

1. APRIL 19, 2016 AGENDA

Documents:

[A-04-19-2016.PDF](#)

2. APRIL 19, 2016 MEETING BINDER

Documents:

[BINDER04-19-2016V2.PDF](#)

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
COUNTY OF CAMERON §

Cesar de Leon, At-large Commissioner "A"
Ricardo Longoria, Jr., District Commissioner 1
Deborah Portillo, District Commissioner 3

Rose M.Z. Gowen, M.D., At-large Commissioner "B"
Jessica Tetreau, District Commissioner 2
John Villarreal, District Commissioner 4

Antonio Martinez, Mayor

**NOTICE OF A PUBLIC MEETING OF THE
CITY COMMISSION OF THE CITY OF BROWNSVILLE**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene an **Executive Session**, and a **Regular Meeting**, on **Tuesday, April 19, 2016, at 5:30 P.M. and 6:00 P.M.**, in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520.

EXECUTIVE SESSION: 5:30 P.M.

- A) Presentations and discussion regarding a proposed specific generation unit and related costs, financing and commercial operation projections, a competitive matter under Section §551.086, of the Texas Government Code. (Mark Sossi – City Attorney – 30 mins)

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

INVOCATION:

- 1. **MAYOR’S ACTIVITY UPDATE:**
- 2. **COMMISSIONERS’ ACTIVITY UPDATE:**
- 3. **PROCLAMATIONS:**
 - Financial Capabilities Month**
(Commissioners R. Gowen/J. Villarreal)
 - Fair Housing Month**
(Commissioners C. de Leon/J. Villarreal)
- 4. **PRESENTATIONS:**
 - Arboviral Mosquitos Update**
(Arturo Rodriguez – Health)
 - Brownsville Convention & Visitors Bureau**
(Charlie Cabler – City Manager)

5. **CONSENT AGENDA ITEMS:**

All consent Agenda Items listed are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

ITEMS No. "a" through "c"

- a) Approval of the Minutes of the Regular Meeting of April 05, 2016.
- b) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Arturo Herrera	BMetro	Waco, TX	Apr. 21-24, 2016
Diana Saldivar	BMetro	Waco, TX	Apr. 21-24, 2016
Jaime Caraveo	BMetro	Waco, TX	Apr. 21-24, 2016
Monica Tellman	BMetro	Waco, TX	Apr. 26-29, 2016
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John B. Puckett	Police	Austin, TX	Apr. 18-19, 2016
Arcadio Olvera	Police	Amarillo, TX	Apr. 24-30, 2016
Juan Hernandez	Police	Amarillo, TX	Apr. 24-30, 2016
Leonel Saldivar	Public Works	Arlington, TX	May 03-05, 2016

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2016-1367-B**, an ordinance adopting the Texas Food Establishment Rules of the Texas Department of State Health Services as made effective October 11, 2015, providing for penalties thereof and related matters. (Arturo Rodriguez – Health)

BOARDS AND COMMISSIONS:

- 6. Consideration and **ACTION** to fill two vacancies to the Brownsville Public Library System Advisory Board by appointment or re-appointment. (Jerry D. Hedgecock – Library)
- 7. Consideration and **ACTION** to appoint seven (7) members and two (2) City staff members to the Main Street Advisory Board. (Constanza Miner – Planning Director of Operations)

PUBLIC HEARINGS:

- 8. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2016-004-S**, to allow a Mobile Vendor Food Court in a General Retail "H" (4CH) for .275 acres for Lots 1 and 2 Block 84 of Brownsville Original Townsite located at 840 East Adams Street. (District 4) (Constanza Miner – Planning Director of Operations)

- 9. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2016-006-S**, to allow a Mobile Vendor Food Court in a General Retail “X” (4CX) for 1.01 acres for Lot 5, Block 1 of Star Acres located at 6305 Paredes Line Road. (District 3) (Constanza Miner – Planning Director of Operations)
- 10. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2016-008-CO**, to rezone from Dwelling “G” (DG) to General Retail “G” (4CG) for Lot 23 Block 28 of El Valle Grande subdivision, Section III located at 2600 West Alton Gloor Boulevard. (District 4) (Constanza Miner – Planning Director of Operations)
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- 17. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2016-025**, to rezone from Professional Office “F” (1CF) to Medium Retail “F” (3CF) for .284 acres for Lot 1, Block 3 of Henrietta Addition located at 1234 McDavitt Boulevard. (District 1) (Constanza Miner – Planning Director of Operations)

* * * * *

18. ***PUBLIC COMMENT PERIOD: PLEASE NOTE:***

<p>THE PUBLIC COMMENT PERIOD IS DESIGNATED FOR HEARING CONCERNS REGARDING CITY OF BROWNSVILLE PUBLIC POLICY OR CITY OF BROWNSVILLE BUSINESS THAT IS NOT ON THE AGENDA.</p>
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**DO NOT REQUEST A PUBLIC COMMENT FORM
IF YOU WISH TO COMMENT ON AN ITEM THAT IS ALREADY ON THE AGENDA
“PUBLIC HEARING” ITEMS ARE OPEN FOR COMMENT (ON THAT PARTICULAR ITEM)
UPON NOTICE FROM THE PRESIDING OFFICER**

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- “PUBLIC COMMENT FORMS” ARE NOT ACCEPTED AFTER 6:00 P.M.
- **POWERPOINT PRESENTATIONS ARE NOT CONDUCTED DURING THE PUBLIC COMMENT PERIOD.** [For further information, contact The Office of the City Secretary at 548-6001]

PRESENTATIONS:

PERSONS/GROUPS SCHEDULED TO CONDUCT A PRESENTATION OR DISTRIBUTING HANDOUTS ASSOCIATED WITH A PRESENTATION TO THE COMMISSION MUST PROVIDE A COPY OF SAME TO THE CITY SECRETARY FOR THE RECORD.

ACTION ITEMS:

19. Consideration and **ACTION** on **Resolution Number 2016-023**, the filing of applications with the Department of Transportation, an operating Administration of the United States, for federal transportation assistance authorized by the House of Representatives 2029-Consolidated Appropriations Act, 2016 (PUGB. L 114-113, December 18, 2015) (“FY2016 Appropriations Act” or the “Act”), United States code, and other federal statutes administered by the Department of Transportation. (Norma H. Zamora – BMetro)

20. Consideration and **ACTION** on **Ordinance Number 2016-1615**, authorizing the issuance of "City of Brownsville, Texas Utilities System Revenue Refunding Bonds, Series 2016"; providing for the payment of the principal of and interest on the Bonds by a lien on and Pledge of the Net Revenues of the system; providing the terms and conditions of such Bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such Bonds, including the approval and distribution of an official statement; authorizing the execution of a paying agent/registrar agreement, a purchase contract, and an Escrow Agreement and/or Deposit Letter; complying with the requirements of the Depository Trust Company; delegating the authority to the City Manager and certain members of the City or Brownsville Public Utilities Board (BPUB) staff to execute certain documents relating to the sale of the Bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an effective date. (Pete Gonzalez – Deputy City Manager/Leandro G. Garcia – Brownsville Public Utilities Board)

- 21. Consideration and **ACTION** to approve **Resolution Number 2016-024**, expressing official intent to reimburse with tax-exempt obligation proceeds costs associated with certain capital improvements to the Brownsville/South Padre Island International Airport. (Pete Gonzalez – Deputy City Manager)
- 22. Consideration and **ACTION** to adopt budget amendment **Resolution Number 2016-025** to amend the General Fund, Streetscape Fund and Motor Vehicle Parking System Fund expenditures budget, and to amend the budget for additional expenditures and revenues in Capital Projects Fund. (Lupe Granado III – Finance)
- 23. Consideration and **ACTION** to accept \$5,000 value donation from the Healthy Communities of Brownsville for an education station at the City Cemetery Resaca on 5th Street and Old Alice Road. (Damaris McGlone – Parks)

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- 24. Consideration and **ACTION** to approve Lease Agreement between City of Brownsville and Verizon Wireless. (Constanza Miner – Planning Director of Operations)
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* * * * *

ADJOURNMENT:

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the Texas Government Code.

NOTE: The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at 956/548-6037 (voice or Relay TX) by Monday, no later than 5:00 P.M., to make proper arrangements.

By; Antonio Martinez
Mayor of the City of Brownsville

I certify that a copy of the **April 19, 2016**, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on April 15, 2016. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: <http://citysecretary.cob.us>.



Michael L. Lopez, MPA
City Secretary

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
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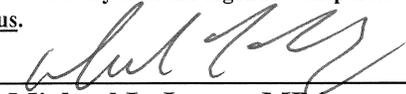
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Mayor of the City of Brownsville

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Michael L. Lopez, MPA
City Secretary



Submit

AGENDA REQUEST FORM

Item Number: Executive A

COMMISSION MEETING DATE: 4/19/16

Legal
DEPT: _____ CONTACT 956-548-6011

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: <u>30</u> Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

Presentations and discussion regarding a proposed specific generation unit and related costs, financing and commercial operation projections, a competitive matter under Section 551.086, Texas Government Code, "

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ Date: _____

**MAYOR'S
ACTIVITY
UPDATE**

**COMMISSIONERS’
ACTIVITY
UPDATE**

PROCLAMATION

FINANCIAL CAPABILITIES MONTH

PROCLAMATION

FAIR HOUSING MONTH



Submit

AGENDA REQUEST FORM

Item Number: 4.

COMMISSION MEETING DATE: 4/19/16

DEPT: Public Health

CONTACT Arturo Rodriguez

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: <u>20</u>	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	---

Brief Description of Agenda Item:

Presentation regarding an update on arboviral mosquitoes.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much n/a

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



Submit

AGENDA REQUEST FORM

Item Number: **4.**

COMMISSION MEETING DATE: 4/19/16

City Manager's Office
DEPT: _____

CONTACT: Charlie Cabler

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: 10 _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	--	--	---

Brief Description of Agenda Item:
Presentation regarding the Brownsville Convention & Visitors Bureau (BCVB) 2014-2015 Annual Report and 2016 1st Quarterly Report.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

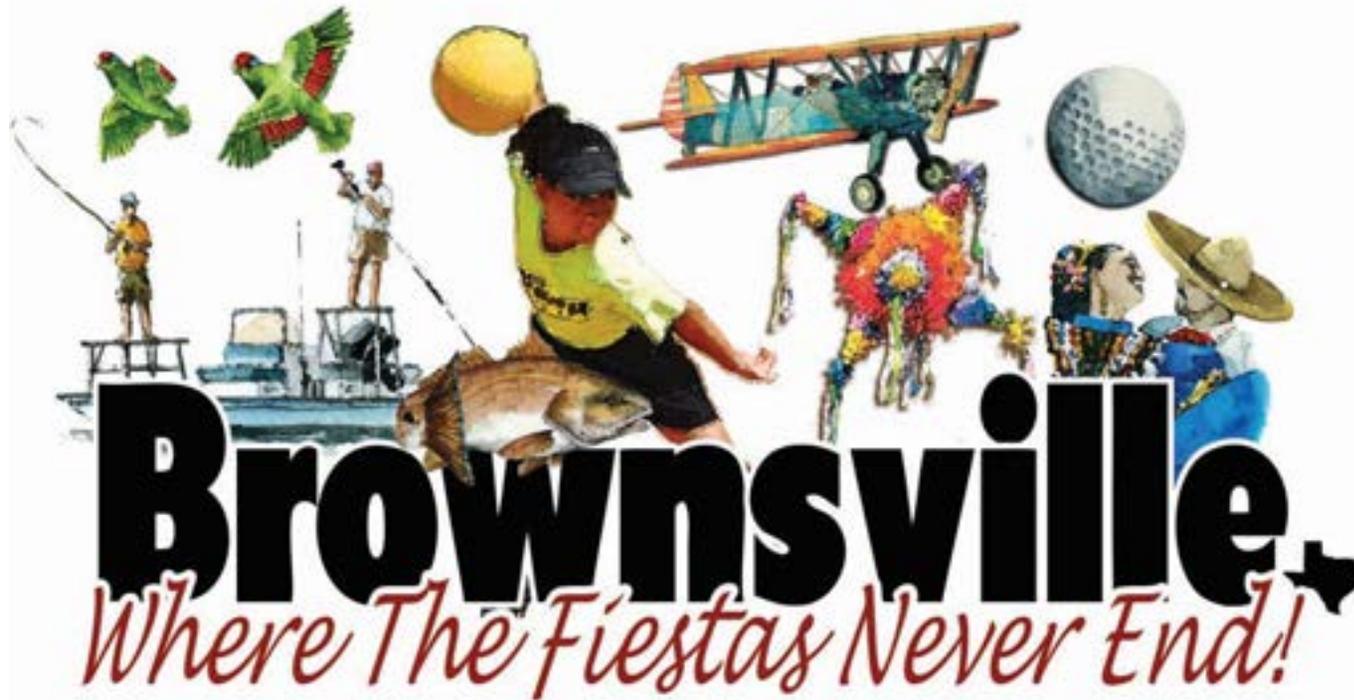
CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

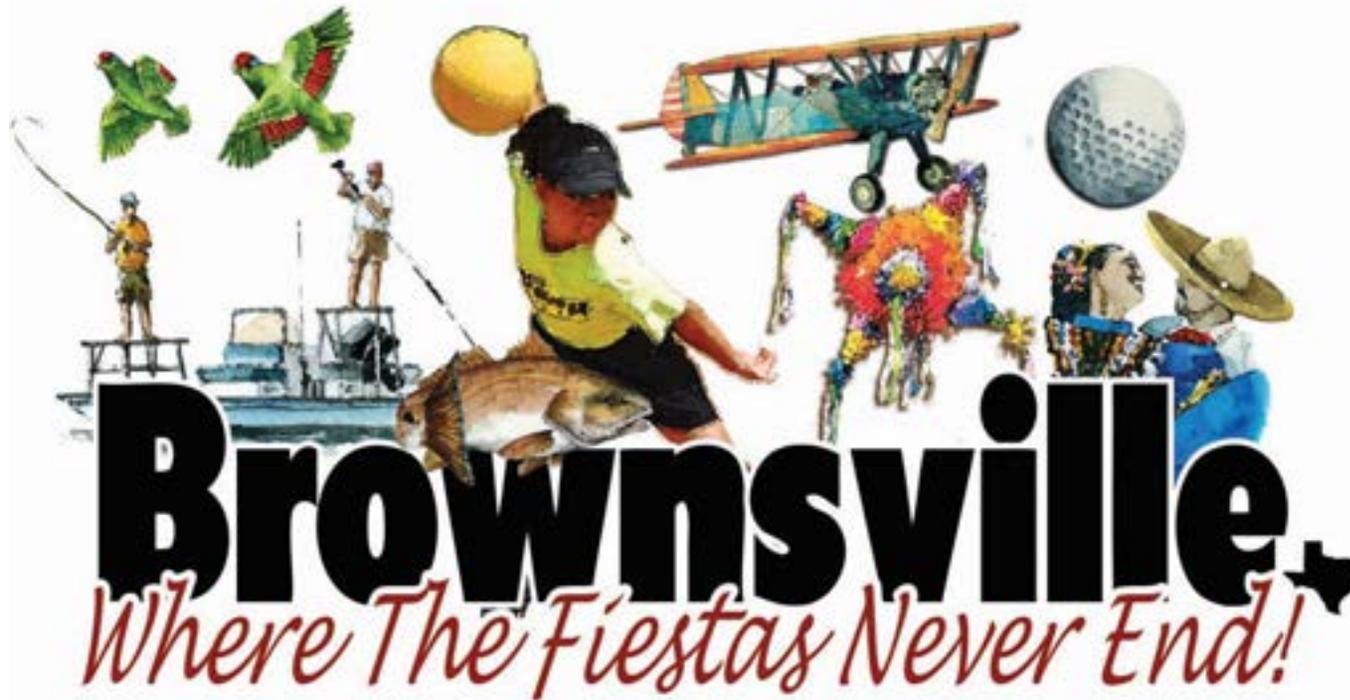
Date: _____



Brownsville Convention & Visitors Bureau

2014-2015

October 2014 - September 2015



Brownsville Convention & Visitors Bureau

“Where The Fiestas Never End” is a state of mind; an attitude that prevails in Brownsville. Your daughter’s quinceanera, a Sunday afternoon bar-b-que, getting ready for the Cowboys or Texans, and the pinata party for your child’s birthday. It’s Charro Days, Sombrero Fest, Mr. Amigo, Air Fiesta, the Latin Jazz Fest, Kayak Races, Cyclobia, Zoofari, and more. It’s what we do in Brownsville, every day! Life is good here, why not have fun living it? An attitude that spills over to our visitors.

Board of Directors



Mr. Danny Loff / Chairman
Mr. Joe Kenney / Vice-Chairman
Mr. Julio Graña / Treasurer
Mr. Jonathan Gracia / Secretary
Mr. Rick Armendariz
Mr. Frank Becerra
Mrs. Karol McNair Gevanthor
Mrs. Maribel Guerrero
Mrs. Maricarmen Anzaldua
Dr. Anthony Knopp
Mr. William Garza

Board Liaison Commissioner John Villarreal

Mr. Mariano "Bean" Ayala / President/CEO

2014-15 Year Highlights



■ National Tourism Week

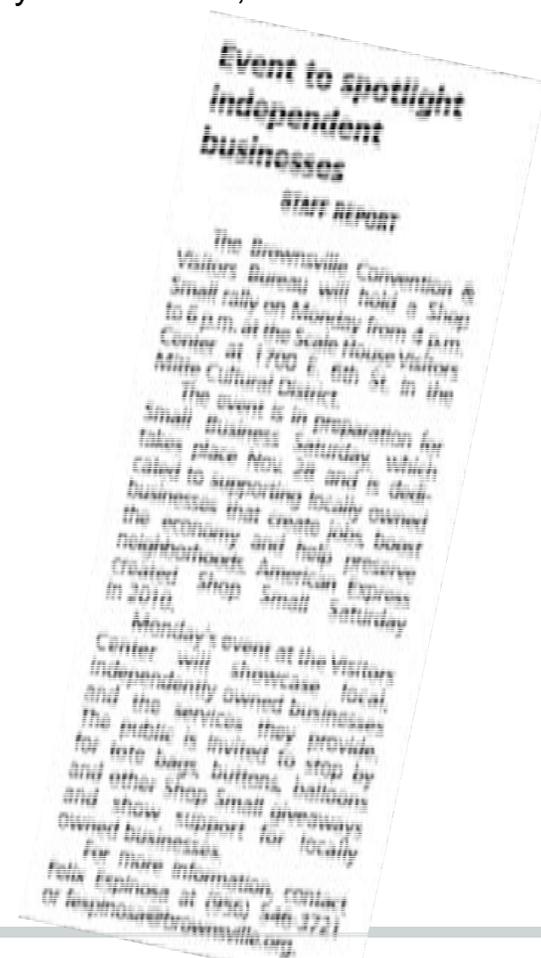
- Brownsville Historical Association, Holiday Village, Gladys Porter Zoo, Texas Travel Information Center, LiftFund, Citrus Greening, etc
- Brownsville Summer Tourism Passport

■ Shop Small Fair

- 16 businesses registered with American Express
- City with the most registered businesses in Texas
- City Commission Proclamation
- *Con Mi Gente* Interview

■ Longest Yard Sale

- BCVB supported the event
- Article in *The Brownsville Herald & El Nuevo Herald*
- Started in Brownsville along Military Hwy/281
- *Televisa* Interview



Community Involvement



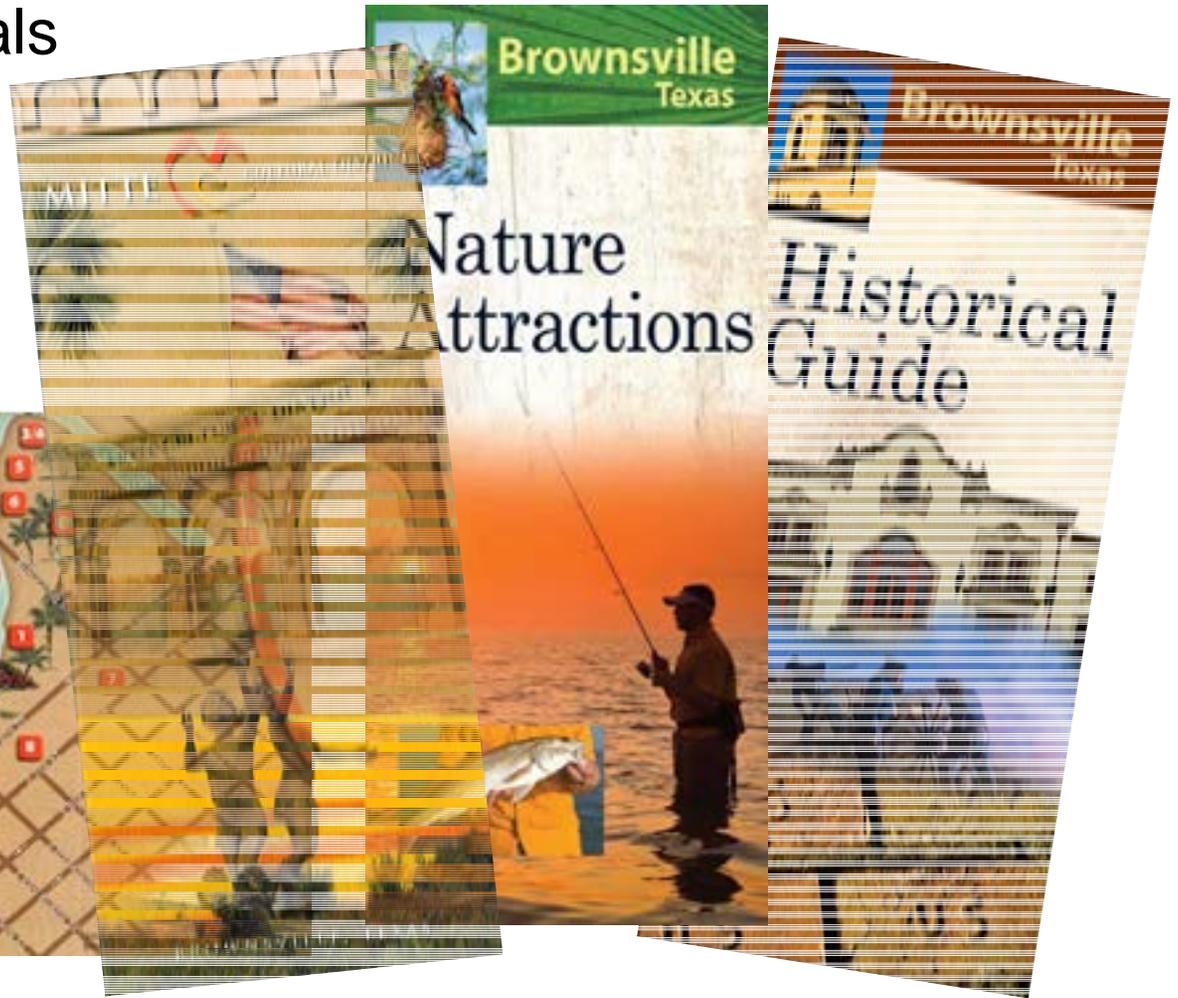
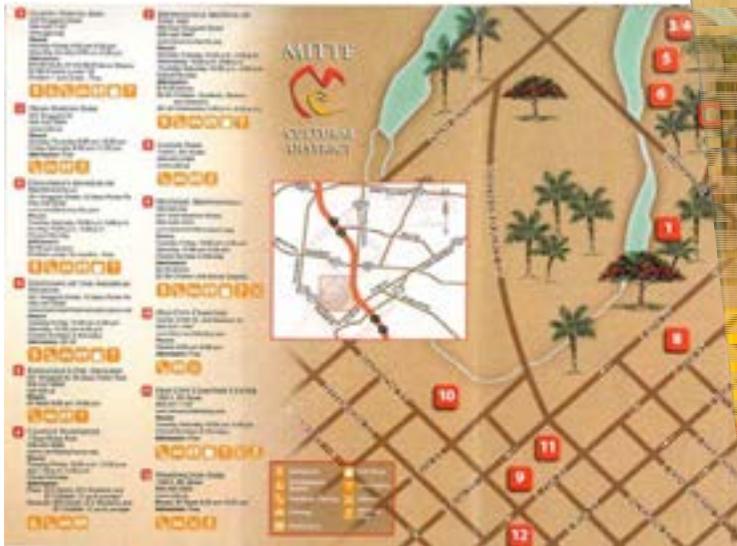
- Charro Days
 - Charro Days Baile del Sol
 - Brownsville Chamber Charro Days Mixer
 - Sombrero Festival
 - Beard Posse
- Kayak Races
- Cyclobia
- Holiday Village
- Air Fiesta



Marketing



- Marketing Materials
 - Brochures



Marketing

2015 Visitors Guide

- 60,000 Copies printed
 - 50,000 – English
 - 10,000 - Spanish
- Distribution:
 - Local Chambers of Commerce, Hotels, RV Parks, Texas State Travel Centers
 - U.S., Mexico, Canada



Staff Recognitions



Inducted into the Texas Police Athletic Federation Hall of Fame



Selected as a Blackboard MVP

Website Analytics

brownsville.org



Overview:

Pageviews

- 2014 - 187,473
- **2015 - 278,178** 48% Increase 

Demographics - Visits by Location:

By Country

1. U.S.	102,683
2. Mexico	4,229
3. Canada	1,174

By State

1. Texas	82,971
2. California	2,480
3. Illinois	1,212

By City

1. Brownsville	26,668
2. Houston	18,132
3. Austin	4,928

Source: Google Analytics

Brownsville.org



Homepage



Brownsville's Historical Legacy (History)



Calendar of Events



Self-Guided Tours



Weekly Newsletter

This Week In Brownsville



Your official partner in Fourth of July Celebrations in Brownsville.

★★★★★
Have a happy
FOURTH OF JULY
★★★★★

Happy Friday, <<First Name>> <<Last Name>>.

The Brownsville CVB would like to wish everyone a great Fourth of July Weekend! There are many celebrations going on all day.

Have fun, be safe, and enjoy the weekend!

- The Brownsville CVB Team

Parade

Start your day at the 15th Annual 4th of July Parade along the Charro Days Route.

Fireworks

Visit the Brownsville Sports Park to view South Texas' largest fireworks display.

[View Details](#)

Upcoming Events in Brownsville, Texas. [View this email in your browser.](#)

THIS WEEK IN BROWNSVILLE, TX

Deals • Dining • Events • Explore • Play • Shopping • Things To Do

April 11 - 17, 2016

Hi Test First Name Test Last Name:

Here's something new to do this week! Visit our website to view a complete events calendar or to get a print-friendly version. Have an event to share with us? Submit it on our website!

[iLike](#)

UPCOMING EVENTS

Resaca de la Palma Connector Trail Ribbon Cutting Ceremony
Resaca de la Palma Battlefield
Apr 11

Brownsville Science Cafe
El Hueso de Fraile
Apr 11

#TourBrownsville

How do you explore Brownsville? Share your photos with us using the hashtag #TourBrownsville. Here are a few submitted photos.

Brownsville Fiestas

Where The Fiestas Never End!

Brownsville Convention & Visitors Bureau

2016 NEW YEAR'S EVE CENTRAL

Looking for something to do on New Year's Eve? I have just the hot schedule for a lot of New Year's events going on in the City of Brownsville!

