park and Play
8 a.m.-3:30 p.m. Pre-Institute: Coming to a PARD Near You: ADA Compliance Issues and Trends (John McGovem, JD, and Deanna Zuppan)
Noon-6 p.m. Golf Tournament, Moody Gardens Course, sponsored by Brinkley Sargent Wighton and Vortex, four-person scramble/shotgun start ($85)
12:30-4 p.m. Pre-Institute: Marketing 101 for Recreation Programmers (Colin Walker)
1-4 p.m. Pre-Institute: Adaptive Sports – The Impact on Athlete, Family and Community (Josephine Sullivan)
2-3:30 p.m. Young Professionals Mentorship Meeting
3-5 p.m. Registration
4-5 p.m. Volunteer and First-Timers Orientation
6-8 p.m. Mardi Gras Fat Tuesday Event, sponsored by fun abounds

Wednesday, February 26 — Ash Wednesday
7:30 a.m.-5:30 p.m. Registration
8 a.m.-3 p.m. Vendors set up in Exhibit Hall
8 a.m.-2 p.m. State Maintenance Rodeo, Moody Gardens, sponsored by Playwell
8-9:15 a.m. Education Session 1

Coffee Break, sponsored by WT Group

9:30-10:45 a.m. Education Session 2
11 a.m.-12:15 p.m. Future and Young Professionals Showcase
12:30-1:45 p.m. Lunch on Your Own*
12:30-1:30 p.m. Branch Meetings
2-3:15 p.m. Education Session 4

3:30-5 p.m. General Session: Lone Star Legacy Parks, sponsored by Clark Condon and MUSCO Sports Lighting
Keynote: sponsored by Texas Parks & Recreation Foundation
5:15-6:30 p.m. President’s Preview, Exhibit Hall opens
6:45-9 p.m. Welcome Social, Casino Night 2, sponsored by Kraftsman, Miracle in Texas and TRAPS East Region

Thursday, February 27
7:30 a.m.-5:30 p.m. Registration
8-9:15 a.m. Education Session 5
8-10 a.m. Past Presidents’ Breakfast, Moody Gardens
9:45 a.m. Refreshment Break, sponsored by Burke, Child’s Play and fun abounds
9:30-10:45 a.m. Education Session 6
11 a.m.-1 p.m. Lunch with Exhibitors (Exhibit Hall will close at 1:30 p.m.)
1:30-2:45 p.m. Education Session 7
1:30-6 p.m. Exhibit Hall breakdown and move out
2:45 p.m. Ice Cream Social, sponsored by Stantec
3:45 p.m. Education Session 8
4:30-5:30 p.m. Awards Reception and Installation of Board and Officers
5:30-7 p.m. TPRF Auction
7-8 p.m. President’s Reception, sponsored by T. F. Harper
9-10:30 p.m. Directors’ Social, sponsored by TAAF & TPPC

Friday, February 28
Tours
• 9-11 a.m. Behind the Scenes of Moody Gardens Special Features – Aquarium and Rainforest Pyramids
• 9 a.m.-Noon Galveston County Park Tour
• 9 a.m.-Noon Salt Bay: Kayaking at Galveston Island State Park Post-Institute
8 a.m.-12:30 p.m. Post-Institute: Proactive Actions at Recreation and Park Facilities (Fred Gardy, Travis County)

*Concessions will be available
City of Brownsville, Texas
Analysis of Meal & IE Per Diem Allowance
During The 2020 TRAPS Annual Institute & Expo
in Galveston, Texas
From February 24 Through February 28, 2020
The Daily Meal & IE For Galvestio, Texas, is $61.00
for Damaris McGlone

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<th>Meal Daily Rate</th>
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Total Meal & IE Allowance 183.00 91.50 274.50

Nightly lodging from February 24 - February 27, 2020 and check out on Friday, February 28, 2020. Monday, February 24, 2020 (first day), and Friday, February 28, 2020 (last day) were traveling days.
City of Brownsville, Texas
Analysis of Meal & IE Per Diem Allowance
During The 2020 TRAPS Annual Institute & Expo
in Galveston, Texas
From February 24 Through February 28, 2020
The Daily Meal & IE For Galveston, Texas, is $61.00
for Graciela L. Salazar

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Total Meal & IE Allowance 183.00 91.50 274.50

Nightly lodging from February 24 - February 27, 2020 and check out on Friday, February 28, 2020. Monday, February 24, 2020 (first day), and Friday, February 28, 2020 (last day) were traveling days.
City of Brownsville, Texas  
Analysis of Meal & IE Per Diem Allowance  
During The 2020 TRAPS Annual Institute & Expo  
in Galveston, Texas  
From February 24 Through February 28, 2020  
The Daily Meal & IE For Galvestio, Texas, is $61.00  
for Gloria Gonzalez

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Total Meal & IE Allowance 183.00 91.50 274.50

Nightly lodging from February 24 - February 27, 2020 and check out on Friday, February 28, 2020.  
Monday, February 24, 2020 (first day), and Friday, February 28, 2020 (last day) were traveling days.
Consideration and ACTION to approve a Letter of Support for the Lopez Early College High School Band.

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: |
January 17, 2020

Lopez Early College High School
3205 S. Dakota Avenue
Brownsville, TX 78521

Dear Lopez Early College High School Band and Band Director,

Congratulations on receiving the distinction of 2020 TMEA Honor Band. You are a reflection of the talent that exists here in Brownsville. Your hard work, perseverance and determination have paid off. On behalf of the City of Brownsville, we are proud that you represent us well.

To the Band Director, George Trevino, and his assistants - Sam Hjort, Ramon Vasquez, Mike Garza, and Monica Vasquez - this recognition is a fitting testament to your high standards of excellence. Thank you for your dedication to all the students who have come before you and consistently received accolades for their moving performances.

Once again, on behalf of the City of Brownsville, we applaud you for this incredible feat of musical excellence and we wish you continued success.

Sincerely,

Members of the City Commission
City of Brownsville, TX

Juan “Trey Mendez
Mayor

John F. Cowen Jr.
City Commissioner At-Large A

Rose M.Z. Gowen, M.D.
City Commissioner At-Large B

Nurith Galonsky Pizana
City Commissioner District 1

Jessica Tetreau Kalifa
City Commissioner District 2

Joel Munguia.
City Commissioner District 3

Ben R. Neece
City Commissioner District 4
**TO:** Noel Bernal, City Manager  
**FROM:** Felix Sauceda, Chief of Police  
**SUBJECT:** Agenda Item / MOU Between ATF and BPD  
**DATE:** 12/17/2020  

AGENDA ITEM: **Agenda Item / MOU Between ATF and BPD**  
COMMISSION MEETING DATE:

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

Consideration and action to authorize the Brownsville Police Department to enter into a Memorandum of Understanding between Bureau of Alcohol, Tobacco, Firearms and Explosives and the Brownsville Police Department.

This MOU serves to formalize the relationship between the participating Agencies with regard to policy, guidance, planning, training, public relations and media in order to foster and efficient and cohesive unit capable of addressing violent crime and to maximize inter-agency cooperation associated with the task force known as ATF TASK FORCE.

I hereby respectfully request that the acceptance and execution of this agreement be placed on the next City Commission meeting for approval.

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

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Revised 3/2019
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Felix Saucedo, Chief of Police

Date: December 17, 2019

Agenda: MEMORANDUM OF UNDERSTANDING BETWEEN BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES AND THE BROWNSVILLE POLICE DEPARTMENT

Summary:

The Brownsville Police Department is respectfully requesting city commission approval to authorize the Brownsville Police Department to enter into a Memorandum of Understanding between Bureau of Alcohol, Tobacco, Firearms and Explosives and the Brownsville Police Department.

This MOU serves to formalize the relationship between the participating Agencies with regard to policy, guidance, planning, training, public relations and media in order to foster and efficient and cohesive unit capable of addressing violent crime and to maximize inter-agency cooperation associated with the task force known as ATF TASK FORCE.

The goal of this MOU is to develop a cooperative effort among the participating Agencies charged with the investigation and prosecution of violent and/or firearms related criminal offenses. The criminal offenses investigated under this MOU will be referred to the courts of the United States and/or the courts of the State of Texas for prosecution.
MEMORANDUM OF UNDERSTANDING
BETWEEN
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
AND THE BROWNSVILLE POLICE DEPARTMENT

This Memorandum of Understanding (MOU) delineates a cooperative law enforcement effort between the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Brownsville Police Department (BPD), known collectively as the Agencies for the purpose of establishing a task force known as ATF TASK FORCE. This MOU is not intended as a formal contract between the Agencies but rather as an expression of understanding to facilitate cooperation on investigations as detailed below.

I. AUTHORITY

This MOU is established pursuant to the participating Agencies’ authority to investigate criminal activities. ATF’s authority includes Chapters 40, 44, and 114, Title 18, United States Code, and Chapter 53, Title 26, United States Code.

II. DURATION OF THIS MOU

This MOU will become effective on the date it is completely executed by the participating Agencies. The participating Agencies will review the mission objectives and the need for continued operation under this MOU every year thereafter. Any participating Agency may withdraw from this MOU at any time, however, a written notice of intent to withdraw must be provided to the other participating Agency at least thirty (30) days prior to the date of the intended withdrawal.

III. PURPOSE OF THIS MOU

This MOU serves to formalize the relationship between the participating Agencies with regard to policy, guidance, planning, training, public relations, and media in order to foster an efficient and cohesive unit capable of addressing violent crime and to maximize interagency cooperation associated with the task force known as ATF TASK FORCE.

The goal of this MOU is to develop a cooperative effort among the participating Agencies charged with the investigation and prosecution of violent and/or firearms related criminal offenses. The criminal offenses investigated under this MOU will be referred to the courts of the United States and/or the courts of the State of Texas for prosecution.
The mission of the participating Agencies is to conduct in-depth investigations of firearms related crimes and explosives related crimes; to identify and target for prosecution the perpetrators of such crimes (i.e. street gangs, armed career criminals, firearms traffickers and armed narcotics traffickers); and to achieve maximum coordination and cooperation in bringing to bear the combined resources of the participating Agencies aimed at reducing the most violent criminal activity within the community.

IV. CONDITIONS AND PROCEDURES

A. Administration

Because this MOU outlines a cooperative endeavor on the part of the participating Agencies, the supervisors of the participating Agencies shall be jointly responsible for the policy, program involvement, and direction of each participating Agency. Therefore, cases will be jointly investigated and no particular Agency will prevail over another or act unilaterally. Participating Agency supervisors shall meet to discuss, review and prioritize investigations undertaken as a result of this agreement on a regular basis.

B. Operational Guidelines

The following guidelines will guide the participating Agencies regarding the policy, planning, training, supervision and public relations. The participating Agencies agree that these guidelines will serve as a basis to mediate any disputes that arise during the operation of this agreement.

1. Chain of Command: ATF agrees to designate Resident Agent in Charge, Brownsville Field Office, as ATF’s coordinator of this agreement. The BPD Chief and/or designee will serve as the department’s coordinator. The coordinators have overall responsibility for the policies and guidelines affecting this MOU. Operational problems encountered between ATF and BPD will be mutually addressed and resolved by the coordinators.

2. Operations: The coordinators shall be primarily responsible for opening, assigning, directing, monitoring, and closing investigations subject to guidance from the participating Agencies. Each participating Agency agrees that it will take no unilateral action with respect to any operation under this MOU, as this would not be in the best interests of this cooperative effort.

ATF, as the sponsoring Federal law enforcement Agency, may request that BPD Officers be deputized by the United States Marshals Service (USMS) for the purpose of extending their jurisdiction to include applying for and executing Federal search and arrest warrants, and requesting and executing Federal Grand Jury subpoenas for records and evidence involving violations of Federal laws. Such requests will be made on an individual basis as determined by ATF as necessary.
The participating Agencies agree that any Federal authority that may be conferred by the above request will terminate when this MOU is terminated or when the deputized personnel leaves the task force.

3. **Resources:** ATF agrees to supply a supervisor and Special Agents as needed to fulfill the obligations committed as a result of this MOU. BPD agrees to supply an officer(s) on a full-time or part-time basis, dependent on its manpower constraints, to fulfill its obligations under this MOU. Additional personnel will be covered by this MOU on an as-needed basis. Additions, deletions, and temporary reassignments of personnel under this MOU will be at the discretion of the respective participating Agencies, with notice to the other participating Agencies.

Continued assignment of specific personnel will be based upon performance and will be at the discretion of the respective participating Agency. Each participating Agency, upon request, will be provided with an update as to the program, duration and accomplishments occurring as a result of this agreement.

During the period of this MOU, each participating Agency will provide for the salary and employment benefits of its own respective employees. All participating Agencies will retain control over the personnel’s work hours, including the approval of overtime.

ATF may have funds available for the payment of overtime to state and local Task Force members subject to the guidelines of the Department of Justice Asset Forfeiture Fund. This funding would be available under the terms of the current MOUs established pursuant to the provisions of 28 USC § 524. The participating Agencies agree to abide by the terms of the applicable Federal statutes and Department of Justice guidelines and policy relative to the payment of overtime from the Department of Justice Asset Forfeiture Fund. The BPD is recognized under Texas law as a law enforcement Agency and their investigators as sworn law enforcement officers. If required or requested, the BPD shall be responsible for demonstrating to the Department of Justice that its personnel are law enforcement officers for purposes of overtime payment from the Department of Justice Asset Forfeiture Fund.

In accordance with this provision and the current MOU on Asset Forfeiture, the Resident Agent in Charge shall be responsible for certifying requests for overtime expenses incurred as a result of this agreement. Proceeds of any legal forfeiture arising out of an operation under this MOU will be divided equally among the participants in accordance with applicable Federal law and the policies and guidelines of the Department of Justice Asset Forfeiture Fund. This MOU does not allocate or ensure that ATF has funds or will make any payments with regard to overtime to State and local Task Force Officers.

ATF Agent Cashier funds will normally be available for the purchase of evidence, informant expenses, and investigative expenses relating to criminal violations that fall within its jurisdiction. ATF will also provide access to professional training and laboratory services and may activate its Special Response Team(s) or the National Response Team, if necessary.
ATF, when appropriate, will supply intelligence officers, auditors and financial analysts.

4. **General Guidelines:** While all personnel assigned under this MOU will give primary considerations to the regulations and guidelines imposed by their own Agency, they will be mindful of those imposed by the other participants. When acting under USMS authority requested under this MOU, the participants agree that Federal policies and procedures are controlling. Accordingly, deputized personnel will:

- Receive training in ATF firearms, vehicle stops, and defense tactics policies, as well as legal matters and correspondence, and reporting matters.

- Comply with ATF enforcement policy regarding the use of firearms, financial and property controls, investigative techniques, and supervisory controls.

- Qualify with their respective firearms, using and complying with ATF’s firearms proficiency standards. ATF certified firearms instructors shall train and administer the ATF Firearms Proficiency Course to measure firearms proficiency. All members must qualify using ATF standards in order to be deputized.

- Be made aware of and comply with the Department of Justice’s Use of Force Policy, especially prior to any enforcement activity classified as high risk.

- Be made aware of and comply with ATF policies concerning the use and care of Federal Government-Owned Vehicles (GOV) and abide by ATF’s Pursuit Driving Policy, in addition to the policies of their respective Agencies. Such vehicles are only for official use.

- Be made aware of and comply with the Department of Justice’s Standard of Conduct, particularly as they relate to sexual harassment and Equal Employment Opportunity issues.

5. **Media Relations:** Media relations will be handled by a designated public information officer from each participating Agency in conjunction with the other participants. Press conferences and releases will always be mutual and will include all participating Agencies. Assigned personnel will be informed not to give statements to the media relative to any ongoing investigation or prosecution under this MOU, without the concurrence of the other participants and, where appropriate, the relevant prosecutor’s office.

All participating Agencies will share investigative reports, finding, intelligence data, etc., in furtherance of the mission of this agreement. No disclosures of information will be made in violation of the Privacy Act, 5 USC § 552 (a), or the Internal Revenue Code of 1986, 28 USC § 6103. The disclosure of any ATF information, as defined in the appropriate Federal Regulations, to parties outside this MOU must be approved by ATF prior to release.
Consideration and ACTION to award contract BID #POV-11-1219, for the purchase and delivery of vehicles for the Police Department, as budgeted.

The Brownsville Police Department is requesting commission approval to purchase 3 support vehicles, two SUVs and one full-size pick-up. The Purchasing Department requested sealed bids and the vendors are the following:

1. Boggus Tipton Motors LLC $94,074.00
2. Grapevine Dodge Chrysler Jeep LLC $94,264.00
3. Moore Chrysler Dodge Jeep Ram $98,730.50

The lowest bidder is Boggus Tipton Motors LLC. Funding for this expenditure is through federal forfeiture, account # 28-311-943. Please see the enclosed bid tabulation and procurement analysis for further details.
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Felix Saucedo, Chief of Police
Date: January 9, 2020

**Agenda: Police Vehicle Purchase**

The Brownsville Police Department is requesting commission approval to purchase three (3) support vehicles, two SUVs and one full-size pickup. The department is replacing current leased vehicle contracts. The Purchasing Department requested sealed bids and the vendors are the following:

1. **Boggus Tipton Motors LLC**
   - Price: $94,074.00 (Lowest Bidder)

2. **Grapevine Dodge Chrysler Jeep LLC**
   - Price: $94,264.00

3. **Moore Chrysler Dodge Jeep Ram**
   - Price: $98,730.50

<table>
<thead>
<tr>
<th>Vendors:</th>
<th>Boggus Tipton Motors LLC</th>
<th>Grapevine DCJ, LLC</th>
<th>Moore Chrysler Dodge Jeep Ram</th>
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</thead>
<tbody>
<tr>
<td>2020 Midsize SUV Dodge Durango</td>
<td>$32,507.00</td>
<td>$32,190.00</td>
<td>$32,607.00</td>
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<tr>
<td><strong>Extended Price (2 Vehicles)</strong></td>
<td><strong>$65,974.00</strong></td>
<td><strong>$66,264.00</strong></td>
<td><strong>$66,214.50 ($67,214.50)</strong></td>
</tr>
<tr>
<td>2020 ½ Ton Pick Up Truck, Crew Cab (Full Size 4 Door), V8 Engine, 4x4, Standard Bed</td>
<td><strong>$28,100.00</strong></td>
<td><strong>$27,988.00</strong></td>
<td><strong>$31,516.00</strong></td>
</tr>
<tr>
<td><strong>Total Extended Price (3 vehicles)</strong></td>
<td><strong>$94,074.00</strong></td>
<td><strong>$94,264.00</strong></td>
<td><strong>$98,730.50</strong></td>
</tr>
<tr>
<td>Delivery: (calendar days)</td>
<td>65 Business Days</td>
<td>100 – 150 Days</td>
<td>120 Days</td>
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<td>Specification Criteria:</td>
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<td>Responsive and responsible</td>
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*Note: The numbers in red indicate the lowest bid for each category.*
The BPD recommends the lowest bidder Boggus Tipton Motors LLC for the purchase of three support vehicles in the amount of $94,074.00 through federal forfeiture, Account # 28-311-943.

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
# BID TABULATION

**Invitation for Bids for the Purchase and Delivery of Various Vehicles for the City of Brownsville**

**BID # POV-11-1219**

**Thursday, January 2, 2020 at 4:00 P.M.**

<table>
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<tr>
<th>Vendors</th>
<th>Boggus Tipton Motors LLC</th>
<th>Grapevine DCJ, LLC</th>
<th>Moore Chrysler Dodge Jeep Ram</th>
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<tr>
<td></td>
<td>2101 Central Blvd.</td>
<td>2601 William D Tate</td>
<td>1211 US Highway 96N</td>
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<td></td>
<td>Brownsville, Tx 78520</td>
<td>Grapevine, Tx 76051</td>
<td>Silsbee, Tx 77656</td>
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<td></td>
<td>Attn: Chris Gunnoe</td>
<td>Attn: Dennis Thomas</td>
<td>Attn: Seth Gamblin</td>
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<tr>
<td></td>
<td>Ph #: 1-956-546-2288</td>
<td>Ph #: 1-817-410-7541</td>
<td>Ph #: 1-512-436-1313</td>
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<tr>
<td></td>
<td>Fax #: 1-956-544-7134</td>
<td>Fax #: N/A</td>
<td>Fax #: 1-409-895-3884</td>
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<tr>
<th>Vehicle Description – 2020 Midsize SUV Dodge Durango, Pursuit V-8 AWD</th>
<th>Unit Price: $32,987.00</th>
<th>Unit Price: $33,138.00</th>
<th>Unit Price: $33,607.25</th>
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<tr>
<td>Extended Price (2 Vehicles)</td>
<td>$65,974.00</td>
<td>$66,276.00</td>
<td><strong>$66,914.50</strong> ($67,214.50)</td>
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<tr>
<td>Vehicle Description – 2020 ½ Ton Pick Up Truck, Crew Cab (Full Size 4 Door), V8 Engine, 4x4, Standard Bed</td>
<td>Unit Price: $28,100.00</td>
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<th>Specification Criteria:</th>
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At the request of Police Chief, Felix Saucedo Jr., 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 December 15th and 22nd, 2019, and was posted to BidNet Direct and City of Brownsville websites.