[View Events](#) →

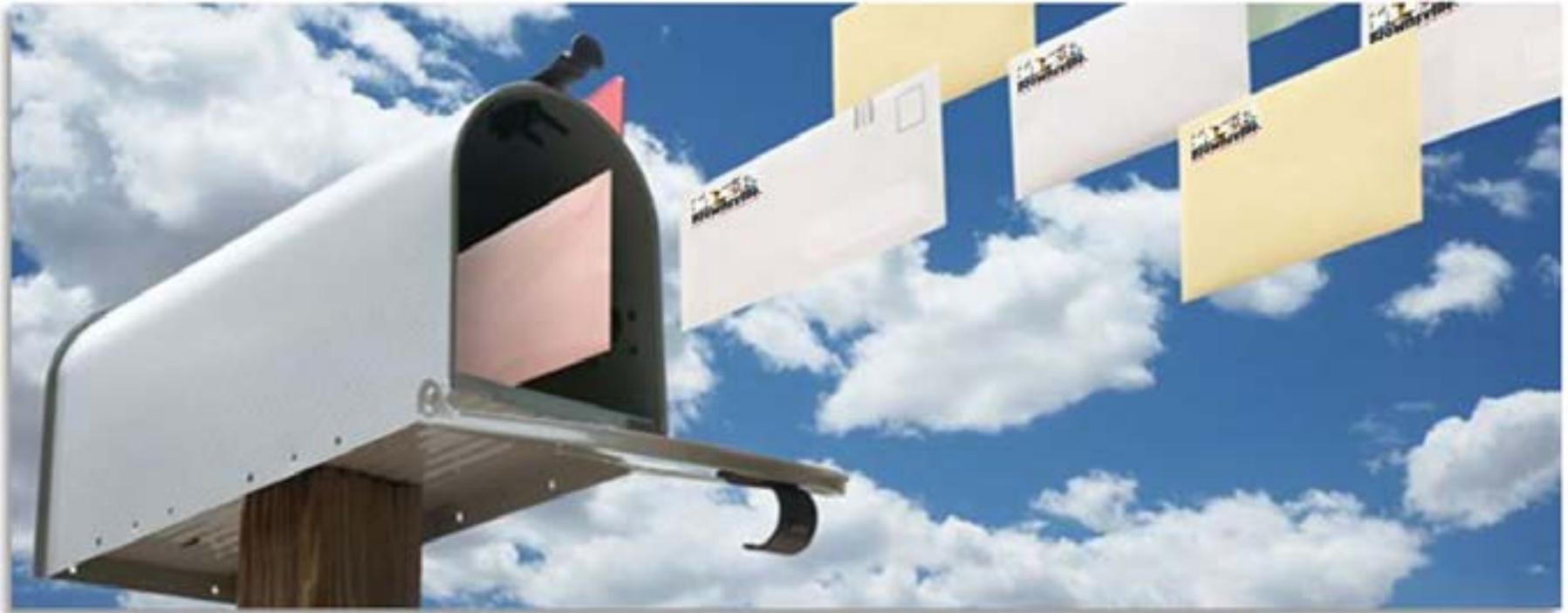
Keep It Social

FOLLOW ON TWITTER

FIND US ON FACEBOOK

FRIENDS ON LINKEDIN

Bulk Mail Report



2013-2014 - **18,915**

2015-2016 – 23,227

↑ 23% Increase

Source: BULK Mail Report, Brownsville CVB

FAM Tours



- AeroMar
- Rolf Holmgren (Sweden)
- RGV Red Hatters
- Henrik Lange, Denmark Blogger Tour
- Texas State Travel Center
- Texas Tropical Trail
- Mexican Travel Agents
- TTIA Texas State Travel Counselors
 - Fam Tour
 - Welcome Reception



Sporting Events



- Texas Police Athletic Federations
Estimated Economic impact:
\$672,525.00
- Texas State Little Miss Kickball Tournament
Estimated Economic impact:
\$577,500.00

Total Estimated Economic impact:
\$1,250,025.00

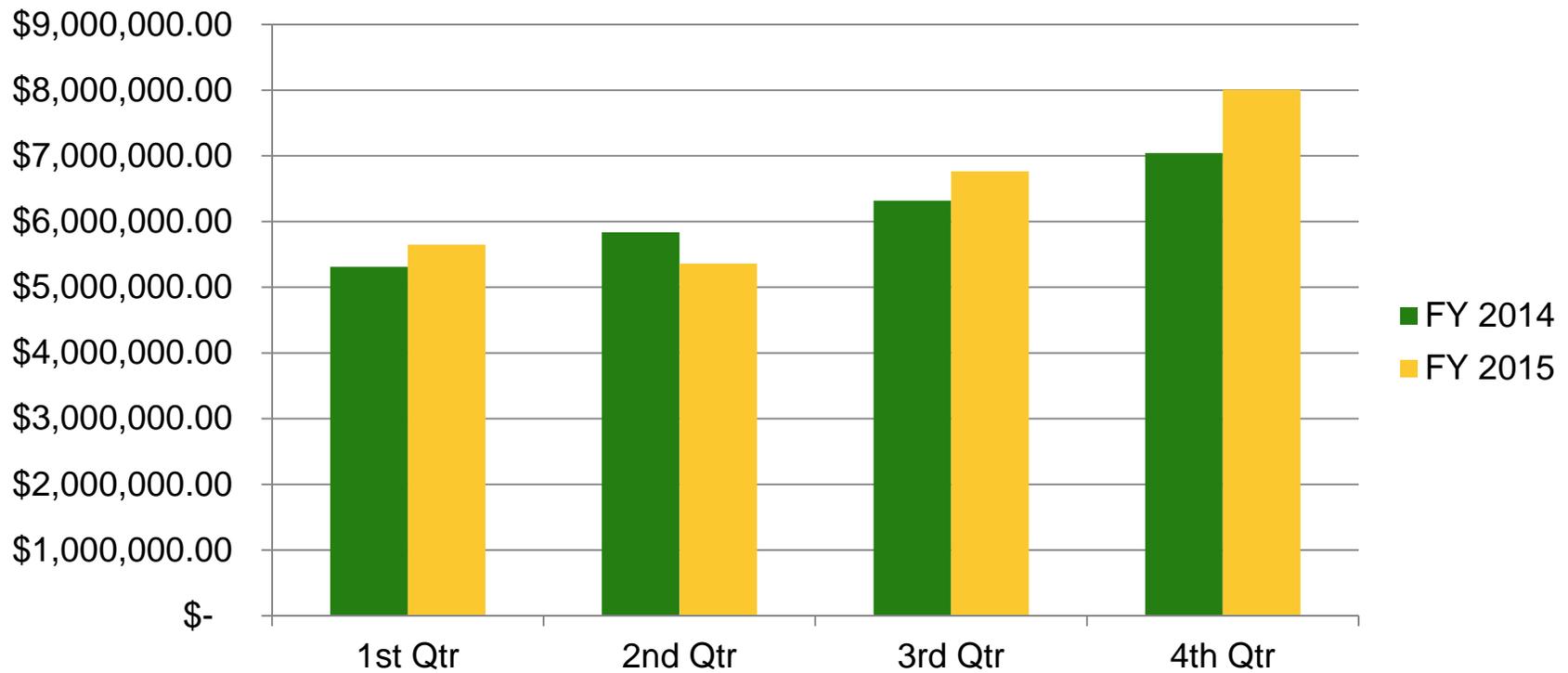


Brownsville Hotel Performance Report



\$Room Revenues

\$24,514,262 FY 2014 VS. **\$25,781,669** FY 2015 **4.73% Increase**



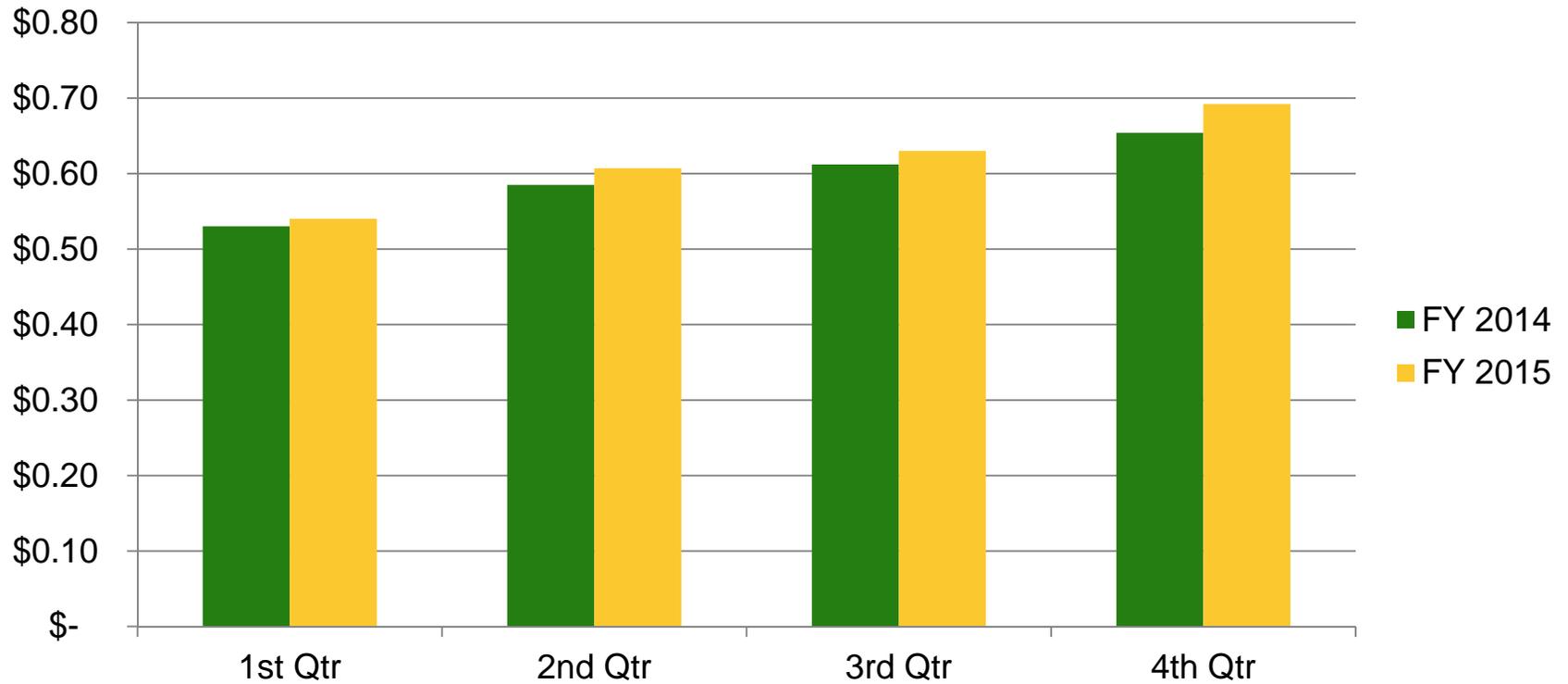
Source: Texas Hotel Performance Factbook Source Strategies, Inc.

Brownsville Hotel Performance Report



Estimated Percentage Occupancy

59.53% FY 2014 VS. **61.73%** FY 2015 **2.20% Increase**



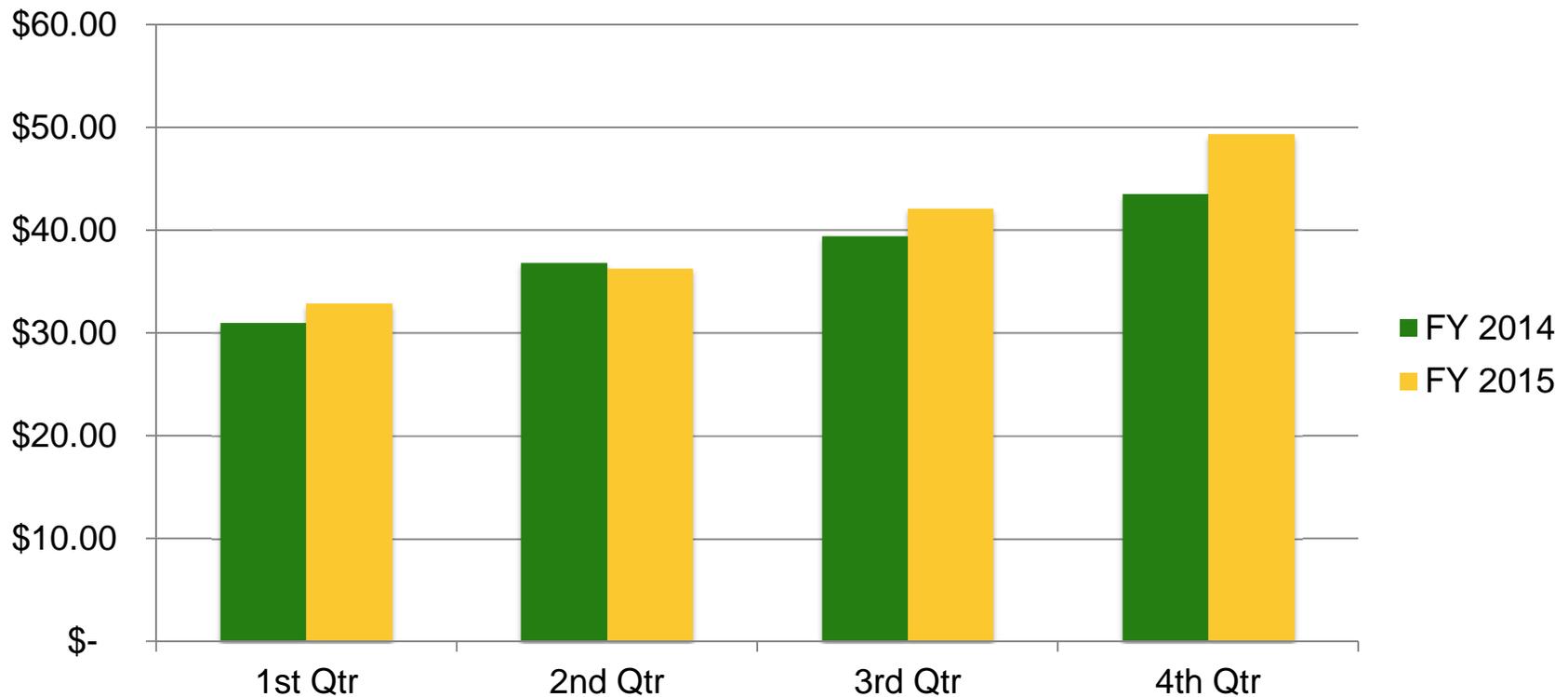
Source: Texas Hotel Performance Factbook Source Strategies, Inc.

Brownsville Hotel Performance Report



Revenue Per Available Room

\$37.71 FY 2014 VS. **\$40.15** FY 2015 **2.45% Increase**



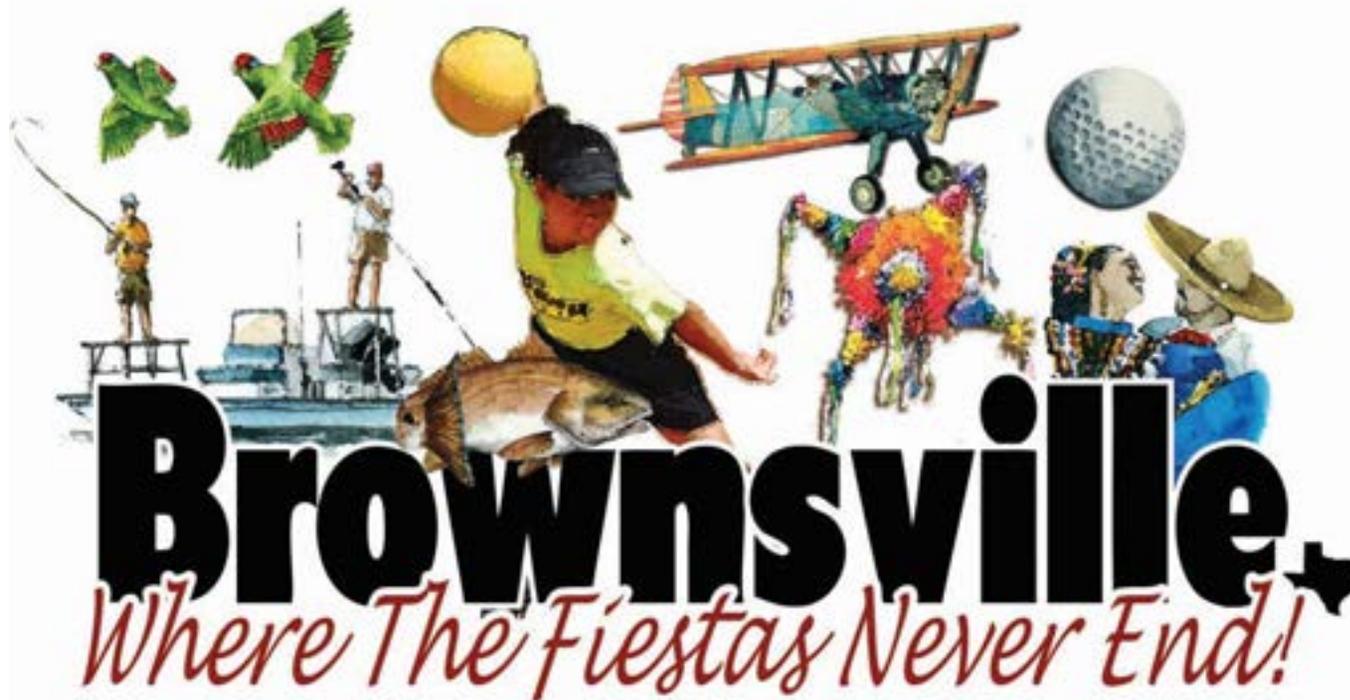
Source: Texas Hotel Performance Factbook Source Strategies, Inc.

Brownsville Hotel Performance Report



Fiscal Year 2012														
Quarter	Source Strategies Quarter	Period	# Rooms			Est. % Occupancy			REVPAR \$			\$Room Revenues		
			FY 2012	\$ADR Est FY 2012	Pt. Change	FY 2011	FY 2012	Pt. Change	FY 2011	FY 2012	\$Chg.	FY 2011	FY 2012	Pt. Change
1st Qtr	4th Quarter 2011	October - December	1,913	\$ 56.23	1.20%	46.70%	45.90%	-0.80%	\$ 26.01	\$ 25.85	-0.16%	\$ 4,661,395.00	\$ 4,548,878.00	-2.40%
2nd Qtr	1st Quarter 2012	January - March	1,947	\$ 55.44	-0.60%	55.00%	54.90%	-0.10%	\$ 30.70	\$ 30.46	-0.25%	\$ 5,383,199.00	\$ 5,336,645.00	-0.90%
3rd Qtr	2nd Quarter 2012	April - June	1,947	\$ 58.97	8.30%	52.40%	52.90%	0.50%	\$ 28.58	\$ 31.21	2.63%	\$ 5,065,813.00	\$ 5,528,956.00	9.10%
4th Qtr	3rd Quarter 2012	July - September	1,990	\$ 58.19	6.30%	57.20%	61.40%	4.20%	\$ 31.35	\$ 35.77	4.41%	\$ 5,618,855.00	\$ 6,547,891.00	16.50%
			1,949	\$ 57.21	3.80%	52.83%	53.78%	0.95%	\$ 29.16	\$ 30.82	1.66%	\$ 20,729,262.00	\$ 21,962,370.00	5.58%
Fiscal Year 2013														
Quarter	Source Strategies Quarter	Period	# Rooms			Est. % Occupancy			REVPAR \$			\$Room Revenues		
			FY 2013	\$ADR Est FY 2013	Pt. Change	FY 2012	FY 2013	Pt. Change	FY 2012	FY 2013	\$ Change	FY 2012	FY 2013	Pt. Change
1st Qtr	4th Quarter 2012	October - December	1,938	\$ 56.91	5.90%	48.00%	50.60%	2.60%	\$ 25.81	\$ 28.85	3.04%	\$ 4,624,894.00	\$ 5,143,418.00	11.20%
2nd Qtr	1st Quarter 2013	January - March	1,915	\$ 58.64	5.50%	58.40%	61.50%	3.10%	\$ 32.52	\$ 36.07	3.55%	\$ 5,323,744.00	\$ 6,217,410.00	16.80%
3rd Qtr	2nd Quarter 2013	April - June	1,863	\$ 57.57	-1.60%	57.90%	54.80%	-3.10%	\$ 33.90	\$ 31.60	-2.29%	\$ 5,610,892.00	\$ 5,357,872.00	-4.50%
4th Qtr	3rd Quarter 2013	July - September	1,863	\$ 58.23	-1.40%	64.10%	65.60%	1.50%	\$ 37.95	\$ 38.31	0.36%	\$ 6,511,870.00	\$ 6,566,751.00	0.80%
			1,895	\$ 57.84	2.10%	57.10%	58.13%	1.03%	\$ 32.55	\$ 33.71	1.17%	\$ 22,071,400.00	\$ 23,285,451.00	6.08%
Fiscal Year 2014														
Quarter	Source Strategies Quarter	Period	# Rooms			Est. % Occupancy			REVPAR \$			\$Room Revenues		
			FY 2014	\$ADR Est FY 2014	Pt. Change	FY 2013	FY 2014	Pt. Change	FY 2013	FY 2014	\$ Change	FY 2013	FY 2014	Pt. Change
1st Qtr	4th Quarter 2013	October - December	1,915	\$ 58.37	2.00%	51.60%	51.90%	0.30%	\$ 29.57	\$ 30.33	0.76%	\$ 5,073,915.00	\$ 5,343,716.00	5.30%
2nd Qtr	1st Quarter 2014	January - March	1,920	\$ 61.19	3.00%	61.20%	56.50%	-4.70%	\$ 36.39	\$ 34.59	-1.80%	\$ 6,100,951.00	\$ 5,976,561.00	-2.00%
3rd Qtr	2nd Quarter 2014	April - June	1,920	\$ 62.28	8.20%	54.80%	59.20%	4.40%	\$ 31.59	\$ 36.89	5.30%	\$ 5,355,941.00	\$ 6,446,028.00	20.40%
4th Qtr	3rd Quarter 2014	July - September	1,868	\$ 64.49	10.20%	65.30%	64.10%	-1.20%	\$ 38.23	\$ 41.39	3.15%	\$ 6,552,996.00	\$ 7,112,689.00	8.50%
			1,906	\$ 61.58	5.85%	58.23%	57.93%	-0.30%	\$ 33.95	\$ 35.80	1.85%	\$ 23,083,803.00	\$ 24,878,994.00	8.05%
Fiscal Year 2015														
Quarter	Source Strategies Quarter	Period	# Rooms			Est. % Occupancy			REVPAR \$			\$Room Revenues		
			FY 2015	\$ADR Est FY 2015	Pt. Change	FY 2014	FY 2015	Pt. Change	FY 2014	FY 2015	\$ Change	FY 2014	FY 2015	Pt. Change
1st Qtr	4th Quarter 2014	October - December	1,868	\$ 60.82	4.10%	53.00%	54.00%	1.00%	\$ 30.99	\$ 32.87	1.87%	\$ 5,312,184.00	\$ 5,648,189.00	6.30%
2nd Qtr	1st Quarter 2015	January - March	1,641	\$ 59.75	-5.20%	58.50%	60.70%	2.20%	\$ 36.86	\$ 36.29	-0.57%	\$ 5,838,517.00	\$ 5,360,233.00	-8.20%
3rd Qtr	2nd Quarter 2015	April - June	1,765	\$ 66.80	3.70%	61.20%	63.00%	1.80%	\$ 39.46	\$ 42.12	2.67%	\$ 6,319,153.00	\$ 6,765,299.00	7.10%
4th Qtr	3rd Quarter 2015	July - September	1,765	\$ 71.21	7.10%	65.40%	69.20%	3.80%	\$ 43.51	\$ 49.32	5.81%	\$ 7,044,408.00	\$ 8,007,948.00	13.70%
			1,760	\$ 64.65	2.43%	59.53%	61.73%	2.20%	\$ 37.71	\$ 40.15	2.45%	\$ 24,514,262.00	\$ 25,781,669.00	4.73%

Source: Texas Hotel Performance Factbook Source Strategies, Inc.