2. A “Pre-Bid” meeting was conducted on December 19th, 2019 at the City of Brownsville. There were no vendor 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 January 2nd, 2020 at the Purchasing & Contract Services Department. A total of two (3) bids were received and publicly opened.

Procurement results:

1. Consideration and Action to Award a Contract for the Purchase and Delivery of vehicles to **Boggus Tipton Motors, LLC** of Brownsville, the **Responsive and Responsible Bidder** for the stipulated prices:

   2020 Midsize SUV Dodge Durango Pursuit, V8 AWD
   Qty 2 = $32,987.00, Extended Price: $65,974.00

   2020 ½ Ton Pick Up Truck, Crew Cab (Full Size 4 Door), V8 Engine, 4x4 Standard Bed Qty 1 = $28,100.00

   • Invocation of the local preference rule as follows:

     Boggus Tipton Motors, LLC price: $28,100.00
     Less 5% ($1,405.00)

     Comparison bid award $26,695.00

2. Delivery of Vehicles is schedule for 65 Business Days ARO

3. The administration of the Police Department concurs with this recommendation. Please see the attached memorandum from Mr. Felix Saucedo Jr., Police Chief.
CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS.

§ 271.9051. CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS IN CERTAIN MUNICIPALITIES.

(a) This section applies only to a municipality that is authorized under this title to purchase real property or personal property that is not affixed to real property.

(b) In purchasing under this title any real property, personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality and whose bid is within five percent of the lowest bid price received by the municipality from a bidder who is not a resident of the municipality, the municipality may enter into a contract for construction services in an amount of less than $100,000 or a contract for other purchases in an amount of less than $500,000 with:

(1) the lowest bidder; or

(2) the bidder whose principal place of business is in the municipality if the governing body of the municipality determines, in writing, that the local bidder offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.

(c) This section does not prohibit a municipality from rejecting all bids.

(d) This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.

Added by Acts 2005, 79th Leg., Ch. 1205 (H.B. 664), Sec. 1, eff. September 1, 2005.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 660 (H.B. 2082), Sec. 1, eff. June 19, 2009.
Acts 2009, 81st Leg., R.S., Ch. 1266 (H.B. 987), Sec. 9, eff. June 19, 2009.
Acts 2011, 82nd Leg., R.S., Ch. 513 (H.B. 1869), Sec. 2, eff. June 17, 2011.
Acts 2011, 82nd Leg., R.S., Ch. 1129 (H.B. 628), Sec. 2.12, eff. September 1, 2011.

“This Act applies only to a contract for which the initial notice soliciting bids is given on or after the effective date of this Act. A contract for which the initial notice soliciting bids is given before that date is governed by the law in effect when the initial notice is given, and the former law is continued in effect for that purpose.”
AGENDA ITEM

COMMISSION MEETING DATE 01/21/20

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

Consideration and ACTION to approve the purchase of plotters for the amount not to exceed $39,000.00, as budgeted.

**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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<thead>
<tr>
<th>Approved: Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initials:</td>
<td>Date:</td>
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</tbody>
</table>

**City Manager’s Approval**

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
</tr>
</thead>
</table>

Revised 3/2019
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Department Director
Date: January 8, 2020
RE: Approval on Plotter Purchase for Planning & Redevelopment

The City of Brownsville Planning and Redevelopment Department is requesting your approval to purchase and update our department plotters. (Requisition #2020-0279 and 2020-0280).

The hardware (plotters) are designed to give the Building Division, Planning Division and GIS Division the capacity to plot and scan plan set size (36”) documents into a digital database. The GIS plotter will have additional width capacity (44”) to provide support to other departments and the City Manager’s office to provide large format illustrative maps and map analysis products.

The hardware purchase will allow the Planning, Building and GIS division the capacity to begin conversion of paper records to digital plats, plans and maps. In addition, the hardware will fit into longer term implementation plans to convert the land development process from a paper based manual case management process to a digital development review and permitting system. The hardware is compatible with off the shelf land development management solutions and will work with any final land development software platform.
TO: Noel Bernal, City Manager  
FROM: Rick Vasquez, Planning & Redevelopment Director  
SUBJECT: Plotter purchase for Department use  
DATE: 12/17/2019  
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>
</tr>
</thead>
<tbody>
<tr>
<td>Time Needed:</td>
<td>Time Needed:</td>
<td>Public Hearing</td>
<td>First Reading</td>
</tr>
<tr>
<td>Action Item:</td>
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<td>Contract</td>
<td>Second Reading</td>
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<tr>
<td></td>
<td></td>
<td>Grant</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Action</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Consent</td>
<td></td>
</tr>
</tbody>
</table>

Information: Please include additional information/request.

The hardware (plotters) are designed to give the Building Division, Planning Division and GIS Division the capacity to plot and scan plan set size (36”) documents into a digital database. The GIS plotter will have additional width capacity (44”) to provide support to other departments and the City Manager's office to provide large format illustrative maps and map analysis products.

The hardware purchase will allow the Planning, Building and GIS division the capacity to begin conversion of paper records to digital plats, plans and maps. In addition, the hardware will fit into longer term implementation plans to convert the land development process from a paper based manual case management process to a digital development review and permitting system.

The hardware is compatible with off the shelf land development management solutions and will work with any final land development software platform.

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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<tbody>
<tr>
<td>Comments:</td>
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<table>
<thead>
<tr>
<th>Finance Department</th>
<th>Date Reviewed:</th>
<th>By:</th>
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<tr>
<td>Comments:</td>
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<table>
<thead>
<tr>
<th>City Commission</th>
<th>Assistant City Manager</th>
<th>Deputy City Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved:</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Date:</td>
<td></td>
<td></td>
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</tbody>
</table>

City Manager's Approval

Signature: Date:
## COMMODITY QUOTATION FORM

**ALL CITY DEPARTMENTS & DIVISIONS**

**Date:** 11/19/2019  
**Department / Division:** Planning & Redevelopment  
**Item Description:** HP Z9 Scanner  
**Quantity(ies):** 1

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Ext. Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>HP Designjet Z9+ Postscript</td>
<td>1</td>
<td>$4,968.45</td>
<td>$4,968.45</td>
</tr>
<tr>
<td>Large Format printer/color</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HP Designjet HD Pro Scanner</td>
<td>1</td>
<td>$11,891.95</td>
<td>$11,891.95</td>
</tr>
<tr>
<td>Roll scanner/stationary w/USB</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HP 44&quot; feed spindle</td>
<td>1</td>
<td>$50.63</td>
<td>$50.63</td>
</tr>
<tr>
<td>Shipping/Freight charges</td>
<td>1</td>
<td>$868.21</td>
<td>$868.21</td>
</tr>
</tbody>
</table>

**Freight (if applicable):**

- **Delivery in days:**
- **Total:** $17,779.24

*Quote obtained by: Rudy Gracia*

**Requirements:** (check box & attach info to this form)  
- ☐ License #  
- ☐ Worker's Comp  
- ☐ G.L. Insurance

---

**Company Name:** CDW-Government  
**Address:** 75 Remittance Drive Suite 1515  
**Phone:** 866-405-6241  
**Sales Rep:** Juan Camargo

---

**Company Name:** shi Government Solutions  
**Address:**

**Phone:** 800-870-6079  
**Sales Rep:** Ricard Lettiere

---

**Company Name:** SCW  
**Address:**

**Phone:** 877-468-6729  
**Sales Rep:**

---

**Commodity**  
**Qty**  
**Unit Price**  
**Ext. Price**

| HP Designjet Z9 44-in | 1 | $4,961.08 | $4,961.08 |
| *no other accessories to setup* | | | |
| *properly were actually quoted* | | | |
| *Just the actual printer alone* | | | |

**Freight (if applicable):**

- **Delivery in days:**
- **Total:** $4,961.08

*Quote obtained by: Rudy Gracia*

**Requirements:** (check box & attach info to this form)  
- ☐ License #  
- ☐ Worker's Comp  
- ☐ Insurance

---

*House Bill 1295*  
**Yes**  
**No**  
(Required for all contracts approved by City Commission / Contract #)

---

*Safety & Risk Department shall provide verification of Payment & Performance Bond for Construction Projects if required. Safety & Risk representative Name & Signature:*  
**Authorized Signature:** Rick Vasquez  
**Authorized Printed Name:** Rick Vasquez  
**Date:** 11-19-2019

---

*Note: It is the responsibility of each City Department / Division to attach all necessary documentation along with this form in order to obtain a purchase order. MUST ALLOW AT LEAST 1 TO 5 BUSINESS DAYS FOR A PURCHASE ORDER TO BE ISSUED, UNLESS THE NEED IS BASED ON AN EMERGENCY.*

FFORMCQF1 Revised on 02/05/2018
DEAR RUDY GRACIA,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. Click here to convert your quote to an order.

<table>
<thead>
<tr>
<th>QUOTE #</th>
<th>QUOTE DATE</th>
<th>QUOTE REFERENCE</th>
<th>CUSTOMER #</th>
<th>GRAND TOTAL</th>
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<tbody>
<tr>
<td>LBPV317</td>
<td>11/19/2019</td>
<td>HP Z9DR</td>
<td>0679763</td>
<td>$17,779.24</td>
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<table>
<thead>
<tr>
<th>QUOTE DETAILS</th>
<th>QTY</th>
<th>CDW#</th>
<th>UNIT PRICE</th>
<th>EXT. PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>HP DesignJet 29+dr PostScript - large-format printer - color - ink-jet Mfg. Part#: X9D24A#B1K</td>
<td>1</td>
<td>5147947</td>
<td>$4,968.45</td>
<td>$4,968.45</td>
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<tr>
<td>UNSPSC: 43212104 Contractor: Texas HP DIR TSO 4159 (DIR-TSO-4159)</td>
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<td></td>
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</tr>
<tr>
<td>HP DesignJet HD Pro Scanner - roll scanner - stationary - USB 3.0, Gigabit Mfg. Part#: G6H51B#B1K</td>
<td>1</td>
<td>3985502</td>
<td>$11,891.95</td>
<td>$11,891.95</td>
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<tr>
<td>UNSPSC: 4321711 Contractor: Texas HP DIR TSO 4159 (DIR-TSO-4159)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HP 44&quot; Roll Feed Spindle for DesignJet T610 Mfg. Part#: Q6709A</td>
<td>1</td>
<td>1184225</td>
<td>$50.63</td>
<td>$50.63</td>
</tr>
<tr>
<td>UNSPSC: 44103116 Contractor: Texas HP DIR TSO 4159 (DIR-TSO-4159)</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| PURCHASER BILLING INFO                                                                                   | |
| Billing Address:                                                                                          | |
| CITY OF BROWNSVILLE                                                                                       | |
| ACCOUNTING DEPT                                                                                           | |
| PO BOX 911                                                                                               | |
| BROWNSVILLE, TX 78522-0911                                                                                 | |
| Phone: (956) 548-6002                                                                                     | |
| Payment Terms: Net 30 Days-Govt State/Local                                                             | |

| DELIVER TO                                                                                                 | |
| Shipping Address:                                                                                          | |
| CITY OF BROWNSVILLE                                                                                       | |
| ACCOUNTING DEPT                                                                                           | |
| PO BOX 911                                                                                               | |
| BROWNSVILLE, TX 78522-0911                                                                                 | |
| Phone: (956) 548-6002                                                                                     | |
| Shipping Method: UPS Freight LTL, Special Services                                                        | |

<table>
<thead>
<tr>
<th></th>
<th>SUBTOTAL</th>
<th>SHIPPING</th>
<th>SALES TAX</th>
<th>GRAND TOTAL</th>
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<tbody>
<tr>
<td></td>
<td>$16,911.03</td>
<td>$868.21</td>
<td>$0.00</td>
<td>$17,779.24</td>
</tr>
</tbody>
</table>

Please remit payments to:
CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675-1515

Need Assistance? CDW•G SALES CONTACT INFORMATION
Juan Camargo  | (866) 405-6241 | juancam@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at http://www.cdwg.com/content/terms-conditions/product-sales.aspx
For more information, contact a CDW account manager
© 2019 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239
HP DesignJet Z9+ PostScript®
Printer series

Professional photo prints, fast and simple. More quality with fewer inks.

AMAZING — Deliver high quality with confidence

- Impress the most demanding customers with smooth transitions and sharp details thanks to HP Pixel Control.
- No need for light inks using new high-definition HP printheads with dual drop technology.
- Achieve expanded gamut with RGB HP Vivid Photo inks and the embedded spectrophotometer.
- Get superior gloss uniformity by upgrading your printer to include HP Gloss Enhancer.

FAST — Work without delays

- Cut post-processing labor time up to 20% with the first printer to include an integrated vertical trimmer.
- Print up to 2.5 times faster without losing quality, with 2400 nozzle-per-inch high-definition printheads.
- Spend less time on media changes and adjustments with dual roll support and automatic roll switching.

SIMPLE — New tools for you and your customers

- Easily design applications from posters to banners and canvas with the HP Applications Center.
- No disruption to your workflow, keep using your current RIPs, validated with HP RIP certification program.
- Get remote visibility and control to better manage your print production environment with HP PrintOS.
- Enjoy one-click printing that also helps reduce media waste using HP Click printing software.

For more information, please visit
hp.com/go/DesignJetZ9

Dynamic security enabled printer. Only intended to be used with cartridges using an HP original chip. Cartridges using a non-HP chip may not work, and those that work today may not work in the future. More at: hp.com/go/learnaboutsupplies

1 Based on internal HP testing. Up to 2.5 times faster printing compared to the HP DesignJet Z3100 Photo Printer series. May vary depending on print mode and media type.
2 Vertical trimmer and dual rolls included with the HP DesignJet Z9 44" in PostScript® Printer with V-Trimmer only. Up to 20% reduction in post-processing labor time based on internal HP testing compared to HP DesignJet Z9 44" in printer without V-Trimmer.
3 Requires an HP Applications Center account, Internet connection, and connected Internet-capable device. For more information, see hpapplicationscenter.com.
4 Based on internal HP testing, comparing HP DesignJet Z9+ series printers without gloss enhancer. HP Gloss Enhancer can be used on photo paper with the exception of matte/Arch papers. Optional upgrade available second half 2018.
5 Embedded in the HP DesignJet Z9 Printer series is an it spectrophotometer from X-Rite. Close collaboration between HP and X-Rite ensures a reliable solution that's been thoroughly tested to meet customer demands for ease, quality, and dependability.
7 Once image is selected, one-click printing when printing the entire file without any modifications to the print settings. Applicable to PDF, JPEG, TIFF, and HP-GL/2 files.
Hi,

Below is the quote for the products you have requested. Please send all new requests to texas@shi.com.

If you have any questions regarding this quote, feel free to contact me at Richard_Lettiere@SHI.com.

If you will be paying with a CC for this order, please process the order online with your card. If you don’t have a login for the website, our team can assist you with getting that setup. We will not be able to manually charge a card after receiving a PO.

Regards,
Richard Lettiere

---

**Pricing Proposal**

- **Quotation #:** 18064839
- **Description:** TS-814578
- **Created On:** Nov-18-2019
- **Valid Until:** Nov-29-2019

---

**City of Brownsville**

Rodolfo Gracia  
P.O. BOX 911  
Brownsville, TX 78522-0911  
United States  
Phone: 956-548-6090  
Fax:  
Email: rodolfo.gracia@cob.us

---

**Inside Account Manager**

Richard Lettiere  
1301 S. Mo-Pac Expressway Suite 375  
Austin TX, 78746  
PLease Send POs to Texas@SHI.com  
Phone: 800-870-6970  
Fax: 512-732-0232  
Email: Richard_Lettiere@SHI.com

---

**All Prices are in US Dollar(USD)**

<table>
<thead>
<tr>
<th>Product</th>
<th>Qty</th>
<th>Your Price</th>
<th>Total</th>
</tr>
</thead>
</table>
| 1 HP INC.: HP DesignJet XL 3600dr PS MFP  
HP, Inc. - Part#: 6KD2G#B2B  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $19,728.39 | $19,728.39 |
| 2 HP INC.: HP DesignJet Z9 44-in PostScript Printer  
HP, Inc. - Part#: W3Z71A#B1K  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $3,433.29 | $3,433.29 |
| 3 HP INC.: HP DesignJet Z9 44-in PostScript Printer  
HP, Inc. - Part#: W3Z72A#B1K  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $4,961.08 | $4,961.08 |

**Total** $28,122.76

---

**Additional Comments**

Please Note: HP, Inc. has a zero returns policy on custom build PCs. Ink and toner are also considered non-returnable

---

*The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.*
Quote # 100215948 - Hp DesignJet T2600Dr 36 Postscript Mfp
Cust #: CO7424 (City of Brownsville TX)
Quote Date: Nov 15, 2019

<table>
<thead>
<tr>
<th>Sold to:</th>
<th>Ship to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable</td>
<td>REF PO</td>
</tr>
<tr>
<td>City of Brownsville TX</td>
<td>City of Brownsville TX</td>
</tr>
<tr>
<td>PO BOX 911</td>
<td>1338 E Tyler St</td>
</tr>
<tr>
<td>FINANCE DEPT</td>
<td>Brownsville, Texas, 78520</td>
</tr>
<tr>
<td>Brownsville, Texas, 78520</td>
<td>T: 956.548.6114</td>
</tr>
<tr>
<td>T: 956-548-6080</td>
<td><a href="mailto:rodolfo.gracia@cob.us">rodolfo.gracia@cob.us</a></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Payment Method</th>
<th>Shipping Method: Free Shipping - Free</th>
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<tr>
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<td>Free Shipping - Free</td>
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<tr>
<td></td>
<td>(Total Shipping Charges $0.00)</td>
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Notes: DIR TSO 4159

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<thead>
<tr>
<th>#</th>
<th>Products</th>
<th>SKU</th>
<th>Price</th>
<th>Qty</th>
<th>Subtotal</th>
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<tbody>
<tr>
<td>1</td>
<td>Hp Designjet T2600Dr 36 Postscript Mfp, DesignJet T2600Dr</td>
<td>HEW-3EK15AB1K</td>
<td>$7,053.06</td>
<td>1</td>
<td>$7,053.06</td>
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<tr>
<td></td>
<td>36 Ps Mltfunc Hp Designjet T26000Dr Postscript - 36</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Multifunction Printer - Color - Ink-Jet - 35.98 In X 314.96</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>In, 24.02 In X 590.55 In (Original) - Roll (36 In X 300 Ft),</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>36 In X 48 In (Media) - Up To 0.3 Min/Page (Printing) - 2</td>
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<td></td>
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<tr>
<td></td>
<td>Rolls - Gigabit Lan, Designjet T2600Dr 36ln Ps Mfp Printer</td>
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<tr>
<td></td>
<td>Designjet T2600Dr 36 Ps Mfp</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>HP Care Pack Hardware Support with Defective Media Retention</td>
<td>HEW-UB8U4E</td>
<td>$1,230.42</td>
<td>1</td>
<td>$1,230.42</td>
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<tr>
<td></td>
<td>- 3 Year Extended Service - Service - 9 x 5 Next Business</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Day - On-site - Maintenance - Parts &amp; Labor - Electronic,</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Physical Service</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>3</td>
<td>HP Care Pack - Service - 1 Incident(s) - On-site -</td>
<td>HEW-H4518E</td>
<td>$503.00</td>
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<td></td>
<td>Installation -</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
Thank you for your order. We value your business and will continue to provide you excellent service in addition to our comprehensive product line. All returns must be authorized and clearly marked with a valid RMA number. Returns are subject to restock fees when applicable.
Quotes are valid for 30-days unless otherwise noted.