Brownsville Convention & Visitors Bureau

FY 2016: Quarter 1

October 2015 – December 2015

Board of Directors



Mr. Danny Loff / Chairman
Mr. Craig Grove / Vice-Chairman
Mr. Alejandrina Betancourt / Treasurer
Dr. Anthony Knopp / Secretary
Mrs. Maricarmen Anzaldúa
Mrs. Karol McNair Gevanthor
Ms. Maribel Guerrero
Mr. Rick Armendariz
Mr. William Garza
Mr. Joe Kenny
Mr. Jose Zapata

Board Liaison Commissioner John Villarreal

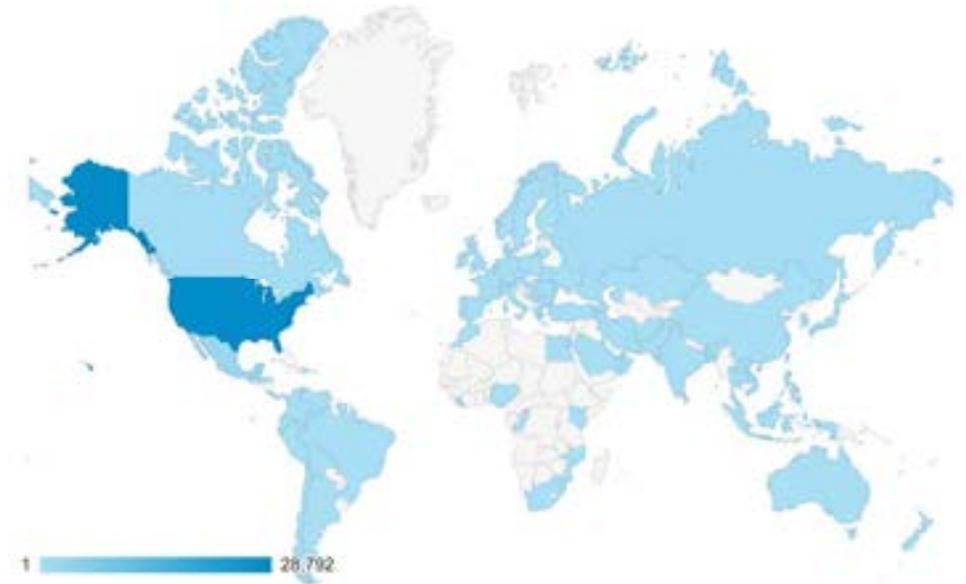
Mr. Mariano "Bean" Ayala / President/CEO

Website Analytics: World

brownsville.org



<u>Country</u>	<u>Sessions</u>
1. United States	28,792
2. Mexico	2,376
3. Canada	445
4. Russia	273
5. United Kingdom	107



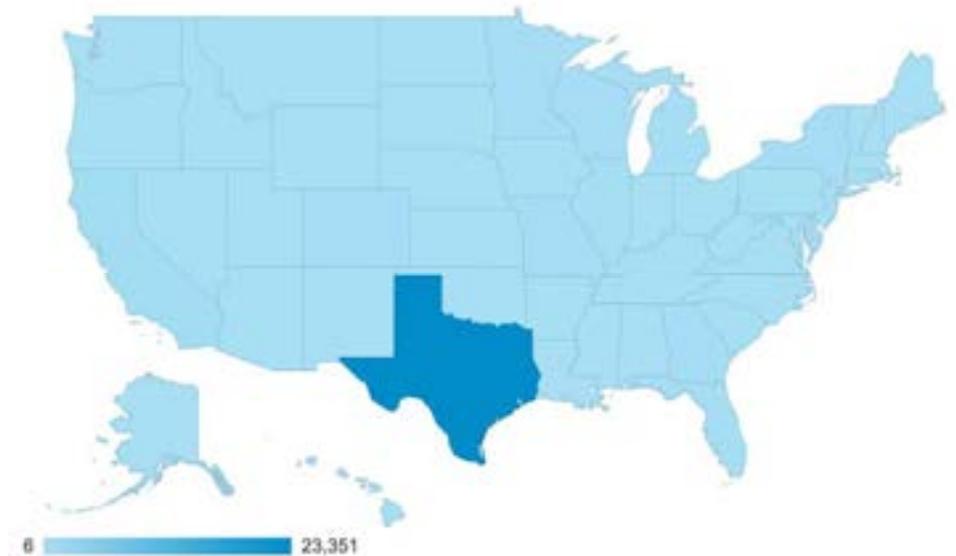
Source: Google Analytics

Website Analytics: USA

brownsville.org



<u>State</u>	<u>Sessions</u>
1. Texas	23,351
2. California	689
3. Illinois	327
4. Florida	273
5. New York	236



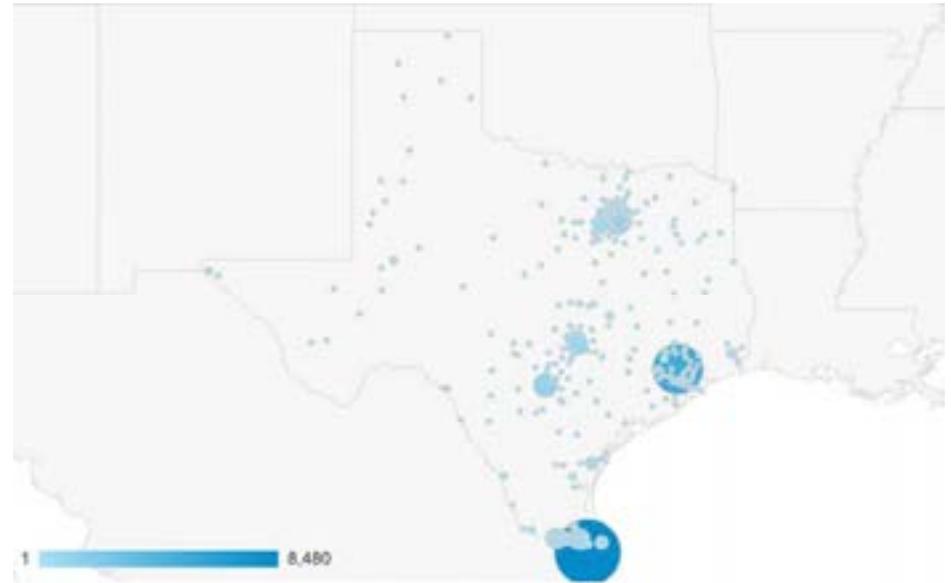
Source: Google Analytics

Website Analytics: Texas

brownsville.org



<u>City</u>	<u>Sessions</u>
1. Brownsville	8,480
2. Houston	5,046
3. Dallas	1,331
4. San Antonio	1,127
5. Harlingen	927



Source: Google Analytics

BCVB Walk-in Report



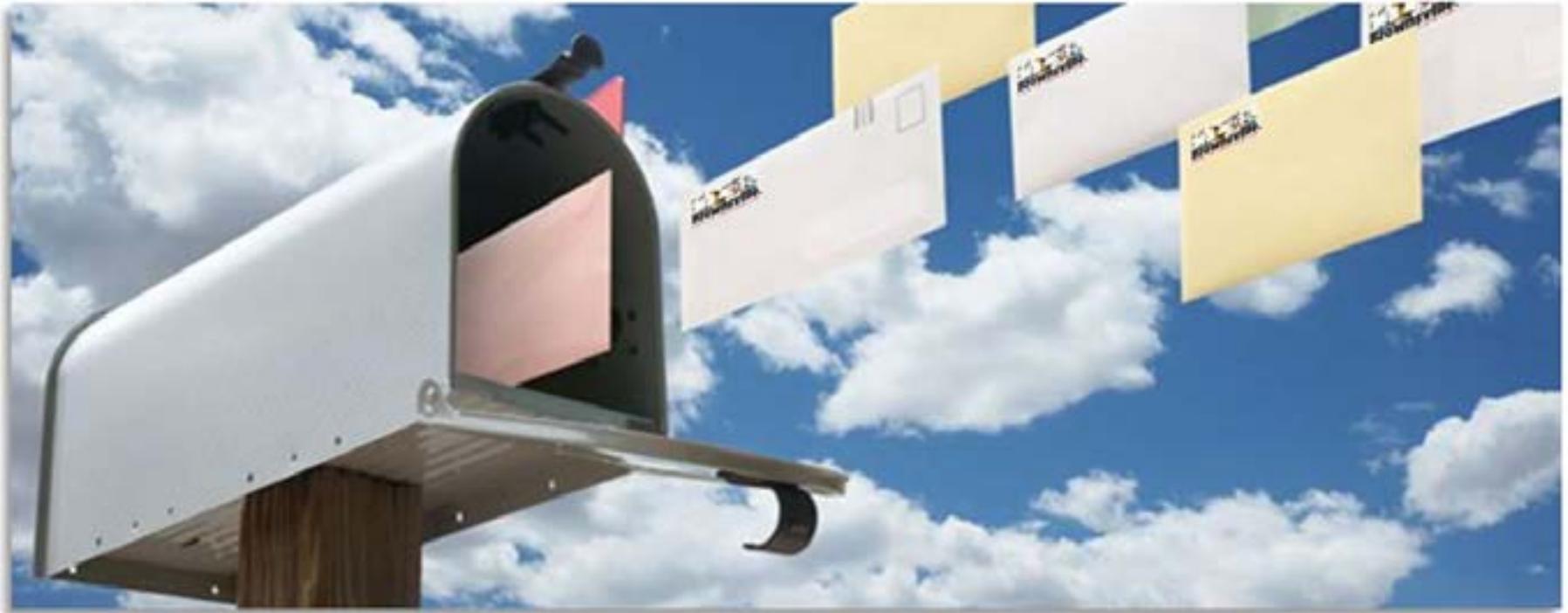
Total Walk-Ins to Visitor Centers

October 2015 – December 2015 - **1,153**

Top 3 States:

- Texas
- Illinois
- Minnesota

Bulk Mail Report



FY 2016: Q1 – 7,469

Source: BULK Mail Report, Brownsville CVB

Trade Shows



- USSSA Regional Summit
 - U.S. Sports Congress
 - TAAF Annual Conference
 - SPORTS, The Relationship Conference
-

Conferences



- Texas Crime Stoppers Conference
Estimated Economic impact:
\$99,000.00

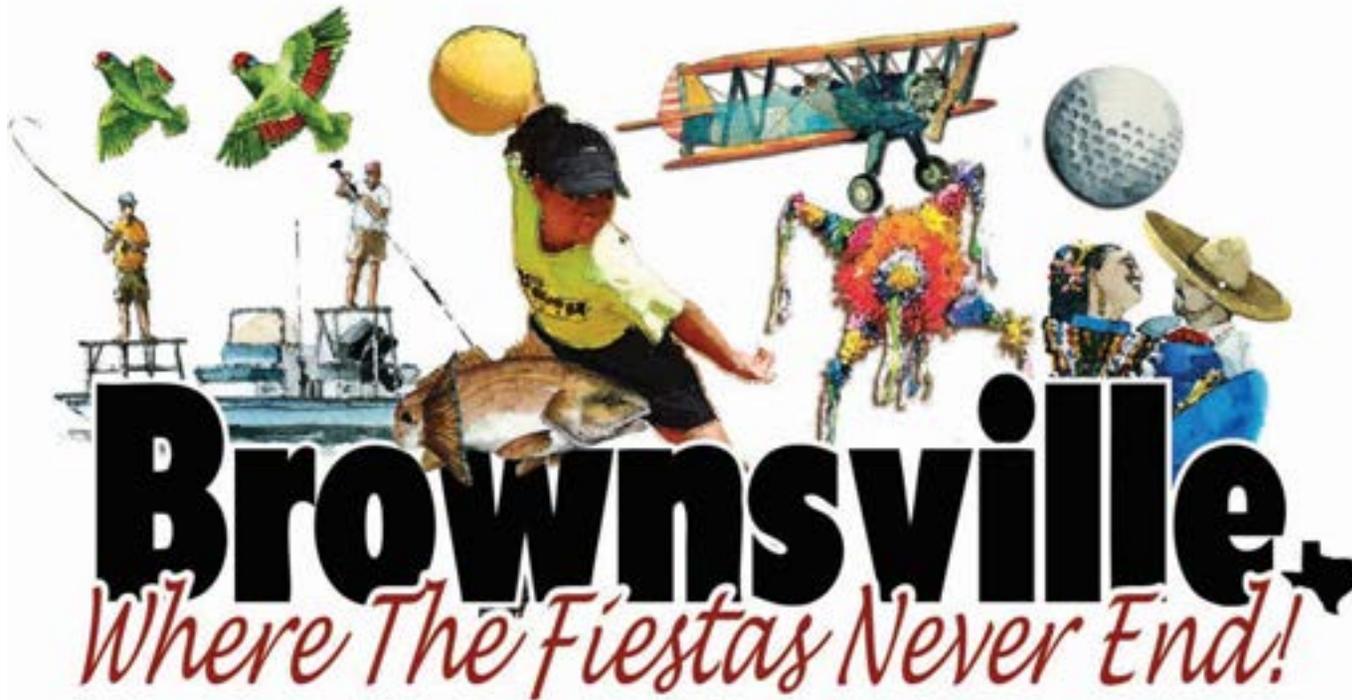


Staff Recognition



Recognized by Texas Governor Greg Abott for the Texas Crime Stoppers Conference.





Brownsville Convention & Visitors Bureau

www.brownsville.org
(800) 626-2639

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, April 05, 2016**, at **5:30 P.M.**, and at **6:00 P.M.** with the following members present:

		COMMISSIONERS	
RICARDO LONGORIA, JR.)	District 1	
JESSICA TETREAU)	District 2	
JOHN VILLARREAL)	District 4	
CESAR DE LEON)	At-Large “A”	
ROSE M.Z. GOWEN, M.D.)	At-Large “B”	
CHARLIE CABLER		CITY MANAGER	
RUTH OSUNA		ASSISTANT CITY MANAGER	
STEPHANIE REYES		ASSISTANT CITY MANAGER	
MARK E. SOSSI		CITY ATTORNEY	
MICHAEL L. LOPEZ		CITY SECRETARY	
ABSENT:		ANTONIO MARTINEZ) Mayor
		DEBORAH PORTILLO) District 3
		PETE GONZALEZ-DEPUTY CITY MANAGER	

A quorum being present, Mayor Pro Tem Ricardo Longoria, Jr., asked Mr. Michael L. Lopez, City Secretary, to read the call to consider the following matters as posted and filed for the record in The Office of the City Secretary on April 1, 2016.

EXECUTIVE SESSION: 5:30 P.M.

Upon motion by Commissioner Rose Gowen, seconded by Commissioner John Villarreal and carried unanimously, the Executive Session convened at 5:30 p.m. to discuss the following items:

- A) **Discussion pursuant to Section 551.072, of the Texas Government Code deliberations regarding real property.**
- B) **Consultation with attorney pursuant to Section §551.071(2) of the Texas Government Code, on a matter in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the duties under Chapter 551 of the Texas Government Code.**

Upon conclusion of Executive Session Mayor Pro Tem Ricardo Longoria, Jr., convened the Regular Meeting at 6:30 p.m. No action was taken in Executive Session.

REGULAR MEETING: 6:30 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The Pledge of Allegiance was led by Mayor Pro Tem Ricardo Longoria, Jr., and the Texas Pledge was led by Commissioner Jessica Tetreau.

INVOCATION:

The invocation was delivered by Pastor Brad Burkes, Embassy of the Spirits, from Brownsville, Texas.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Pro Tem Ricardo Longoria, Jr., provided a quick overview regarding the Southmost Regional Water Plant and the delaybut informed citizens that project will be completed soon.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Rose Gowen reminded everyone of the final weigh in for the Challenge, scheduled for Saturday, April 9, 2016. Commissioner Gowen announced that the next Cyclobia would take place on April 16, 2016 between 9:00 am to 12:00 pm in the Downtown area.

3. PROCLAMATIONS: The University of Texas Rio Grande Valley Chess Team
(Mayor A. Martinez/Commissioner D. Portillo)

Mayor Pro Tem Ricardo Longoria, Jr., asked *Mr. Bartek Macieja, Chess Coach* to step forward and accept a proclamation honoring and recognizing The University of Texas Rio Grande Valley Chess Team.

The proclamation was read by Commissioner Rose Gowen.

Youth in Philanthropy
(Mayor A. Martinez/Commissioner J. Tetreau)

Mayor Pro Tem Ricardo Longoria, Jr., asked *Ms. Erika Sikes, of Career and Technical Education Department, and Lopez High School Students* to step forward and accept a proclamation in recognizing the **Youth in Philanthropy** and supporting the educators and students for their commitment in exploring nonprofit and service careers.

The proclamation was read by Commissioner Cesar de Leon.

Cupcakes by Cory
(Commissioners J. Tetreau/J. Villarreal)

Mayor Pro Tem Ricardo Longoria, Jr., asked ***Ms. Cory Bryan*** to step forward and accept a proclamation honoring and recognizing Cupcakes by Cory.

The proclamation was read by Commissioner Jessica Tetreau.

Child Abuse Prevention Month
(Commissioners D. Portillo/R. Longoria, Jr.)

Mayor Pro Tem Ricardo Longoria, Jr., asked the ***Tip of Texas Family Outreach Representatives*** to step forward and accept a proclamation on proclaiming the month of **April 2016** as **National Child Abuse Prevention Month**.

The proclamation was read by Mayor Pro Tem Ricardo Longoria, Jr.

4. PRESENTATIONS: ***Employee of the Month***
(Charlie Cabler – City Manager)

Mr. Charlie Cabler, City Manager, recognized ***Mr. Roberto Leal, Carpenter***, with Public Works Department, as April’s Employee of the Month.

Run Ride Share Awareness Program
(Charlie Cabler – City Manager)

McAllen City Commissioner Veronica Whitacre informed the Commission the purpose of the Run Ride Share Awareness Program, is to create a unified regional effort to educate the community on safety issues for runners, cyclists, and motorists, it would reduce pedestrian and cyclist accidents and fatalities, and noting that she was currently working with State leaders to get the initiative implemented across the State.

5. CONSENT AGENDA ITEMS:

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

Upon motion by Commissioner John Villarreal seconded by Commissioner Jessica Tetreau and carried unanimously, Consent Agenda Items “a through g” were **approved**.

ITEMS No. “a” through “g”

- a) Approval of the Minutes of the Regular Meeting of March 01, 2016 (Addendum).
- b) Approval of the Minutes of the Regular Meeting of March 15, 2016.
- c) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Norma H. Zamora	BMetro	Waco, TX	Apr. 23-28, 2016

Arturo Herrera	BMetro	Denton, TX	May 01-06, 2016
Luis F. Alonso	Engineering	Arlington, TX	May 03-05, 2016
David Licon, Jr.	Engineering	Arlington, TX	May 03-05, 2016
Nellie Zamora	Health	Austin, TX	Apr. 22-25, 2016
Christopher Haggstrom	Health	Austin, TX	Apr. 07-08, 2016
Ivan Reyes	Human Resources	Austin, TX	Apr. 06-07, 2016
Monica Moreno	Human Resources	Austin, TX	Apr. 06-07, 2016
Josh Perez	Human Resources	Houston, TX	Apr. 12, 2016
Oscar Salinas	Human Resources	San Marco, TX	May 25-26, 2016
Ramiro Gonzalez	Planning	Detroit, MI	June 08-11, 2016
Miriam Suarez	Planning	Milwaukee, WI	May 23-25, 2016
Alfonso Vallejo	Planning	Corpus Christi, TX	May 09-13, 2016
Robert Dippong	Police	Austin, TX	Apr. 22-25, 2016
Peter Juarez	Police	Austin, TX	Apr. 22-25, 2016
Albesa Calles	Police	Austin, TX	Apr. 17-20, 2016
Gloria Gonzalez	Police	Austin, TX	Apr. 17-20, 2016
Roxanna Rosas	Police	Austin, TX	Apr. 17-20, 2016
Martino Trevino	Public Works	Corpus Christi, TX	Apr. 11-13, 2016
Stephen Graybill	Public Works	Corpus Christi, TX	Apr. 11-13, 2016

- d) **Consideration and ACTION to request authorization to renew the term contract for uniform purchase and delivery for the B-Metro Department.**
- e) **APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2016-007, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for Lots 21 & 22 of Block 2 of Alamo Heights Subdivision located at 6066 South Padre Island Highway. (District 2)**
- f) **APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2016-015, to rezone from Dwelling “G” (DG) to Professional Office “G” (1CG) for Block 13 of Share 19, Tract 9 of El Jardin Subdivision located near Old Port Isabel Road and FM 802. (District 2)**
- g) **APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2016-016, to rezone from General Retail “H” (4CH) & Apartment “H” (AH) to General Retail “H” (4CH) for Blocks 22 & 23 of Los Ebanos Properties Subdivision located at 704 Paredes Line Road. (District 2)**

* * * * *

PUBLIC HEARINGS:

- 6. **Public Hearing and ACTION on FIRST READING of Ordinance Number 2016-1367-B, an ordinance adopting the Texas Food Establishment Rules of the Texas Department of State Health Services as made effective October 11, 2015, providing for penalties thereof and related matters.**

Mr. Arturo Rodriguez, Public Health Director, briefed the Commission of the changes to the Texas Food Establishment Rules of the Texas Department of State Health Services as required by the State of Texas.

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

Commissioner Jessica Tetreau moved that Ordinance Number 2016-1367-B, be **adopted** at first reading, an ordinance adopting the Texas Food Establishment Rules of the Texas Department of State Health Services as made effective October 11, 2015, providing for penalties thereof and related matters. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

7. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Ms. Priscila Alvarez, Director of Educational & Corporate Relations, of Valley Initiative for Development and Advancement (VIDA) gave a brief mid-year update report.

ACTION ITEMS:

8. Consideration and ACTION on Resolution Number 2016-021, authorizing the purchase of two tracts of land for future park purposes from the Estate of Delia Angelina Spencer located off the intersection of La Posada and Esperanza and dealing with related matters.

Commissioner Rose Gowen moved that Resolution Number 2016-021, authorizing the purchase of two tracts of land for future park purposes from the Estate of Delia Angelina Spencer located off the intersection of La Posada and Esperanza and dealing with related matters, be **approved**. The motion was seconded by Commissioner John Villarreal and carried unanimously.

9. Consideration and ACTION to adopt Resolution Number 2016-022, to approve a Memorandum of Agreement with buildingcommunityWORKSHOP (bcWORKSHOP) regarding the Activating Vacancy Incubator for the amount of \$100,000.

Mr. Ramiro Gonzalez, Assistant Planning Director of Operations, introduced Mr. Jesse Miller, Associate Director, of buildingcommunityWORKSHOP, whom delivered a PowerPoint presentation regarding the Activating Vacancy Arts Incubator.

Commissioner Jessica Tetreau moved that Resolution Number 2016-022, to approve a Memorandum of Agreement with buildingcommunityWORKSHOP (bcWORKSHOP) regarding the Activating Vacancy Incubator for the amount of \$100,000, be **adopted**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

PURCHASES/BIDS/CONTRACTS:

10. Consideration and ACTION to approve Lease Agreement between City of Brownsville and Verizon Wireless.

Agenda item was removed by City Staff.

No action taken.

11. Consideration and ACTION authorizing Change Order #6 to Brownsville Metro's Transit Fleet Maintenance Contract.

Mr. Eddie Velarde, BMetro Contract Fleet Manager, gave a brief explanation of the Change Order #6 for the Fleet Maintenance Contract.

Commissioner Cesar de Leon moved that Change Order #6 to Brownsville Metro's Transit Fleet Maintenance Contract be **authorized**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 7:14 p.m.

Approved this _____ day of _____, 2016.

Antonio Martinez
Mayor

Attest:

Michael L. Lopez, MPA
City Secretary

Respectfully submitted by:
Yolanda Galarza-Gomez, Administrative Specialist II
Office of the City Secretary



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

Brownsville Metro
 DEPT: Department CONTACT Norma H. Zamora

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

Consideration and ACTION to authorizing Arturo Herrera, Lead Supervisor, Diana Saldivar, Transit Operator, and Jaime Caraveo, Transit Operator, to travel to Waco, Texas to attend and participate in the Texas Transit Association (TTA) 2016 Roadeo on April 21-24, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

Sponsors: Texas Transit Association (TTA)
 Texas Department of Transportation (TxDOT)

City Manager Approval

_____ **Date:** _____



MEMO

To: Charlie Cabler, City Manager
Cc: Pete Gonzalez, Deputy Chief/CFO
From: Norma H. Zamora, Director
Date: April 11, 2016
Re: BMetro Dept. Agenda Request for Travel

We hereby request authorization for Arturo Herrera, Lead Supervisor, Transit Operator 1 and Transit Operator 2, to travel to Waco, Texas to attend the Texas Transit Association (TTA) 2016 Rodeo on April 21-24, 2016.

Please see attached documents;

- Agenda Request Form
- Travel Request Form
- 6. TxDOT Scholarship Application
- 7. Transportation Information
 - 7a. mileage information
 - 7b. Meals & IE Per Diem Allowance
 - 7c. Lodging information
 - 7d. Registration Confirmation

I hope this information will suffice and should you have any questions please feel free to contact me at (956) 541-4881.





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: April 11, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Arturo Herrera
EMPLOYEE NAME

Lead Supervisor
POSITION

1. Destination: Waco, Texas

2. Est. date and time leaving: April 21, 2016 Est. date and time returning: April 24, 2016

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

4. Purpose of Trip:

Participate the Texas Transit Association (TTA) 2016 Rodeo as a judge.

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

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>727</u> miles x 50.5 cents a mile for private vehicle (list other) <u>city vehicle</u>	\$ <u>300.00</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>221.25</u>
c. Lodging <u>\$ 93.00x3nights</u> per night x (1) person	\$ <u>315.27</u>
d. Registration Fees <u>\$ 30.00</u> per person x (1) person	\$ <u>30.00</u>
e. Other costs (explain) <u>misc.</u>	\$ <u>50.00</u>
TOTAL:	\$ <u>916.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 836.52 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
--------------------------------	------------------------

9. Charges to be made to line item # 65 - 562-770 which has a balance of \$ 836.52 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/ _____
Finance Director



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: April 11, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Diana Saldivar
EMPLOYEE NAME

Transit Operator
POSITION

1. Destination: Waco, Texas
2. Est. date and time leaving: April 21, 2016 Est. date and time returning: April 24, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Participate the Texas Transit Association (TTA) 2016 Rodeo.

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

6. Will any costs be paid by a grant or sponsor: YES NO (List) _____
applied for TxDOT Scholarship

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>727</u> miles x 50.5 cents a mile for private vehicle (list other) <u>city vehicle</u>	\$ <u>0.00</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>221.25</u>
c. Lodging <u>\$93.00x3nights</u> per night x (1) person	\$ <u>315.27</u>
d. Registration Fees <u>\$230.00</u> per person x (1) person	\$ <u>230.00</u>
e. Other costs (explain) <u>n/a</u>	\$ <u>0.00</u>
TOTAL:	\$ <u>766.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 766.52 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 65 - 562-770 which has a balance of \$ 766.52 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/ _____
Finance Director



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: April 11, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Jaime Caraveo

Transit Operator

EMPLOYEE NAME

POSITION

1. Destination: Waco, Texas

2. Est. date and time leaving: April 21, 2016 Est. date and time returning: April 24, 2016

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

4. Purpose of Trip:

Participate the Texas Transit Association (TTA) 2016 Rodeo.

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

6. Will any costs be paid by a grant or sponsor: YES NO (List) applied for TxDOT Scholarship

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>727</u> miles x 50.5 cents a mile for private vehicle (list other) <u>city vehicle</u>	\$ <u>0.00</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>221.25</u>
c. Lodging <u>\$93.00x3nights</u> per night x (1) person	\$ <u>315.27</u>
d. Registration Fees <u>\$230.00</u> per person x (1) person	\$ <u>230.00</u>
e. Other costs (explain) <u>n/a</u>	\$ <u>0.00</u>
TOTAL:	\$ <u>766.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 766.52 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
--------------------------------	------------------------

9. Charges to be made to line item # 65 - 562-770 which has a balance of \$ 766.52 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 Texas Transit Association (TTA) 2016 Rodeo, Conference, & Expo
 Waco, Texas
 April 21-24, 2015
 The Daily Meal & IE For Waco, Texas is \$59.00

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
21-Apr-16	Thursday	0.00	44.25	44.25
22-Apr-16	Friday	59.00	0.00	59.00
23-Apr-16	Saturday	59.00	0.00	59.00
24-Apr-16	Sunday	59.00	0.00	59.00
		177.00	44.25	221.25

Nightly lodging will be from Thursday, April 21, 2016 and checking out on Sunday, April 24, 2016.
 Thursday, April 21, 2016 (first day) and Sunday, April 24, 2016 (last day) will be the traveling days.



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

Brownsville Metro
DEPT: Department

CONTACT Norma H. Zamora

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

Consideration and ACTION to authorize Monica Tellam, Transit Planner, and Crystal Juarez, Communications Specialist III, to travel to Waco, Texas to attend Two Day Workshops on The Americans with Disabilities Act and Transit Operations on April 26-29, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

Sponsor: Texas Transit Association (TTA)
Texas Department of Transportation (TxDOT)

City Manager Approval

_____ Date: _____



MEMO

To: Charlie Cabler, City Manager
Cc: Pete Gonzalez, Deputy Chief/CFO
From: Norma H. Zamora, Director
Date: April 11, 2016
Re: BMetro Dept. Agenda Request for Travel

We hereby request authorization for Monica Tellam, Transit Planner and Crystal Juarez, Communications Specialist III, to travel to Waco, Texas to attend Two Day Workshops on The Americans with Disabilities Act and Transit Operations on April 26-29, 2016.

Please see attached documents;

- Agenda Request Form
- Travel Request Form
- 6. TxDOT Scholarship Application
- 7. Transportation Information
 - 7a. mileage information
 - 7b. Meals & IE Per Diem Allowance
 - 7c. Lodging information
 - 7d. Registration Confirmation

I hope this information will suffice and should you have any questions please feel free to contact me at (956) 541-4881.





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: April 11, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Monica Tellam
EMPLOYEE NAME

Transit Planner
POSITION

1. Destination: Waco, Texas
2. Est. date and time leaving: April 26, 2016 Est. date and time returning: April 29, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Attend the Americans with Disabilities ACT: Two Day-Workshop

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (*attach additional memo as needed.*)
~~This training will explore the U.S. DOT final rule for reasonable accommodations/modifications to policies, practices, and procedures. Participants will get a review of the FTA guidance documents, and receive answers to their questions about how this new rule applies to and impacts the provision of transportation service.~~

6. Will any costs be paid by a grant or sponsor: YES NO (List) _____
65-560-770

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>904</u> miles x 50.5 cents a mile for private vehicle (list other) <u>city vehicle</u>	\$ <u>300.00</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>221.25</u>
c. Lodging <u>\$ 93.00x3nights</u> per night x (1) person	\$ <u>315.27</u>
d. Registration Fees <u>\$ n/a</u> per person x (1) person	\$ <u>n/a</u>
e. Other costs (explain) _____	\$ <u>n/a</u>
TOTAL:	\$ <u>836.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 836.52 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 65 - 560-770 which has a balance of \$ 3,330.95 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/ _____
Finance Director



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: April 11, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Crystal Juarez
EMPLOYEE NAME

Communications Specialist III
POSITION

1. Destination: Waco, Texas
2. Est. date and time leaving: April 26, 2016 Est. date and time returning: April 29, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Attend the Transit Operations: Two Day-Workshop

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (*attach additional memo as needed.*)
~~This workshop will cover a number of aspects of transit operation, including service planning and vehicle/facility maintenance. The training will cover plans for service monitoring and assessment; performance evaluation and measurement; and evaluating your system's effectiveness and efficiency. Will look at data collection, route analysis, the implementation of route changes, and how to develop new routes.~~

6. Will any costs be paid by a grant or sponsor: YES NO (List) _____
65-562-770

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>904</u> miles x 50.5 cents a mile for private vehicle (list other) <u>city vehicle</u>	\$ <u>n/a</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>221.25</u>
c. Lodging <u>\$93.00x3nights</u> per night x (1) person	\$ <u>315.27</u>
d. Registration Fees \$ <u>n/a</u> per person x (1) person	\$ <u>n/a</u>
e. Other costs (explain) _____	\$ <u>n/a</u>
TOTAL:	\$ <u>536.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 536.52 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 65 - 562-770 which has a balance of \$ 536.52 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 Texas Transit Association (TTA) 2016 Rodeo, Conference, & Expo
 Waco, Texas
 April 26-29, 2016
 The Daily Meal & IE For Waco, Texas is \$59.00

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
26-Apr-16	Tuesday	0.00	44.25	44.25
27-Apr-16	Wednesday	59.00	0.00	59.00
28-Apr-16	Thursday	59.00	0.00	59.00
29-Apr-16	Friday	59.00	0.00	59.00
		177.00	44.25	221.25

Nightly lodging will be from Tuesday, April 26, 2016 and checking out on Friday, April 29, 2016.
 Tuesday, April 26, 2016 (first day) and Friday, April 29, 2016 (last day) will be the
 traveling days.



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Finance

CONTACT Lupe Granado III

AGENDA

Lupe
Digitally signed by Lupe
DN: cn=Lupe, o=City of
Brownsville, ou=Finance,
email=lupe@cob.us, c=US
Date: 2016.04.08 15:05:05
-0500

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and action to approve a travel request for Lupe Granado III to travel to Toronto, Canada from May 19, 2016 through May 25, 2016, to attend the Government Finance Officers Association (GFOA) Annual Conference.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



CITY OF BROWNSVILLE
TRAVEL REQUEST FORM

This form must be included with all travel requests submitted for placement on the City Commission Agenda. Failure to do so will result in having the item pulled from the agenda. A Travel Expenditure Report form must be filled out after completion of travel.

TO: FINANCE DIRECTOR

DATE: 04/08/2016

FROM: Finance Department DEPARTMENT

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

PERSON TRAVELING: (Use one Travel Request Form per employee)

Lupe Granado
Name

Finance Director
Position

1. Destination: Toronto, Canada

2. Est. date and time leaving: 5/19/2016 0:00 am Est. date and time returning: 5/25/2016 0:00 am

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

4. Purpose of Trip: To attend the 110th Government Finance Officers Association (GFOA) annual conference in Toronto, Canada from May 19, 2016 through May 25, 2016.

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

Attending the GFOA national conference will allow me an opportunity to learn the latest accounting changes in the field of municipal finance, meet with members of my profession from across the the United States & Canada and an opportunity to earn the necessary annual CPE credits.

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

Table with 2 columns: Description and Estimated Cost to the City. Rows include Transportation (\$400.00), Meals (\$702.00), Lodging (\$1,098.00), Registration Fees (\$700.00), Other costs (\$0.00), and TOTAL (\$2,900.00).

8. I HEREBY REQUEST AN ADVANCE OF \$ 1,102.00 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: _____ * Employee Signatures: _____

9. Charges to be made to line item # 01-211 - 770 which has a balance of \$ 7,727.00 as of this date.

10. This request is hereby [x] APPROVED [] DISAPPROVED The Accounting Department is instructed to issue a check in the amount of \$ 1,102.00 as an advance expense.

/s/ _____ Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 Attend GFOA National Conference
 in Toronto, Canada
 From May 19, 2016 Through May 25, 2016
 The Daily Meal & IE is \$108

<u>Date</u>	<u>Meal Per Diem Daily Rate</u>	<u>Total Daily Allowance</u>
Thursday, May 19, 2016	\$ 108.00 *	\$ 81.00
Friday, May 20, 2016	\$ 108.00	\$ 108.00
Saturday, May 21, 2016	\$ 108.00	\$ 108.00
Sunday, May 22, 2016	\$ 108.00	\$ 108.00
Monday, May 23, 2016	\$ 108.00	\$ 108.00
Tuesday, May 24, 2016	\$ 108.00	\$ 108.00
Wednesday, May 25, 2016	\$ 108.00 *	\$ 81.00
Total Meal & IE Allowance		<u><u>\$ 702.00</u></u>

* First & Last Day at 75% of Daily Per Diem Rate

Nightly Lodging for May 19,2016; checked out on Wednesday, May 25, 2016.
 May 19, 2016, Thursday (first day) and May 25, 2016, Wednesday (last day)
 were traveling days.



Government Finance Officers Association
of the United States and Canada

110th ANNUAL CONFERENCE

May 22-25, 2016
TORONTO, ONTARIO, CANADA



Sharing Solutions & Strategies



Check out session details
and register today

at www.gfoa.org

EARN MORE THAN 20 CPE CREDITS



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Finance

CONTACT Lupe Granado

AGENDA

Lupe
Digitally signed by Lupe
DN: cn=Lupe, o=City of
Brownsville, ou=Finance,
email=lupe@cob.us, c=US
Date: 2016.04.13 15:15:49
-05'00'

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and action to approve travel request for Jorge Santillan to attend the 2016 Post Issuance Compliance Seminar to be held in Austin, Texas on May 12-13, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 4/11/2016

FROM: Lupe Granado, III

DEPARTMENT Finance

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

Jorge Santillan

Assistant Finance Dir.

EMPLOYEE NAME

POSITION

1. Destination: Austin, Texas

2. Est. date and time leaving: 5/11/2016

Est. date and time returning: 05/13/2016

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

4. Purpose of Trip:

To attend the 2016 Post Issuance Compliance Seminar.

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

Attendance to this training will enhance knowledge of various issues relating to tax-exempt debt including arbitrage rebates, document retention, polices and procedures, SEC continuing disclosure, etc.

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>702</u> miles x 50.5 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]	\$ <u>147.50</u>
c. Lodging \$ <u>135</u> per night x (1) person	\$ <u>270.00</u>
d. Registration Fees \$ <u>350.00</u> per person x (1) person	\$ <u>350.00</u>
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>1122.00</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 502.01 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01-211 - 770 which has a balance of \$ 8,249.17 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/ _____
Finance Director

2016 Post Issuance Compliance Seminar



FIRSTSOUTHWEST ASSET MANAGEMENT
presents a comprehensive post issuance seminar
devoted to tax-exempt debt. Topics include Arbitrage
Rebate, Document Retention, Written Policies and
Procedures, Private Business Use, Investment
Alternatives, Regulatory Changes for Municipal
Issuers, and SEC Continuing Disclosure.

Seminar Location

May 12-13, 2016
Omni Austin Hotel Downtown
Austin, Texas

RebateComplianceServices@HilltopSecurities.com
800.678.3792

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 During the 2016 Post Issuance Compliance Seminar
 in Austin, Texas
 From May 12 - 13, 2016
 The Daily Meal & IE For Austin, Texas, is \$59

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
May 11, 2016	Wednesday	-	44.25	44.25
May 12, 2016	Thursday	59.00	-	59.00
May 13, 2016	Friday	-	44.25	44.25
Total Meal & IE Allowance		<u>59.00</u>	<u>88.50</u>	<u>147.50</u>



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Human Resources

CONTACT Oscar Salinas

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and action to authorized Oscar Salinas, Human Resources Director, and Fernando Arellano, Asst. HR Director / Safety Coordinator to attend the Texas Municipal Human Resources Association Annual Conference (TMHRA) held in Fort Worth, Texas on May 3-6, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/07/2016

FROM: Oscar Salinas

DEPARTMENT Human Resources

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

Oscar Salinas
EMPLOYEE NAME

Human Resources Director
POSITION

1. Destination: Forth Worth, Texas
2. Est. date and time leaving: Tuesday, May 03, 2016 Est. date and time returning: Friday, May 06, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
To attend the TMHRA Annual Conference

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

Continuing education on Human Resources and Benefit matters that affect our local municipalities.

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation _____ miles x 50.5 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]	\$ <u>206.50</u>
c. Lodging \$ <u>149</u> per night x (1) person	\$ <u>514.05</u>
d. Registration Fees \$ <u>325.00</u> per person x (1) person	\$ <u>325.00 Paid W/Pcard</u>
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>1,195.55</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 870.55 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 231 - 770 which has a balance of \$ 6,946.00 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/ _____
Finance Director



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: 04/07/2016

FROM: Oscar Salinas

DEPARTMENT Human Resources

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

Fernando Arellano
EMPLOYEE NAME

Assistant HR Dir./Safety Coordinator
POSITION

1. Destination: Forth Worth, Texas
2. Est. date and time leaving: Tuesday. May 03, 2016 Est. date and time returning: Friday. May 06, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
To attend the TMHRA Annual Conference

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

This seminar offers many valuable topics that will help us on further controlling/reducing occupational injuries as well as keeping our exposure to liability issues at bay.

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate) Estimated Cost to the City:
- | | | |
|--------------------------|---|-------------------------------|
| a. Transportation | _____ miles x 50.5 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] | \$ <u>206.50</u> |
| c. Lodging | \$ <u>149</u> per night x (1) person | \$ <u>514.05</u> |
| d. Registration Fees | \$ <u>495.00</u> per person x (1) person | \$ <u>495.00 Paid W/Pcard</u> |
| e. Other costs (explain) | _____ | \$ _____ |
| TOTAL: | | \$ <u>1,215.55</u> |

8. I HEREBY REQUEST AN ADVANCE OF \$ 720.55 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 232 - 770 which has a balance of \$ 3,000 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 During TMHRA Annual Conference
 in Fort Worth, Texas
 From May 3 Through May 6, 2016
 The Daily Meal & IE For Fort Worth, Texas is \$59

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
May 3, 2016	Tuesday	0.00	44.25	51.00
May 4, 2016	Wednesday	0.00	59.00	51.00
May 5, 2016	Thursday	0.00	59.00	51.00
May 6, 2016	Friday	0.00	44.25	51.00
Total Meal & IE Allowance		<u>0.00</u>	<u>206.50</u>	<u>204.00</u>

Nightly Lodging from May 3rd through May 06, 2016 and checked out on Friday, May 6, 2016. Wednesday, May 03, 2016 (first day), and Friday, May 6, 2016 (last day) were traveling days.



Thursday, May 5

AGENDA AND SPEAKERS ARE SUBJECT TO CHANGE

6:30 -7:30 a.m.

Tai Chi Class

Tai Chi is a type of martial art very well known for its defense techniques and health benefits. The martial art has evolved over the years into an effective means of alleviating stress and anxiety. It has been considered to be a form of 'meditation in motion' which promotes serenity and inner peace. This class is geared towards all levels of physical fitness and can be easily adapted for beginners, moderates and extreme fitness enthusiasts. Wear comfortable, loose clothing and athletic shoes.

8:00 – 8:30 a.m.

Continental Breakfast

8:30 – 10:00 a.m. **General Session**

Living Your Personal Brand in a Professional World

Your personal brand represents the value you are able to consistently deliver, personally and professionally. The most important step to creating your personal brand is defining yourself. If you don't define who you are, others will. This presentation focuses on what you stand for, what you want to achieve, and how to overcome the obstacles that continue to hold you back... lessons learned from Pete's experience of surviving a stroke.

Pete Smith, President, SmithImpact

10:00 – 10:15 a.m. **Break**

10:15 – 11:30 a.m. Concurrent Breakout Sessions

- **What Will the EEOC Be Focused On In 2016 ... and Why Should the HR Community Care?**
The EEOC's Strategic Enforcement Plan identifies six national enforcement/litigation priorities through 2016. Employers need to know where the radar detector is aimed and how to minimize or eliminate the risks in those areas. This session also provides the real story behind those sensational headlines about EEOC enforcement and litigation.
Joe Bonke, Outreach Manager & Ombudsman U.S. Equal Employment Opportunity Commission
- **HR and Risk Management: How They Complement Each Other**
Linda Spacek, Director of HR/Civil Service and **Cindy Conyers**, Risk Manager/ADA Coordinator City of San Marcos
- **Eight Health Plan Compliance Pitfalls for Governmental Employers**
In this Session Andrew will cover a check list and discussion on eight (8) high level compliance challenges that Public Sector Entities need to remain vigilante though out 2016.
Andrew Malahowski, Area Senior Vice President, Compliance Counsel, Gallagher Benefit Services, Inc.

11:30 a.m. – 1:00 p.m. Lunch and TMHRA Awards Ceremony**1:00 – 2:15 p.m. Concurrent Breakout Sessions**

- **Presumptive Diseases and Workers' Compensation Laws**
Ricky will discuss recent case law and statutes as it relates to the presumption statute for first responders. Participants will have the opportunity to discuss real life examples and question and answer session.
Ricky D. Green, Attorney, Ricky D. Green Law Firm
- **Fostering a Healthy Workforce**
Fostering a Healthy Workforce – Employee health and wellness play a key role in the successful operation of a municipality. In this session Esther will give you five practical tips to improve your overall well being that will impact you and your workforce. Put these tips into practice and you will see and feel results!
Esther White, Registered Dietitian, Personal Trainer and Group Exercise Instructor, Empower Wellness, Hurst, TX

- **Making a Difference – Even when No One Notices**

In public service today, expressions of public abuse is more common than expressions of appreciation. Indeed, our challenge as public servants is to deliver excellence in an environment where our goal is to be taken for granted. For public servants to remain motivated and inspired means relying on a deep inner sense of calling rather than public affirmation and appreciation. This dynamic and upbeat session will provide a framework for helping your employees tap into that sense of calling to that will keep them engaged and motivated and inspired to make a difference even when no one notices.

Ron Holifield, Chief Executive Officer, Strategic Government Resources

2:15 – 3:30 p.m. **Concurrent Breakout Sessions**

- **Open Carry Update – Are You Prepared?**

As of January 1, 2016, Texas has open carry. Julie will provide an overview and update on Texas' new gun laws and what they mean to both employers and employees. The new law presents questions and challenges, especially for local governments in their role as employer. Julie will discuss not only the new law, but also recent Attorney General Opinions, required notices, recommended policy updates, and more

Julie Ross, Partner, Lynn Ross Gannaway & Cranford, LLP

- **Retiree Benefits – What Should a City Offer?**

Susan will go over all of the options for Retiree coverage, from offering the same plan as the actives to shopping the marketplace. Below are some of the highlights of what she would cover.

- Chapter 175 Compliance – Learn more about Chapter 175 of the Local Government Code and how this impacts the decisions and options of the employer. Chapter 175 applies to a person who retires from municipal employment with a population of 25,000 or more
- On/Off Public/Private Exchange Options exclusively for Political Subdivisions for Early/Pre 65 Retirees
- Supplement, Part D and HMO plan options for Retirees 65+
- Underwriting options for groups with Retirees on their Active Plan
- Retiree Resolutions/Ordinances – what to consider and include

Susan Smith, Executive Director, TML Multistate IEBP

- **Controlling the Cost of Job Related Injury**

Public employers pay all costs related to workers' compensation injuries to their employees right out of their budget. The longer your injured employee is away from

work, the higher your workers compensation and related business costs will be, and the worse the impact of the injury is on your employee.

When an employee cannot work and receives weekly income replacement benefits, employers often have to hire a replacement employee or pay overtime wages to another employee to cover the work. That means the employer is paying benefits and wages, two times for the same job. This is not a good business decision. We often hear about the advantages of early return to work, but seldom hear how to successfully “do” it. Eliminating medically unnecessary lost time by having a procedure allowing your injured employee to continue to do productive work for you while they recover, benefits both your business and your employee. Employers frequently believe that they do not have the time or resources to provide modified work opportunities. This session will help employers develop a simple process that works for their individual business. We will explore the pros and cons, the necessary steps to take, and how to make “real” work modified job assignments. Your employees will be earning wages instead of collecting benefits that needlessly drive your workers’ compensation insurance premium higher and higher. Significantly reduce your workers comp costs, eliminate absences, and minimize costly turnover. It works!

Pat Crawford, Employer Return to Work Education Coordinator, Texas Department of Insurance

3:30 – 3:45 p.m. **Break**

3:45 – 5:00 p.m. **General Session**

It Starts With You: Developing High Performing Teams, One Person at a Time

Great people are the key ingredients to a great organization. To develop a group of people into a high performing team, it requires a focused skill set of the leader. Specifically, it requires that the leader incorporate people onto the team based on identity, not just experience. It requires that she can develop and strengthen the relationships with employees in three crucial ways, and it requires that she sees the opportunities that exist, even when others don’t. When these three skills are executed effectively, not only will this become a high performing team; it also becomes the model for what every other team aspires to be.

Pete Smith, President, SmithImpact

Evening Events:

New Member Dinner – TBD

New TMHRA members over the past year are encouraged to attend, mingle with Board members, and network with other HR professionals.

Past Presidents Dinner – Del Frisco's Grille, 154 East 3rd St. Fort Worth, TX 76102

TMHRA past-presidents re-unite for dinner and to mingle.

TMHRA Annual Conference

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AGENDA REQUEST FORM

CITY COMMISSION MEETING DATE: 04/19/2016 ITEM NUMBER: 5b.
 DEPT. MAKING REQUEST: Parks & Rec/Sports Park DATE SUBMITTED: 04/11/2016
 CONTACT PERSON(S) NAME: Damaris McGlone
 PHONE: 956-542-2064 FAX: 956-982-1049 E-MAIL: damaris.mcglone@cob.us

AGENDA CATEGORY: (TIME LIMIT)
 EXECUTIVE SESSION WORKSHOP PRESENTATION DISCUSSION

Length of Time Needed for The Item Above: _____ (minutes)

(No time limit)

CONSENT PUBLIC HEARING ACTION

AGENDA ITEM: (Attach back up material)

Consideration and ACTION to authorization Mr. Ray Arellano, Sports Park Superintendent & Luis Uresti, Recreation & Event Coordinator to attend the Texas Amateur Athletic Foundation (TAAF) / Texas Recreation & Park Society (TRAPS) Sports Management School in San Antonio, Texas on April 26 - 28, 2016.

AGENDA ITEM HISTORY: Second Reading Tabled on _____ Discussed on _____
 Pending Info Received Other _____

FINANCIAL: Budgeted: YES NO N/A

Grant/Matching Funds From:

STAFF RECOMMENDATION: (mark your selection) Approve Deny
 Table for _____ weeks Table Indefinitely Other: _____

OTHER RECOMMENDATION: (Write in advisory board or committee name and recommendation if applicable)

ADMINISTRATIVE APPROVAL: YES NO

 City Manager



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: 04/11/2016

FROM: Damaris McGlone

DEPARTMENT Parks & Recreation - Sports Park (862)

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

Raymundo Arellano
EMPLOYEE NAME

Sports Park Superintendent
POSITION

1. Destination: San Antonio, Texas
2. Est. date and time leaving: 04/26/2016 @5pm Est. date and time returning: 04/28/2016 @ 5pm
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
To attend the Texas Amateur Athletic Foundation (TAAF) / Texas Recreation & Park Society (TRAPS) Sports Management School.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? (*attach additional memo as needed.*)
By attending the Texas Amateur Athletic Foundation (TAAF) / Texas Recreation & Park Society (TRAPS) Sports Management School, I will be able to complete session required to obtain the "Certified Professional Sports Manager" (CPSM) Certification. This certification will improve my knowledge and abilities in the sports management area which will be beneficial in operating a more successful sports park.

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation <u>556</u> miles x 50.5 cents a mile for private vehicle (list other) _____	\$ <u>280.78</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>160.00</u>
c. Lodging \$ <u>140.43</u> per night x (1) person	\$ <u>280.86</u>
d. Registration Fees \$ <u>35.00</u> per person x (1) person	\$ <u>35.00</u>
e. Other costs (explain) <u>CEU for courses taken</u>	\$ <u>10.00</u>
TOTAL:	\$ <u>766.64</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 766.64 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
--------------------------------	------------------------

9. Charges to be made to line item # 862 - 767 which has a balance of \$ 5,433.34 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/ _____
Finance Director



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: 04/11/2016

FROM: Damaris McGlone

DEPARTMENT Parks & Recreation - Sports Park (862)

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

Luis Uresti

Sports Park Recreation & Event Coordinator

EMPLOYEE NAME

POSITION

1. Destination: San Antonio, Texas
2. Est. date and time leaving: 04/26/2016 @ 5pm Est. date and time returning: 04/28/2016 @ 5pm
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:

To attend the Texas Amateur Athletic Foundation (TAAF) / Texas Recreation & Park Society (TRAPS) Sports Management School.

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

By attending the Texas Amateur Athletic Foundation (TAAF) / Texas Recreation & Park Society (TRAPS) Sports Management School, I will be able to complete session required to obtain the "Certified Professional Sports Manager" (CPSM) Certification. This certification will improve my knowledge and abilities in the sports management area which will be beneficial in operating a more successful sports park.

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate) Estimated Cost to the City:
- | | | |
|--------------------------|---|------------------|
| a. Transportation | _____ miles x 50.5 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] | \$ <u>160.00</u> |
| c. Lodging | \$ <u>140.43</u> per night x (1) person | \$ <u>280.86</u> |
| d. Registration Fees | \$ <u>35.00</u> per person x (1) person | \$ <u>35.00</u> |
| e. Other costs (explain) | <u>CEU for courses taken</u> | \$ <u>10.00</u> |
| TOTAL: | | \$ <u>485.86</u> |

8. I HEREBY REQUEST AN ADVANCE OF \$ 485.86 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
---------------------------------------	-------------------------------

9. Charges to be made to line item # 862 - 767 which has a balance of \$ 5,433.34 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 During the TAAF/TRAPS Sports Management School
 in San Antonio, TX
 From April 26 - April 28, 2016
 The Daily Meal & IE For San Antonio, TX is \$64.00

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
April 26, 2016	Tuesday	0.00	48.00	48.00
April 27, 2016	Wednesday	64.00	0.00	64.00
April 28, 2016	Thursday	0.00	48.00	48.00
Total Meal & IE Allowance		<u>64.00</u>	<u>96.00</u>	<u>160.00</u>

Nightly Lodging from April 26, 2016 through April 27, 2016 and checked out on Thursday, April 28, 2016
 Tuesday, April 26, 2016 (first day), and Thursday, April 28, 2016, (last day) were traveling days.

TAAF / TRAPS Sports Management School

The Texas Amateur Athletic Federation and the Texas Recreation & Park Society are pleased to continue the successful Sports Management School, which includes a 1st Year and 2nd Year Sports Program and a Maintenance Program.

This annual school is a perfect, economical opportunity to improve your knowledge and abilities in the sports management arena. You'll receive a crash-course on the hot topics of athletics, taught by "gurus" in the Parks and Recreation field.

SPORTS MANAGER CERTIFICATION

Upon completion of both years in the school, participants will become a TAAF Certified Professional Sports Manager (C.P.S.M.). Participants must recertify within four (4) years of the date certified to retain certification.

Participants in the TAAF / TRAPS SMS University will obtain .1 CEUs for each class attended, and must attend a minimum of five (5) classes in their entirety to receive credit. Attendees will receive a certificate of completion following the conclusion of the school. First and second year students may interchange maintenance sessions to earn credits toward their certification.

REGISTRATION INFORMATION

Contact the TAAF State Office for a registration form or download form or register online at www.taaf.com. If you download, please complete and mail your registration form along with payment to the following address:

Texas Amateur Athletic Federation
Attention: SMS University
P.O. Box 1789
Georgetown, Texas 78627-1789

Registration Fees

\$35.00 prior to March 31st
\$50.00 after March 31st
\$10.00 for CEUs (optional)

For additional information, please contact the TAAF State Office at (512) 863-9400.

The Original State
Championships of Texas



Texas Amateur Athletic Federation
PO Box 1789
Georgetown, Texas 78627-1789

Musco Lighting
presents

S.M.S. UNIVERSITY

Sponsored by
Texas Amateur Athletic Federation
Texas Recreation & Park Society

April 27 & 28, 2016

DoubleTree by Hilton Airport
37 NE Loop 410
San Antonio, Texas
(210) 366-2424
\$99.00/night + tax



TEXAS
★
Recreation & Park Society



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Ramiro Gonzalez

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

Consideration and Action for travel request for Ramiro Gonzalez, Assistant Director/Plat Administrator to Austin, TX to attend the TxDot Advisory Meeting

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/06/2016

FROM: Ramiro Gonzalez

DEPARTMENT Planning

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

Ramiro Gonzalez

Assistant Director/Zoning Plat Administrator

EMPLOYEE NAME

POSITION

1. Destination: Austin, Tx

2. Est. date and time leaving: April 28th 2016 9:00 am Est. date and time returning: April 29th 2016 11:00 pm

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

4. Purpose of Trip:

Attending the TxDot Advisory Meeting

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

Attending the TxDot Advisory Meeting

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation _____ miles x 50.5 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]	\$ <u>88.50</u>
c. Lodging \$ <u>135.00</u> per night x (1) person	\$ <u>135.00</u>
d. Registration Fees \$ _____ per person x (1) person	\$ _____
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>223.50</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 223.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: _____

* Employee Signatures: _____

9. Charges to be made to line item # 01 613-770 which has a balance of \$ 1,744.60 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 TxDot Advisory Meeting
 Austin, TX
 April 28-29, 2016
 The Daily Meal & IE For Austin, TX \$59.00

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
April 28, 2016	Thursday	\$44.25	\$0.00	\$44.25
April 29, 2016	Friday	<u>\$0.00</u>	<u>\$44.25</u>	\$44.25
Total Meal & IE Allowance		\$44.25	\$44.25	\$88.50

Ramiro Gonzalez

Subject: BAC Meeting - Friday, April 29, 2016
Location: 200 East Riverside Drive, Bldg. 200, Conference Room E

Start: Fri 4/29/2016 9:00 AM
End: Fri 4/29/2016 12:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Teri Kaplan

Greetings, BAC Members.

TxDOT will be conducting our next quarterly Bicycle Advisory Committee (BAC) meeting on Friday, April 29, 2016.

The BAC meeting location will be:
200 East Riverside Drive, Bldg. 200
Conference Room E
Austin, Texas 78704.

The agenda and meeting materials for the April 29, 2016, BAC meeting will be sent to the members 7-10 days in advance of the meeting.

If you are available, TxDOT will be hosting a social hour with coffee and snacks from 9:00 to 10:00 for the BAC members to become familiar with one another and TxDOT/FHWA/Commission staff and presenters attending the meeting.

The BAC meeting will begin promptly at 10:00 a.m. and end about noon.

Best regards to all.

Teri Kaplan
Statewide Bicycle and Pedestrian Coordinator
TxDOT TAP Program Manager
TxDOT-PTN
512-374-5235
Teri.Kaplan@txdot.gov



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE 4/19/16 DEPT: Police Department CONTACT Orlando Rodriguez, Chief of Police

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Descriptionn of Agenda Item:
 Consideration and Action to authorize Sergeant John B. Puckett # 4523 to attend a TCOLE meeting to finalize a contract agreement to become a Contract Training Provider in Austin, Texas on April 18-19, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ Date: _____



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/11/2016

FROM: Orlando Rodriguez

Police

DEPARTMENT

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

John B. Puckett #4523

Sergeant

EMPLOYEE NAME

POSITION

1. Destination: Austin TX

2. Est. date and time leaving: 04/19/2016 08:00 AM

Est. date and time returning: 04/19/2016 05:00 PM

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

4. Purpose of Trip:

To attend a "TCOLE Meeting" to finalize the Brownsville Police Department becoming a Contract Training Provider. Training Providers offer training for peace Officers, jailers, and telecommunicators to maintain their license or acquire certificates.