Due to the volatile trade conditions between the US and China, prices are fluctuating daily as tariffs are imposed.
Josh Reardon
Josh.Reardon@scw.com
1395 S Marietta Pkwy Bldg 300-106
Marietta GA 30067
877-468-6729 x291

This Quote may contain material that is confidential, and proprietary to SCW, for the sole use of the intended recipient.
Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited.
If you are not the intended recipient, please contact the sender and delete all copies.
## COMMODITY QUOTATION FORM

**ALL CITY DEPARTMENTS & DIVISIONS**

<table>
<thead>
<tr>
<th>Date: 11/21/2019</th>
<th>Department / Division: Planning &amp; Redevelopment</th>
<th>Item Description: HP Designjet T3500 printer</th>
<th>Quantity(ies): 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- [ ] Less than $3,000  [ ] 3 quotes  [ ] Emergency Purchase (Attached Exempt Procurement Form & Department Memo)  [ ] Sole Source (Attached Exempt Procurement Form & Sole Source Affidavit Form)
- [ ] Other (specify)  (Attach memo explaining reason)  [ ] Under City awarded Term Contract #:  [ ] (Attach City Commission agenda #: RFQ # (under $35,000 threshold)
- [ ] Inter-local / Cooperative Agreement Contract #:  (Select one of the following & Attach Exempt Procurement Form)
- [ ] Buy Board  [ ] HGAC  [ ] US Communities  [ ] PCA  [ ] Allied States  [ ] TXMAS  [ ] DIR  [ ] TCPN  [ ] GSA  [ ] PACE  [ ] Good Buy  [ ] TIPS  [ ] Other, please specify: DIR-TSO-4159

**1Co-op pricing will be considered.**

### Company Information

<table>
<thead>
<tr>
<th>Company Name: CDW-Government (Vendor #: 50612)</th>
<th>Address: 75 Remittance Drive Suite 1515</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone: 866-405-6241  Sales Rep: Juan Camargo</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Ext. Price</th>
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<td>HP Designjet T3500 printer</td>
<td>2</td>
<td>$10,488.95</td>
<td>$20,977.90</td>
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<tr>
<td>Mfg Part B9E2488BCB</td>
<td></td>
<td>$0.00</td>
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</tr>
<tr>
<td>Texas HP DIR TSO 4159</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Freight (if applicable):**

- Delivery in days:
- Total: $20,977.90

**Quote obtained by:** Rudy Gracia

**Requirements:**
- (check box & attach info to this form)
- Permit required?
- License #  
- Worker's Comp  
- G.L. Insurance

### Company Information

<table>
<thead>
<tr>
<th>Company Name: shi Government Solutions</th>
<th>Address:</th>
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<tbody>
<tr>
<td>Phone: 668-622-3842  Sales Rep: Juan Camargo</td>
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<th>Qty</th>
<th>Unit Price</th>
<th>Ext. Price</th>
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<tbody>
<tr>
<td>HP Designjet 3600dr</td>
<td>2</td>
<td>$19,726.39</td>
<td>$39,452.78</td>
</tr>
<tr>
<td>Texas HP DIR TSO 4159</td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td><em>not what we were looking for exactly:</em></td>
<td></td>
<td>$0.00</td>
<td>$0.00</td>
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</table>

**Freight (if applicable):**

- Delivery in days:
- Total: $39,452.78

**Quote obtained by:** Robert M

**Requirements:**
- (check box & attach info to this form)
- Permit required?
- License #  
- Worker’s Comp  
- Insurance

### Is Debarment & Suspension verification required?
- [ ] Yes  [ ] No (If "Yes", please attach SAM.gov verification status: [https://www.sam.gov/portal/SAM/1](https://www.sam.gov/portal/SAM/1))

### Is Payment and Performance Bond required? (Construction)  [ ] Yes  [ ] No (If "Yes", please attach Bonding verification status: [http://www.tdi.texas.gov/index.html](http://www.tdi.texas.gov/index.html))

Safety & Risk Department shall provide verification of Payment & Performance Bond for Construction Projects if required. Safety & Risk representative Name & Signature

Written quotations will be held "CONFIDENTIAL" by end user department and employee(s) obtaining them.

I, the undersigned hereby agree and confirm that none of the above suppliers qualify as my relatives under city's NEPOTISM CHART.

Authorized Signature:

(Only authorized employees by the department director)

Authorized Printed Name: Rick Vasquez  Date: 11/21/2019

Note: It is the responsibility of each City Department/Division to attach all necessary documentation along with this form in order to obtain a purchase order. MUST ALLOW AT LEAST 1 TO 5 BUSINESS DAYS FOR A PURCHASE ORDER TO BE ISSUED, UNLESS THE NEED IS BASED ON AN EMERGENCY.

FFORM/CQF1 Revised on 02/05/2018
DEAR RUDY GRACIA,

Thank you for considering CDW•G for your computing needs. The details of your quote are below. Click here to convert your quote to an order.

<table>
<thead>
<tr>
<th>QUOTE #</th>
<th>QUOTE DATE</th>
<th>QUOTE REFERENCE</th>
<th>CUSTOMER #</th>
<th>GRAND TOTAL</th>
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<tr>
<td>LBPX120</td>
<td>11/19/2019</td>
<td>HP T3500</td>
<td>0679763</td>
<td>$20,977.90</td>
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<table>
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<tr>
<th>QUOTE DETAILS</th>
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<tr>
<td>ITEM</td>
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<tr>
<td>HP DesignJet T3500 Production eMFP - multifunction printer - color</td>
</tr>
<tr>
<td>Mfg. Part#: B9E248#BCB</td>
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<table>
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<tr>
<th>PURCHASER BILLING INFO</th>
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<tbody>
<tr>
<td>Billing Address:</td>
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<tr>
<td>CITY OF BROWNSVILLE</td>
</tr>
<tr>
<td>ACCOUNTING DEPT</td>
</tr>
<tr>
<td>PO BOX 911</td>
</tr>
<tr>
<td>BROWNSVILLE, TX 78522-0911</td>
</tr>
<tr>
<td>Phone: (956) 548-6002</td>
</tr>
<tr>
<td>Payment Terms: Net 30 Days-Govt State/Local</td>
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| SUBTOTAL | $20,977.90 |
| SHIPPING  | $0.00      |
| SALES TAX | $0.00      |
| GRAND TOTAL | $20,977.90 |

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<tr>
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<td>CITY OF BROWNSVILLE</td>
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<tr>
<td>ACCOUNTING DEPT</td>
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<td>PO BOX 911</td>
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<td>Phone: (956) 548-6002</td>
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<tr>
<td>Shipping Method: DROP SHIP-COMMON CARRIER</td>
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<table>
<thead>
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<th>Need Assistance? CDW•G SALES CONTACT INFORMATION</th>
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<tbody>
<tr>
<td>Juan Camargo</td>
</tr>
</tbody>
</table>

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at http://www.cdwg.com/content/terms-conditions/product-sales.aspx
For more information, contact a CDW account manager

© 2019 CDW•G LLC, 200 N. Milwaukee Avenue, Vernon Hills, IL 60061 | 800.808.4239
Data sheet

HP DesignJet T3500
Production Multifunction Printer

The most productive large-format color MFP—prints up to size E/A0

All your workflow needs in a high-productivity MFP

• Be the fastest—print D/A1-size pages in 21 seconds with dark blacks, neutral grays, and vivid colors¹
• Print out your first page right away thanks to ultra-fast processing and zero warm-up time
• Copy and scan quickly with advanced features—presets, batch scanning, multi-page PDFs, and scan to email
• Stay organized and avoid clutter—the integrated 100-page stacker delivers prints and copies neatly collated

Built for rigorous IT demands and top security

• Minimize device-management tasks and costs, using the HP DesignJet Universal Print Driver
• Manage your fleet with ease, while saving time and helping to reduce costs, thanks to HP Web Jetadmin
• Protect and manage confidential jobs securely—retrieve documents at the printer with a personal PIN
• Safeguard confidential information, using a self-encrypting HDD with AES-256, Secure Disk Erase, and IPsec

A production printer for unattended, low-cost use

• Print your black-and-white drawings at the same cost per page as comparable black-and-white LED MFPs²
• Operate unattended thanks to two heavy rolls of up to 650 ft (200 m) and a total ink capacity of 1,800 ml
• Built for high-volume printing—rely on a robust design to fulfill the most demanding jobs
• Manage projects and control costs effectively, using embedded professional accounting features

Eco Highlights

• Half the energy consumption per plot than equivalent black-and-white LED MFPs¹
• ENERGY STAR® qualified and EPEAT Bronze registered³
• Free, convenient HP ink cartridge and printhead recycling⁴
• FSC®-certified papers and a range of recyclable HP media with a take-back program⁵

¹ Compared with large-format Low Volume (LV) HP PLPs with print speeds of up to 7 inch ² pages per minute
² HP® is registered trademark of Hewlett-Packard Company. All other trademarks are the property of their respective owners.
³ Program availability varies. Please check hp.com/go/energyconserve for details. EPEAT is a trademark of the Electronic Industries Alliance. Pre-2015 HP products and other HP products not listed with EPEAT may be available. For information about HP large-format printing materials, please visit gosustainable.com.hp

Please recycle large-format printing hardware and printing supplies.
Find us at our website
hp.com/solutions

¹ With Aurasma installed, please go to the HP DesignJet channel at http://auras.mai/s/ke25m
² Without Aurasma installed, please download it:
Once done, go to the HP DesignJet channel at http://auras.mai/s/ke25m
³ Open the application and point to the image to view the HP DesignJet video
Hi,

Below is the quote for the products you have requested. Please send all new requests to texas@shi.com.

If you have any questions regarding this quote, feel free to contact me at Richard_Lettiere@SHI.com.

If you will be paying with a CC for this order, please process the order online with your card. If you don't have a login for the website, our team can assist you with getting that setup. We will not be able to manually charge a card after receiving a PO.

Regards,
Richard Lettiere

---

**Pricing Proposal**

**Quotation #:** 18064839  
**Description:** TS-614578  
**Created On:** Nov-18-2019  
**Valid Until:** Nov-29-2019

---

**City of Brownsville**

**Rodolfo Gracia**  
P.O. BOX 911  
Brownsville, TX 78522-0911  
United States  
Phone: 956-548-6090  
Fax:  
Email: rodolfo.gracia@cob.us

---

**Inside Account Manager**

**Richard Lettiere**  
1301 S. Mo-Pac Expressway Suite 375  
Austin TX, 78746  
PLEASSEND POs to Texas@SHI.com  
Phone: 800-870-6079  
Fax: 512-732-0232  
Email: Richard_Lettiere@SHI.com

---

All Prices are in US Dollar(USD)

<table>
<thead>
<tr>
<th>Product</th>
<th>Qty</th>
<th>Your Price</th>
<th>Total</th>
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</thead>
</table>
| HP INC.: HP DesignJet XL 3600dr PS MFP  
HP, Inc. - Part#: 6KD28G#BCC  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $19,728.39 | $19,728.39 |
| HP INC.: HP DesignJet Z9 24-in PostScript Printer  
HP, Inc. - Part#: W3Z71A#B1K  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $3,433.29 | $3,433.29 |
| HP INC.: HP DesignJet Z9 44-in PostScript Printer  
HP, Inc. - Part#: W3Z72A#B1K  
Contract Name: HP Inc.  
Contract #: DIR-TSO-4159 | 1 | $4,961.08 | $4,961.08 |

**Total** $28,122.76

---

**Additional Comments**

Please Note: HP, Inc. has a zero returns policy on custom build PCs. Ink and toner are also considered non-returnable.

---

_The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item._
# Quote # 100215948 - Hp Designjet T2600Dr 36 Postscript Mfp  
Cust #: CO7424 (City of Brownsville TX)  
Quote Date: Nov 15, 2019

<table>
<thead>
<tr>
<th>Sold to:</th>
<th>Ship to:</th>
</tr>
</thead>
</table>
| Accounts Payable  
City of Brownsville TX  
PO BOX 911  
FINANCE DEPT  
Brownsville, Texas, 78520  
T: 956-548-6080  
rodolfo.gracia@cob.us | REF PO  
City of Brownsville TX  
1338 E Tyler St  
Brownsville, Texas, 78520  
T: 956.548.6114  
rodolfo.gracia@cob.us |

| Payment Method | Shipping Method: Free Shipping - Free  
| No Payment Information Required |  
Free Shipping - Free  
(Total Shipping Charges $0.00) |

Notes: DIR TSO 4159

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<tr>
<th>#</th>
<th>Products</th>
<th>SKU</th>
<th>Price</th>
<th>Qty</th>
<th>Subtotal</th>
</tr>
</thead>
</table>
| 1  | Hp Designjet T2600Dr 36 Postscript Mfp, Designjet T2600Dr  
36 Ps Mttfunc Hp Designjet T2600Dr Postscript - 36  
Multifunction Printer - Color - Ink-Jet - 35.98 In X 314.96  
In, 24.02 In X 590.55 In (Original) - Roll (36 In X 300 Ft),  
36 In X 48 In (Media) - Up To 0.3 Min/Page (Printing) - 2  
Rolls - Gigabit Lan, Designjet T2600Dr 36In Ps Mfp Printer  
Designjet T2600Dr 36 Ps Mfp | HEW-3EK15A#B1K | $7,053.06 | 1 | $7,053.06 |
| 2  | HP Care Pack Hardware Support with Defective Media Retention  
- 3 Year Extended Service - Service - 9 x 5 Next Business  
Day - On-site - Maintenance - Parts & Labor - Electronic,  
Physical Service | HEW-UB8U4E | $1,230.42 | 1 | $1,230.42 |
| 3  | HP Care Pack - Service - 1 Incident(s) - On-site -  
Installation - | HEW-H4518E | $503.00 | 1 | $503.00 |
Thank you for your order. We value your business and will continue to provide you excellent service in addition to our comprehensive product line. All returns must be authorized and clearly marked with a valid RMA number. Returns are subject to restock fees when applicable. Quotes are valid for 30-days unless otherwise noted.

Due to the volatile trade conditions between the US and China, prices are fluctuating daily as tariffs are imposed.
Josh Reardon
Josh.Reardon@scw.com
1395 S Marietta Pkwy Bldg 300-106
Marietta GA 30067
877-468-6729 x291

This Quote may contain material that is confidential, and proprietary to SCW, for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.
TO: Noel Bernal, City Manager
FROM: Rick Vasquez, Director, Planning and Redevelopment Dept.
DATE: 1/21/2020
THROUGH: Helen Ramirez, Deputy City Manager

AGENDA ITEM

COMMISSION MEETING DATE 01/21/20

Executive Session (City Attorney Only)  Select  Agenda  Ordinance
Time Needed:  Time Needed:  Public Hearing  First Reading  
Action Item:  Contract  Grant  Second Reading  
Action  Consent

Information: Please include additional information/request.

Approval on Second and Final Reading 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.

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
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 described 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: Juan “Trey” Mendez III, Mayor
City of Brownsville, Texas
ATTEST:

Griselda Rosas, Interim City Secretary
City of Brownsville, Texas

APPROVED AS TO FORM AND LEGALITY:

Rene De Coss, City Attorney

NOTE: THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. INSURANCE RATE MAP OF COMMUNITY NO. 480101, PANEL NO. 00-02-00-00-00.

BORDERS AND DISTANCES USED ON THIS SURVEY ARE BASED ON THE RECORDED PLAT EL JARDIN RE-SUBDIVISION, AS RECORDED ON EXHIBIT "A", VOLUME 4, PAGE 68, MAP RECORDS OF CAMERON COUNTY, TEXAS.

THE SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

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
Proposed Annexation 95 Acres

Legend
- Proposed Annexation Area
- Brownsville City Limits

Subject Property

Extending City Limits Line
**Executive Session (City Attorney Only)**

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<th>Action Item:</th>
<th>Time Needed:</th>
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<td>☐ Grant</td>
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<td>☐ Action</td>
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<tr>
<td>☑ Consent</td>
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**Information:** Please include additional information/request.

APPROVAL on SECOND and FINAL 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.

**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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**City Commission**

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**Assistant City Manager**

<table>
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**Deputy City Manager**

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</table>

**City Manager’s Approval**

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
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</table>

Revised 3/2019
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,

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>
</tr>
<tr>
<td>50-watt (LED) Area</td>
<td>$13.80</td>
</tr>
<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>
</tr>
<tr>
<td>120-watt (LED) Flood</td>
<td>$15.89</td>
</tr>
<tr>
<td>125-watt (LED) Area</td>
<td>$17.87</td>
</tr>
<tr>
<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>
<td>-------</td>
</tr>
<tr>
<td>150-watt (HPS) Area</td>
<td>$21.97</td>
</tr>
<tr>
<td>150-watt (HPS) Flood</td>
<td>$22.05</td>
</tr>
<tr>
<td>150-watt (MH) Area</td>
<td>$21.64</td>
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<tr>
<td>185-watt (LED) Area</td>
<td>$16.84</td>
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<tr>
<td>185-watt (LED) Flood</td>
<td>$19.60</td>
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<tr>
<td>200-watt (LED) Area</td>
<td>$19.41</td>
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<td>200-watt (LED) Flood</td>
<td>$24.83</td>
</tr>
<tr>
<td>250-watt (HPS) Area</td>
<td>$23.94</td>
</tr>
<tr>
<td>250-watt (HPS) Flood</td>
<td>$23.82</td>
</tr>
<tr>
<td>250-watt (MH) Area</td>
<td>$23.87</td>
</tr>
<tr>
<td>250-watt (MH) Flood</td>
<td>$23.71</td>
</tr>
<tr>
<td>252-watt (LED) Area</td>
<td>$22.08</td>
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<tr>
<td>252-watt (LED) Flood</td>
<td>$22.08</td>
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<tr>
<td>400-watt (HPS) Area</td>
<td>$27.42</td>
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<tr>
<td>400-watt (HPS) Flood</td>
<td>$27.45</td>
</tr>
<tr>
<td>400-watt (MH) Area</td>
<td>$27.29</td>
</tr>
<tr>
<td>400-watt (MH) Flood</td>
<td>$27.18</td>
</tr>
<tr>
<td>1000-watt (HPS) Area</td>
<td>$40.30</td>
</tr>
<tr>
<td>1000-watt (HPS) Flood</td>
<td>$40.65</td>
</tr>
<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
AGENDA ITEM

Executive Session (City Attorney Only)

Time Needed: [Select]

Action Item: [Select]

Agenda

☐ Public Hearing
☐ Contract
☐ Grant
☐ Action
☐ Consent

Ordinance

☐ First Reading
☐ Second Reading

Information: Please include additional information/request.

Public Hearing and Action to approve Resolution Number 2020-005 authorizing publication and posting of Notice of Intention to issue certificates of obligation for the purpose of financing certain storm water improvements.

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

TO: Noel Bernal, City Manager
FROM: Lupe Granado, Finance Director
SUBJECT: Resolution No. 2020-005
DATE: 1/9/2020

Finance Department

Revised 3/2019
Memorandum

To: Noel Bernal, City Manager

From: Lupe Granado III, Finance Director

Date: January 09, 2020

Re: Public Hearing and ACTION to approve Resolution Number 2020-005, authorizing publication and posting of Notice to Intention to issue Certificates of Obligation for the purpose of financing certain storm water improvements

Summary:

Since September 1, 2019, there are two requirements under the CO Act relating to giving notice of the public of the City’s intention to issue COs: (i) publishing the Notice of Intention in a local newspaper, and (ii) posting it on the City’s website. The statutory requirement for those requirements are contained in Section 271.049(a)(1) and (2), Texas Local Government Code, which read as follows:

In connection with the issuance of the captioned COs to be sold to the Texas Water Development Board, attached is the document containing the initial draft of the Notice of Intention Resolution to be considered by the City Commission on Tuesday, January 21st.

Resolution Authorizing Publication and Posting of Notice of Intention to Issue Certificates of Obligation (to be Sold to the Texas Water Development Board) for the Purpose of Financing Certain Stormwater Improvements
RESOLUTION NO. 2020-005

RESOLUTION AUTHORIZING PUBLICATION AND POSTING OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION (TO BE SOLD TO THE TEXAS WATER DEVELOPMENT BOARD) FOR THE PURPOSE OF FINANCING CERTAIN STORM WATER IMPROVEMENTS

THE STATE OF TEXAS
COUNTY OF CAMERON
CITY OF BROWNSVILLE

WHEREAS, the City Commission of the CITY OF BROWNSVILLE, TEXAS (the "City") has determined that it is necessary and desirable to construct certain stormwater improvements in the City, which are further described in the Application for Financial Assistance described in the following recital (the "Project"); and

WHEREAS, in order to finance the costs of the Project, the City filed an Application for Financial Assistance with the Texas Water Development Board (the "TWDB") in the amount of $7,000,000 through the TWDB's Clean Water State Revolving Fund program; and

WHEREAS, at a meeting held on December 19, 2019, the TWDB approved Resolution No. 19-111, which approved the City's Application for Financial Assistance and authorized the TWDB to purchase $6,975,000 in principal amount of certificates of obligation issued by the City and to execute a Principal Forgiveness Agreement with the City in the amount of $25,000; and

WHEREAS, the City Commission of the City intends to finance the Project from proceeds derived from the sale of one or more series of Combination Tax and Revenue Certificates of Obligation issued by the City pursuant to Sections 271.041 - 271.064, Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 271.049, Texas Local Government Code, the City Commission deems it advisable to give notice of intention to issue certificates of obligation in an amount not to exceed an aggregate of $6,975,000 for the purpose of paying, in whole or in part, the Projects, to pay all or a portion of the legal, fiscal and engineering fees in connection with the Projects, and to pay the costs of issuance related to the certificates of obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS:
SECTION 1. APPROVAL OF NOTICE OF INTENTION. Attached hereto is a form of the Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation (the "Notice"), the form and substance of which is hereby adopted and approved. The City Manager, the Director of Finance, and the City Secretary of the City are each authorized to make changes to the Notice as necessary prior to its publication and posting as described in Sections 2 and 3 below.

SECTION 2. PUBLICATION OF NOTICE OF INTENTION IN NEWSPAPER. The City Secretary shall cause the Notice to be published in substantially the form attached hereto in a newspaper, as defined by Subchapter C, Chapter 2051, Government Code, that is of general circulation in the area of the City, on the same day in each of two consecutive weeks, the date of the first publication thereof to be at least 46 days before the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in the Notice.

SECTION 3. POSTING OF NOTICE OF INTENTION ON CITY'S WEBSITE. The City Secretary shall further cause the Notice to be posted on the City's internet website beginning at least 45 days before, and continuing through, the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in the Notice.

SECTION 4. INCORPORATION OF RECITALS. The City Commission hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Commission hereby incorporates such recitals as a part of this Resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

[The remainder of this page intentionally left blank]

By: _______________________________
Mayor
City of Brownsville, Texas

Attest:

__________________________________
City Secretary
City of Brownsville, Texas

(Seal)
The City Commission of the City of Brownsville, Texas (the "City") does hereby give notice of intention to issue one or more series of City of Brownsville, Texas Combination Tax and Revenue Certificates of Obligation in the maximum aggregate principal amount not to exceed $6,975,000 for the purpose of paying, in whole or in part, contractual obligations to make certain stormwater improvements in the City (the "Project"), and for paying all or a portion of the legal, fiscal and engineering fees in connection with the Project and the costs of issuance related to such Certificates of Obligation. Such Certificates of Obligation will be purchased by the Texas Water Development Board through its Clean Water State Revolving Fund program. The City proposes to provide for the payment of such Certificates of Obligation from the levy and collection of ad valorem taxes in the City as provided by law and from a lien on and pledge of "Surplus Revenues," if any, received by the City from the ownership and operation of the City's municipal landfill system. The current principal of all outstanding debt obligations of the City is $160,445,000, the combined principal and interest required to pay all currently outstanding debt obligations of the City on time and in full is $214,147,146, the estimated combined principal and interest required to pay the Certificates on time and in full is $7,348,613, the estimated interest rate for the Certificates is 0.68%, and the maximum maturity date of the Certificates is February 15, 2040. The prior statements regarding outstanding debt obligations of the City do not include debt that the City has designated as self-supporting and payable from revenues other than ad valorem taxes, if any. The City Commission proposes to authorize the issuance of such Certificates of Obligation at 5:00 p.m. on Tuesday, March 17, 2020, at a Regular Meeting, at the City Hall, Brownsville, Texas.

/s/ Juan "Trey" Mendez, III
Mayor, City of Brownsville, Texas
CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS  
COUNTY OF CAMERON  
CITY OF BROWNSVILLE

I, the undersigned City Secretary of the CITY OF BROWNSVILLE, TEXAS (the "City"), hereby certify as follows:

1. The City Commission of the City (the "City Commission") convened in Regular Meeting on January 21, 2020, at the City Hall (the "Meeting"), and the roll was called of the duly constituted officers and members of the City Commission, to wit:

   Juan "Trey" Mendez, III, Mayor  
   John Cowen Jr., Commissioner At-Large "A"  
   Rose M. Z. Gowen, Commissioner At-Large "B"  
   Nurith Galonsky Pizana, Commissioner District 1  
   Jessica Tetreau-Kalifa, Commissioner District 2  
   Joel Munguia, Commissioner District 3  
   Ben Neece, Commissioner District 4

   and all of said officers and members of the City Commission were present, except the following absentees:

   _______________, thus constituting a quorum.

Whereupon, among other business, the following was transacted at the Meeting: a written Resolution No. 2020-___ (the "Resolution") entitled

RESOLUTION AUTHORIZING PUBLICATION AND POSTING OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION (TO BE SOLD TO THE TEXAS WATER DEVELOPMENT BOARD) FOR THE PURPOSE OF FINANCING CERTAIN STORMWATER IMPROVEMENTS

was duly introduced for the consideration of the City Commission. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

   AYES: _____ NOES: _____ ABSTENTIONS: ______

2. A true, full and correct copy of the Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; the Resolution has been duly recorded in the City Commission's minutes of the Meeting; the above and foregoing paragraph is a true, full and correct excerpt from the City Commission's minutes of the Meeting pertaining to the passage of the Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Commission as indicated therein; each of the officers and members of the City Commission was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of said officers and members consented, in advance, to the holding of the Meeting for such purpose; and the Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code.

   SIGNED AND SEALED the 21st day of January, 2020.

(SEAL)  
City Secretary, City of Brownsville, Texas
## Executive Session (City Attorney Only)

<table>
<thead>
<tr>
<th>Time Needed:</th>
<th>Action Item:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time Needed:</td>
<td>Time Needed:</td>
</tr>
<tr>
<td>☑ Public Hearing</td>
<td>First Reading</td>
</tr>
<tr>
<td>Contract</td>
<td>Second Reading</td>
</tr>
<tr>
<td>Grant</td>
<td></td>
</tr>
<tr>
<td>Action</td>
<td></td>
</tr>
<tr>
<td>Consent</td>
<td></td>
</tr>
</tbody>
</table>

## Information: Please include additional information/request.

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-040: To rezone from Light Retail “G” (2CG)/Dwelling “G” (DG) to Apartment “H” (AH) for 0.2496 Acre of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road, Brownsville, Texas, 78521, as shown in Exhibit "A", (District 2).

## 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>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Finance Department</th>
<th>Date Reviewed:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## 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

<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 Services Department Director

Date: January 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-040

Purpose
Property owner, Brownsville Business Group, proposes to change the zoning designation for a 0.2496 acre tract of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road, Brownsville, Texas, 78521. The applicant requests to rezone the subject property from Dwelling “G” (DG)/Light Retail “G” (2CG) to Apartment “H” (AH) for the purpose of building apartments.

Property Analysis
The predominant land use in the surrounding area is single family dwelling. Additional uses, such as apartment and two-family dwellings (duplexes), are also present within proximity of the subject property; to the East and South.

The property is located within the Town Corridor. The request is consistent with the Future Land Use Map.

Background
The proposed zoning designation change was originally presented at the August 8, 2019 Planning and Zoning Commission Meeting, where Mr. Armando Mendoza, neighbor, and owner of the property directly abutting the subject acreage along the West and South property lines, explained that he did not want the construction of apartments next to his property. Additionally, he stated that a portion of the land undergoing the zoning change, and directly to the North of his property, belonged to him (20-foot easement fronting Old Port Isabel Road).

On September 5, 2019, Mr. Mendoza requested that he be given time to hire an attorney to analyze a newly found ownership instrument. The Planning and Zoning Commission unanimously voted to table the item and reschedule the hearing date to the following Planning and Zoning Commission Meeting occurring on October 3, 2019.

After continued dispute between the applicant and the neighbor, the Planning and Zoning Commission once again tabled the item on October 3, 2019.

On November 27, 2019, the applicant submitted a final court order to the Planning and Redevelopment Services Department in which the court ruled in their favor. The submitted document was sent to the City’s Legal Department for further review. On December 2, 2019, staff was given the authorization from the Legal Department to proceed with the case.

The case was approved by the Planning and Zoning Commission on January 9, 2020.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from Dwelling “G” (DG)/Light Retail “G” (2CG) to Apartment “H” (AH).
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 #: 74-7950-0190-0502-00

Project Address: 2732 Old Port Isabel Road, Brownsville, Texas 78521

Subdivision: El Jardin Subdivision, Cameron County Map Records Vol. 4 Page 60

Lot(s)/Block: Being a 0.2496 Acre out of the South 20.122 Acres of BLK 19 & Sign Easement (0.017 Ac)

Current Area Classification: Zoning Area "G" Proposed Area Classification: "H" Gross Acreage: 0.2666 Acs.

Current Zoning: Light Retail (2C) Proposed Zoning: Apartment Use

Proposed Used: Multifamily Overlay Districts:

* 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: Brownsville Business Group, LLC
Address: P.O. Box 3383
City: Brownsville, Texas
State: Texas Zip Code: 78523
Telephone: 956-550-1114
Fax: 
Email: bro_business.group@gmail.com
Signature: 

Representative/Agent Information

Name: Arturo Medina
Address: 704 Villa Verde Drive
City: Brownsville
State: TX Zip Code: 78521
Telephone: 956-545-8461
Fax: 
Email: artmedina57@gmail.com
Signature: 

Office Use Only

Date Submitted: 7/12/19 Code: ZN31 Application Fee: $500.00
Accepted By: Francesca Linder
Case Number 235- 2019- 040

1034 E. LEVEE STREET 2ND FLOOR - CITY PLAZA - BROWNSVILLE, TEXAS 78520
PHONE (956) 548-6150 • FAX (956) 548-6144 Form-04-1803U
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 Light Retail “G” (2CG) and Dwelling “G” (DG) to Apartment “H” (AH) for 0.2496 Acre of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road, 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 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.


(SEAL)

BY: ______________________________
    Juan “Trey” Mendez
    Mayor

ATTEST: _________________________
    Griselda Rosas
    Interim City Secretary
November 25, 2019

RECEIPT OF HAND DELIVERY

Martin Vega
Senior Planner
Planning & Development Services Department
1034 E. Levee Street, 2nd Floor
Brownsville, TX 78520

RE: Hand Delivery of Agreed Final Order in Cause No. 2019-DCL-05870, and request to reinitiate Zoning Case No. 235-2019-040 for Property Located at 2732 Old Port Isabel Road (TAX ID 74-7950-0190-0502-00)

Dear Mr. Vega:

As previously discussed, please find enclosed agreed final order conveying that the prior property dispute has been satisfactorily resolved. In said Order you will find that the Court declared that the true owner of the property is my client, Brownsville Business Group, LLC. The Court further ordered that my client may proceed with its multi-family development, which includes applying for the requisite rezoning of property. Please have your legal department revise, if no further objection, then please reinstate zoning case number 235-2019-040 as there is no further pending litigation on the subject property. If you or anyone has any further questions, please do not hesitate to contact the undersigned.

Sincerely,

/s/Eddie Lucio
Eddie Lucio

Cc: Alfredo Padilla
Deputy City Attorney
Alfredo.padilla@cob.us
CAUSE NO. 2019-DCL-05870

BROWNSVILLE BUISIONESS  §  IN THE DISTRICT COURT
GROUP, LLC  §
PLAINTIFF  §

VS.  §

JOSE ARMANDO MENDOZA &  §
ARMANDO JOSE MENDOZA  §
DEFENDANTS  §

197th JUDICIAL DISTRICT

CAMERON COUNTY, TEXAS

AGREED FINAL ORDER

On this 17th day of October, 2019, came to be considered the above styled cause, wherein

the parties hereto have agreed to the following:

1. On or about November 20, 2018, Plaintiff purchased the following real property:

TRACT I:

BEING A 0.2496 ACRE OF LAND OUT OF THE SOUTH 20.122 ACRES OF
BLOCK 19, EL JARDIN SUBDIVISION IN TRACT 33, SHARE 19, ESPIRITU
SANTO GRANT CAMERON COUNTY, TEXAS ACCORDING TO THE MAP
OF PLAT THEREOF RECORDED IN VOLUME 4, PAGE 60, OF THE MAP
RECORDS OF CAMERON COUNTY, TEXAS, AND MORE PARTICULARLY
DESCRIBED IN EXHIBIT A.

TRACT II:

A 20-FOOT EASEMENT FOR INGRESS AND EGRESS ALONG THE NORTH
SIDE OF THIS TRACT AND EXTENDING WEST ALL THE WAY TO THE
EAST RIGHT OF WAY OF OLD PORT ISABEL ROAD AS RESERVED IN AN
EXCHANGE WARRANTY DEED DATED MAY 15, 1998, EXECUTED BY
M.A.M FAMILY TRUST, MANUEL MONTEMAYOR, TRUSTEE TO MELVA
NORA ORTIZ, RECORDED UNDER CLERK'S FILE NO 4311, VOLUME
5867, PAGE 134, OFFICIAL PUBLIC RECORDS OF CAMERON COUNTY,
TEXAS. (the "Property")

2. Title to the Property is vested in Plaintiff's name by virtue of a Warranty Deed with

Vendor's Lien recorded under Document Number 2018-43093, Volume 23848, Page 110,
of the Official Records of Cameron County, Texas.

Temporary Restraining Order  Page 1 of 5
3. The following diagram shows the boundaries of the Property:

![Diagram of Property Boundaries]

4. The parties hereto agree that Plaintiff, Brownsville Business Group, LLC, is legally entitled to ownership of the Property and is the actual owner of the Property.

5. Defendants hereby agree that they will immediately cease to block access to the aforementioned TRACT II, a dedicated 20-foot wide ingress and egress easement from which access is located along Old Port Road, Brownsville, Texas.

6. Defendants hereby agree that they will permanently remove a fence currently encroaching on the said TRACT II, running along Old Port Isabel Road, which was used to block access to and from the Property.

7. It is further agreed that Plaintiff will be responsible for the clean-up and maintenance of the Property.

Agreed Final Order
8. Plaintiff shall be responsible to ensure that no nuisances occur on the Property, and to make every reasonable attempt to abate any activity that presents to be a Common and/or Public Nuisance.

9. Plaintiff will not disturb and/or encroach on Defendants’ property located at 2728 Old Port Isabel Road, Brownsville, Texas.

10. Plaintiff shall install a fence along the boundary of the subject Property.

11. It is further resolved that Plaintiff shall continue to pursue its current multi-family development of the Property; this includes but is not limited to the following:

   a. Performing all necessary boundary, topographic, elevation, and/or improvement surveys on the Property

   b. Applying for the requisite zoning permit(s) with the Planning & Development Services Department of the City of Brownsville.

   c. Applying for the requisite building permit(s) with the Planning & Development services Department of the City of Brownsville.

   d. Applying for any re-subdivision and/or re-platting processes with the Planning & Development Services Department of the City of Brownsville, as may be required.

12. Defendants are hereby prohibited from impeding or interfering with Plaintiff’s multi-family development of the Property, as referenced above.

13. Plaintiff hereby agrees to non-suit its claims against Defendants upon execution of this agreed final order.

IT IS THEREFORE ORDERED that this agreement is within full force and effect as to the date of this hearing. It is further ORDERED that Plaintiff is the actual owner of the Property and is intitled to enjoy and make use of the same immediately.

Agreed Final Order
IT IS FURTHER ORDERED that this Agreed Final Order be served upon the City of Brownsville's Planning & Development Services Department.

SIGNED this the _____ day of ________, 2019, at Cameron County, Texas.

Signed: 11/6/2019 02:40 PM

HONORABLE JUDGE PRESIDING

Agreed by:

Jose Armando Mendoza

Armando Jose Mendoza

BROWNSVILLE BUSINESS GROUP, LLC

Antonio Menchaca
Managing Member

11/4/19
Eddie Lucio (Emailed)
Renee Sanchez (Emailed)
Exhibit A

Tract I:
BEING 0.2496 ACRE OF LAND OUT OF THE SOUTH 20.122 ACRES OF BLOCK 19, EL JARDIN SUBDIVISION IN TRACT 33, SHARE 19, ESPRITU SANTO GRANT CAMERON COUNTY, TEXAS ACCORDING TO THE MAP OF PLAT THEREOF RECORDED IN VOLUME 4, PAGE 60, OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS, MORE DEFINITELY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 19 AND THE SOUTHWEST CORNER OF THE 20.122 ACRE TRACT, SAID POINT BEING ON THE CENTERLINE OF OLD PORT ISABEL ROAD (60 FOOT RIGHT-OF-WAY ROAD);

THENCE, ALONG THIS WEST BOUNDARY LINE OF BLOCK 19 THE BOUNDARY LINE OF SAID 20.122 ACRE TRACT AND THE CENTERLINE OF OLD PORT ISABEL ROAD, NORTH 27 DEGREES, 36 MINUTES EAST, 665.84 FEET TO A POINT;

THENCE, LEAVING THE WEST BOUNDARY LINE OF BLOCK 19, WEST BOUNDARY LINE OF 20.122 ACRE TRACT, AND THE CENTERLINE OF OLD PORT ISABEL ROAD, ALONG THE NORTH LINE OF A 50 FOOT EASEMENT OF INGRESS AND EGESS, SOUTH 85 DEGREES 00 MINUTES EAST, 193.33 FEET TO THE POINT OF BEGINNING, SAID BEING THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, NORTH 05 DEGREES 00 MINUTES WEST 140.0 FEET TO A POINT FOR A CORNER OF THIS TRACT;

THENCE, SOUTH 85 DEGREES 00 MINUTES WEST 102.45 FEET TO A POINT ON THE RIGHT-OF-WAY OF OLD PORT ISABEL ROAD FOR A CORNER OF THIS TRACT;

THENCE, NORTH 27 DEGREES 36 MINUTES, ALONG OLD PORT ISABEL RIGHT-OF-WAY 21.80 FEET TO A POINT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, NORTH 85 DEGREES 00 MINUTES, ALONG OLD PORT ISABEL RIGHT-OF-WAY 2180 FEET TO A POINT, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, SOUTH 85 DEGREES 00 MINUTES EAST, 160.0 FEET TO A POINT, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, NORTH 85 DEGREES 00 MINUTES WEST, 75.0 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.2496 ACRE OF LAND, MORE OR LESS.

SAVE AND EXCEPT:
A Twenty foot Easement for Ingress and Egress along the north side of this tract and extending west all the way to the east right of way of Old Port Isabel Road reserved in Exchange Warranty Deed dated May 15, 1998, executed by M.A.M. Family Trust, Manuel Montermayor, Trustee to Melva Nora Ortiz, recorded under Clerk's File No. 4311, Volume 5867, page 134, Official Public Records of Cameron County, Texas.

**Tract II: Access Easement**

A 20 Foot Easement for Ingress and Egress along the north side of this tract and extending west all the way to the east right of way of Old Port Isabel Road reserved in Exchange Warranty Deed dated May 15, 1998, executed by M.A.M. Family Trust, Manuel Montermayor, Trustee to Melva Nora Ortiz, recorded under Clerk's File No. 4311, Volume 5867, Page 134, Official Public Records of Cameron County, Texas.
AGREED FINAL ORDER

On this 17th day of October, 2019, came to be considered the above styled cause, wherein the parties hereto have agreed to the following:

1. On or about November 20, 2018, Plaintiff purchased the following real property:

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   TRACT II:

   A 20-FOOT EASEMENT FOR INGRESS AND EGRESS ALONG THE NORTH SIDE OF THIS TRACT AND EXTENDING WEST ALL THE WAY TO THE EAST RIGHT OF WAY OF OLD PORT ISABEL ROAD AS RESERVED IN AN EXCHANGE WARRANTY DEED DATED MAY 15, 1998, EXECUTED BY M.A.M FAMILY TRUST, MANUEL MONTEMAYOR, TRUSTEE TO MELVA NORA ORTIZ, RECORDED UNDER CLERK'S FILE NO 4311, VOLUME 5867, PAGE 134, OFFICIAL PUBLIC RECORDS OF CAMERON COUNTY, TEXAS. (the "Property")

2. Title to the Property is vested in Plaintiff's name by virtue of a Warranty Deed with Vendor's Lien recorded under Document Number 2018-43093, Volume 23848, Page 110, of the Official Records of Cameron County, Texas.
3. The following diagram shows the boundaries of the Property:

![Diagram of Property Boundaries]

4. The parties hereto agree that Plaintiff, Brownsville Business Group, LLC, is legally entitled to ownership of the Property and is the actual owner of the Property.

5. Defendants hereby agree that they will immediately cease to block access to the aforementioned TRACT II, a dedicated 20-foot wide ingress and egress easement from which access is located along Old Port Road, Brownsville, Texas.

6. Defendants hereby agree that they will permanently remove a fence currently encroaching on the said TRACT II, running along Old Port Isabel Road, which was used to block access to and from the Property.

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9. Plaintiff will not disturb and/or encroach on Defendants' property located at 2728 Old Port Isabel Road, Brownsville, Texas.

10. Plaintiff shall install a fence along the boundary of the subject Property.

11. It is further resolved that Plaintiff shall continue to pursue its current multi-family development of the Property; this includes but is not limited to the following:
   a. Performing all necessary boundary, topographic, elevation, and/or improvement surveys on the Property
   b. Applying for the requisite zoning permit(s) with the Planning & Development Services Department of the City of Brownsville.
   c. Applying for the requisite building permit(s) with the Planning & Development services Department of the City of Brownsville.
   d. Applying for any re-subdivision and/or re-platting processes with the Planning & Development Services Department of the City of Brownsville, as may be required.

12. Defendants are hereby prohibited from impeding or interfering with Plaintiff's multi-family development of the Property, as referenced above.