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

To finalize a contract agreement to become TCOLE Contract Training Provider

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

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

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

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

a. Transportation miles x 44.5 cents a mile for private vehicle (list other) \$ 148.00

b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] \$ 88.50

c. Lodging \$ 146.89 per night x (1) person Tax Included \$ 146.89

d. Registration Fees \$ 000.00 per person x (1) person \$ 000.00

e. Other costs (explain) \$ 000.00

TOTAL: 383.39

8. I HEREBY REQUEST AN ADVANCE OF \$ 383.23 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01 - 310-770 which has a balance of \$ 13,399.58 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/ _____
Finance Director

City of Brownsville, Texas

Analysis of Meal & IE Per Diem Allowance

State and Local Law Enforcement Training Symposium

	in	Austin	TX	78723	
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	From:	4/18/2016	8:00 AM	to	4/19/2016	5:00 PM
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The Daily Meal & IE for :	Austin	TX	is	\$59.00	
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Date	Meal Per Diem Daily Rate	First Day & Last Day	at 75% of Daily Rate	Total Daily Allowance
Monday, April 18, 2016	Travel Date	\$59.00	0.75	\$ 44.25
				\$ -
				\$ -
				\$ -
				\$ -
Tuesday, April 19, 2016	Travel Date	\$59.00	0.75	\$ 44.25
Total Meal & IE Allowance				0.00 \$ 88.50 88.50

Nightly Lodging from:	Monday, April 18, 2016	and check out is on	Tuesday, April 19, 2016
	Monday, April 18, 2016	(First Day) and	Tuesday, April 19, 2016 (Last Day) were traveling days

MODIFY ONLY THE ONES HIGHLIGHTED IN YELLOW



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE 4/19/16 DEPT: Police Department CONTACT Orlando Rodriguez, Chief of Police

AGENDA

Select One:

Table with 5 columns: Executive Session (City Attorney Only), Workshop, Presentation, Agenda, Ordinance. Includes checkboxes for Public Hearing, Contract, Grant, Action, Consent, First Reading, Second Reading.

Brief Description of Agenda Item: Consideration and Action to authorize Investigator Arcadio Olvera # 4607 and Investigator Juan Hernandez # 2722 to attend the Investigation and Reconstruction of Shooting Incidents course in Amarillo, Texas on April 24-30, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: By:

Comments:

PURCHASING DEPARTMENT: Date Reviewed: By:

Comments:

CITY ATTORNEY: Date Reviewed: By:

Comments:

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval
Date:



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/11/2016

FROM: Orlando Rodriguez

Police

DEPARTMENT

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

Arcadio Olvera, Jr. #4607

Investigator

EMPLOYEE NAME

POSITION

1. Destination: Amarillo, TX

2. Est. date and time leaving: 04/24/2016 08:00 AM

Est. date and time returning: 04/30/2016 05:00 PM

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

4. Purpose of Trip:

To attend the "Investigation & Reconstruction of Shooting Incidents"

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

This is a hands on course designed to teach the forensic investigation and reconstruction of shooting incidents.

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

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

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

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

a. Transportation miles x 44.5 cents a mile for private vehicle (list other) \$ 341.00

b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] \$ 331.50

c. Lodging \$ 102.35 per night x (1) person Tax Included \$ 614.10

d. Registration Fees \$ 595.00 per person x (1) person \$ 595.00

e. Other costs (explain) \$ 000.00

TOTAL: 1881.60

8. I HEREBY REQUEST AN ADVANCE OF \$ 1881.60 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01 - 9111-848-117 Rest. 61 which has a balance of \$ 5,858.28 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/ _____
Finance Director

City of Brownsville, Texas

Analysis of Meal & IE Per Diem Allowance

State and Local Law Enforcement Training Symposium

	in	Amarillo	TX	79124	
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	From:	4/24/2016	8:00 AM	to	4/30/2016	5:00 PM
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The Daily Meal & IE for :	Amarillo	TX	is	\$51.00	
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Date	Meal Per Diem Daily Rate	First Day & Last Day	at 75% of Daily Rate	Total Daily Allowance
Sunday, April 24, 2016	Travel Date	\$51.00	0.75	\$ 38.25
Monday, April 25, 2016	\$51.00			\$ 51.00
Tuesday, April 26, 2016	\$51.00			\$ 51.00
Wednesday, April 27, 2016	\$51.00			\$ 51.00
Thursday, April 28, 2016	\$51.00			\$ 51.00
Friday, April 29, 2016	\$51.00			\$ 51.00
Saturday, April 30, 2016	Return Date	\$51.00	0.75	\$ 38.25
Total Meal & IE Allowance		255.00	\$ 76.50	331.50

Nightly Lodging from:	Sunday, April 24, 2016	and check out is on	Saturday, April 30, 2016
	Sunday, April 24, 2016	(First Day) and	Saturday, April 30, 2016 (Last Day) were traveling days

MODIFY ONLY THE ONES HIGHLIGHTED IN YELLOW



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: 04/11/2016

FROM: Orlando Rodriguez

Police

DEPARTMENT

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

Juan Hernandez #2722

Investigator

EMPLOYEE NAME

POSITION

1. Destination: Amarillo, TX

2. Est. date and time leaving: 04/24/2016 08:00 AM

Est. date and time returning: 04/30/2016 05:00 PM

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

4. Purpose of Trip:

To attend the "Investigation & Reconstruction of Shooting Incidents"

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

This is a hands on course designed to teach the forensic investigation and reconstruction of shooting incidents.

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

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

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

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

a. Transportation _____ miles x 44.5 cents a mile for private vehicle (list other) _____ \$ 000.00

b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL] \$ 331.50

c. Lodging \$ 000.00 per night x (1) person \$ 000.00

d. Registration Fees \$ 595.00 per person x (1) person \$ 595.00

e. Other costs (explain) _____ \$ 000.00

TOTAL: 926.50

8. I HEREBY REQUEST AN ADVANCE OF \$ 926.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01 - 9111-848-117 Rest. 61 which has a balance of \$ 3,976.68 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/ _____
Finance Director

City of Brownsville, Texas

Analysis of Meal & IE Per Diem Allowance

State and Local Law Enforcement Training Symposium

	in	Amarillo	TX	79124	
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	From:	4/24/2016	8:00 AM	to	4/30/2016	5:00 PM
--	-------	-----------	---------	----	-----------	---------

The Daily Meal & IE for :	Amarillo	TX	is	\$51.00	
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Date	Meal Per Diem Daily Rate	First Day & Last Day	at 75% of Daily Rate	Total Daily Allowance
Sunday, April 24, 2016	Travel Date	\$51.00	0.75	\$ 38.25
Monday, April 25, 2016	\$51.00			\$ 51.00
Tuesday, April 26, 2016	\$51.00			\$ 51.00
Wednesday, April 27, 2016	\$51.00			\$ 51.00
Thursday, April 28, 2016	\$51.00			\$ 51.00
Friday, April 29, 2016	\$51.00			\$ 51.00
Saturday, April 30, 2016	Return Date	\$51.00	0.75	\$ 38.25
Total Meal & IE Allowance		255.00	\$ 76.50	331.50

Nightly Lodging from:	Sunday, April 24, 2016	and check out is on	Saturday, April 30, 2016
	Sunday, April 24, 2016	(First Day) and	Saturday, April 30, 2016 (Last Day) were traveling days

MODIFY ONLY THE ONES HIGHLIGHTED IN YELLOW

ABOUT THE INSTRUCTORS



Sergeant Rudy Flores is a 33 year veteran who has served as a deputy sheriff, police officer, and Texas Department of Public Safety Trooper, Sergeant and Texas Ranger. He holds a Bachelor of Science degree from Excelsior College and is a graduate of the Leadership Command College at Sam Houston State University. He is an Adjunct Instructor at the University of Northern Colorado and Missouri Western State University where he teaches courses in Bloodstain Pattern Analysis, and Shooting Incident Reconstruction.



Sergeant Nick Webb retired in 2010 after over two decades of service as a municipal police officer. Nick's last position was as the Palestine (Texas) Police Department Patrol Division Commander (Lieutenant). Nick holds an Associates of Science degree from Trinity Valley Community College. He is a graduate of the 238th session of the FBI National Academy. Nick is a crime scene specialist and has been accepted in state court as an expert witness in latent fingerprint examination, collision reconstruction, shooting reconstruction and bloodstain pattern analysis. He recently retired from full-time law enforcement as a Sergeant in the criminal investigation division of the Henderson County Sheriff's Office.

NOW ACCEPTING

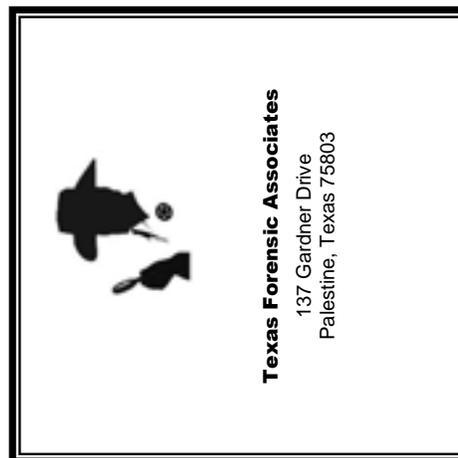
CREDIT CARDS

Fill out the form as usual. Substitute "Credit Card" in the space marked Purchase Order.

Fax the form as instructed or email to register@TxFact.com.

You will receive a credit card invoice via email within two business days.

The invoice will provide a secure link to pay via credit card.



INVESTIGATION AND RECONSTRUCTION OF SHOOTING INCIDENTS: FORENSIC PROTOCOLS AND PROCEDURES

Advanced Investigative Training

Texas Forensic Associates



Veritas Abs Indico

"Truth Through Evidence"

Discount for Early Registration

Limited Enrollment



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

Public Works

COMMISSION MEETING DATE: _____

DEPT: _____

CONTACT Santana Torres

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	---

Brief Description of Agenda Item:

CONSIDERATION and ACTION authorizing Leonel Saldivar, Raw Water Technician to attend the Pumps & Pump Systems Specification, Installation and Operation Conference that will be held in Arlington, Texas from May 3 thru May 5, 2016.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/11/2016

FROM: Santana Torres

DEPARTMENT Public Works

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

Leonel Saldivar
EMPLOYEE NAME

Raw Water Technician
POSITION

1. Destination: Arlington, TX
2. Est. date and time leaving: May 3, 2016 5:30 p.m. Est. date and time returning: May 5, 2016 10:00 p.m.
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
To attend the Pumps & Pump systems specification conference.

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

~~Mr. Saldivar will have the opportunity to interact with professionals that deal with centrifugal pumps and systems that run them quickly and efficiently. It includes discussions on basic pump design, function and application.~~

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

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

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

7. Calculate costs on the space below: (Private vehicle mileage: @ the latest Federal Reimbursement Rate)	Estimated Cost to the City:
a. Transportation _____ miles x 50.5 cents a mile for private vehicle (list other) _____	\$ <u>226.20</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>147.50</u>
c. Lodging \$ <u>125.10</u> per night x (1) person	\$ <u>291.53</u>
d. Registration Fees \$ <u>1980.00</u> per person x (1) person	\$ <u>990.00</u>
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>1655.23</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 147.50 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:	* Employee Signatures:
--------------------------------	------------------------

9. Charges to be made to line item # 01-418 767 which has a balance of \$ 1,375.00 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/ _____
Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 During Visit to Arlington, TX Public Works Department

From May 3-5, 2016
 The Daily Meal & IE For Arlington, TX, is \$59.00

<u>Date</u>		<u>Meal Per Diem Daily Rate</u>	<u>First Day & Last Day at 75% of Daily Rate</u>	<u>Total Daily Allowance</u>
May 3, 2016	Tuesday		44.25	44.25
May 4, 2016	Wednesday		59.00	59.00
May 5, 2016	Thursday		44.25	44.25
Total Meal & IE Allowance		<u>0.00</u>	<u>147.50</u>	<u>147.50</u>

Nightly Lodging from May 3-5, 2016 and checked out on Thursday
 May 3, 2016, Tuesday (first day), and May 5, 2016 (last day) were traveling days.



MEMORANDUM

To: Finance Department
From: Santiago Navarro, Asst. Public Works Director
CC: Santana Torres, Director of Public Works
Date: April 11, 2016
Re: Travel to Arlington, TX.

Please find attached for your review and consideration a travel request package to allow Leo Saldivar, Raw Water Technician to attend the TPC Pumps & Pump systems specifications conference in Arlington, TX. This conference will educate and prepare Mr. Saldivar to become more familiar with the latest design & maintenance of centrifugal pumps. The greatest benefit of this conference is that Mr. Saldivar will be more prepared and knowledgeable to maintain the city's multiple storm water stations which provide crucial flood water control during any storm event.

Mr. Saldivar will also be networking with professionals in the same field which may offer important information on which pumps are on the market which may be more up to date and with the best reliable design for our use. Our city is currently looking at replacing pumps in the future at various pump stations which are outdated and almost obsolete. We need to compare notes with other city officials/employees that are knowledgeable in the field so we can make a more sound and educated decision in procuring the best pumps available.

As such, please review the attached information and let me know at your earliest convenience should you required any additional information.



Submit

AGENDA REQUEST FORM

Item Number: **5c.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Public Health

CONTACT Arturo Rodriguez

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading
--	---	---	---	--

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL READING of Ordinance Number 2016-1367-B, an ordinance adopting the Texas Food Establishment Rules of the Texas Department of State Health Services as made effective October 11, 2015, providing for penalties thereof and related matters.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much n/a

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



Submit

AGENDA REQUEST FORM

Item Number: **6.**

COMMISSION MEETING DATE: 4/19/16

Library

DEPT: _____ CONTACT Jerry D. Hedgecock

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and ACTION to fill two vacancies to the Brownsville Public Library System Advisory Board by Appointment and/or reappointment.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

Ms. Rose M. Lehman is eligible for reappointment and is willing to serve. New applicants are Ms. Emma Rios and Mr. Alexandre Couture Gagnon.

City Manager Approval

Date: _____

Memorandum



To: Charbe Cable, City Manager
From: Jerry Hudgesock, Director
Date: March 23, 2016
Re: Library System Board Appointments

The Brownsville Public Library System Advisory Board has two members whose terms have expired.

Present Member	Effective Term:	Term Date:	Expires:
Rose M. Lehmann	3 yr.	2-19-2013	1-31-2016
Esmeralda Cavazos	3 yr.	2-19-2013	1-31-2016

Ms. Esmeralda Cavazos is not seeking reappointment to the Brownsville Public Library System Advisory Board.

We have public service applications for Ms. Rose M. Lehmann, Ms. Emma C. Rios and Mr. Alexandre C. Gagnon. Ms. Lehmann is seeking reappointment to the Board; Ms. Rios and Mr. Gagnon have submitted their applications to seek appointment to the Board.

Thank you



Ordinance Number: 2007-1245-B	Board Name: Brownsville Public Library System Advisory Board	City Commission Meeting Date: Second Monday of Month
Composition: Six (6) Members	Term of Office: Four (4) Years	

Present Board Members	Residing District	Term	Appointed	Expires	Eligible for Re-App (Y/N)	Willing to Serve (Y/N)	Staff Recommendation (Y/N)	Serving on Other City Boards
Graciana De Pena	3	3 yrs	07/07/2015	01/31/2018	Y			
Merrill Hammons	1	3 yrs	04/17/2012	01/31/2018	Y			
Karen Pena	2	3 yrs	04/17/2012	01/31/2018	Y			
Roberto M. Rosas	3	3 yrs	03/04/2014	01/31/2017	Y			
Rosie S. Gorena	2	3 yrs	03/04/2014	01/31/2017	Y			
Mary O. Trevino	3	3 yrs	03/04/2014	01/31/2017	Y			
Rose Marie Lehmann	4	3 yrs	02/19/2013	01/31/2016	Y			
Marianela Walker	3	3 yrs	03/04/2014	01/31/2017	Y			
Esmeralda Farias Cavazos	3	3 yrs	02/19/2013	01/31/2016	Y			

APPLICATIONS ON FILE - PROSPECTIVE BOARD MEMBERS - CANNOT SERVE ON MORE THAN 2 BOARDS

Applicants	Residing District	Serving on Other City Boards	Eligible for Re-App (Y/N)	Staff Recommendation (Y/N)	Areas of Interest
Rose M. Lehmann	4		Y	Y	Brownsville Public Library System Advisory Board
Emma C. Rios	4		Y	Y	Brownsville Public Library System Advisory Board
Alexandre Couture Gagnon	3		Y	Y	Brownsville Public Library System Advisory Board



Submit

AGENDA REQUEST FORM

Item Number: **7.**

COMMISSION MEETING DATE: 04/19/26

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and ACTION to appoint seven (7) members and two (2) City staff members to the Main Street Advisory Board.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ **Date:** _____



Ordinance Number: Ord 2016-1613; Ordinance was adopted March 15, 2016	Board Name: Main Street Advisory Board	Meeting Date: TBD
Composition: Nine (9) members; Seven (7) community members and two (2) City employees	Term of Office: Two (2) years	

Present Board Members	Residing District	Term	Appointed	Expires	Eligible for Re-App (Y/N)	Willing to Serve (Y/N)	Staff Recommendation (Y/N)	Serving on Other City Boards
N/A								

APPLICATIONS ON FILE - PROSPECTIVE BOARD MEMBERS - CANNOT SERVE ON MORE THAN 2 BOARDS

Applicants (15 Applicants)	Residing District	Serving on Other City Boards	Eligible for Re-App (Y/N)	Staff Recommendation (Y/N)	Areas of Interest
Fabriel Cisneros	2	Buildings and Standards Commission	N/A	N	Youth Care worker
Edmund Cyganiewicz	1		N/A	Y	Downtown business owner - attorney
Benjamin Del Angel	1		N/A	N	Physical Education teacher – special needs
Eeliffee Garcia	2		N/A	N	Downtown business owner – accountant
Eder F. Hernandez	2		N/A	Y	Downtown business owner – physician assistant
Larry Holtzman	3		N/A	Y	Downtown business owner – real estate
Larry Jokl	1		N/A	N	Real estate broker
Ruben O’Bell	3		N/A	Y	Chief of Staff – Texas House of Representatives
Marco S. Ochoa	3		N/A	N	Financial Advisor
Robert Garcia	2		N/A	N	Civil engineer
Avi K. Schwarcz	4		N/A	Y	Downtown business owner – business/economic development and hospitality
Claudia Michelle Serrano	2		N/A	N	Downtown business owner - arts
Rose Timmer	3	Brownsville Beautification Committee	N/A	N	Healthy Communities of Brownsville
Jesus G. Trevino	2		N/A	Y	Downtown business owner - accountant
Luis Urquieta	2		N/A	Y	Downtown business owner – business/economic development



Submit

AGENDA REQUEST FORM

Item Number: **8.** _

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-004-S: To allow a Mobile Vendor Food Court in a General Retail "H" (4CH) for .275 acres for Lots 1 and 2 Block 84 of Brownsville Original Townsite located at 840 E. Adams Street, Brownsville, Texas 78520. (District 4)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted to recommend approval. Commissioner Troy Whitemore, Jose de la Garza, Myles Garza, Ronald Mills, Michael Reyes and Francisco Orozco aye the motion. Commissioner Derek Benavides nay the motion.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-004-S

AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING \$2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to allow a Mobile Vendor Food Court in a General Retail “H” (4CH) for .275 acres for Lots 1 and 2 Block 84 of Brownsville Original Townsite located at 840 E. Adams Street, Brownsville, Texas 78520. (District 4); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That the area rezoned by this amendment shall continue to be subject to all applicable regulations.

Section 3. That whenever one provision of this ordinance conflicts with another provision of this ordinance, the provision which governs shall be the one listed sooner on the following list: Section 3 of this ordinance, Section 2 of this ordinance, Section 1 of this ordinance.

Section 4. That all provisions of Section 348 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof, and that this ordinance shall become effective on the earliest date allowed by law.

Section 5. Specific Use shall be valid for one year from the passage of this ordinance. If no construction occurs within one year from the time of passage the specific use permit shall be null and void.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



BROWNSVILLE

IGNITING THE FUTURE OF TEXAS

Specific Use Permit Application Form

City of Brownsville
Planning Department
(956) 548-6150

1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

- Planning and Zoning Commission
- City Commission

Tentative Date: 02-04-16
 Tentative Date: 02-16 & 03-01-16

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

Geographic ID #: 0100000840001000

Project Address: 840 E. ADAMS

Subdivision: BROWNSVILLE ORIGINAL TOWNSITE

Lot(s)/Block: BLK-84 LOT1-2

Current Zoning: 4C And overlay district if applicable: _____

Proposed Use: FOOD TRUCK PARK Gross Acreage: .275

* If property is not subdivided need to provide survey map and/or notes and bounds.

Owner Information

Name: MIREYA S. GARZA

Address: 7675 SOUTHMOST ROAD

City: BROWNSVILLE

State: TX Zip Code: 78521

Telephone: 956-544-0976

Fax: _____

Email: _____

Signature: *Mireya S. Garza*

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

Representative/Agent Information

Name: Doroteo Garcia Jr

Address: 905 E. Los Ebanos

City: BROWNSVILLE

State: Tx Zip Code: 78520

Telephone: 956-459-6874

Fax: _____

Email: dgarcia1064@gmail.com

Signature: *Doroteo Garcia Jr*

Office Use Only

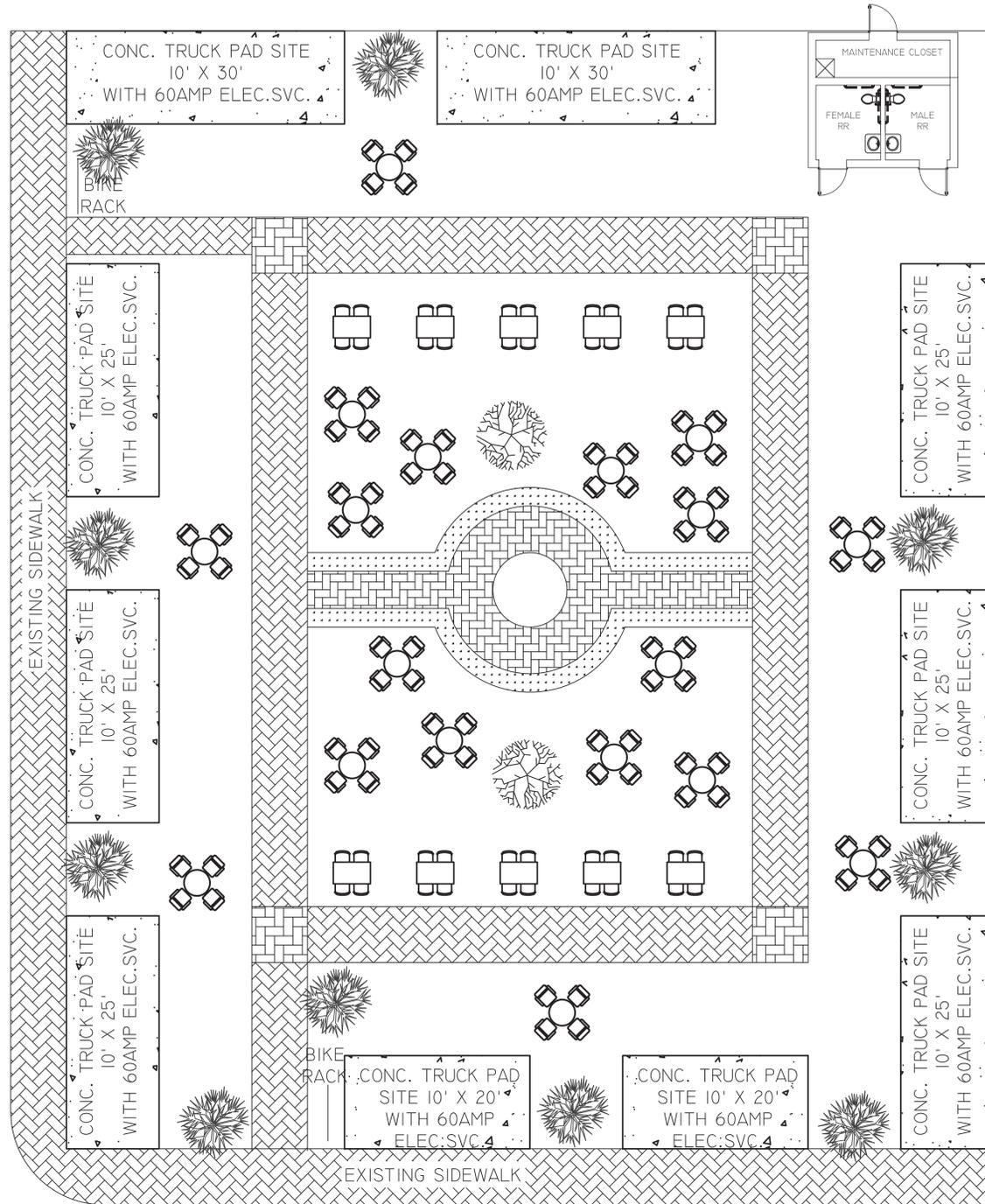
Date Submitted: January 6, 2016 Application Fee: _____ Electoral District: 4

Accepted by: Krika Espinoza Dept. Director: _____ Case Number 235-2016-004-S

Section 316-69 (s)

E. 9TH STREET

ALLEY



E. ADAMS

Site Layout
1" = 10'

LOCATION REQUIREMENTS

SEC. 348-14.30 B. LOCATION: MOBILE VENDOR FOOD COURTS WILL BE ALLOWED ON PRIVATE PROPERTY LOCATED WITHIN CITY OF BROWNSVILLE LIMITS. THIS PROPERTY IS LOCATED WITHIN THE CORPORATE CITY LIMITS OF BROWNSVILLE

DEVELOPER REQUIREMENTS

SEC. 348-14.30 C. DEVELOPER REQUIREMENTS: THE DEVELOPER OF THE FOOD TRUCK PARK WILL BE RESPONSIBLE FOR ADHERING TO SITE DEVELOPMENT STANDARDS, DRAFTING FOOD COURT RULES, HIRING A PARK MANAGER, AND MEETING ALL PERMITTING REQUIREMENTS THE DEVELOPER AGREES TO COMPLY WITH SAID REQUIREMENTS

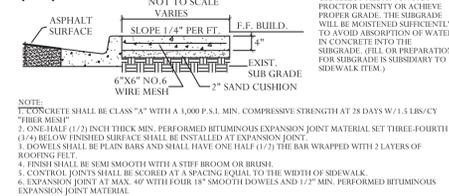
ZONING REQUIREMENTS

SEC. 348-14.30 D ZONING REQUIREMENTS: PROPERTY MUST BE 3C-MEDIUM RETAIL, 4C-GENERAL RETAIL, 5C LIGHT COMMERCIAL. THIS PROPERTY IS LOCATED IN 4C-GENERAL RETAIL

SPECIFIC USE REQUIREMENTS

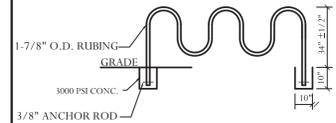
1. COST OF SPECIFIC USE: \$2800 CHECK WILL BE PROVIDED UPON APPROVAL
2. WATER: TO BE PROVIDED BY BPUB. SEWER TO BE PROVIDED BY BPUB. ELECTRICAL TO BE PROVIDED BY BPUB.
3. PROOF OF LIABILITY INSURANCE TO BE PROVIDED UPON APPROVAL.
5. A) LOT SIZE: .275 ACRES
- B) 10 MOBILE FOOD VENDOR PADS
- C) THE SITE WILL HAVE A CONCRETE ALL WEATHER SURFACE.
- D) VARYING SIZE CONCRETE PADS ARE PROVIDED TO ACCOMMODATE TRUCKS UP TO 35'
- E) A 60AMP MIN. SERVICE WILL BE PROVIDED TO EACH VENDOR
- F) A HOSE BIB WILL BE INSTALLED BETWEEN EACH MOBILE VENDOR PARKING SPACE.
- G) RESTROOM ARE BEGUN PROVIDED ON-SITE
- H) A 5 YARD COMMERCIAL DUMPSTER WILL BE PLACED WITH TRASH RECEPTACLES PLACED THROUGH OUT FACILITY
- I) PARKING REQUIRED: 2 PER TRAILER 20 SPACES REQUIRED PARKING PROVIDED: LOCATED WITHIN 0-II HISTORIC OVERLAY.
- J) 2-7 COUNT BIKE RACKS PROVIDED
- K) MONUMENT SIGN WILL BE USED TO COMPLY WITH HERITAGE REQUIREMENTS
- L) SEATING LAYOUT AS SHOWN ON PLANS
- M) A 1000 GAL GREASE TRAP WILL BE PROVIDED TO COMPLY WITH BPUB REQUIREMENTS.