13. Plaintiff hereby agrees to non-suit its claims against Defendants upon execution of this agreed final order.

IT IS THEREFORE ORDERED that this agreement is within full force and effect as to the date of this hearing. It is further ORDERED that Plaintiff is the actual owner of the Property and is intitled to enjoy and make use of the same immediately.
IT IS FURTHER ORDERED that this Agreed Final Order be served upon the City of Brownsville’s Planning & Development Services Department.

SIGNED this the ___ day of __________, 2019, at Cameron County, Texas.

Signed, 11/2/2019 02:40 PM

HONORABLE JUDGE PRESIDING

Agreed by:

Jose Armando Mendoza

Armando Jose Mendoza

BROWNSVILLE BUSINESS GROUP, LLC

Antonio Menchaca
Managing Member

11/4/19
Eddie Lucio (Emailed)
Renee Sanchez (Emailed)
Exhibit A

Tract 1:
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EXHIBIT “A”
Rezoning Request:

Case # 235-2019-040
Brownsville Business Group, LLC/Arturo Medina

Current Zoning:
Light Retail (2C) "G"
Dwelling (D) "G"

Proposed Zoning:
Apartment (A) "H"
OLD PORT ISABEL

JOSEPH

MENCHACA

BUCKINGHAM

WARWICK GLEN

KINGSWAY

OLD PORT ISABEL

BAUSBURG

JOSPEH

MENCHACA

AUDRY

SUBJECT PROPERTY

Case No.235-2019-040
A. Application Information

<table>
<thead>
<tr>
<th>Applicant/Property Owner:</th>
<th>Brownsville Business Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property ID:</td>
<td>74-7950-0190-0502-00</td>
</tr>
<tr>
<td>Case Number:</td>
<td>235-2019-040</td>
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<td>Application Type:</td>
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<td>Proposed Use:</td>
<td>Apartments</td>
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<td>Current Zoning District:</td>
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<tr>
<td>Proposed Zoning District:</td>
<td>Apartment “H” (AH)</td>
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<tr>
<td>Date Application Submitted:</td>
<td>July 12, 2019</td>
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<tr>
<td>Planning &amp; Zoning Commission Meeting Date:</td>
<td>January 9, 2020</td>
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<td>City Commission Meeting Dates:</td>
<td>January 21, 2020, February 4, 2020</td>
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<td>City Commission District:</td>
<td>2</td>
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<tr>
<td>Annexation year:</td>
<td>1985-1992 and 1995</td>
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<tr>
<td>Overlay in area:</td>
<td>N/A</td>
</tr>
<tr>
<td>Number of Public Notice Letters:</td>
<td>35</td>
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</tbody>
</table>

B. Application Type/Background

The applicant is requesting a rezoning from Dwelling “G” (DG)/Light Retail “G” (2CG) to Apartment “H” (AH).

C. Subject Property

The subject property is located on 0.2496 Acre of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road, Brownsville, Texas, 78521. The property is fronting Old Port Isabel Road, a Secondary Arterial roadway. 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 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
• East: Apartment and Two-Family Dwelling
• South: Single Family Dwelling and Apartment
• 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), Apartment (A), Professional Office (1C), and Light Retail (2C)
- **South:** Dwelling (D), Apartment (A), Light Retail (2C), General Retail (4C), Light Commercial (5C), and Medium Commercial (6C)
- **East:** Dwelling (D), Light Retail (2C), and General Retail (4C)
- **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 Town Corridor. According to this plan, the Town Corridor should be mostly residential and primarily single family homes. The average density in this corridor should be 3 dwellings per acre. 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**

The following map illustrates the Future Land Use Map. The subject property is within the Town Corridor.
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)/Light Retail “G” (2CG) to Apartment “H” (AH).
EXECUTIVE SESSION (City Attorney Only)

ACTION ITEM: Time Needed:

AGENDA ITEM: "Public Hearing"

ORDINANCE:
- First Reading

ACTION ITEM: Time Needed:

AGENDA ITEM: "Public Hearing"

ORDINANCE:
- First Reading

Information: Please include additional information/request.

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-067: To rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 2, Block 242, Brownsville Original Townsite, Cameron County, Texas, located at 744 East Ringgold 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.

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
- Date: Initials: Date:

Deputy City Manager
- Approved: Yes No
- Date: Initials: Date:

City Manager’s Approval
- Signature: Date:

Revised 3/2019
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-067

Purpose
Property owners, Norma and Guadalupe Garcia, propose to change the Area District designation for Lot 2, Block 242, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 744 East Ringgold Street, Brownsville, Texas 78520. The applicants request to rezone the subject property from General Retail “F” (4CF) to General Retail “G” (4CG) to reduce setbacks and required minimum lot size for the purpose of building a duplex.

<table>
<thead>
<tr>
<th>Area District “F” (Residential)</th>
<th>Area District “G” (Residential)</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,000 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>
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</tr>
<tr>
<td>5.5 ft.-lateral setback</td>
<td>3.5 ft.-lateral setback</td>
</tr>
<tr>
<td>5.5 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 civic institution (Cummings Middle School to the North and Linear Park to the West) and commercial business (restaurants, retail plaza, professional offices, etc.) are also present within proximity of the subject property.

The property is located within the Town Corridor, Loop Corridor, and Downtown Node. 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 area district “F” 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. Additionally, changing the area district would allow less restrictive setbacks that would consequently maximize the buildable area.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from General Retail “F” (4CF) to General Retail “G” (4CG).
### 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 #:
- 01/0000/2420/0000/00

### Project Address:
- 743 E Riego Rd

### Subdivision:
- BOT

### Lot(s)/Block:
- Lot 2 Block 242

### Current Area Classification: F
### Proposed Area Classification: G
### Gross Acreage: 0.1377

### Current Zoning: YC
### Proposed Zoning: YC

### Proposed Used: Duplex
### Overlay Districts: 011

* If property is not subdivided you will need to provide a 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>Norman Huculay Garcia</th>
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</thead>
<tbody>
<tr>
<td>Address:</td>
<td>7524 Halo</td>
</tr>
<tr>
<td>City:</td>
<td>Brownsville, TX 78520</td>
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<td>Email:</td>
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#### Representative/Agent Information

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#### Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

### Office Use Only

| Date Submitted: | 11/15/19 |
| Code: | ZN31 |
| Application Fee: | $500.00 |
| Accepted By: | Martin Vega |
| Case Number: | 235-2019-067 |

1034 E. 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 “F” (4CF) to General Retail “G” (4CG) for Lot 2, Block 242, Brownsville Original Townsite, Cameron County, Texas, located at 744 East Ringgold 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.


(SEAL)

BY: ________________________________
Juan “Trey” Mendez
Mayor

ATTEST: ______________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:
Case # 235-2019-067
Norma & Guadalupe Garcia

Current Zoning:
General Retail "F"

Proposed Zoning:
General Retail "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.
235-2019-067
SUBJECT PROPERTY

Case No. 235-2019-067

Owner: Cameron County

BLK 2 WENTZ SUBDIVISION 8.6750 ACRES OUT OF 20.00 ACRES (78-6740-0020-0000-00)
Case No. 235-2019-067

Owner: Cameron County
BLK 2 WENTZ SUBDIVISION 8.6750 ACRES OUT OF 20.00 ACRES (78-6740-0020-0000-00)
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from General Retail “F” (4CF) to General Retail “G” (4CG).

C. Subject Property

The subject property is located on Lot 2, Block 242, Brownsville Original Townsite, City of Brownsville, Cameron County, Texas, located at 744 East Ringgold Street, Brownsville, Texas 78520. The property is fronting East Ringgold Street, a Collector Roadway. 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 from Water Treatment Plant No.2 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 and Commercial Business
• South: Single Family Dwelling
• West: Single Family Dwelling, Civic Institution, 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), Professional Office (1C), and General Retail (4C)
• South: General Retail (4C)
• East: 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 Town Corridor, Loop Corridor, and Downtown Node. According to this plan, 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.

The Loop Corridor is commercial but a healthy mixture of residential, institutional, industrial and community facility land uses. Residential uses should have a density of 4 dwelling units per acre and consist primarily of single family and attached apartment homes.

The Downtown Node is primarily commercial land uses, but residential, community facilities, and institutional uses are also present. No industrial uses should be allowed in the Downtown Node. The average density of residential land uses for the entire Downtown Node 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**

The following map illustrates the Future Land Use Map. The subject property is within the Town Corridor, Loop Corridor, and Downtown Node.
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 General Retail “F” (4CF) to General Retail “G” (4CG).
PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-068: To rezone from Dwelling “G” (DG) to Apartment "G" (AG) for Lot 26, Block 1, St. Tropez Subdivision, Cameron County, Texas, located at 2521 Old Port Isabel Road, Brownsville, Texas 78526, as shown in Exhibit "A", (District 2).
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-068

Purpose
Property owner, Gilberto de Leon, began by proposing a Specific Use Permit to allow Apartments, an Apartment (A) use, in Dwelling “G” (DG) on Lot 26, Block 1, St. Tropez Subdivision, Cameron County, Texas, located at 2521 Old Port Isabel Road, Brownsville, Texas 78526. Based on the surrounding similar uses and the mixed zoning nature of the area, staff recommended the applicant to rezone the property’s Use District rather than go through a Specific Use Permit. The applicant agreed to follow staff’s recommendation to rezone from Dwelling “G” (DG) to Apartment “G” (AG).

Property Analysis
The predominant land use in the surrounding area is single family dwelling. Additional uses, such as undeveloped land, multifamily developments, and commercial business (professional services, repair shops, restaurants, etc.) are also present within proximity of the subject property.

The property is located within the Town Corridor and Sub Regional Node. The request is consistent with the Future Land Use Map.

Background
The subject property on which the applicant is looking to construct an apartment complex is currently vacant. A zoning change is necessary since an apartment use is not permitted in a Dwelling use district. Rezoning to an apartment use district would permit the proposed use and would generally complement the surrounding zoning designations and uses of neighboring properties. As previously mentioned, staff recommended the route of a zoning change due to the latter. Additionally, it is in the opinion of staff that the rezoning of the subject property to an Apartment use district will serve as a transition buffer between Dwelling to the North and Commercial use districts to the South.

Given the size of the subject property (0.72 acre) and the Area District that is to remain the same (“G” – allows 12.5 units per acre), the applicant would potentially be able to construct a maximum of 9 units. Nevertheless, the applicant is only proposing 6 units.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from Dwelling “G” (DG) to Apartment “G” (AG).
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 #: 74-7944-0010-0260-00
Project Address: 2521 Old Port Isabel Rd.
Subdivision: 1st Tropez
Lot(s)/Block: Lot 26, Block D
Current Area Classification: "G" Proposed Area Classification: "G" Gross Acreage: .72 Acres
Current Zoning: Dwelling Proposed Zoning: Apartment
Proposed Used: Apartments Overlay Districts: NA

* 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: Gilberto De Leon
Address: 148 Village East Drive
City: Los Fresnos
State: TX Zip Code: 78566
Telephone: (956) 592-0440
Fax:
Email:
Signature:

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

Representative/Agent Information

Name: David Campisi
Address: 5258 Ridgeline Dr.
City: Brownsville TX
State: TX Zip Code: 78526
Telephone: (956) 455-1582
Fax:
Email: campquisdgn@gmail.com
Signature:

Office Use Only

Date Submitted: 12/26/19 Code: 2N31 Application Fee: $500.00 Balance Due

Accepted By: Marti Vega

Case Number 235-2019-068

1034 E. LEVEE STREET 2ND FLOOR • CITY PLAZA • BROWNSVILLE, TEXAS 78520
PHONE (956) 548-6130 • FAX (956) 548-6144

Staff Recommends rezoning rather than SUP 12/17/19
ORDINANCE NUMBER 235-2019-068

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 “G” (AG) for Lot 26, Block 1, St. Tropez Subdivision, Cameron County, Texas, located at 2521 Old Port Isabel Road, 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.


(SEAL)

BY: __________________________
Juan “Trey” Mendez
Mayor

ATTEST: __________________________
Griselda Rosas
Interim City Secretary
**EXHIBIT “A”**

**Specific Use Permit Request:**

Case # 235-2019-068-S
Gilberto de Leon

**Current Zoning:**
Dwelling "G"

**Proposed Use:**
Apartments
Apartment "G"

Brownsville Electoral District #2
City of Brownsville

FUTURE LAND USE PLAN

DANARKINGWAYOLD PORT ISABELSAN JACINTO

RUBEN M TORRES SR

MALAGABUCKINGHAM

SUBJECT PROPERTY

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

Gateway Corridor
Linkage Corridor
Loop Corridor
Town Corridor

Downtown Node
Primary Regional Node
Secondary Regional Node
Sub Regional Node

Brownsville's City Limits
Brownsville's ETJ Boundary

Zoning Case No.
235-2019-068-S
SUBJECT PROPERTY

Case No. 235-2019-068-S

Owner: Cameron County

BLK 2 WENTZ SUBDIVISION 8.6750 ACRES OUT OF 20.00 ACRES (78-6740-0020-0000-00)
Case No. 235-2019-068-S
A. Application Information

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B. Application Type/Background

The applicant is requesting a Specific Use Permit to allow Apartments, an Apartment (A) use, in Dwelling “G” (DG).

C. Subject Property

The subject property is located on Lot 26, Block 1, St. Tropez Subdivision, Cameron County, Texas, located at 2521 Old Port Isabel Road, Brownsville, Texas 78526. The property is fronting Old Port Isabel Road, a Secondary Arterial Roadway. 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 3 lift stations (LS 55, 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 Commercial Business
- East: Undeveloped Land, Single Family Dwelling, and Apartment
- South: 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 Medium Commercial (6C)
- South: Medium Retail (3C), General Retail (4C), and Light Commercial (5C)
- East: Apartment (A), Light Retail (2C), General Retail (4C), and Light Commercial (5C)
- West: Dwelling (D) and Apartment (A)
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 Town Corridor and Sub Regional Node. According to this plan, 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.

The Sub Regional Node is a balance of commercial and residential land uses so that neither use category takes prominence over the other. Residential uses should have an average density of 9 dwelling units per acre, and consist primarily of attached apartments and townhouses. 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**

The following map illustrates the Future Land Use Map. The subject property is within the Town Corridor and Sub Regional Node.
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 supporting a rezone from Dwelling “G” (DG) to Apartment “G” (AG).
AGENDA ITEM  COMMISSION MEETING DATE 01/21/20

Executive Session (City Attorney Only)  Select  Agenda  Ordinance
Time Needed:  Time Needed:  Public Hearing  First Reading
Action Item:  Contract

Information: Please include additional information/request.

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-069: To rezone from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ) for 19,631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road, Brownsville, Texas 78575, as shown in Exhibit "A", (District 3).

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
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-069

Purpose
Property owner, Gonzales Family Limited Partnership, proposes to change the Use District designation for 19.631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road, Brownsville, Texas 78575. The applicant requests to rezone the property from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ) for the purpose of establishing their construction company (G&T Paving) headquarters and equipment storage.

Property Analysis
The predominant land use in the surrounding area is undeveloped land. Additional uses, such as single-family dwelling (West), a correctional facility (North), a county maintenance facility (North), and municipal sports park (South) are also present within proximity of the subject property.

The property is located within the Employment Hub District. The request is consistent with the Future Land Use Map.

Background
The subject property on which the applicant is looking to establish their company headquarters and equipment storage is currently vacant and has an approximate area of 19.631 acres. The applicant would like to relocate their paving company to this property since they believe it to be a more suitable location given the nature of the area. The current company location is directly abutting a school and single-family neighborhood. A minimum use district designation of Light Commercial (5C) is required to accommodate the proposed use. The requested zoning change would generally complement the surrounding area given that there are similar uses and same use district designation as the one being requested directly to the north of the subject property. The area district designation is to remain the same, establishing setbacks at 30 feet from the front property line and 5.5 feet from the lateral and rear property lines.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ).
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 #: 361449-PID Series 77-3430-0450-0020-00

Project Address: Old Alice Rd.

Subdivision: Palo Alto Groves Subdivision Number 1 Phase 2A

Lot(s)/Block: Blocks 45-55

Current Area Classification: Z

Proposed Area Classification: Z

Gross Acreage: 19.681

Current Zoning: Dwelling

Proposed Zoning: SC-7

Overlay Districts: D31-A Overlay 031-00

* If the application is signed by the representative we need a notarized authorization letter from the owner.

Owner Information

Name: Gonzales Family Limited Partnership

Address: P.O. Box 4324

City: Brownsville

State: TX Zip Code: 78523

Telephone: (956) 546-3633

Fax: (956) 546-5333

Representative/Agent Information

Name: Abel Gonzales

Address: 2495 Old Spanish Trail

City: Brownsville

State: TX Zip Code: 78520

Telephone: (956) 572-1888

Fax: (956) 546-5333

Email: signature

Signature: ____________________________

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

Office Use Only

Date Submitted: 11-20-19

Code: ZN31

Application Fee: $1,500.00

Accepted By: B.A. Hayfield

Case Number 235-2019-0049
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 “Z” (DZ) to Light Commercial “Z” (5CZ) for 19.631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road, Brownsville, Texas 78575, 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.


(SEAL)

BY: _____________________________
Juan “Trey” Mendez
Mayor

ATTEST: _________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:

Case # 235-2019-069
Gonzales Family, LP/
Abel Gonzales

Current Zoning:
Dwelling "Z"

Proposed Zoning:
Light Commercial "Z"
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. 235-2019-069
Case No. 235-2019-069
Owner: Cameron County
BLK 2 WENTZ SUBDIVISION 8.6750 ACRES
OUT OF 20.00 ACRES (78-6740-0020-0000-00)
Case No. 235-2019-069

Owner: Cameron County

BLK 2 WENTZ SUBDIVISION 8.6750 ACRES
OUT OF 20.00 ACRES (78-6740-0020-0000-00)
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ).

C. Subject Property

The subject property is located on 19.631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road, Brownsville, Texas 78575. The property is fronting Old Alice Road, a Secondary Arterial Roadway. Undeveloped land 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 143 and LS 159) 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, County Facility, and Correctional Facility
- East: Undeveloped Land
- South: Undeveloped Land and Sports Park
- West: Undeveloped Land and 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), Light Retail (2C), General Retail (4C), Light Commercial (5C), and Medium Commercial (6C)
- South: Dwelling (D), Apartment (A), and General Retail (4C)
- East: Dwelling (D)
- West: Dwelling (D)
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 Employment Hub District. According to this plan, the Employment Hub District is designed to be a mixture of uses organized around neighborhoods that have industrial uses as their anchors and are surrounded by complementary and supporting residential, community facility, institutional, and commercial land uses. Residential uses should be primarily single family, duplex, and triplex uses with an average density of 4 dwelling units per acre. 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**

The following map illustrates the Future Land Use Map. The subject property is within the Employment Hub 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 undeveloped land. 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 “Z” (DZ) to Light Commercial “Z” (5CZ).
### Agenda

**City Attorney Only**

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<th>Select</th>
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<th>Time Needed:</th>
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- **EXECUTIVE SESSION**
  - **TO:** Noel Bernal, City Manager
  - **FROM:** Rick Vasquez, Director of Planning & Redevelopment Serv.
  - **SUBJECT:** Public Hearings
  - **DATE:** 1/21/2020
  - **THROUGH:** Helen Ramirez, Deputy City Manager

---

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

**PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-070:** To rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 5, Block 95, Brownsville Original Townsite, Cameron County, Texas, located at 1012 East Jefferson 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**

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**Assistant City Manager**

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**Deputy City Manager**

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**Signature:** Date: 01/21/2020

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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 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-070

Purpose
Property owner, LTA Development, LLC, proposes to change the Area District designation for Lot 5, Block 95, Brownsville Original Townsite, Cameron County, Texas, located at 1012 East Jefferson Street, Brownsville, Texas 78520. The applicant requests to rezone the subject property from General Retail “F” (4CF) to General Retail “G” (4CG) to reduce setbacks and required minimum lot size for the purpose of conditioning an existing single-family home into a duplex.

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<th>Area District “F” (Residential)</th>
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<tr>
<td>5.5 ft.- rear setback</td>
<td>3.5 ft.-rear setback</td>
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</tbody>
</table>

Property Analysis
The predominant land use in the surrounding area is commercial business. Additional uses, such as single-family dwelling, multifamily development, and civic institution (Putegmat Elementary School and Washington Park to the East) are also present within proximity of the subject property.

The property is located within the Downtown Node. The request is consistent with the Future Land Use Map.

Background
The subject property currently harbors a vacant structure previously used as a single-family home which the applicant is looking to condition into a duplex. A zoning change is necessary since area district “F” 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. Additionally, changing the area district would allow less restrictive setbacks that would consequently maximize the buildable area. The increase in buildable area would benefit the applicant since an addition to the existing structure is possible.

Recommendation
There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from General Retail “F” (4CF) to General Retail “G” (4CG).
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 #: 01-0000-0450-0050-00

Project Address: 1012 E. JEFFERSON ST.