(03) SIDEWALK DETAIL



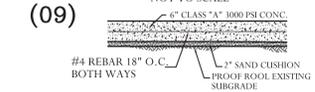
KEY MAP
N.T.S.

BELSON OUTDOORS OR APPROVED EQUAL MODEL: CBBR-9UR-SS IN GROUND MOUNT STAINLESS STEEL SCHEDULE 40 TUBING



U RACK 5 LOOP 7 BIKES
NOT TO SCALE

HEAVY DUTY CONC.
NOT TO SCALE



NOTE:
1. CONCRETE SHALL BE CLASS "A" WITH A 3,000 P.S.I. MIN. COMPRESSIVE STRENGTH AT 28 DAYS W/1.5 LBS./CY "FIBER MESH"
2. ONE-HALF (1/2) INCH THICK MIN. PERFORMED BITUMINOUS EXPANSION JOINT MATERIAL SET THREE-FOURTH (3/4) BELOW FINISHED SURFACE SHALL BE INSTALLED AT EXPANSION JOINT.
3. DOWELS SHALL BE PLAIN BARS AND SHALL HAVE ONE-HALF (1/2) THE BAR WRAPPED WITH 2 LAYERS OF ROOFING FELT.
4. FINISH SHALL BE SMOOTH WITH A STIFF BROOM OR BRUSH.
5. CONTROL JOINTS SHALL BE SCORED AT A SPACING 10' O.C.
6. EXPANSION JOINT AT MAX. 40' WITH FOUR 18" SMOOTH DOWELS AND 1/2" MIN. PERFORMED BITUMINOUS EXPANSION JOINT MATERIAL

EXECUTIVE DESIGNS

"Designing Your Dreams"
Commercial Plans, Site Plans, Residential Plans, TDLR RAS Plan Review & Inspections, 3D-Renderings

956-459-6874
Doroteo Garcia Jr E.I.T.
TDLR RAS #1094
Doro@YourExecutiveDesigns.com
WWW.YOUREXECUTIVEDESIGNS.COM

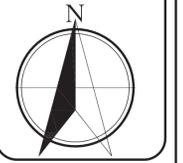
ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND THEY ARE NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

GENERAL NOTES

1. GENERAL CONTRACTOR(S) SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS WITHIN THESE PLANS BEFORE COMMENCING WORK. ANY DISCREPANCIES IN PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER PRIOR TO PROCEEDING WITH ANY WORK.
2. THIS STRUCTURE SHALL COMPLY WITH ALL LOCAL CODES AND ORDINANCES INCLUDING ANY WINDSTORM REQUIREMENTS.
3. GC SHALL PERFORM COORDINATION OF ALL PERMITS, UTILITIES AND TEMPORARY CONSTRUCTION SERVICE.
4. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN HERE OR NOT AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR THE EXPENSE OF REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED BY OPERATIONS IN CONNECTION WITH EXECUTION OF THE WORK.
5. FOR CONSTRUCTION DETAILS NOT SHOWN USE THE MANUFACTURER'S SHOP DRAWINGS OR AS APPROVED BY THE OWNER.
6. PROVIDE SOLID WOOD BLOCKING FOR PROTECTING OF FIXTURES, GRAB BARS, AND OTHER WALL MOUNTED ACCESSORIES.

NO.	REVISION/ISSUE	DATE
1.	PRELIMINARY FOR REVIEW	1/5/16
2.		
3.		
4.		

ORIENTATION



CODE ANALYSIS

SEE COVER SHEET 2013 IBC

PROJECT NAME
LEGAL DESCRIPTION & ADDRESS
BROWNSVILLE ORIGINAL TOWNSITE
LOT 13 BLK 81
840 E. ADAMS STREET

CLIENT
MIREYA GARZA

SITE LAYOUT

SCALE: 1/4" = 1'
DATE: JAN. 2016

DRAWING INDEX

1. COVER SHEET
2. SITE LAYOUT
3. LANDSCAPE

PROJECT INFORMATION

PROJECT NO: 2533
SHEET: C2
DRAWN BY: DOROTEO GARCIA JR
OF 3



City of Brownsville Zoning Map

Use Districts

ZONING

-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

**Specific Use
Permit Request :**

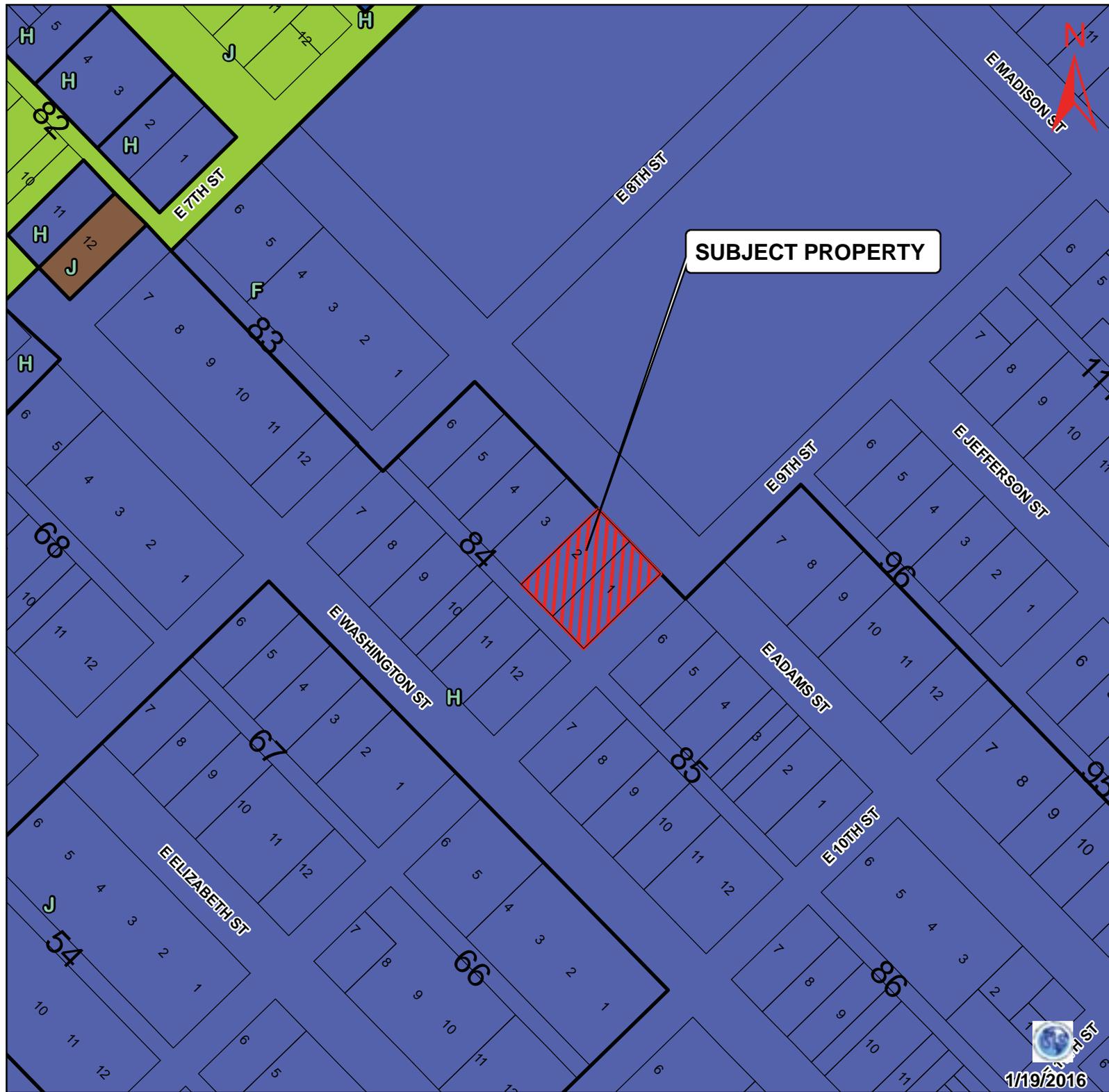
**Case # 235-2016-004-S
Mireya S. Garza**

Current Zoning:

General Retail (4C) "H"

Proposed Use:

**Mobile Vendor
Food Court**





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

NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

CORRIDORS

- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor
- Brownsville's City Limits
- Brownsville's ETJ Boundary

Zoning Case No.
235-2016-004-S





Submit

AGENDA REQUEST FORM

Item Number: **9.** _

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-006-S: To allow a Mobile Vendor Food Court in a General Retail "X" (4CX) for 1.0 acres for Lot 5, Block 1 of Star Acres located at 6305 Paredes Line Road, Brownsville, Texas 78526. (District 3)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted to recommend approval. Commissioner Troy Whitemore, Jose de la Garza, Myles Garza, Ronald Mills, Michael Reyes and Francisco Orozco aye the motion. Commissioner Derek Benavides nay the motion.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-006-S

AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING \$2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to allow a Mobile Vendor Food Court in a General Retail “X” (4CX) for 1.0 acres for Lot 5, Block 1 of Star Acres located at 6305 Paredes Line Road, Brownsville, Texas 78526. (District 3); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That the area rezoned by this amendment shall continue to be subject to all applicable regulations.

Section 3. That whenever one provision of this ordinance conflicts with another provision of this ordinance, the provision which governs shall be the one listed sooner on the following list: Section 3 of this ordinance, Section 2 of this ordinance, Section 1 of this ordinance.

Section 4. That all provisions of Section 348 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof, and that this ordinance shall become effective on the earliest date allowed by law.

Section 5. Specific Use shall be valid for one year from the passage of this ordinance. If no construction occurs within one year from the time of passage the specific use permit shall be null and void.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



City of Brownsville
Planning Department

Specific Use Permit Application Form



1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

Planning and Zoning Commission
City Commission

Tentative Date: 02-04-16
Tentative Date: 02-16-16 & 03-01-16

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

Property Tax ID #: 77-8000-0010-0050-00
 Project Address: 6305 Paredes Line Road
 Subdivision: Star Acres
 Lot(s)/Block: Lot 5 Block 1
 Current Zoning: 1C And overlay district if applicable: _____
 Proposed Use: Mobile Vendor Food Court Gross Acreage: 1.0 ac

* If property is not subdivided need to provide survey map and/or metes and bounds.

Owner Information

Representative/Agent Information

Name: Hacienda Hernandez, LLC
 Address: P.O. Box 4180
 City: Brownsville TX 78523-4180
 State: TX Zip Code: 78523-4180
 Telephone: 956 574-8300
 Fax: 956 574-8305
 Email: fred_rockse@live.com
 Signature: [Signature]

Name: _____
 Address: _____
 City: _____
 State: _____ Zip Code: _____
 Telephone: _____
 Fax: _____
 Email: _____
 Signature: _____

Special Note: **INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.**
 Contact a Planning & Community Development staff if you have any questions.

Office Use Only

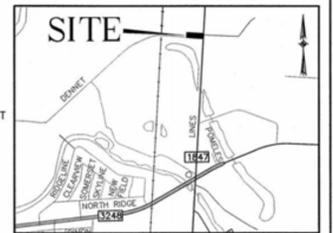
Date Submitted: January 11, 2016 Application Fee: _____ Electoral District: _____
 Accepted by: Krika Espinoza Case Number 235- 2016-006 .S

LOT 4, BLOCK 1
STAR ACRES SUBDIVISION
(CAB. 1, PG. 1071B, M.R.C.CT)

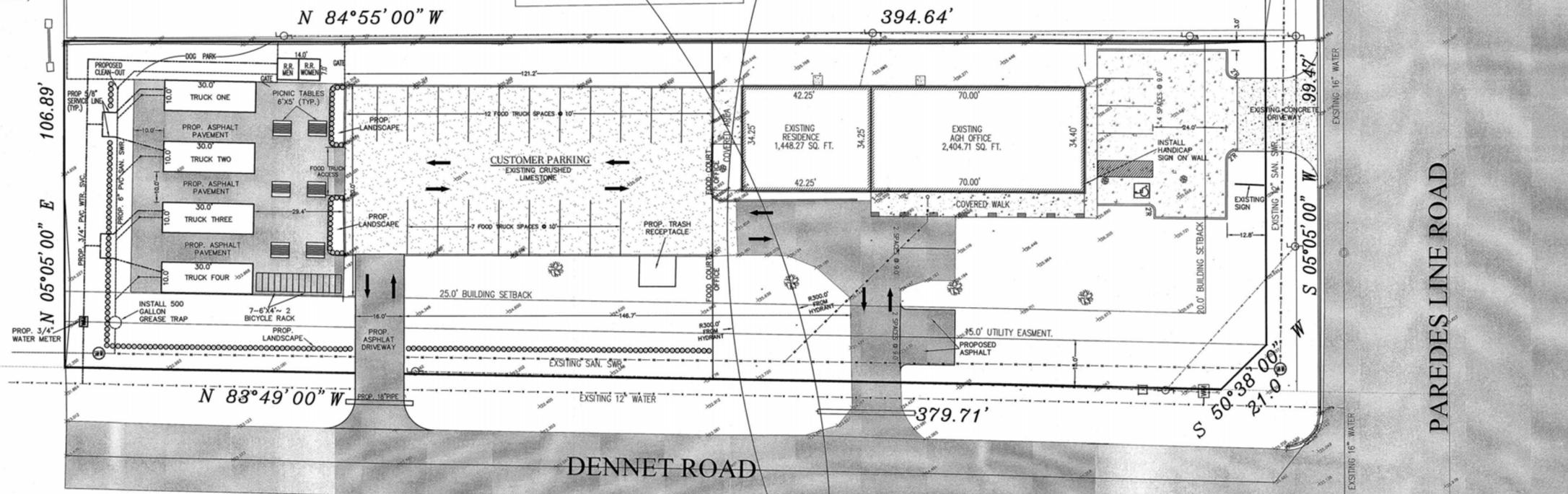
LOT 8, BLOCK 3
M. SAMANO PARTITION

LEGEND

- 6" REINFORCED CONCRETE PAVEMENT
- 4" CONCRETE CONCRETE (SIDEWALKS)
- 2" HOT-MIX ASPHALTIC CONCRETE PAVEMENT
- 8" FLEX-BASE MATERIAL (CALICHE)
- 8" STABILIZED SUBGRADE (4% LIME)
- PROPOSED SPOT ELEVATION
- DIRECTION OF RUN-OFF
- OBJECT TO BE DEMOLISHED OR RELOCATED



KEY MAP
SCALE 1"=2000'



PROPOSED SITE PLAN

PROJECT SYNOPSIS

LEGAL DESCRIPTION

LOT 5 BLOCK 1, STAR ACRES SUBDIVISION
CABINET 1, SLOT 1071-B MAP RECORDS
OF CAMERON COUNTY, TEXAS

PROPERTY ADDRESS

6305 PAREDES LINE ROAD
BROWNSVILLE, TX 78526

DEVELOPER

HACIENDA HERNANDEZ
P.O. BOX 4180
BROWNSVILLE, TEXAS 78523
(956) 574-8300

ENGINEER (PREPARER OF SITE PLAN)

AGH ENGINEERING AND SURVEYING
6305 PAREDES LINE ROAD
BROWNSVILLE, TEXAS 78526
(956) 574-8300

SURVEYOR

AGH ENGINEERING AND SURVEYING
6305 PAREDES LINE ROAD
BROWNSVILLE, TEXAS 78526
(956) 574-8300

INTENDED LAND USE

THIRD COMMERCIAL
(MOBILE VENDOR FOOD CURT)

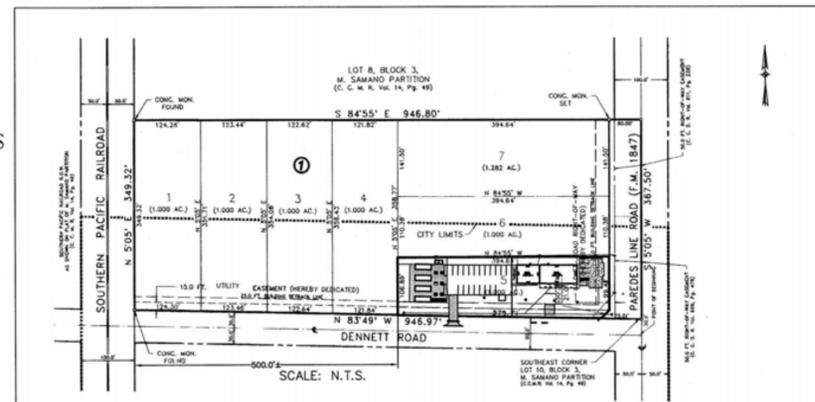
NOTE:
SETBACKS SHOWN ARE PER STAR
ACRES SUBDIVISION SEE BELOW.

**LAND AREA, PARKING, OPERATION, UTILITIES
FOOD COURT**

LAND AREA-----0.53 ACRES
PARKING SPACES-----17 SPACES

**LAND AREA, PARKING, PERATION, UTILITIES
OFFICE**

LAND AREA-----0.47 ACRES
PARKING SPACES-----8 SPACES



PRELIMINARY
THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF INTERIM
REVIEW UNDER THE AUTHORITY
OF Alfredo G. Hernandez, P.E. NO. 70958
IT IS NOT TO BE USED FOR
CONSTRUCTION, BIDDING, OR
PERMIT PURPOSES.
Alfredo G. Hernandez
P.E. NO. 70958

4			
3			
2			
1			
NO.	DATE	REVISION	APPROV.

TILA'S MOBILE VENDOR FOOD COURT
6305 PAREDES LINE ROAD
BROWNSVILLE, TEXAS

CONCEPTUAL SITE PLAN

AGH ENGINEERING & SURVEYING

P.O. BOX 4180 Brownsville, Texas 78523-4180
Tel. (956) 574-8300 6305 Paredes Line Road 78526
FAX. (956) 574-8305

Unit	Scale: Horiz. 1"=20' Vert. N/A	Date	SEPTEMBER, 2008
Designed	F.H.	Checked	F.H.
Drawn	P.B.	Approved	F.H.
		Job No.	S062005-0022
		Sheet	1 of 1

H:\2012 Projects Folder\2012 Free AGR\Agg\alpha\alpha\alpha\2012 (Free) Agg Jan 29, 2016 - 10:13AM pablo



City of Brownsville Zoning Map

Use Districts

ZONING

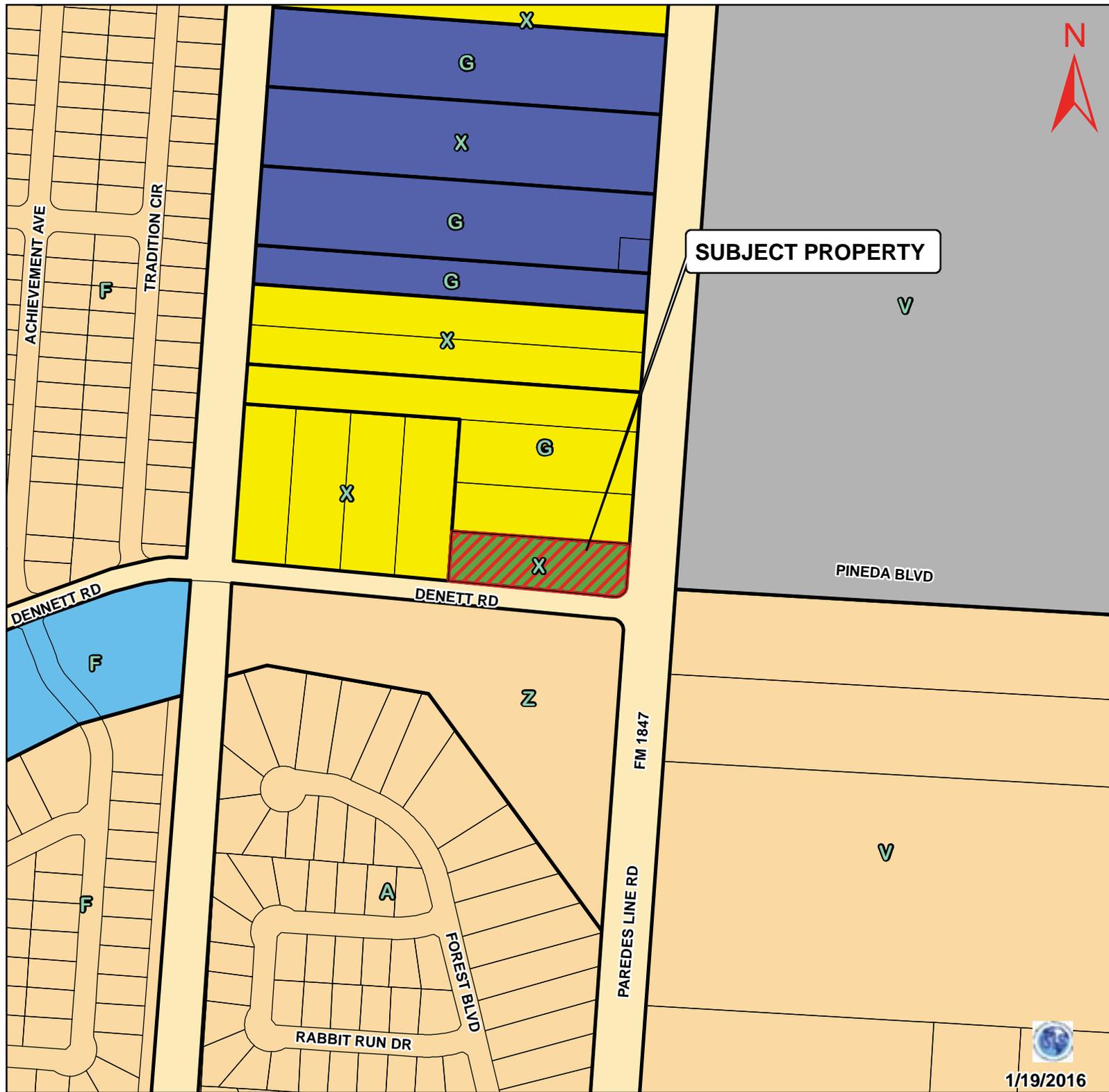
-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Specific Use Permit Request :

**Case # 235-2016-006-S
Hacienda Hernandez, LLC**

**Current Zoning:
Professional Office (1C) "X"**

**Proposed Use:
Mobile Vendor Food Court
General Retail (4C) "X"**





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

NODES NAME

-  Downtown Node
-  Primary Regional Node
-  Secondary Regional Node
-  Sub Regional Node

CORRIDORS

-  Gateway Corridor
-  Linkage Corridor
-  Loop Corridor
-  Town Corridor
-  Brownsville's City Limits
-  Brownsville's ETJ Boundary

**Zoning Case No.
235-2016-006-S**





Submit

AGENDA REQUEST FORM

Item Number: **10.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-008-CO: To rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for Lot 23 Block 28 of El Valle Grande Subdivision, Section III located at 2600 W. Alton Gloor Blvd., Brownsville, Texas 78520. (District 4)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-008-CO

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 as to rezone from Dwelling "G" to General Retail "G" with a Conditional Overlay (4CG-CO) for an area described as:

Being a 0.40 Acre Tract of land, more or less, out of Lot 23 Block 28 of El Valle Grande Subdivision in the City of Brownsville, Cameron County, Texas.

Section 2. The property described above and within the boundaries of the conditional overlay established by the ordinance is subject to the following conditions:

A. No building or premises shall be used and no building shall be erected or structurally altered for the following prohibited uses for this property:

- (i). Multifamily; including Single Family, Duplex, Triplex, Apartments, and Townhouses.

Part 3. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 3, 2016**.

(SEAL)

BY: _____

Antonio Martinez,
Mayor

ATTEST: _____

Michael Lopez,
City Secretary



City of Brownsville
Planning Department

ZONING APPLICATION



1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

Use Application

Area Application

Planning and Zoning Commission
City Commission

Tentative Date: 03-03-16
Tentative Date: 03-15-16 & 04-05-16

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

Property Tax ID #: 79-1225-0280-0230-00

Project Address: 2600 W. ALTON GLOOR BLVD, BROWNSVILLE, TEXAS 78520

Subdivision: EL VALLE GRANDE SUBDIVISION, SECTION III

Lot(s)/Block: LOT 23, BLOCK 28

Current Area Classification: G Proposed Area Classification: 4C Gross Acreage: _____

Current Zoning: DWELLING Proposed Zoning: GENERAL RETAIL USE

Proposed Used: GENERAL RETAIL Overlay Districts: _____

** If property is not subdivided 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: AGAG INVESTMENTS, LLC

Address: 324 CEDAR STREET

City: BROWNSVILLE

State: TX Zip Code: 78521-2319

Telephone: (956) 572-8564

Fax: _____

Email: _____

Signature: _____

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.
Contact a Planning & Community Development staff if you have any questions.

Representative/Agent Information

Name: MICHELE SANCHEZ, PC

Address: 717 N. EXPRESSWAY

City: BROWNSVILLE

State: TX Zip Code: 78520

Telephone: (956) 541-7211

Fax: (956) 541-4294

Email: MICHELE@MSANRCH2PC.COM

Signature: *Michele Sanchez*

Office Use Only

Date Submitted: February 4, 2016 Application Fee: \$500.00 Electoral District: _____

Accepted by: Krika Espinoza Case Number: 235-2016-008



City of Brownsville Zoning Map

Use Districts

ZONING

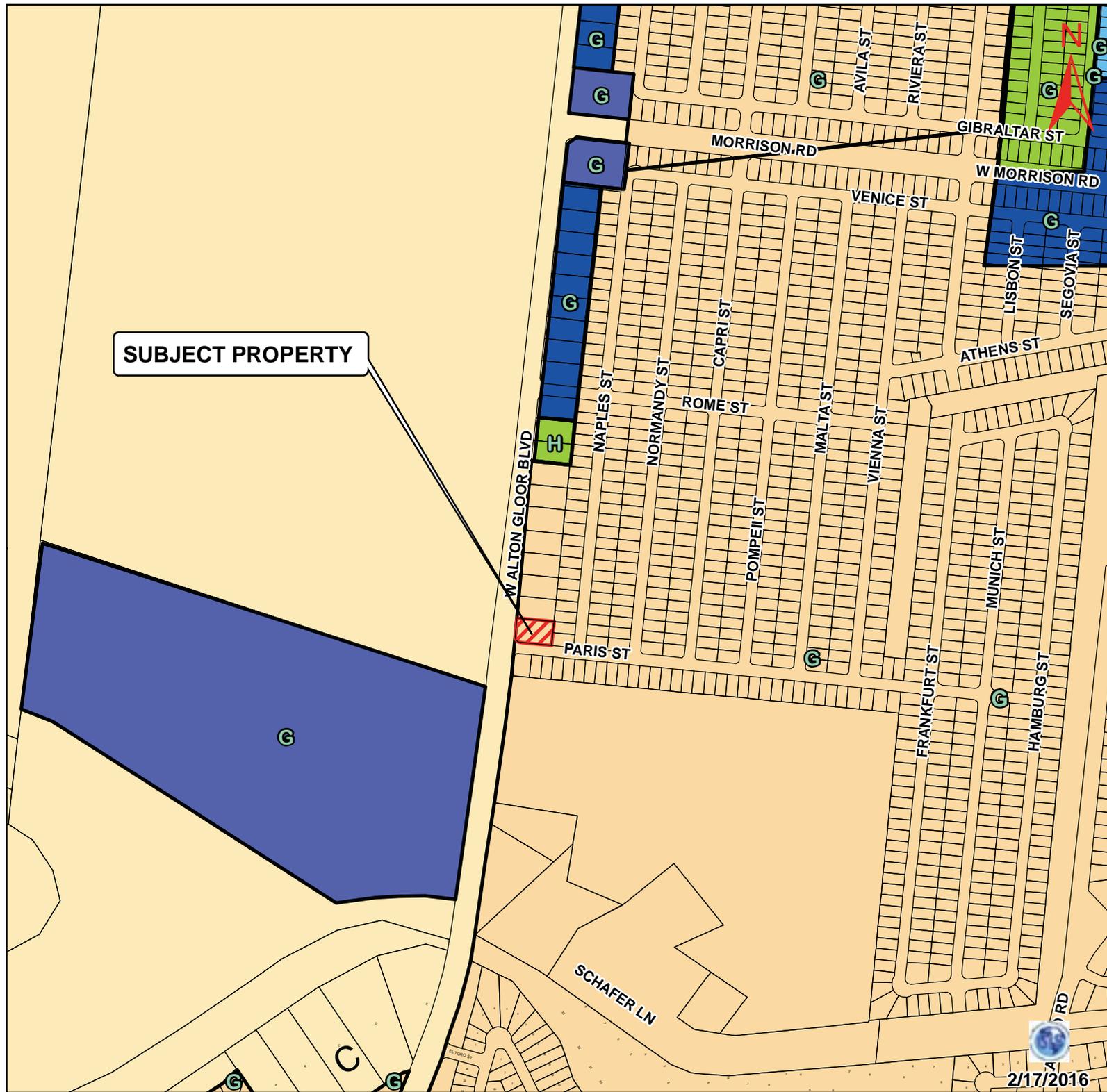
-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-008
AGAG Investments

Current Zoning:
Dwelling (D) "G"

Proposed Zoning:
General Retail (4C) "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

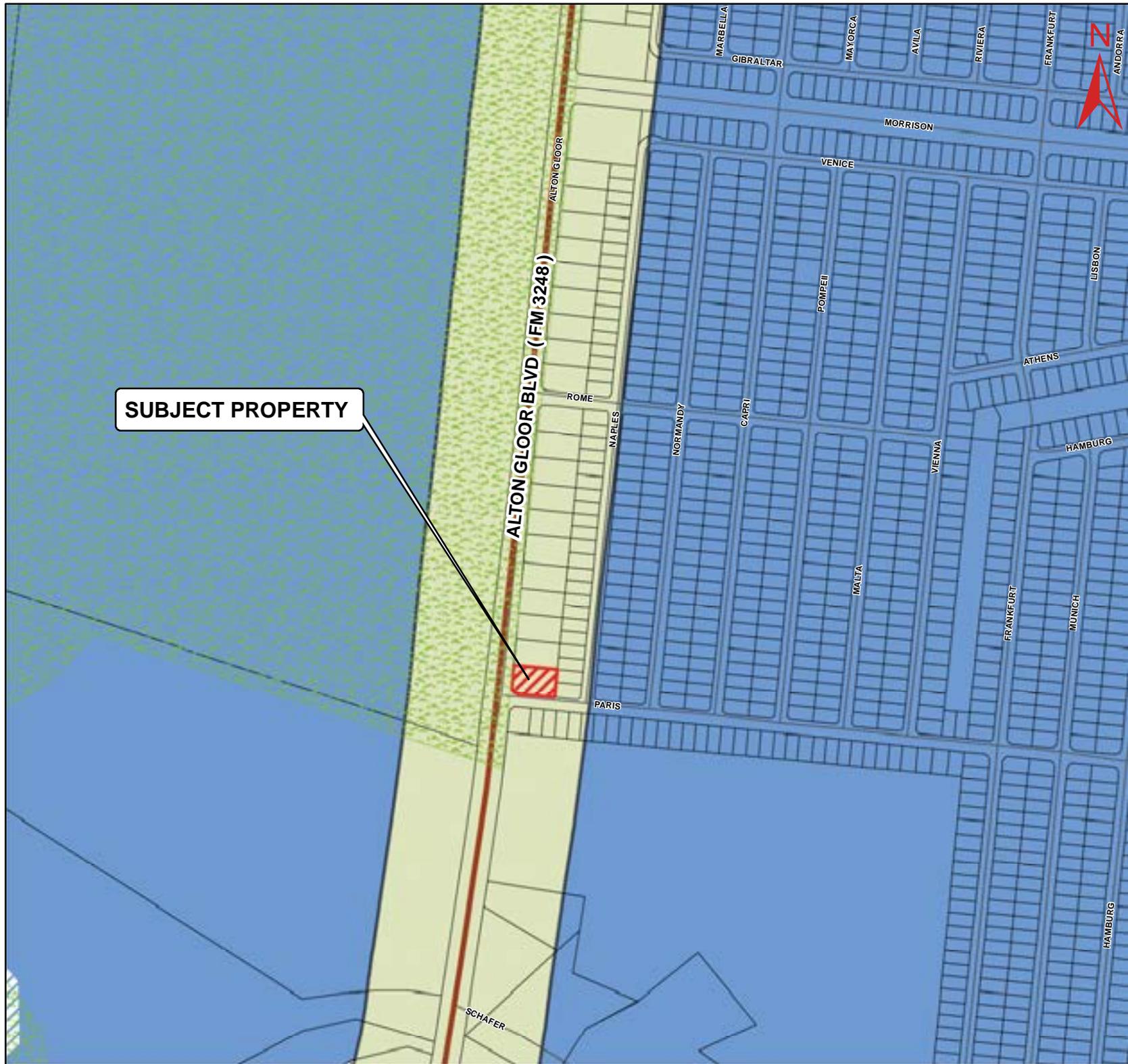
NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

CORRIDORS

- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor
- Brownsville's City Limits
- Brownsville's ETJ Boundary

**Zoning Case No.
235-2016-008**





Staff Report

A. Application Information

Applicant/Property Owner:	AGAG Investments
Property ID:	79-1225-0280-0230-00
Case Number:	235-2016-008
Application Type:	Rezoning
Proposed Use:	General retail
Current Zoning District:	Dwelling “G” (DG)
Proposed Zoning District:	General Retail “G” (4CG)
Date Application Submitted:	February 4, 2016
Planning & Zoning Commission Meeting Date:	March 3, 2016
City Commission Meeting Dates:	March 15, 2016 & April 5, 2016
City Commission District:	4
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone his property from “Dwelling G” to “General Retail G”.

C. Subject Property

The subject property is located on Lot 23 of Block 28 of El Valle Grande Subdivision, section 3. This property is fronting W. Alton Gloor Blvd, a primary arterial. Single family homes are the predominant existing land uses within the subject property’s immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utilities Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property is vacant and single family homes.
- East of the subject property are single family homes.
- South of the subject property are single family homes.
- West of the subject property is vacant.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The properties to the west across W. Alton Gloor are zoned “Dwelling”. The abutting properties to north, east, and to the south are zoned “Dwelling”.

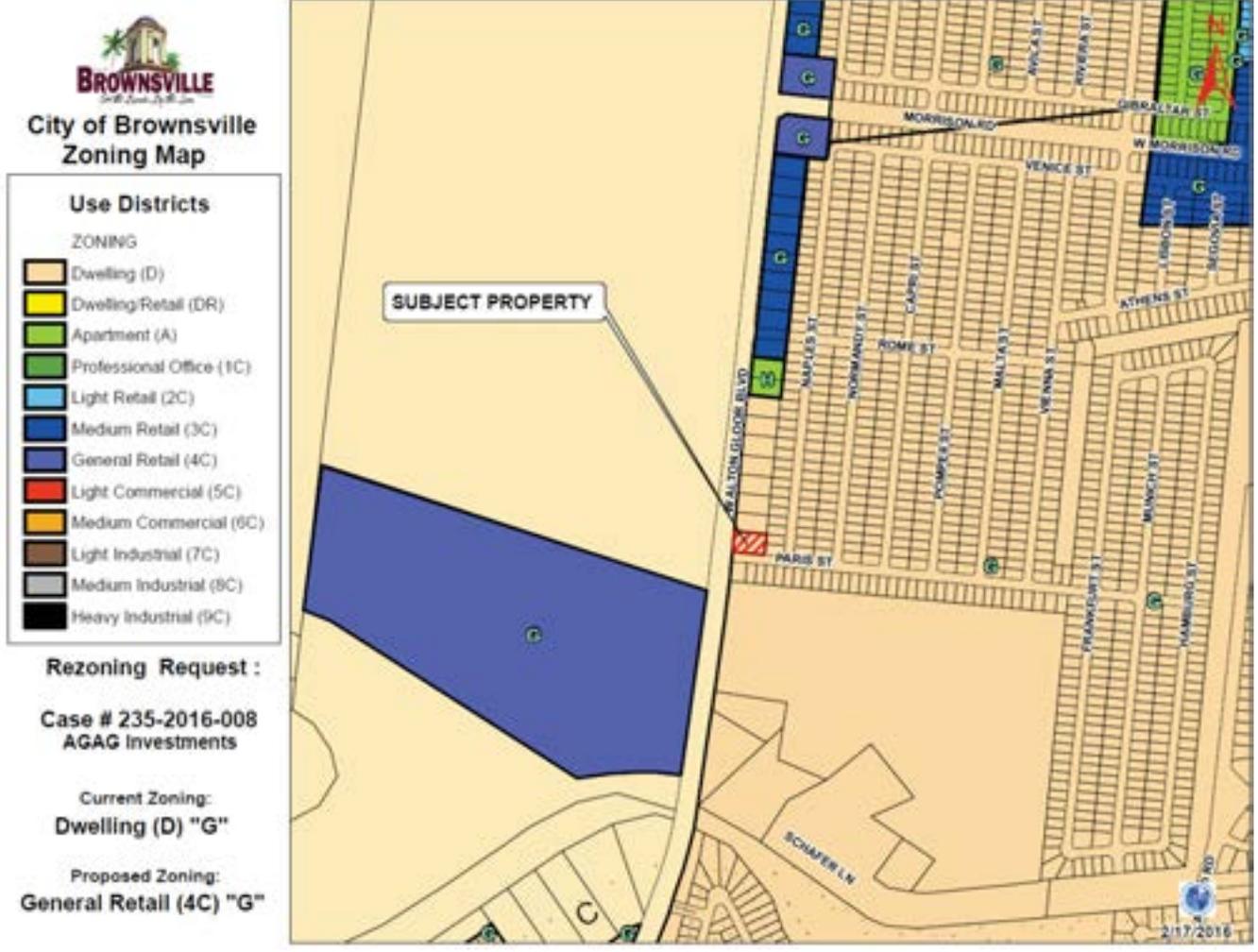


Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north, south, and east are single family homes. West of the subject property is vacant.



D. Future Land Plan Consistency

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 Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of Sub-Regional roadways with City streets. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve the local residents. Town Corridors are also highly suitable areas for adult and child daycare facilities, schools, and education and recreation centers. It is the opinion of staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 generally 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 for single family homes. It is the opinion of staff that the proposed zoning 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, or schools.

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 would generally complement the area and it would not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling G” to “General Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: 11.

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	--

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-009-CO: To rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for Lot 25 of Block 28 of El Valle Grande Subdivision, Section III located near W. Alton Gloor Blvd., Brownsville, Texas 78520. (District 4)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ **Date:** _____

ORDINANCE NUMBER 235-2016-009-CO

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 as to rezone from Dwelling "G" to General Retail "G" with a Conditional Overlay (4CG-CO) for an area described as:

Being a 0.37 Acre Tract of land, more or less, out of Lot 25 Block 28 of El Valle Grande Subdivision in the City of Brownsville, Cameron County, Texas.

Section 2. The property described above and within the boundaries of the conditional overlay established by the ordinance is subject to the following conditions:

A. No building or premises shall be used and no building shall be erected or structurally altered for the following prohibited uses for this property:

- (i). Multifamily; including Single Family, Duplex, Triplex, Apartments, and Townhouses.

Part 3. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 3, 2016**.

(SEAL)

BY: _____

Antonio Martinez,
Mayor

ATTEST: _____

Michael Lopez,
City Secretary



City of Brownsville
Planning Department

ZONING APPLICATION



1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

Use Application

Planning and Zoning Commission
City Commission

Area Application

Tentative Date: 03-03-16
Tentative Date: 03-15-16 & 04-5-16

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

Property Tax ID #: 79-1225-0280-0250-00

Project Address: W. ALTON GLOOR BLVD, BROWNSVILLE, TEXAS 78520

Subdivision: EL VALLE GRANDE SUBDIVISION, SECTION III

Lot(s)/Block: LOT 25, BLOCK 28

Current Area Classification: G Proposed Area Classification: 4C Gross Acreage: _____

Current Zoning: DWELLING Proposed Zoning: GENERAL RETAIL USE

Proposed Used: GENERAL RETAIL Overlay Districts: _____

** If property is not subdivided 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: CLAY H. PADINGTON

Address: 2500 GULF BLVD

City: SOUTH PADRE ISLAND

State: TX Zip Code: 78597-6933

Telephone: (314) 708-0367

Fax: _____

Email: _____

Signature: _____

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.
Contact a Planning & Community Development staff if you have any questions.

Representative/Agent Information

Name: MICHELE SANCHEZ, PC

Address: 717 N. EXPRESSWAY

City: BROWNSVILLE

State: TX Zip Code: 78520

Telephone: (956) 541-7211

Fax: (956) 541-4294

Email: MICHELE@MSANCHEZPC.COM

Signature: Michele Sanchez

Office Use Only

Date Submitted: February 4, 2016 Application Fee: \$500.00 Electoral District: _____

Accepted by: Erika Espinoza Case Number: 235- 2016 - 009



City of Brownsville Zoning Map

Use Districts

ZONING

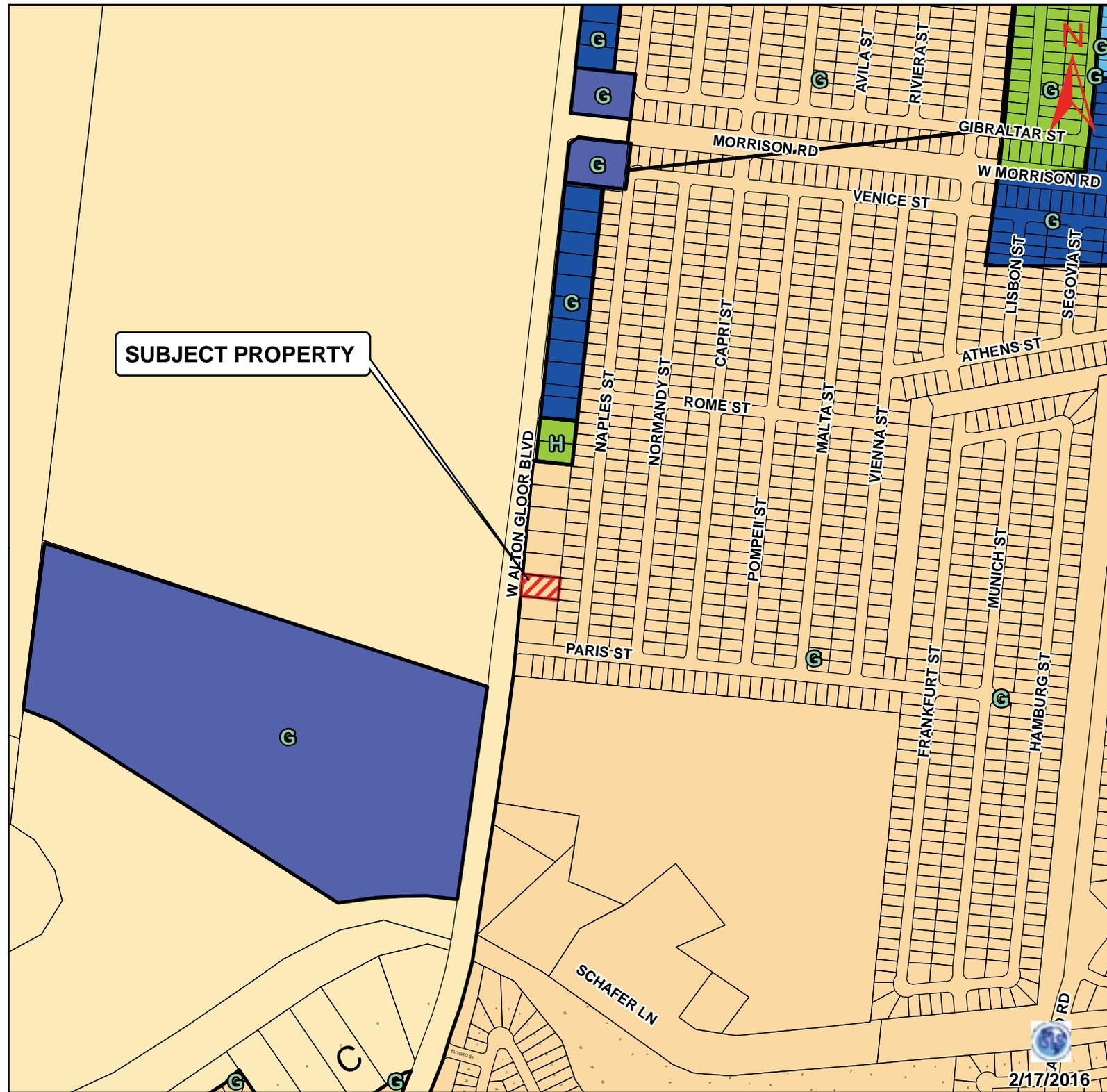
-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-009
Clay H. Paddington

Current Zoning:
Dwelling (D) "G"

Proposed Zoning:
General Retail (4C) "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

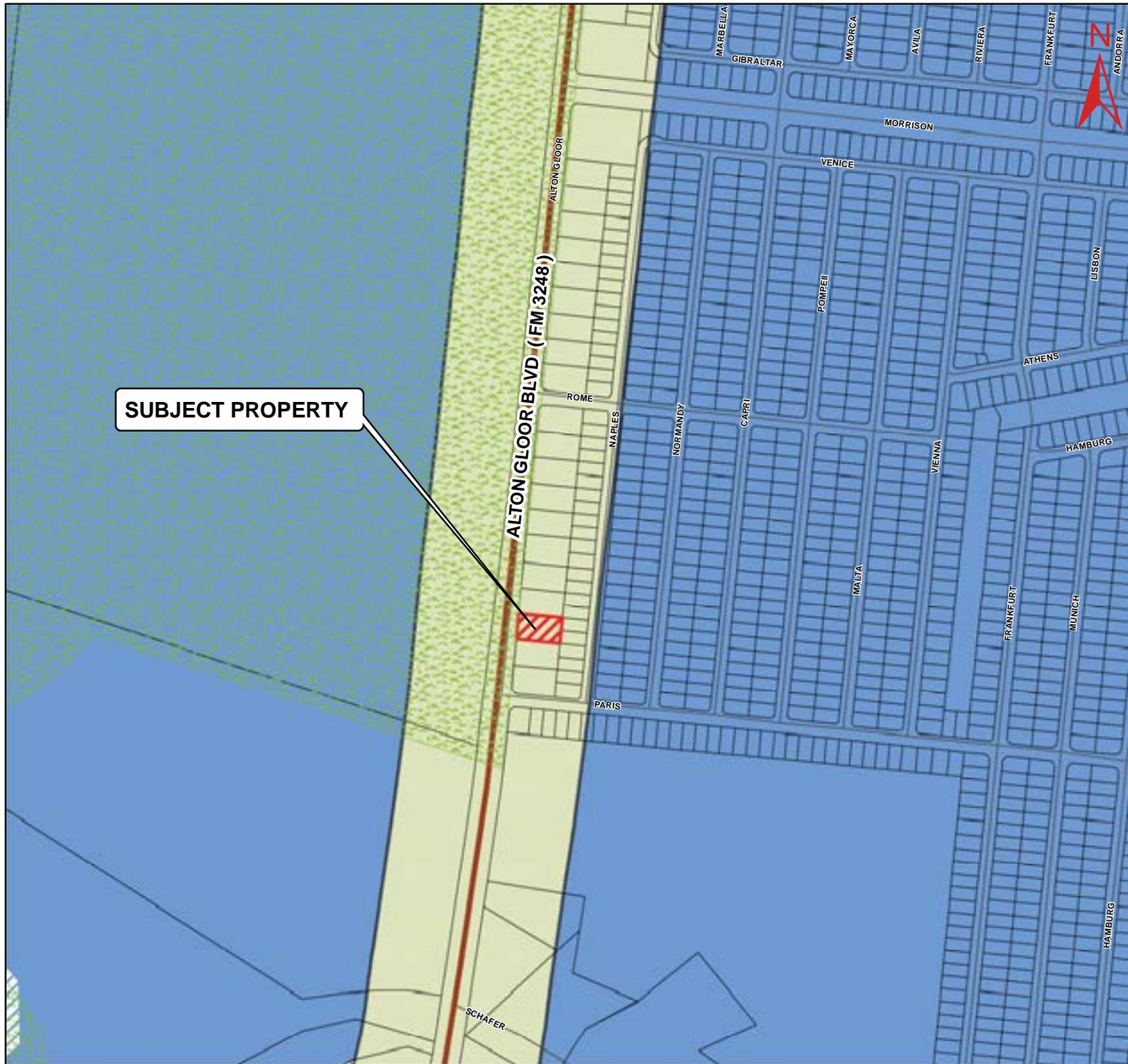
NODES NAME

-  Downtown Node
-  Primary Regional Node
-  Secondary Regional Node
-  Sub Regional Node

CORRIDORS

-  Gateway Corridor
-  Linkage Corridor
-  Loop Corridor
-  Town Corridor
-  Brownsville's City Limits
-  Brownsville's ETJ Boundary

**Zoning Case No.
235-2016-009**





Staff Report

A. Application Information

Applicant/Property Owner:	Clay H. Paddington
Property ID:	79-1225-0280-0250-00
Case Number:	235-2016-009
Application Type:	Rezoning
Proposed Use:	General retail
Current Zoning District:	Dwelling "G" (DG)
Proposed Zoning District:	General Retail "G" (4CG)
Date Application Submitted:	February 4, 2016
Planning & Zoning Commission Meeting Date:	March 3, 2016
City Commission Meeting Dates:	March 15, 2016 & April 5, 2016
City Commission District:	4
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone his property from "Dwelling G" to "General Retail G".

C. Subject Property

The subject property is located on Lot 25 of Block 28 of El Valle Grande Subdivision, section 3. This property is fronting W. Alton Gloor Blvd, a primary arterial. Single family homes are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utilities Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property are single family homes.
- East of the subject property are single family homes.
- South of the subject property are single family homes.
- West of the subject property is vacant.

Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north, south, and east are single family homes. West of the subject property is vacant.



D. Future Land Plan Consistency

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 Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of Sub-Regional roadways with City streets. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve the local residents. Town Corridors are also highly suitable areas for adult and child daycare facilities, schools, and education and recreation centers. It is the opinion of staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 generally 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 homes. It is the opinion of staff that the proposed zoning 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, or schools.

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 would generally complement the area and it would not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling G” to “General Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: **12.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-011-CO: To rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for Lot 29 of Block 28 of El Valle Grande Subdivision, Section III located near W. Alton Gloor Blvd., Brownsville, Texas 78520. (District 4)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-011-CO

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 as to rezone from Dwelling “G” to General Retail “G” with a Conditional Overlay (4CG-CO) for an area described as:

Being a 0.37 Acre Tract of land, more or less, out of Lot 29 Block 28 of El Valle Grande Subdivision in the City of Brownsville, Cameron County, Texas.

Section 2. The property described above and within the boundaries of the conditional overlay established by the ordinance is subject to the following conditions:

A. No building or premises shall be used and no building shall be erected or structurally altered for the following prohibited uses for this property:

- (i). Multifamily; including Single Family, Duplex, Triplex, Apartments, and Townhouses.

Part 3. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 7, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 3, 2016**.

(SEAL)

BY: _____

Antonio Martinez,
Mayor

ATTEST: _____

Michael Lopez,
City Secretary



City of Brownsville
Planning Department

ZONING APPLICATION



1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

Use Application

Area Application

Planning and Zoning Commission
City Commission

Tentative Date: 03-03-16
Tentative Date: 03-15-16 & 04-05-16

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

Property Tax ID #: 79-1225-0280-0290-00

Project Address: W. ALTON GLOOR BLVD, BROWNSVILLE, TEXAS 78520

Subdivision: EL VALLE GRANDE SUBDIVISION, SECTION III

Lot(s)/Block: LOT 29, BLOCK 28

Current Area Classification: G Proposed Area Classification: 4C Gross Acreage: _____

Current Zoning: DWELLING Proposed Zoning: GENERAL RETAIL USE

Proposed Used: GENERAL RETAIL Overlay Districts: _____

** If property is not subdivided 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: JAVIER RENE SANCHEZ & EVA RUIZ DE SANCHEZ

Address: 280 PAREDES LINE ROAD

City: BROWNSVILLE

State: TX Zip Code: 78521

Telephone: (956) 832-2861

Fax: _____

Email: _____

Signature: _____

Representative/Agent Information

Name: MICHELE SANCHEZ, PC

Address: 717 N. EXPRESSWAY

City: BROWNSVILLE

State: TX Zip Code: 78520

Telephone: (956) 541-7211

Fax: (956) 541-4294

Email: MICHELE@MSANPC.COM

Signature: *Michele Sanchez*

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.
Contact a Planning & Community Development staff if you have any questions.