Subdivision: ORIGINAL TOWNSITE

Lot(s)/Block: LOT 5, BLOCK 95

Current Area Classification: F
Proposed Area Classification: G
Gross Acreage: 0.14

Current Zoning: 4C
Proposed Zoning: 4C

Proposed Used: DUPLEX
Overlay Districts: 011

* 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: LTA DEVELOPMENT, LLC
Address: 1012 E. JEFFERSON ST
City: BROWNSVILLE
State: TEXAS
Zip Code: 78520
Telephone: 956-592-0623
Fax:
Email:
Signature: ____________________________

Representative/Agent Information

Name: CYNTHIA L. CRUZ
Address: P.O. BOX 3383
City: BROWNSVILLE
State: TX
Zip Code: 78523
Telephone: 956-698-9019
Fax:
Email:
Signature: ____________________________

Office Use Only

Date Submitted: 11-27-19
Code: ZN 30
Application Fee: $500

Accepted By: ____________________________

Case Number 235-2019 - 070
ORDINANCE NUMBER 235-2019-070

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 “F” (4CF) to General Retail “G” (4CG) for Lot 5, Block 95, Brownsville Original Townsite, Cameron County, Texas, located at 1012 East Jefferson 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.


(SEAL)

BY: ____________________________
Juan "Trey" Mendez
Mayor

ATTEST: __________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:

Case # 235-2019-070
LTA Development, LLC

Current Zoning:
General Retail "F"

Proposed Zoning:
General Retail "G"
SUBJECT PROPERTY

Case No. 235-2019-070

Owner: Cameron County

BLK 2 WENTZ SUBDIVISION 8.6750 ACRES OUT OF 20.00 ACRES (78-6740-0020-0000-00)
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from General Retail “F” (4CF) to General Retail “G” (4CG).

C. Subject Property

The subject property is located on Lot 5, Block 95, Brownsville Original Townsite, Cameron County, Texas, located at 1012 East Jefferson Street, Brownsville, Texas 78520. The property is fronting East Jefferson Street, a Collector Roadway. 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 from Water Treatment Plant No.2 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, Apartment, and Commercial Business
- East: Single Family Dwelling, Apartment, and Commercial Business
- South: Commercial Business
- West: Single Family Dwelling, Civic Institution, 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: General Retail (4C)
- South: General Retail (4C)
- East: General Retail (4C)
- West: Apartment (A), Professional Office (1C), Medium Retail (3C), 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 Downtown Node. According to this plan, the Downtown Node is primarily commercial land uses, but residential, community facilities, and institutional uses are also present. No industrial uses should be allowed in the Downtown Node. The average density of residential land uses for the entire Downtown Node 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**

The following map illustrates the Future Land Use Map. The subject property is within the Downtown Node.
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 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 “F” (4CF) to General Retail “G” (4CG).
AGENDA ITEM       COMMISSION MEETING DATE 01/21/20

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

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-071: To rezone from General Retail “F” (4CF) to General Retail “H” (4CH) for Lots 8 through 21, Block 64, Tract I, Harden’s Addition to the City of Brownsville, Cameron County, Texas, located at 1230 South Expressway 77/83, Brownsville, Texas 78520, as shown in Exhibit "A", (District 3).

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

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<th><strong>Deputy City Manager</strong></th>
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**City Manager’s Approval**

<table>
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<tr>
<th><strong>Signature:</strong></th>
<th>Date:</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 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-071

Purpose

Property owner, RGV Contractors, LLC, proposes to change the Area District designation for Lots 8 through 21, Block 64, Tract I, Harden’s Addition to the City of Brownsville, Cameron County, Texas, located at 1230 South Expressway 77/83, Brownsville, Texas 78520. The applicant requests to rezone the subject property from General Retail “F” (4CF) to General Retail “H” (4CH) to reduce setbacks for the purpose of establishing a mixed-use plaza. The proposed use will be a two-story structure which will consist of commercial uses in the first story and residential use on the second.

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Property Analysis

The predominant land use in the surrounding area is single-family dwelling. Additional uses, such as civic institution (Lady of Guadalupe Catholic Church to the North) and commercial business (retail plaza, repair shop, used car lots, professional offices, etc.) are also present within proximity of the subject property.

The property is located within the Loop Corridor, Linkage Corridor, and the Downtown Node. The request is consistent with the Future Land Use Map.

Background

The subject property has an approximate area of 0.49 acre and is composed of 14 lots (25 ft. x 60 ft., each). Additionally, it is partially undeveloped but is also site to vacant structures previously used as a single-family homes and commercial businesses. The property owner plans to demolish all structures and construct the proposed use from ground-up. As of this moment, since the applicant only has a preliminary design, the number of residential units in the second floor are unknown, as well as the type and amount of commercial uses that will occupy the suites in the first. The only use that the applicant is certain of is a vehicle inspection station. Given the nature of the project, and to better accommodate it, the applicant is requesting to rezone the area district designation from “F” to “H”. Making the mentioned change will maximize the buildable area since 0-foot setbacks will be established from every property line (development will still be subject to a 6 foot vegetation buffer along abutting rights-of-way).

As per the residential use in the top floor, changing the area district would not change the amount of units that could potentially be allowed since this point would be controlled with requirements such as parking, landscaping, accessibility routes, occupancy loads for the commercial businesses on the first floor, etc.

Recommendation

It is important to mention that concerns related to potential noise complaints towards the proposed vehicle inspection station from abutting residences were pointed out to the Planning and Zoning Commission at the January 9, 2020 meeting. Staff foresees possible complaints due to the noise produced by the general duties being carried out throughout the day (honking vehicle horns). No conditions were imposed on the property by the Planning and Zoning Commission.

There was no written or verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020. Planning and Zoning Commission supports this rezoning from General Retail “F” (4CF) to General Retail “H” (4CH).
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 #: 01-5690-0640-0080-00/01-5690-0640-0100-00/01-5690-0640-0180-00/
01-5690-0640-0120-00/01-5690-0640-0200-00

Project Address: 1230 S. EXPRESSWAY 77/83

Subdivision: HARDENS ADDITION

Lot(s)/Block: LOTS 8 & 9/LOTS 10,11,18 & 19/LOTS 12,13,14,15,16 & 17/LOTS 20 & 21 TRACT 1/

Current Area Classification: F   Proposed Area Classification: H   Gross Acreage: 0.49 acres

Current Zoning: 4C   Proposed Zoning: 4C

Proposed Used: MIXED USE PLAZA   Overlay Districts: 011

* 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: RGV CONTRACTORS, LLC
Address: P.O. BOX 3383
City: BROWNSVILLE
State: TEXAS   Zip Code: 78523
Telephone: 956-592-0623
Fax: 
Email: 
Signature: ____________________

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED

Representative/Agent Information

Name: CYNTHIA L. CRUZ
Address: P.O. BOX 3383
City: BROWNSVILLE
State: TX   Zip Code: 78523
Telephone: 956-698-9019
Fax: 
Email: 
Signature: ____________________

Office Use Only

Case No. 235-2019-063 was pulled by H.V. 500.00 balance will be used

Application Fee: ____________________

Date Submitted: 12-04-19   Code: ZN 31   Case Number 235-2019-071

Accepted By: ____________________
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 “F” (4CF) to General Retail “H” (4CH) for Lots 8 through 21, Block 64, Tract I, Harden’s Addition to the City of Brownsville, Cameron County, Texas, located at 1230 South Expressway 77/83, 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.


(SEAL)

BY: ______________________________
Juan “Trey” Mendez
Mayor

ATTEST: _________________________
Griselda Rosas
Interim City Secretary
Brownsville's City Limits
Brownsville's ETJ Boundary
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
Gateway Corridor
Linkage Corridor
Loop Corridor
Town Corridor
Downtown Node
Primary Regional Node
Secondary Regional Node
Sub Regional Node
SUBJECT PROPERTY
FILMORE
RINGGOLD
12TH
13TH
EXPRESSWAY 77/83
EXPRESSWAY 77/83
EXPRESSWAY 77/83
EXPRESSWAY 77/83
EXPRESSWAY 77/83
Zoning Case No.
235-2019-071
Case No. 235-2019-071

Owner: Cameron County

SUBJECT PROPERTY

1.2 BLK 2 WENTZ SUBDIVISION 8.6750 ACRES
OUT OF 20.00 ACRES (78-6740-0020-0000-00)
Case No. 235-2019-071
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from General Retail “F” (4CF) to General Retail “H” (4CH).

C. Subject Property

The subject property is located on Lots 8 through 21, Block 64, Tract I, Harden’s Addition to the City of Brownsville, Cameron County, Texas, located at 1230 South Expressway 77/83, Brownsville, Texas 78520. The property is fronting South Expressway 77/83, a Highway. 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 from Water Treatment Plant No.2 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: Civic Institution and Commercial Business
- East: Commercial Business
- South: Single Family Dwelling, Professional Office, 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: General Retail (4C) and Light Industrial (7C)
- South: Dwelling (D), Apartment (A), General Retail (4C), and Light Industrial (7C)
- East: Dwelling (D), General Retail (4C), and Light Industrial (7C)
- West: 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 Loop Corridor, Linkage Corridor, and the Downtown Node. According to this plan, the Loop Corridor is commercial but a healthy mixture of residential, institutional, industrial and community facility land uses. Residential uses should be have a density of 4 dwelling units per acre and consist primarily of single family and attached apartment homes.

The Linkage Corridor is primary commercial and institutional land uses. Residential uses should have a density of 6 dwellings per acre and should primarily be single family dwelling and attached townhouses.

The Downtown Node is primarily commercial land uses, but residential, community facilities, and institutional uses are also present. No industrial uses should be allowed in the Downtown Node. The average density of residential land uses for the entire Downtown Node 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**

The following map illustrates the Future Land Use Map. The subject property is within the Loop Corridor, Linkage Corridor, and the Downtown Node.
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 General Retail “F” (4CF) to General Retail “H” (4CH).
Executive Session *(City Attorney Only)*

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

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2019-072: To rezone from Apartment “J” (AJ) to General Retail “J” (4CJ) for Lot 7, Block 82, Brownsville Original Townsite, Cameron County, Texas, located at 603 East 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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**City Commission**

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**Assistant City Manager**

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**Deputy City Manager**

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**City Manager's Approval**

<table>
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<tr>
<th>Signature:</th>
<th>Date:</th>
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To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Rick Vasquez, Planning & Redevelopment Services Department Director
Date: January 21, 2020

RE: Public Hearing and Action on Ordinance No. 235-2019-072

Purpose
Property owner, Diana Salazar, proposes to change the Use District designation Lot 7, Block 82, Brownsville Original Townsite, Cameron County, Texas, located at 603 East Washington Street, Brownsville, Texas 78520. The applicant requests to rezone the property from Apartment “J” (AJ) to General Retail “J” (4CJ) for the purpose of establishing a snack shop.

Property Analysis
The predominant land use in the surrounding area is commercial business. Additional uses, such as single-family dwelling (all directions), a multifamily development (North), and civic institution (Washington Park; East) are also present within proximity of the subject property.

The property is located within the Town Corridor and Downtown Node. The request is consistent with the Future Land Use Map.

Background
The subject property on which the applicant is looking to establish the proposed snack shop is currently vacant. A change in use district is necessary since the current Apartment use district designation does not allow commercial/retail uses. The change in zoning to General Retail (4C) would allow the use and would generally complement the surrounding area given that the proposed use district already predominates within the vicinity. The area district designation, “J”, is to remain unchanged.

Recommendation
There was verbal opposition at the Planning and Zoning Commission meeting on January 9, 2020 from a former employee of Troiani Law Office; neighboring property, stating concerns related to parking and the preservation of the historic aesthetic of the neighborhood. Staff did point out that the development would be subject to the site review process in which adequate parking will be required and where the development will have to undergo approval from the Historic Preservation Office since it lies within the O11 – Historic Overlay. There was no written opposition at the Planning and Zoning Commission meeting on January 9, 2020.

Planning and Zoning Commission supports this rezoning from Apartment “J” (AJ) to General Retail “J” (4C).
Zoning Application

Multi-Family/Office/Commercial/Retail/Industrial

- 0-1 Acres .....$500.00
- 1.1-5. Acres .....$750.00
- 5.1-10. Acres .....$1,000.00
- 10. and Up .....$1,500.00

- Planning and Zoning Commission
- City Commission

Single Family

- 0-1 Acres .....$250.00
- 1.1-10. Acres .....$500.00
- 10. and Up .....$1,000.00

Tentative Date: ________________

Tentative Date: ________________

* For submittal requirements, see Appendix A. Zoning Processing Fees

Geographic ID #: 01-0000-0820-0070-00
Project Address: 603 E Washington St.
Subdivision: Original Townsite
Lot(s)/Block: Lot 7 Blk 82 Brownsville Original Townsite

Current Area Classification: J
Proposed Area Classification: J
Gross Acreage: 0.14

Current Zoning: Apartment
Proposed Zoning: General retail (4c)

Proposed Used: Snack Stand
Overlay Districts: 01

* 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: Diana Salazar
Address: 415 Agua Viva Ln
City: Brownsville
State: TX
Zip Code: 78521-2781
Telephone: 956-466-6935
Fax: ______
Email: Diana.Salazar09@yahoo.com
Signature: Diana Salazar

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: 12-04-19
Code: ZN 31
Application Fee: $500.00

Accepted By: B.A. Graybull

Case Number 235- 2019-072
ORDINANCE NUMBER 235-2019-072

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 Apartment “J” (AJ) to General Retail “J” (4CJ) for Lot 7, Block 82, Brownsville Original Townsite, Cameron County, Texas, located at 603 East 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.


(SEAL)

BY: _________________________
Juan “Trey” Mendez
Mayor

ATTEST: _________________________
Griselda Rosas
Interim City Secretary
EXHIBIT “A”
Rezoning Request:

Case # 235-2019-072
Diana Salazar

Current Zoning:
Apartment "J"

Proposed Zoning:
General Retail "J"
City of Brownsville

FUTURE LAND USE PLAN

Zoning Case No. 235-2019-072
Case No. 235-2019-072
Owner: Cameron County
BLK 2 WENTZ SUBDIVISION 8.6750 ACRES OUT OF 20.00 ACRES (78-6740-0020-0000-00)
SUBJECT PROPERTY

Case No. 235-2019-072
Owner: Cameron County
BLK 2 WENTZ SUBDIVISION 8.6750 ACRES
OUT OF 20.00 ACRES (78-6740-0020-0000-00)
A. Application Information

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B. Application Type/Background

The applicant is requesting a rezoning from Apartment “J” (AJ) to General Retail “J” (4CJ).

C. Subject Property

The subject property is located on Lot 7, Block 82, Brownsville Original Townsite, Cameron County, Texas, located at 603 East Washington Street, Brownsville, Texas 78520. The property is fronting East Washington 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 from Water Treatment Plant No.2 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, Apartment, and Commercial Business
- East: Single Family Dwelling, Civic Institution, and Commercial Business
- 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/Retail (DR), Apartment (A), Professional Office (1C), Light Retail (2C), and General Retail (4C)
- South: Apartment (A), Professional Office (1C), General Retail (4C), and Light Industrial (7C)
- East: Apartment (A), Professional Office (1C), Medium Retail (3C), General Retail (4C), and Light Industrial (7C)
- West: Dwelling (D), Apartment (A), Professional Office (1C), 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 Town Corridor and Downtown Node. According to this plan, 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.

The Downtown Node is primarily commercial land uses, but residential, community facilities, and institutional uses are also present. No industrial uses should be allowed in the Downtown Node. The average density of residential land uses for the entire Downtown Node 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**

The following map illustrates the Future Land Use Map. The subject property is within the Town Corridor and Downtown Node.
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 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 Apartment “J” (AJ) to General Retail “J” (4CJ).
TO: Noel Bernal, City Manager  
FROM: Shawn Schroeder, Asst. Director of Aviation  
SUBJECT: Terminal Project Change Order #6  
DATE:  
THROUGH:  

AGENDA ITEM  
COMMISSION MEETING DATE 01/21/20

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Information: Please include additional information/request.

Consideration and ACTION to award Change Order #6 to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport in the amount of $305,044.00.

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:
To: Mayor and City Commission
Through: Noel Bernal, City Manager
From: Shawn Schroeder, AAE, Assistant Director of Aviation
Date: January 21, 2020
Agenda: Consideration and ACTION to award Change Order #6 to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport in the amount $305,044.00. (Airport Department)

As part of the terminal project, the contractor was supposed to relocate two (2) of the exiting chillers to the new facility. After discussing with our Project Manager, we feel that the best option for the airport would be to provide two (2) new chillers as part of the project instead of relocating old chillers. In addition, this option would ensure that we will have three (3) chillers from the same manufacturer, which would benefit the airport on future maintenance. The airport requested an independent bid on the chillers, which were comparable. By having the Contractor purchase the chillers, it will decrease the airport's risk as it relates to the project schedule.

Brownsville South Padre Island International Airport is recommending approval of Change Order #6 in the amount of $305,044.00 to SpawGlass.
TO: Noel Bernal, City Manager
FROM: Shawn Schroeder, Asst. Director of Aviation
SUBJECT: Terminal Project - Change Order #6
DATE: 1/10/2020
THROUGH:

AGENDA ITEM COMMISSION MEETING DATE 01/21/20

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<tr>
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<td>☐ Consent</td>
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Information: Please include additional information/request.

Noel,

As part of the terminal project, the contractor was supposed to relocate two (2) of the exiting chillers to the new facility. After discussing with our Project Manager, we feel that the best option for the airport would be to provide two (2) new chillers as part of the project instead of relocating old chillers. In addition, this option would ensure that we will have three (3) chillers from the same manufacturer, which would benefit the airport in regards to future maintenance. The airport requested an independent bid on the chillers, which were comparable. By having the Contractor purchase the chillers, it will decrease the airport's risk as it relates to the project schedule.

Brownsville South Padre Island International Airport is recommending approval of Change Order #6 in the amount of $305,044.00 to SpawGlass.

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

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<th>Deputy City Manager</th>
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<tr>
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<td>Date:</td>
<td>Initials:</td>
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City Manager's Approval

Signature: Date:

Revised 3/2019
Change Order

PROJECT: (Name and address)
NEW AIRPORT PASSENGER TERMINAL PHASE 2
700 AMELIA EARHART DRIVE
BROWNSVILLE, TEXAS 78521

OWNER: (Name and address)
CITY OF BROWNSVILLE
1001 E. ELIZABETH STREET
BROWNSVILLE, TEXAS 78520

ARCHITECT: (Name and address)
CH2M/JACOBS
777 MAIN STREET, SUITE 2600
FORT WORTH, TEXAS 76102

CONTRACTOR: (Name and address)
SPAWGLASS CONTRACTORS, INC.
4909 E. GRIMES, SUITE 116
HARLINGEN, TEXAS 78550

THE CONTRACT IS CHANGED AS FOLLOWS:
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

SGP-0036  Two - 200 Ton Chiller Units and Pumps  $305,044.00

TOTAL  $305,044.00

The original Contract Sum was $44,076,463.55
The net change by previously authorized Change Orders $49,164.82
The Contract Sum prior to this Change Order was $44,027,298.73
The Contract Sum will be increased by this Change Order in the amount of $305,044.00
The new Contract Sum including this Change Order will be $44,381,307.55

The Contract Time will be unchanged by Zero (0) days.
The new date of Substantial Completion will be 670 Days from Notice To Proceed

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

JACOBS/CH2M  SPAWGLASS CONTRACTORS, INC.  CITY OF BROWNSVILLE
ARCHITECT (Firm name)  CONTRACTOR (Firm name)  OWNER (Firm name)

SIGNATURE  SIGNATURE  SIGNATURE

ANTHONY J. WEAKLY  ERIC KENNEDY, President, South Texas Division  
PROJECT MANAGER

PRINTED NAME AND TITLE  PRINTED NAME AND TITLE  PRINTED NAME AND TITLE

DATE  DATE

AIA Document G701™ – 2017. Copyright © 1976, 1987, 2000, 2001 and 2017 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. This document was produced by AIA software at 15:08:00 ET on 01/10/2020 under Order No. 3476380222 which expires on 07/05/2020, and is not for resale. User Notes:
SpawGlass Construction hereby submits a Change Quotation for the following changes in contract work

This proposal includes Option B: Two- Trane Units
2 - 200 Ton ACCU-01
2 - Chiller Pumps
Pricing is valid for 30 days

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<th>Vendor</th>
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<th>Material</th>
<th>Equip.</th>
<th>Sub</th>
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<td>.00</td>
<td>271,942.00</td>
<td>33,102.00</td>
<td>305,044.00</td>
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TOTAL $305,044.00

CALENDAR DAYS EXTENSION TO CONTRACT COMPLETION DATE 0

☐ We have proceeded with this change as per written direction.

X We have not proceeded with this change. In order to proceed, please return a signed copy of this proposal request. Thank you.

SpawGlass Contractors, Inc. 3008 W Spur 54, Harlingen, TX (Phone) 412-9880
### Executive Session *(City Attorney Only)*

<table>
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### Agenda

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<td></td>
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</table>

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

Consideration and Action to award contract to SAMES in the amount of $1,027,152 for the Construction of the Battlefield Extension Project.

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

<table>
<thead>
<tr>
<th>Department</th>
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### City Commission

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### Assistant City Manager

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### Deputy City Manager

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</table>

### City Manager’s Approval

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
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</thead>
</table>
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Ramiro Gonzalez, Director of Government and Community Affairs

Date: January 12, 2020

RE: Consideration and ACTION to award contract BID #BEP-01-1220, to SAMES for the construction of the Battlefield Extension, in the amount of $1,027,152.00.

---

**Background**

The City of Brownsville and the National Park Service have all due diligence in place to proceed with the Construction of the Battlefield Extension project. The project consists of a 2-Mile Extension of the existing battlefield towards Los Fresnos. This project is funded in its entirety by a grant from the Legacy Foundation.

**Staff Recommendation**

Staff recommends approval of the Battlefield Extension contract award to SAMES in the amount of $1,027,152.00.
January 08, 2020
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 21, 2020:
“Consideration and Action to award a contract for “Battlefield Extension Project”
Bid #: BEP-01-1220

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 two times in The Brownsville Herald on November 3, and 10, 2019 and was posted on the Purchasing and BidNet Direct websites.

2. One (1) “Pre-Bid” meeting was conducted on November 14, 2019 at 10:00 A.M. at the Finance Department/Procurement Services bid room. Five (5) vendors were represented at the pre-bid meeting. Three (3) addendums were released during the bid process to extend the due date and to answer questions to allow for more competitive participation.

3. Sealed formal bids were opened for the subject project on December 18, 2019 at 3:00 P.M. A total of Five (5) bids were received and publicly opened. The Finance Department/Procurement Services tabulated the bids received for review and approval by City Commission. [Bookmark “A” Tabulation Sheet]

Procurement Summary

1. The lowest responsive and responsible contractor is SAMES of McAllen, TX for a base bid and alternate bid for a total amount of $1,027,152.00 [Bookmark “A” Tabulation Sheet]

2. Completion time for this project is 180 consecutive calendar days after notice to proceed.

3. The administration of Government and Community Affairs and the Engineering Firm concurs with this recommendation. [Bookmark “B” recommendation]
## BID TABULATION

**City of Brownsville**

** Battlefield Trail Extension**

**G & G Contractors**

**Estimators**

**Westar Construction, Inc.**

**NMAES**

**BID OPENED 12-19-19**

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<th>Total Quantity</th>
<th>Unit Price</th>
<th>Total Item Price</th>
<th>Total Line Item Price</th>
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<tbody>
<tr>
<td>1 Clearing and Grubbing (Inc'l. Demo Items, Tree clearing to comply with Environmental Assessment Report)</td>
<td>1</td>
<td>1 LS</td>
<td>$30,000.00</td>
<td>$30,000.00</td>
<td>$30,000.00</td>
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<tr>
<td>(10-1) Wide Concrete Sidewalk (Inc'l. Grading, all surface improvement repairs and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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<td>(10-2) Wide Compote Boardwalk (Inc'l. Handrails, all surface improvement repairs, and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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<tr>
<td>(10-3) Wide Double leaf barrier gate (Complete in place, Inc'l. stopping post, hinge post, &amp; stop pad, adjustable forest hinges, and fisible siding lids and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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<td>(10-4) Wide Double leaf barrier gate (Inc'l. Handrails, all surface improvement repairs, and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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**BASE BID TOTAL: $951,175.00 $1,049,065.00 $953,896.00 $1,017,652.00 $1,044,900.00 $1,076,302.07**

**ALTERNATE BID ITEM**

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<tbody>
<tr>
<td>(10-5) Wide Compote Boardwalk (Inc'l. Handrails, all surface improvement repairs, and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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**ALTERNATE TOTAL: $200,000.00 $200,000.00 $368,500.00 $368,500.00 $74,900.00 $74,900.00 $247,500.00 $247,500.00 $317,000.00 $317,000.00 $704,000.00 $704,000.00 $352,045.00**

**BID TOTAL WITH ALTERNATE 1A AND WITHOUT ITEM No.5 ABOVE: $995,675.00 $1,073,045.00 $52,087,396.00 $1,027,152.00 $1,054,900.00 $1,087,787.07**

<table>
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<th>Unit Price</th>
<th>Total Item Price</th>
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<tr>
<td>(10-1) Wide Concrete Sidewalk (Inc'l. Grading, all surface improvement repairs and all other appurtenances as shown in the design plans or included in the specifications necessary to complete the work)</td>
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**BID TOTAL WITH ALTERNATE 1A AND WITHOUT ITEM No.5 ABOVE: $995,675.00 $1,073,045.00 $52,087,396.00 $1,027,152.00 $1,054,900.00 $1,087,787.07**

*lowest responsive and responsible*
January 07, 2020

Roberto Luna  
CITY OF BROWNSVILLE  
Purchasing and Contract Services Division  
1101 E. Elizabeth St.  
Brownsville, TX 78521  

Ref: Battlefield Extension Project

Dear Mr. Luna:

Enclosed you will find the bid summary for the **Battlefield Extension Project**. The project received bids from five contractors. Please note that the Alternate 1A for NM Contracting is not a replacement for item 3 in the base bid. Therefore NM Contracting is not the low bidder.

We recommend that the City of Brownsville award the construction project to Sames for a bid including Alternate 1A for a total price of $1,027,152.00.

If you have any questions, please do not hesitate to call me at (956) 548-9333.

Sincerely,

Vicente Mendez, P.E., R.P.L.S.  
Project Engineer
TO: Noel Bernal, City Manager
FROM: MOU-BPUB & City of Brownsville
SUBJECT: 1/16/2020
DATE: THROUGH:

AGENDA ITEM COMMISSION MEETING DATE 01/21/20

Executive Session (City Attorney Only) Select Agenda Ordinance
Time Needed: Time Needed: Public Hearing First Reading
Action Item: Contract Second Reading

Information: Please include additional information/request.

Consideration and ACTION to approve a Memorandum of Understanding (MOU) between the City of Brownsville and the Brownsville Public Utilities Board, regarding an Exploratory Energy Conservation Program.

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

City Attorney Date Reviewed: By:

Finance Department Date Reviewed: By:

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
To: Mayor and City Commission

Through: Noel Bernal, City Manager

From: Elizabeth Walker, Assistant City Manager

Date: January 16, 2020

RE: Consideration and ACTION to approve a Memorandum of Understanding (MOU) between the City of Brownsville and the Brownsville Public Utilities Board, regarding an Exploratory Energy Conservation Program.

Background:

Brownsville Energy Conservation Program

BPUB and the City are jointly exploring energy conservation projects. This initial focus will be LED streetlights, LED space lighting, and HVAC systems. The overall effort has been named the “Brownsville Energy Conservation Program”, or ECP. A leadership team has been formed, currently consisting of the following persons: Eddy Hernandez, Jaime Estrada, Lina Alvarez, Eduardo Campirano, Javier Martinez, Christopher Silva, Alex Cepeda, Elizabeth Walker and Roxanna Moreno.

The program consists of three groups of projects that will be pursued over time, as dictated by resource availability and expected benefits:

Group 1: Streetlights. This effort is already underway. BPUB is helping the City upgrade streetlights to high-efficiency LED units. BPUB has agreed to replace identified City streetlights at no direct cost to the City. BPUB is also providing a new preferred streetlight rate to the City. The new rate is higher than the old rate (which was established many years ago), but still below BPUB’s cost. Savings to the City for this group of projects will be used to fund Group 2 projects.

Group 2: Space lighting and HVAC. Opportunities exist to replace space lighting at City facilities with more efficient technologies (e.g. LEDs) and potentially improve or replace selected HVAC systems. These projects, assuming sufficient net benefit exists, will be funded from the savings from the Group 1 projects. The following general process will be followed for Group 2 projects:

1. An estimate of the savings from the Group 1 projects will be jointly developed by BPUB and the City.
2. The City will collect preliminary information on facilities and projects that are likely to be attractive candidates for ECP projects and that are achievable with available funds. These projects will be screened and prioritized by the ECP Team.

3. Relevant system vendors known to be leaders in the field of energy conservation will be invited to make informal (non-paid) site visits to the identified facilities to provide informal consultation on the projects. The purpose of this is for the City and BPUB to collect information on the vendors and information on potential project costs and energy usage and demand reduction levels.

4. BPUB and the City will combine information from the vendors with supplemental research in order to develop a cost/benefit analysis of each project. The scope and timing of each project will be refined based on relative project attractiveness, budget availability, logistic constraints, and any other applicable factors.

5. The Team will prepare a final list of proposed projects and supporting documentation. After receiving management approvals, the projects will be submitted to the BPUB Board and City Commission for final approvals.

6. RFPs will be issued to procure goods and services necessary to implement each approved project. Some projects may be grouped together if doing so is advantageous. The list of vendors invited to respond to the RFPs will include, but not be limited to, the initial vendors performing site visits.

7. BPUB will provide project implementation support and other forms of mutually acceptable support to help the City successfully implement each project after project awards have been made.

**Group 3: Rebate programs.** After the Group 1 and Group 2 projects are initiated and on-track, BPUB will explore with the City ways to take advantage of existing or potentially new energy efficiency rebate opportunities and other mutually beneficial ideas that may arise.

The ECP Team is currently developing a high-level work plan, schedule, and coordination mechanisms to support program execution, progress tracking, and reporting.
MEMORANDUM OF UNDERSTANDING ("MOU")
between
The Brownsville Public Utilities Board
and
The City of Brownsville, Texas

Whereas the City of Brownsville, Texas (the "City") seeks to identify and implement beneficial energy conservation projects at municipal facilities, and

Whereas the Brownsville Public Utilities Board ("BPUB"), by virtue of its mission of providing reliable and economic utility services to the City, has suitable expertise and resources available to assist the City in identifying, evaluating, planning, executing, and analyzing the benefits of energy conservation projects; and

Whereas the Parties have initiated an exploratory energy conservation program, hereinafter referred to as the Brownsville Energy Conservation Program ("BECP" or "Program"), inclusive of the creation of a Program Coordination Team composed of representatives of BPUB and the City; and

Whereas the Program Coordination Team is prepared to move forward to identify measures for the City to achieve savings in connection with BPUB operations but formal approval of the City and BPUB is required; and

Whereas, toward this common objective of reducing energy consumption, the City and BPUB will consider to upgrade all streetlights to LED fixtures by staggered inventory over a period not to exceed five years;

Whereas, in further pursuit of this shared objective, the City and BPUB will consider for implementation on a program by program basis eligible programs as defined by the Integrated Resource Plan at municipal facilities, such as but not limited to HVAC upgrades, lighting retrofits, building automation, roofing improvements, and generator installations. Now therefore,

For the mutual benefits stated above, the City and BPUB agree:

1. To authorize their City Manager and General Manager and CEO, respectively to provide all necessary requirements of the Program Coordination Team, to monitor its progress and cause periodic reports of its progress to be presented through the City’s and BPUB’s Executive Management and to the governing bodies of the City and BPUB.

2. The City Manager of the City and General Manager and CEO of BPUB are authorized to change membership of the Team in their discretion and they shall remain available to Team Members for advice, comments and evaluations of the Team’s progress.

3. The City and BPUB may terminate this MOU upon written notice to the other Party.
<table>
<thead>
<tr>
<th>Brownsville Public Utilities Board</th>
<th>City of Brownsville, Texas</th>
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<tr>
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<td>Mayor</td>
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<td>Signature</td>
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<td>By the Board of Directors</td>
<td>By the City Commission</td>
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Consideration and ACTION to approve Resolution Number 2020-006 requesting the Texas Department of Transportation to place the East Loop on the State Highway System.
RESOLUTION NUMBER 2020-006

East Loop Project

BE IT RESOLVED THAT ON THE _______ DAY OF _________________, 2020,
THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, CONVENED, AND
THE FOLLOWING ITEM WAS PLACED ON THE AGENDA OF THE CITY FOR
SUCH MEETING PURSUANT TO CHAPTER 551 OF THE TEXAS GOVERNMENT
CODE (THE TEXAS OPEN MEETINGS ACT), TO BE CONSIDERED:

“Consideration and approval of a Resolution requesting the Texas Department of
Transportation place the East Loop Project on the State Highway System.”

WHEREAS, the City of Brownsville, Cameron County and the Cameron County
Regional Mobility Authority (CCRMA) are developing the East Loop Project; and

WHEREAS, the Texas Department of Transportation (TxDOT) is a partner with the City of
Brownsville, Cameron County and the CCRMA; and

WHEREAS, the East Loop Project would create a new transportation corridor connecting the
Veterans International Bridge at Los Tomates with the Port of Brownsville and reduce congestion
and improve safety on International Boulevard; and

WHEREAS, TxDOT will transfer maintenance and ownership to Cameron County the
segment of Dockberry Road (FM 511 from FM 1419 to FM 3068) under the condition that TxDOT
would construct a 28 foot wide roadway prior to transferring road to County and FM 1419 from FM
3068 to approximately .3 miles North of Dockberry Road and from approximately .6 miles South of
SH 4 to SH 4; and

WHEREAS, TxDOT will transfer maintenance and ownership to the City of Brownsville the
segment of Central Boulevard (Business 77) from U.S. 281 to Palm Boulevard, and including up to
Elizabeth and Washington Avenue; and

WHEREAS, TxDOT would place the East Loop Project from the Veterans International
Bridge at Los Tomates to SH 4 on the State Highway System.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City
of Brownsville request TxDOT to place the East Loop Project on the State Highway System.

Passed, Approved and Adopted on this 21st day of January, 2020.
Consideration and ACTION on Resolution Number 2020-003, to repeal and replace 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.
RESOLUTION NUMBER 2020-003

A RESOLUTION REPEALING AND REPLACING IN ITS ENTIRETY 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, The City of Brownsville received Category 8 Hazard Elimination / Safety Project funds, for the installation of a traffic signal at the intersection of Tulipan St. with East Ave; and

WHEREAS, after considering the updated financial figures regarding this project for hazard elimination, the City Commission believes that it is 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 repeals and replaces resolution No. 2019-091 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 21st day of January, 2020.

Juan “Trey” Mendez III,  
Mayor of the City of Brownsville, Texas

ATTEST:

Griselda Rosas, Interim City Secretary
Executive Session (City Attorney Only)

Time Needed: 
Action Item: 

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Information: Please include additional information/request.

Consideration and ACTION to award a term contract BID #HMA-07-1219, for the purchase, delivery and pickup of Hot Mix Asphalt Materials for the City of Brownsville.

Upper Valley Materials, LLC (CAPA) of Palmview, TX, the low responsive bidder at the stipulated prices.

Frontera Materials of Elsa, TX, the low responsive bidder at the stipulated prices.

Contract shall be awarded to Level 1 – Primary Supplier and Level 2 Secondary Supplier. [Bookmark “A” Tabulation Sheet]

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

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<tr>
<th>City Attorney</th>
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City Commission | Assistant City Manager | Deputy City Manager
Approved:        | Approved:        | Approved:       |
Yes | No              | Yes | No (No)         |
Date: Initials:  | Date: Initials:  | Date: Initials:|
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: January 10, 2020
Agenda: Term Contract for the Purchase, Delivery and Pickup of Hot Mix Asphalt Materials BID #HMA-07-1219

Summary:
The City of Brownsville received two (2) bids for the Term Contract for the Purchase, Delivery and Pickup of Hot Mix Asphalt Materials on January 3, 2020, from Upper Valley Materials, LLC (CAPA) and Frontera Materials. This material will be utilized to complete pothole patching - spot repairs and paving of in-house asphalt pavement. In order to attain competitive pricing, the city has agreed to purchase 850 tons of Type ‘D’ HMAC with limestone on a monthly basis. We are contracting with two suppliers in the event that one plant may not be batching a product to suit our needs or in the event the plant is occupied for other large pavement project and unable to supply our project.

Funding for this project is available through account Street & Drainage Maintenance fund/Streets Base Materials 40-417-743
CITY OF BROWNSVILLE CONTRACT AGREEMENT FOR PURCHASE & DELIVERY OF HOT MIX ASHALT MATERIALS

This Agreement is entered into as of January 21, 2020 between The City of Brownsville, Texas, collectively hereinafter referred to as ("CITY") and Upper Valley Materials, LLC dba CAPA hereinafter referred to as ("CONTRACTOR").

1. Documents
(a) The following documents (collectively, "Contract Documents") are hereby incorporated into and made part of this Agreement.
   i. Scope of Services, Conditions and Additional Services (Exhibit A)
   ii. Term of Agreement (Exhibit B)
   iii. Compensation, Fees and Commissions (Exhibit C)
   iv. Insurance (Exhibit D)

2. Scope of Services
(a) Contractor shall perform the Services under this agreement upon written request orders by CITY. Unless otherwise specified in a project request, Contractor and CITY agree that the scope of work is deemed to include preliminary considerations and prerequisites, and all tasks which are an integral and inseparable part of the work described in the Contract Documents or by separate written request.
(b) Contractor will perform such Services in a diligent and workmanlike manner consistent with industry standards.
(c) By signing this Agreement, Contractor represents that it has thoroughly reviewed the Contract Documents incorporated into this Agreement, including but not limited to "Exhibit A" Scope of services and that it accepts the description of the Work and the conditions under which the Work is to be performed and completed.

3. Independent Contractor; Personnel
(a) Contractor enters into this Agreement as, and shall continue to be, an independent contractor. All Services shall be performed only by Contractor and Contractor’s employees. Under no circumstances shall Contractor, or any of Contractor's employees, look to CITY as his/her employer, or as a partner, agent or principal. Neither Contractor, nor any of Contractor's employees, shall be entitled to any benefits accorded to CITY's employees, including without limitation worker's compensation, disability insurance, vacation or sick pay. Contractor shall be responsible for providing, at Contractor's expense, and in Contractor's name, unemployment, disability, worker's compensation and other insurance, as well as any and all licenses and permits usual or necessary for conducting the Services. Contractor shall be responsible for paying all applicable local, state and federal taxes.
(b) Contractor represents and warrants to CITY that its employees performing Work hereunder will have sufficient expertise, training, licensure (if applicable) and experience to accomplish the Services.

4. Term of Agreement.
The initial contract period shall commence on the date of approval of this agreement by the Brownsville City Commission and shall end or be extended upon the terms specified in Contract Documents “Exhibit B”. The term or any continuation of this Agreement shall be subject to both the appropriation and the availability of funds by CITY.

5. Compensation.
(a) Contractor agrees that compensation for services shall be as specified in the Contract Documents “Exhibit C”. It is acknowledged and agreed by Contractor that compensation as enumerated in Exhibit C constitutes a limitation upon CITY's obligation to compensate Contractor for Contractor’s services pursuant and related to this Agreement but it does not constitute a limitation of any sort upon Contractor's obligation to perform all items of work required by or which can be reasonably inferred from the Scope of Services.
(b) Contractor may submit invoices for compensation no more often than monthly, but only after the services for which the invoices are submitted have been completed. An original invoice plus one copy are due within fifteen (15) days of the end of the month except the final invoice which must be received no later than sixty (60) days after this Agreement expires. Invoices shall designate the nature of the services performed and/or the goods provided. Notwithstanding any provision of this Agreement to the contrary, CITY may withhold, in whole or in part, payment to the extent necessary to protect itself from loss on account of inadequate or defective work that has not been remedied or resolved in a manner satisfactory to the CITY's Contract Administrator or failure to comply with this Agreement. The amount withheld shall not be subject to payment of interest by CITY.

6. Insurance.

(a) The Contractor shall furnish proof of insurance requirements as specified in Contract Documents “Exhibit D”. The coverage is to remain in force at all times during the contract period and the minimum insurance coverage is required. The commercial general liability insurance policy shall name the City of Brownsville, Texas, as an "additional insured." This MUST be written in the description section of the insurance certificate, even if there is a check-off box on the insurance certificate. Any costs for adding the City as "additional insured" shall be at the Contractor's expense.

(b) The CITY shall be given notice 10 days prior to cancellation or modification of any required insurance. The insurance provided shall be endorsed or amended to comply with this notice requirement. In the event that the insurer is unable to accommodate, it shall be the responsibility of the Contractor to provide the proper notice. Such notification will be in writing by registered mail, return receipt requested and addressed to the Procurement Services Division.

(c) The Contractor's insurance must be provided by an A.M. Best's "A-" rated or better insurance company authorized to issue insurance policies in the State of Texas, subject to approval by the City of Brownsville Department of Safety and Risk Management. Any exclusions or provisions in the insurance maintained by the contractor that excludes coverage for work contemplated in this solicitation shall be deemed unacceptable, and shall be considered breach of contract.

7. Termination.

(a) Termination for Cause. The aggrieved party may terminate this Agreement for cause if the party in breach has not corrected the breach within ten (10) days after written notice from the aggrieved party identifying the breach. CITY may also terminate this Agreement upon such notice as the City of Brownsville's City Manager deems appropriate under the circumstances in the event the City Manager determines that termination is necessary to protect the public health or safety. The parties agree that if the CITY erroneously, improperly or unjustifiably terminates for cause, such termination shall be deemed a termination for convenience, which shall be effective thirty (30) days after such notice of termination for cause is provided.

This Agreement may be terminated for cause for reasons including, but not limited to, Contractor's repeated (whether negligent or intentional) submission for payment of false or incorrect bills or invoices, failure to perform the Work to CITY's satisfaction; or failure to continuously perform the work in a manner calculated to meet or accomplish the objectives as set forth in this Agreement.

(b) Termination for Convenience. CITY reserves the right, in its best interest as determined by the City of Brownsville’s City Manager, to cancel this contract for convenience by giving written notice to the Contractor at least thirty (30) days prior to the effective date of such cancellation. In the event this Agreement is terminated for convenience, Contractor shall be paid for any services performed to CITY’s satisfaction pursuant to the Agreement through the termination date specified in the written notice of termination. Contractor acknowledges and agrees that he/she/it has received good, valuable and sufficient consideration from CITY, the receipt and adequacy of which are hereby acknowledged by Contractor, for CITY’s right to terminate this Agreement for convenience.

(c) Cancellation for Non-appropriated Funds. CITY reserves the right, in its best interest as determined by the City of Brownsville’s City Manager, to cancel this contract for non-appropriated funds or unavailability of funds by giving written notice to the Contractor at least thirty (30) days prior to the effective date of such cancellation. The obligation of CITY for payment to a Contractor is limited to the availability of funds appropriated in a current fiscal period, and continuation of the contract into a subsequent fiscal period is subject to appropriation of funds, unless otherwise provided by law.
(d) **Force Majeure.** CITY and Contractor will be excused from the performance of their respective obligations under this agreement when and to the extent that their performance is delayed or prevented by any circumstances beyond their control including, fire, flood, explosion, strikes or other labor disputes, act of God or public emergency, war, riot, civil commotion, malicious damage, act or omission of any governmental authority, delay or failure or shortage of any type of transportation, equipment, or service from a public utility needed for their performance, provided that:

i. The non performing party gives the other party prompt written notice describing the particulars of the Force Majeure including, but not limited to, the nature of the occurrence and its expected duration, and continues to furnish timely reports with respect thereto during the period of the Force Majeure;

ii. The excuse of performance is of no greater scope and of no longer duration than is reasonably necessary when considered in light of the Force Majeure;

iii. No obligations of either party that arose before the Force Majeure causing the excuse of performance are excused as a result of the Force Majeure; and

iv. The non-performing party uses its best efforts to remedy its inability to perform.

v. Notwithstanding the above, performance shall not be excused under this Section for a period in excess of sixty (60) days, provided that in extenuating circumstances, CITY may excuse performance for a longer term. Economic hardship of the Contractor will not constitute Force Majeure. The term of the agreement shall be extended by a period equal to that during which either party's performance is suspended under this Section.

8. **Materiality and Waiver of Breach.**

(a) CITY and Contractor agree that each requirement, duty, and obligation set forth herein is substantial and important to the formation of this Agreement and that each is, therefore, a material term hereof. CITY's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.

9. **Miscellaneous Provisions.**

(a) **Successors and Assigns.** All of the provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, if any, successors, and assigns.

(b) **Choice of Law.** The laws of the state of Texas shall govern the validity of this Agreement, the construction of its terms and the interpretation of the rights and duties of the parties hereto.

(c) **No Waiver of Governmental Immunity.** NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED TO WAIVE CITY'S GOVERNMENTAL IMMUNITY FROM LAWSUIT, WHICH IMMUNITY IS EXPRESSLY RETAINED TO THE EXTENT IT IS NOT CLEARLY AND UNAMBIGUOUSLY WAIVED BY STATE LAW.

(d) **Assignment.** Contractor shall not assign any of Contractor's rights under this Agreement, or delegate the performance of any of Contractor's duties hereunder, without the prior consent of CITY.

(e) **Modification or Amendment.** No amendment, change or modification of this Agreement shall be valid unless in writing signed by the parties hereto.

(f) **Venue.** This Agreement and any and all matters arising directly or indirectly herefrom shall be governed by and construed in accordance with the Laws of the State of Texas, in the Federal and State Courts of Cameron County, Texas having jurisdiction. (b) If at any time there is a dispute between or among the Parties with respect to any matter arising directly or indirectly from this Agreement (an "Agreement Matter"), the Parties agree that, prior to seeking judicial remedy, they will engage in face-to-face negotiations in an attempt to resolve such dispute and shall, upon failing to negotiate a mutually-satisfactory resolution, choose a mutually agreeable neutral third party to mediate such dispute. Mediation shall be non-binding and shall be confidential.

(g) **Notices.** Any and all notices, demands, or other communications required or desired to be given hereunder by any party shall be in writing and shall be validly given or made to another party if personally served, or if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested. If such notice or demand is served personally, notice shall be deemed constructively made at the time of such personal service. If
such notice, demand or other communication is given by mail, such notice shall be conclusively deemed given five days after deposit thereof in the United States mail addressed to the party to whom such notice, demand or other communication is to be given as follows:

If to Contractor:  
Upper Valley Materials, LLC dba CAPA  
3609 W. Palm Vista  
Palmview, TX 78572

If to CITY:  
City of Brownsville  
1001 E. Elizabeth St.  
Brownsville, Texas, 78521

Any party hereto may change its address for purposes of this paragraph by written notice given in the manner provided above.

(h) **Entire Understanding.** This document and any exhibit attached constitute the entire understanding and agreement of the parties, and any and all prior agreements, understandings, and representations are hereby terminated and canceled in their entirety and are of no further force and effect.

(i) **Unenforceability of Provisions.** If any provision of this Agreement, or any portion thereof, is held to be invalid and unenforceable, then the remainder of this Agreement shall nevertheless remain in full force and effect.

IN WITNESS WHEREOF the undersigned have executed this Agreement as of the day and year first written above.

---

**CITY OF BROWNsville**

Signature:  
Print Name:  
Title:  
Date:  

**CONTRACTOR**

Signature:  
Print Name:  
Title:  
Date:  

"Approved as to Form and Legality  
This 10th day of January, 2020  
Title: Office of the Brownsville City Attorney"
EXHIBIT “A”

SCOPE OF SERVICES, CONDITIONS AND ADDITIONAL SERVICES

1.1 Except as otherwise noted herein, all provisions to the following items of the Texas Department of Transportation Standard Specifications and Construction of Highways, Streets and Bridges, dated November 1, 2014. ITEM 340 DENSE-GRADED HOT-MIX ASPHALT, TYPE D, and TYPE B (Limestone aggregate or gravel) (Refer to TxDOT Specifications for ITEM 340, dated 2014).

1.2 All testing for Type “B” & “D” Hot Mix shall conform to the “ASTM”, “AASHTO” and/or “TxDOT” tests.

Percent Aggregate by Weight or Volume

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<td>100</td>
</tr>
<tr>
<td>Passing 3/8” sieve</td>
<td>85 to 100</td>
</tr>
<tr>
<td>Passing 3/8” sieve, retained on No. 4 sieve</td>
<td>21 to 53</td>
</tr>
<tr>
<td>Passing No. 4 sieve, retained on No. 10 sieve</td>
<td>11 to 32</td>
</tr>
<tr>
<td>Total retained on No. 10 sieve</td>
<td>54 to 74</td>
</tr>
<tr>
<td>Passing No. 10 sieve, retained on No. 40 sieve</td>
<td>6 to 32</td>
</tr>
<tr>
<td>Passing No. 40 sieve, retained on No. 80 sieve</td>
<td>4 to 27</td>
</tr>
<tr>
<td>Passing No. 80 sieve, retained on No. 200 sieve</td>
<td>3 to 27</td>
</tr>
<tr>
<td>Passing No. 200 sieve</td>
<td>1 to 8</td>
</tr>
</tbody>
</table>

Asphalt content shall be within the limits noted below:

<table>
<thead>
<tr>
<th>Percent of Mixture by Weight</th>
<th>Percent of Mixture by Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 – 8.0</td>
<td>9.0-19.0</td>
</tr>
</tbody>
</table>

Mixtures shall conform to the following tolerances which may fall outside of the specified master range:

<table>
<thead>
<tr>
<th>Percent by Weight or Volume as Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passing 1-3/4” sieve, retained on 7/8” sieve</td>
</tr>
<tr>
<td>Passing 7/8” sieve, retained on 5/8” sieve</td>
</tr>
<tr>
<td>Passing 5/8” sieve, retained on 3/8” sieve</td>
</tr>
<tr>
<td>Passing 3/8” sieve, retained on No. 4 sieve</td>
</tr>
<tr>
<td>Passing No. 4 sieve, retained on No. 10 sieve</td>
</tr>
<tr>
<td>Total retained on No. 10 sieve</td>
</tr>
<tr>
<td>Material</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Passing No. 10 sieve, retained on No. 40 sieve</td>
</tr>
<tr>
<td>Passing No. 40 sieve, retained on No. 80 sieve</td>
</tr>
<tr>
<td>Passing No. 80 sieve, retained on No. 200 sieve</td>
</tr>
<tr>
<td>Passing No. 200 sieve</td>
</tr>
<tr>
<td>Asphaltic Material</td>
</tr>
<tr>
<td>Mixing Temperature</td>
</tr>
</tbody>
</table>

Asphaltic mixture shall be tested in accordance with TxDOT Test Method Tex-200-4 (Part I or Part III) and shall have the following laboratory values:

<table>
<thead>
<tr>
<th></th>
<th>SURFACE COURSE</th>
<th>BASE COURSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum</td>
<td>95%</td>
<td>95%</td>
</tr>
<tr>
<td>Maximum</td>
<td>99%</td>
<td>99%</td>
</tr>
<tr>
<td>Optimum</td>
<td>97%</td>
<td>97%</td>
</tr>
<tr>
<td>Stability (Hveem)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum</td>
<td>30%</td>
<td>30%</td>
</tr>
<tr>
<td>Maximum</td>
<td>45%</td>
<td>45%</td>
</tr>
<tr>
<td>Stability (Marshall)</td>
<td>1500 lbs</td>
<td>1500 lbs</td>
</tr>
<tr>
<td>Blow Briquette (75)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voids</td>
<td>3-7%</td>
<td>4-7%</td>
</tr>
<tr>
<td>Voids Filled with</td>
<td>75-85%</td>
<td>65-80%</td>
</tr>
<tr>
<td>Asphalt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sand Equivalent</td>
<td>40</td>
<td>40</td>
</tr>
</tbody>
</table>

1.1 Test Requirements – the Contractor shall submit, with his bid, appropriate testing reports from a City approved testing laboratory, providing the proposed materials compliance and adequacy.

1.2 Supplier must be able to supply at a minimum of 2,000 tons of tested and approved Type “B” & “D” Hot Mix at all times for use by the City. Materials must be located within a reasonable distance not to exceed a 45 miles radius, where City and/or assigned general contractor trucks are to be loaded.

1.3 Submittals and Quality Control.

The contractor shall be provide mix design as per TxDOT Standards and approve by The City Engineer. The Contractor is required to provide a reasonable level of quality control testing to ensure that materials incorporated into the work and plant operations achieve a product that complies with specifications without significant numbers of failures and asphalt concrete
penalties. Otherwise the City Engineer reserves the right to reject the material.

1.6 Alternative Mix Design Methods for Asphalt Concrete is allowable if it complies with Manual No. 2 (MS-2), 1992 or its latest revision, with proper submittals approve by The City Engineer.


Delivery- Material will be loaded at supplier's stockyard, loaded and weighed in City of Brownsville-Contractor (under term contract) Trucks/Equipment. The supplier shall provide weight tickets from a certified public scale showing net weight of materials loaded.
TERM OF AGREEMENT

This contract shall commence upon approval by the City Commission and shall expire February 28, 2021. The City of Brownsville reserves the option to renew the term of this contract annually for two (2) one-year terms each, subject to vendor acceptance, satisfactory performance and determination that renewal will be in the best interest of the City. All costs, terms and conditions shall remain firm for the initial period of the contract period. Under this contract, any other City of Brownsville department shall have the right and option to “Piggy-Back” on contract to purchase asphalt materials.

EXHIBIT “B”
<table>
<thead>
<tr>
<th>Location Pick-Up</th>
<th>San Benito Plant</th>
<th>Progresso Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>TYPE “D” HOT MIX ASPHALT with Limestone</td>
<td>$62.50 Per Ton</td>
<td>$59.50 Per Ton</td>
</tr>
<tr>
<td>TYPE “D” HOT MIX ASPHALT with Gravel</td>
<td>$62.50 Per Ton</td>
<td>$59.50 Per Ton</td>
</tr>
<tr>
<td>TYPE “B” HOT MIX ASPHALT with Limestone</td>
<td>No Bid</td>
<td>No Bid</td>
</tr>
<tr>
<td>TYPE “B” HOT MIX ASPHALT with Gravel</td>
<td>$63.00 Per Ton</td>
<td>$60.00 Per Ton</td>
</tr>
</tbody>
</table>

Award Level: Level 1 Primary Supplier  Level 2 Secondary Supplier

EXHIBIT “C”
INSURANCE

Contractor shall obtain and maintain insurance coverage as agreed in paragraph 7 of the MARKETING AND ADVERTISING SERVICES CONTRACT AGREEMENT and ensure that coverage with the parameters contained herein remains in full force at all times during the contract period as follows:

i. **Workers’ Compensation and Employers’ Liability Insurance**
   Minimum Limits Consistent with Texas Worker’s Compensation Act (Section 401):
   1. $100,000 bodily injury each accident
   2. $500,000 bodily injury by disease policy limit
   3. $100,000 Bodily injury by disease each employee
   Any firm performing work for or on behalf of the City of Brownsville must provide Workers’ Compensation insurance.

ii. **Commercial General Liability Insurance**
   Covering premises-operations, products-completed operations, independent contractors and contractual liability, with a combined single limit bodily injury/property damage of $1,000,000. This coverage must include, but not be limited to:
   1. Coverage for the liability assumed by the contractor under the indemnity provision of the contract.
   2. Coverage for Premises/Operations
   3. Products/Completed Operations
   4. Broad Form Contractual Liability
   5. Independent Contractors

iii. **Automobile Liability Insurance**
   Covering all owned, hired and non-owned automobile equipment with the following Limits:
   1. Bodily injury $250,000 each person,
   $500,000 each occurrence
   2. Property damage $100,000 each occurrence

EXHIBIT “D”
At the request of the Engineering and Public Works Director, Armando Gutierrez, the Finance Department/Procurement Services solicited formal sealed bids for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared two times in *The Brownsville Herald* on December 15, and 22, 2019 and was posted on the Purchasing and BidNet Direct websites.

2. One (1) “Pre-Bid” meeting was conducted on December 19, 2019 at 10:00 A.M. at the Finance Department/Procurement Services bid room. One (1) vendor was represented at the pre-bid meeting. Two (2) addendums were released during the bid process to extend the due date, and to answer questions to allow for more competitive participation.

3. Sealed formal bids were opened for the subject project on January 3, 2020 at 3:00 P.M. A total of two (2) bids were received and publicly opened. The Finance Department/Procurement Services tabulated the bids received for review and approval by City Commission. [Bookmark “A” Tabulation Sheet]

Procurement Summary

1. Consideration and Action to Award a Term Contract for the Purchase, Delivery and Pickup of Hot Mix Asphalt Materials for the City of Brownsville to the following contractors:
   - **Upper Valley Materials, LLC (CAPA)** of Palmview, TX, the low responsive bidder at the stipulated prices.
   - **Frontera Materials** of Elsa, TX, the low responsive bidder at the stipulated prices.
   - Contract shall be awarded to Level 1 – Primary Supplier and Level 2 Secondary Supplier. [Bookmark “A” Tabulation Sheet]

2. This contract shall commence upon award by the City Commission and shall expire February 28, 2021 (primary term). The City of Brownsville reserves the option to renew the term of this contract annually for two (2) one-year terms each, subject to vendor acceptance, satisfactory performance and determination that renewal will be in the best interest of the City. All costs, terms and conditions shall remain firm for the primary term of the contract.
Tabulation
Invitations for Bids for a Term Contract for the Purchase and Delivery of Hot Mix Asphalt Materials for the City of Brownsville
January 03, 2018 at 3:00 P.M.
BID # HMA-07-1219

<table>
<thead>
<tr>
<th>Location Pick-Up</th>
<th>San Benito Plant</th>
<th>Progresso Plant</th>
<th>FM 511 Plant</th>
<th>Progresso Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>TYPE “D” HOT MIX ASPHALT with Limestone</td>
<td>$62.50 Per Ton</td>
<td>$59.50 Per Ton</td>
<td>$62.90 Per Ton</td>
<td>$60.90 Per Ton</td>
</tr>
<tr>
<td>TYPE “D” HOT MIX ASPHALT with Gravel</td>
<td>$62.50 Per Ton</td>
<td>$59.50 Per Ton</td>
<td>$62.90 Per Ton</td>
<td>$60.90 Per Ton</td>
</tr>
<tr>
<td>TYPE “B” HOT MIX ASPHALT with Limestone</td>
<td>No Bid</td>
<td>No Bid</td>
<td>$62.90 Per Ton</td>
<td>$60.90 Per Ton</td>
</tr>
<tr>
<td>TYPE “B” HOT MIX ASPHALT with Gravel</td>
<td>$63.00 Per Ton</td>
<td>$60.00 Per Ton</td>
<td>$62.90 Per Ton</td>
<td>$60.90 Per Ton</td>
</tr>
</tbody>
</table>

Bid Bond Included
- Upper Valley Materials, LLC (CAPA)
  Yes - # 4221196
- Frontera Materials, Inc.
  Yes - # 15621

Specification Criteria
- Responsive and Responsible
- Responsive and Responsible

Award Level: Level 1 Primary Supplier  Level 2 Secondary Supplier
**Executive Session** (City Attorney Only)

<table>
<thead>
<tr>
<th>Time Needed:</th>
<th>Action Item:</th>
<th>Agenda</th>
<th>Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time Needed:</td>
<td></td>
<td>Public Hearing</td>
<td>First Reading</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contract</td>
<td>Second Reading</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grant</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>✔ Action</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>✔ Consent</td>
<td></td>
</tr>
</tbody>
</table>

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

Consideration and ACTION to appoint member(s) to the Environmental and Conservation Task Force.

---

**TO:** Noel Bernal, City Manager  
**FROM:**  
**SUBJECT:** Appts. for Environmental & Conservation Task Force  
**DATE:** 1/16/2020  
**THROUGH:**

**AGENDA ITEM**  
COMMISSION MEETING DATE 01/21/20

---

**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>
</tr>
</thead>
<tbody>
<tr>
<td>City Attorney</td>
<td>Date Reviewed:</td>
<td>By:</td>
<td>Comments:</td>
</tr>
<tr>
<td>Finance Department</td>
<td>Date Reviewed:</td>
<td>By:</td>
<td>Comments:</td>
</tr>
</tbody>
</table>

---

**City Commission**  
Approved: [ ] Yes [ ] No  
Date:  
Initials:  
Signature:  
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
**Executive Session (City Attorney Only)**

<table>
<thead>
<tr>
<th>Time Needed:</th>
<th>Action Item:</th>
</tr>
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<tbody>
<tr>
<td>Time Needed:</td>
<td>Time Needed:</td>
</tr>
<tr>
<td>Public Hearing</td>
<td>First Reading</td>
</tr>
<tr>
<td>Contract</td>
<td>Second Reading</td>
</tr>
<tr>
<td>Grant</td>
<td>Action</td>
</tr>
<tr>
<td>Action</td>
<td>Consent</td>
</tr>
</tbody>
</table>

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

Consideration and ACTION on Resolution Number 2020-008 to appoint a member to the Downtown Tax Increment Reinvestment Zone No. 3, City of Brownsville Board of Directors. TABLED 01/07/2020

**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>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Finance Department</th>
<th>Date Reviewed:</th>
<th>By:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City Commission</th>
<th>Assistant City Manager</th>
<th>Deputy City Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved:</td>
<td>Approved:</td>
<td>Approved:</td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Date:</td>
<td>Initials:</td>
<td>Initials:</td>
</tr>
<tr>
<td></td>
<td>Date:</td>
<td>Date:</td>
</tr>
</tbody>
</table>

**City Manager's Approval**

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
</tr>
</thead>
</table>
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 2020-008

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>
</thead>
<tbody>
<tr>
<td>Juan “Trey” Mendez III, Mayor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Brownsville</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PASSED and APPROVED on this 21st day of January 2020.

Juan “Trey” Mendez III, Mayor
City of Brownsville

ATTEST:

Griselda Rosas, Interim City Secretary
City of Brownsville