Office Use Only

Date Submitted: February 4, 2016 Application Fee: \$500.00 Electoral District: _____

Accepted by: Enka Espinoza Case Number: 235-2016-011



City of Brownsville Zoning Map

Use Districts

ZONING

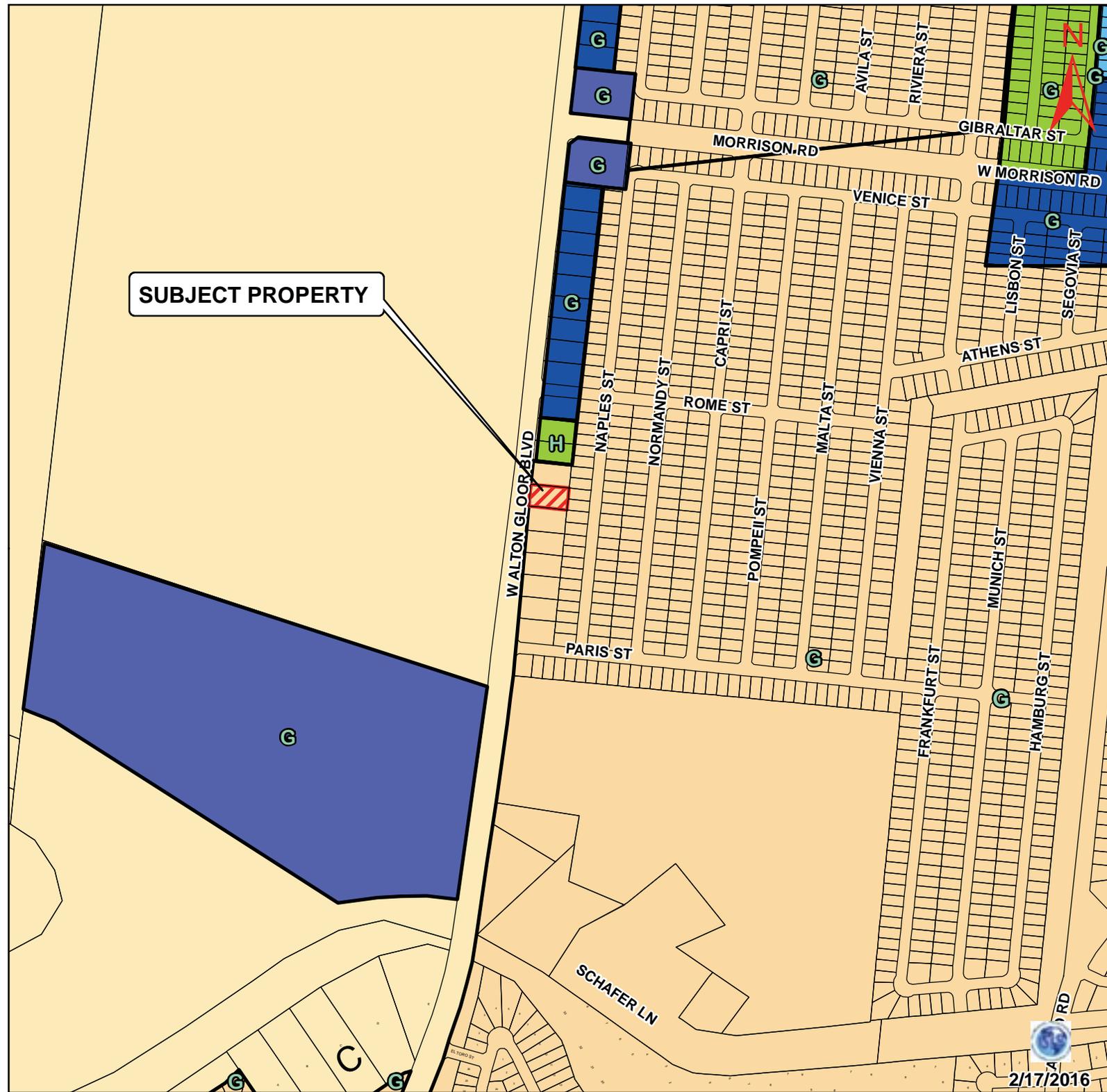
- Dwelling (D)
- Dwelling/Retail (DR)
- Apartment (A)
- Professional Office (1C)
- Light Retail (2C)
- Medium Retail (3C)
- General Retail (4C)
- Light Commercial (5C)
- Medium Commercial (6C)
- Light Industrial (7C)
- Medium Industrial (8C)
- Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-011
Javier Rene & Eva Ruiz
de Sanchez

Current Zoning:
Dwelling (D) "G"

Proposed Zoning:
General Retail (4C) "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

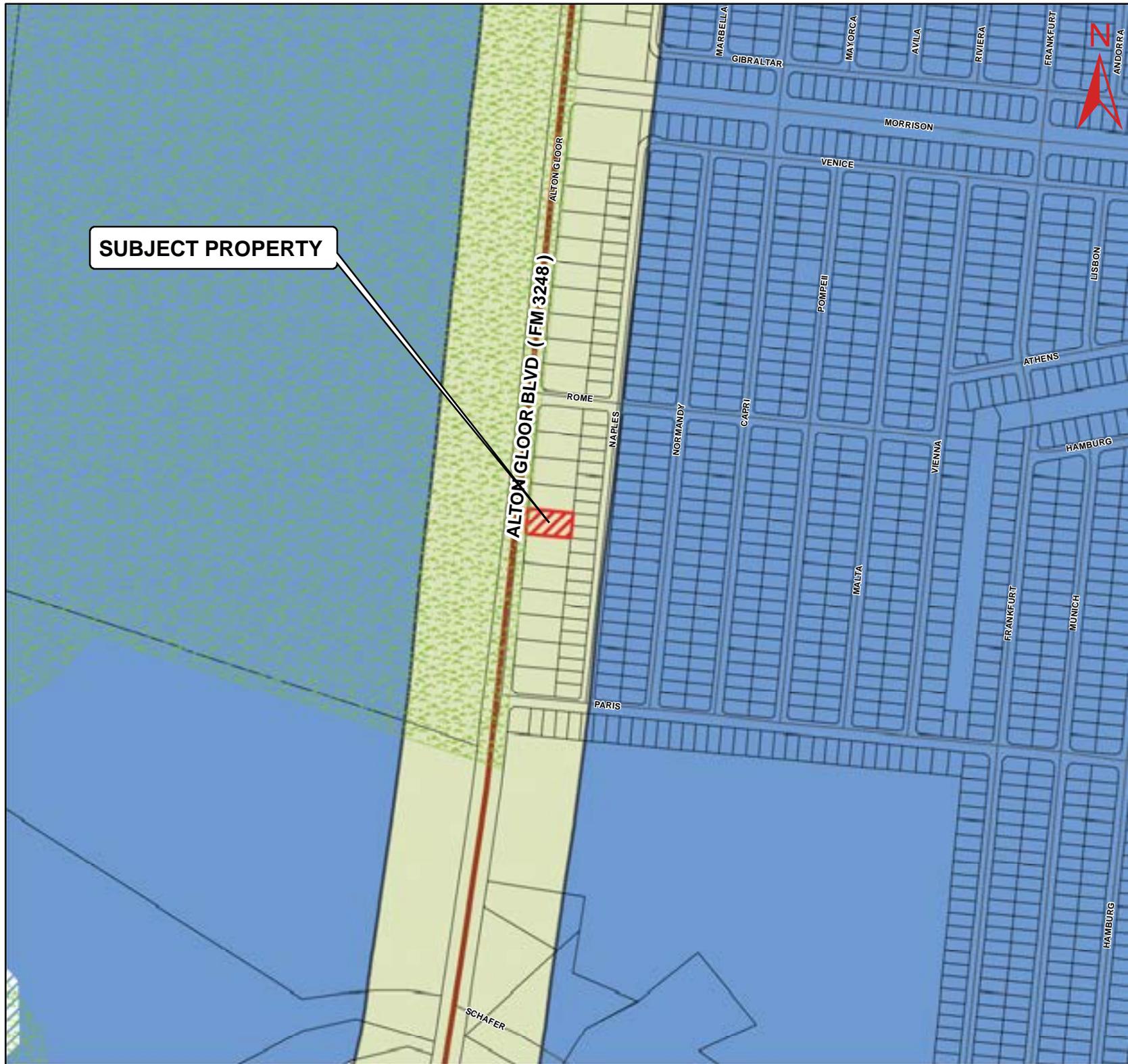
NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

CORRIDORS

- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor
- Brownsville's City Limits
- Brownsville's ETJ Boundary

**Zoning Case No.
235-2016-011**





Staff Report

A. Application Information

Applicant/Property Owner:	Javier Rene Sanchez & Eva Ruiz de Sanchez
Property ID:	79-1225-0280-0290-00
Case Number:	235-2016-011
Application Type:	Rezoning
Proposed Use:	General retail
Current Zoning District:	Dwelling "G" (DG)
Proposed Zoning District:	General Retail "G" (4CG)
Date Application Submitted:	February 4, 2016
Planning & Zoning Commission Meeting Date:	March 3, 2016
City Commission Meeting Dates:	March 15, 2016 & April 5, 2016
City Commission District:	4
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone his property from "Dwelling G" to "General Retail G".

C. Subject Property

The subject property is located on Lot 29 of Block 28 of El Valle Grande Subdivision, section 3. This property is fronting W. Alton Gloor Blvd, a primary arterial. Single family homes and apartments are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utilities Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property is vacant property and apartments.
- East of the subject property are single family homes.
- South of the subject property are single family homes.
- West of the subject property is vacant.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The properties to the west across W. Alton Gloor are zoned “Dwelling”. The abutting properties to north, east, and south are zoned “Dwelling”.

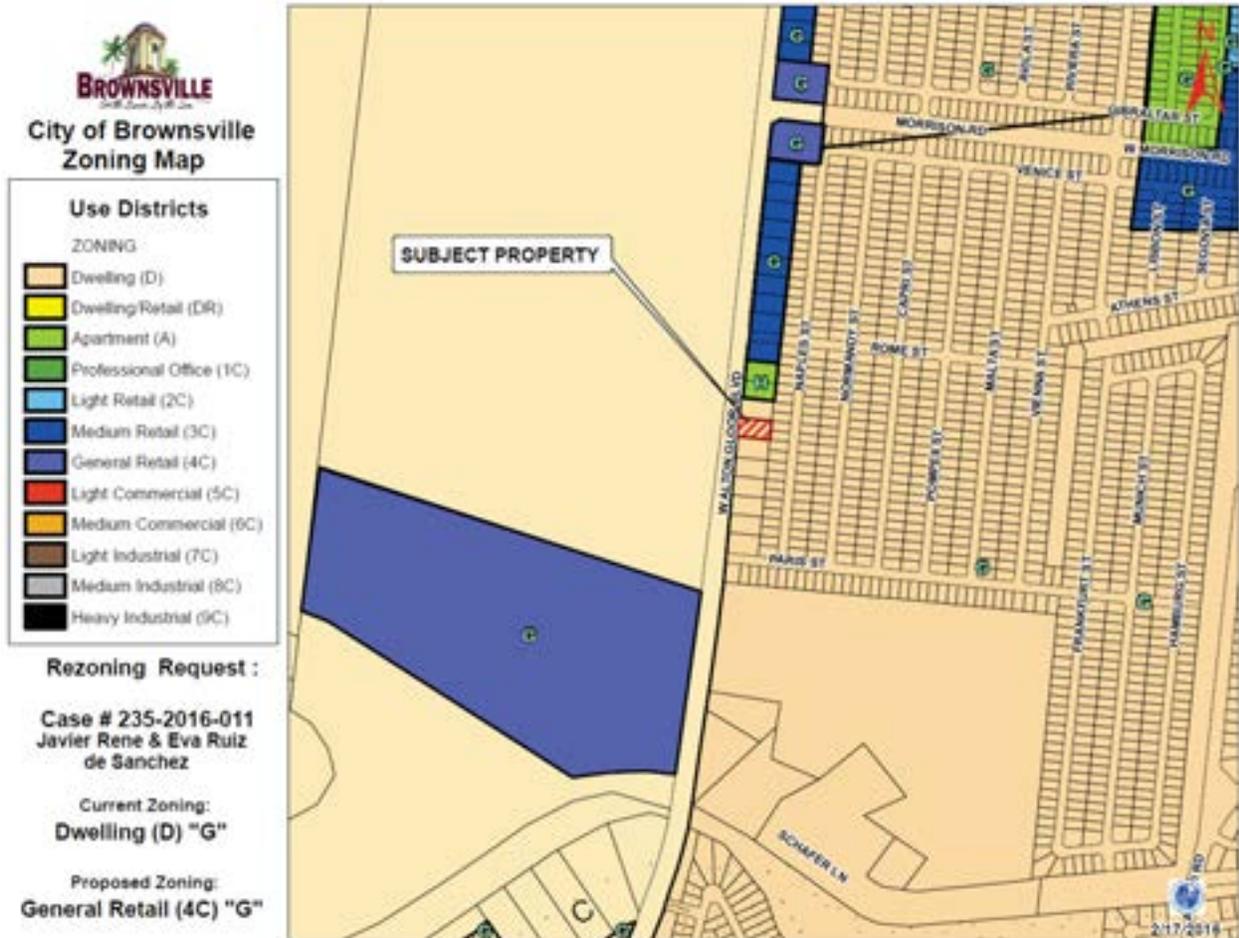
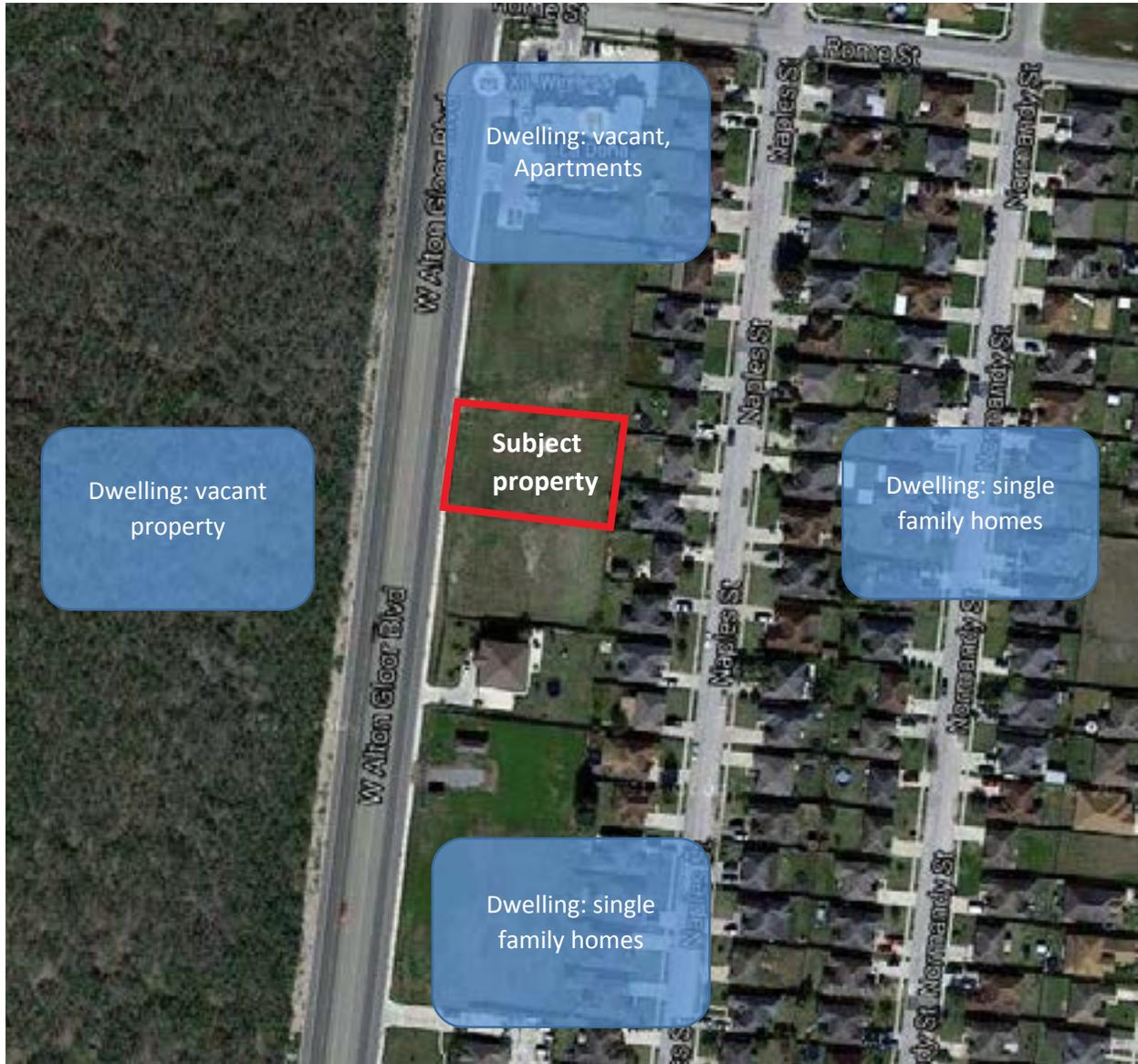


Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north is vacant property and apartments. To the east and south are single family homes. West of the subject property is vacant.



D. Future Land Plan Consistency

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 Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of Sub-Regional roadways with City streets. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve the local residents. Town Corridors are also highly suitable areas for adult and child daycare facilities, schools, and education and recreation centers. It is the opinion of staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 generally 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 homes and apartments. It is the opinion of staff that the proposed zoning 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, or schools.

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 would generally complement the area and it would not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling G” to “General Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: **13.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-012-CO: To rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for Lot 30 of Block 28 of El Valle Grande Subdivision, Section III located near W. Alton Gloor Blvd., Brownsville, Texas 78520. (District 4)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-012-CO

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 as to rezone from Dwelling "G" to General Retail "G" with a Conditional Overlay (4CG-CO) for an area described as:

Being a 0.36 Acre Tract of land, more or less, out of Lot 30 Block 28 of El Valle Grande Subdivision in the City of Brownsville, Cameron County, Texas.

Section 2. The property described above and within the boundaries of the conditional overlay established by the ordinance is subject to the following conditions:

A. No building or premises shall be used and no building shall be erected or structurally altered for the following prohibited uses for this property:

- (i). Multifamily; including Single Family, Duplex, Triplex, Apartments, and Townhouses.

Part 3. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 3, 2016**.

(SEAL)

BY: _____

Antonio Martinez,
Mayor

ATTEST: _____

Michael Lopez,
City Secretary



City of Brownsville
Planning Department

ZONING APPLICATION



1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

Use Application

Area Application

Planning and Zoning Commission
City Commission

Tentative Date: 03-03-16
Tentative Date: 03-15-16 & 04-05-16

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

Property Tax ID #: 79-1225-0280-0300-00

Project Address: W. ALTON GLOOR BLVD, BROWNSVILLE, TEXAS 78520

Subdivision: EL VALLE GRANDE SUBDIVISION, SECTION III

Lot(s)/Block: LOT 30, BLOCK 28

Current Area Classification: G Proposed Area Classification: 4C Gross Acreage: _____

Current Zoning: DWELLING Proposed Zoning: GENERAL RETAIL USE

Proposed Used: GENERAL RETAIL Overlay Districts: _____

** If property is not subdivided 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: OPINYA EKABO & DOREEN EKABO

Address: 3440 HERITAGE CIR

City: BROWNSVILLE

State: TX Zip Code: 78520-3963

Telephone: (956) 459-7438

Fax: _____

Email: _____

Signature: _____

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.
Contact a Planning & Community Development staff if you have any questions.

Representative/Agent Information

Name: MICHELE SANCHEZ, PC

Address: 717 N. EXPRESSWAY

City: BROWNSVILLE

State: TX Zip Code: 78520

Telephone: (956) 541-7211

Fax: (956) 541-4294

Email: MICHELE@MSANPC.COM

Signature: *Michele Sanchez*

Office Use Only

Date Submitted: February 4, 2016 Application Fee: \$500.⁰⁰ Electoral District: _____

Accepted by: Erika Espinoza Case Number: 235- 2016-012



City of Brownsville Zoning Map

Use Districts

ZONING

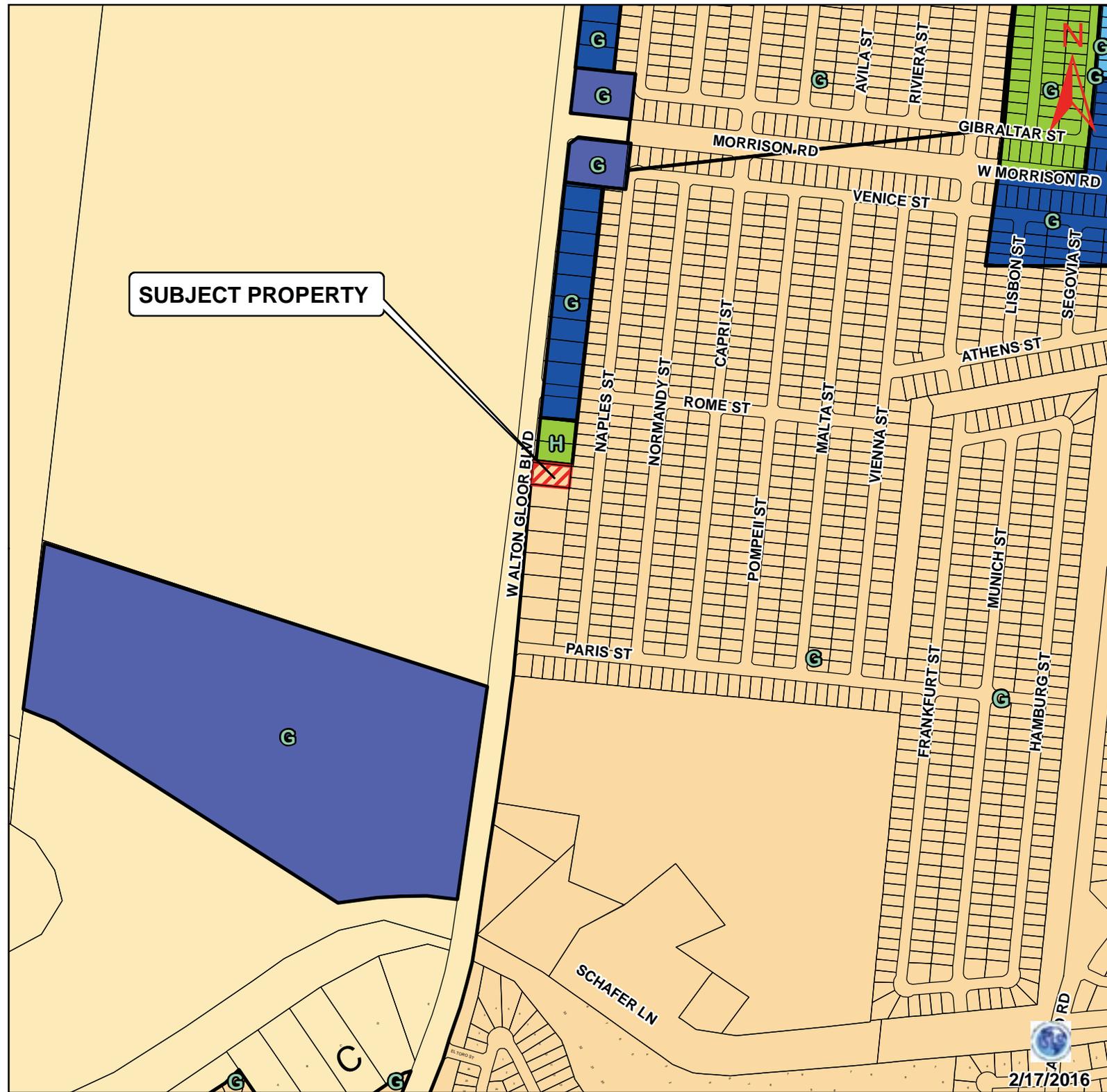
-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-012
Opinya & Doreen Ekabo

Current Zoning:
Dwelling (D) "G"

Proposed Zoning:
General Retail (4C) "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

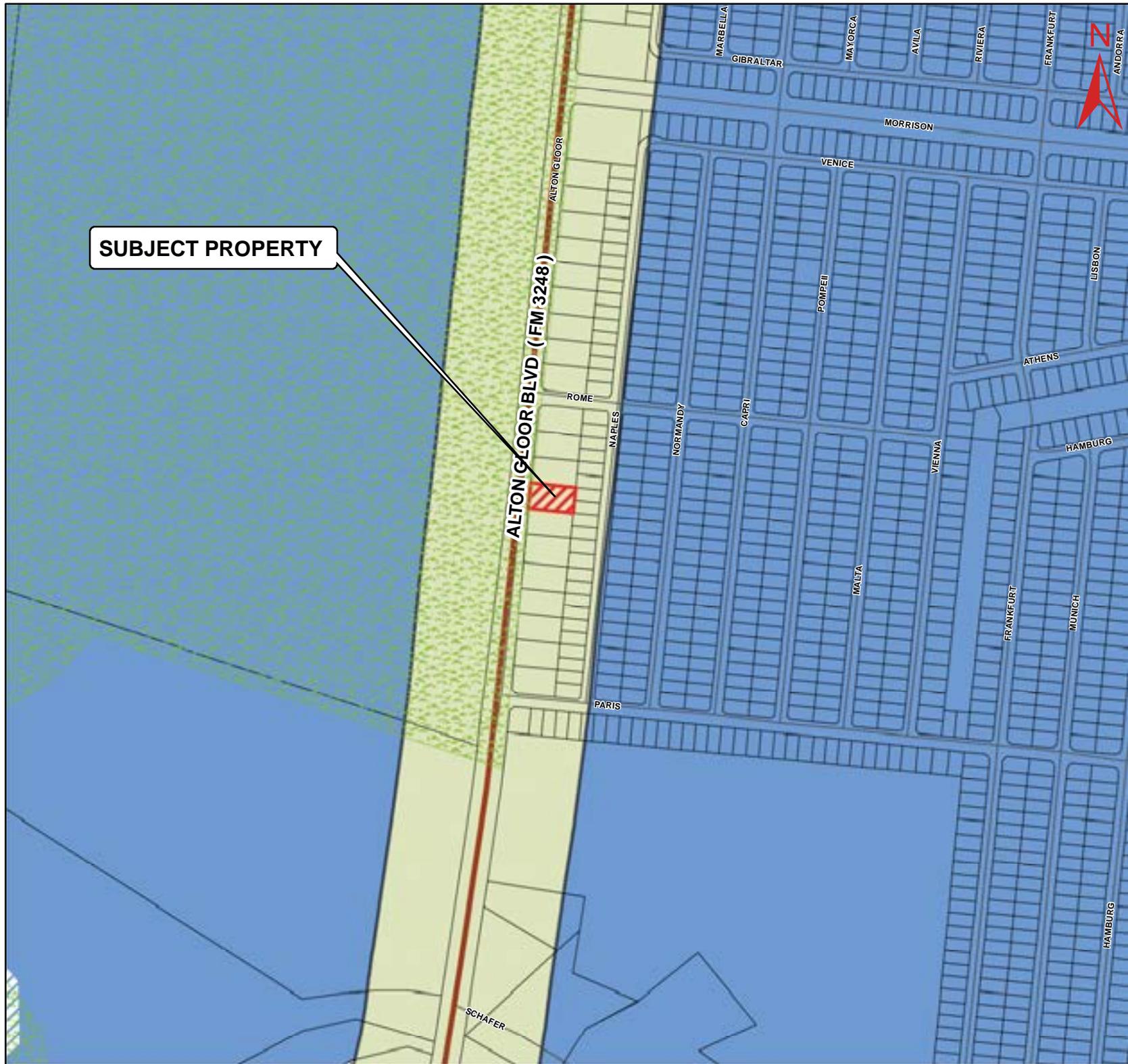
NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

CORRIDORS

- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor
- Brownsville's City Limits
- Brownsville's ETJ Boundary

**Zoning Case No.
235-2016-012**





Staff Report

A. Application Information

Applicant/Property Owner:	Opinya Ekabo & Doreen Ekabo
Property ID:	79-1225-0280-0300-00
Case Number:	235-2016-012
Application Type:	Rezoning
Proposed Use:	General retail
Current Zoning District:	Dwelling "G" (DG)
Proposed Zoning District:	General Retail "G" (4CG)
Date Application Submitted:	February 4, 2016
Planning & Zoning Commission Meeting Date:	March 3, 2016
City Commission Meeting Dates:	March 15, 2016 & April 5, 2016
City Commission District:	4
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone his property from "Dwelling G" to "General Retail G".

C. Subject Property

The subject property is located on Lot 30 of Block 28 of El Valle Grande Subdivision, section 3. This property is fronting W. Alton Gloor Blvd, a primary arterial. Single family homes and apartments are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utilities Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property is vacant property and apartments.
- East of the subject property are single family homes.
- South of the subject property is vacant.
- West of the subject property is vacant.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The properties to the west across W. Alton Gloor are zoned “Dwelling”. The abutting properties to north is zoned “Apartment”. The abutting properties to the east and south are zoned “Dwelling”.

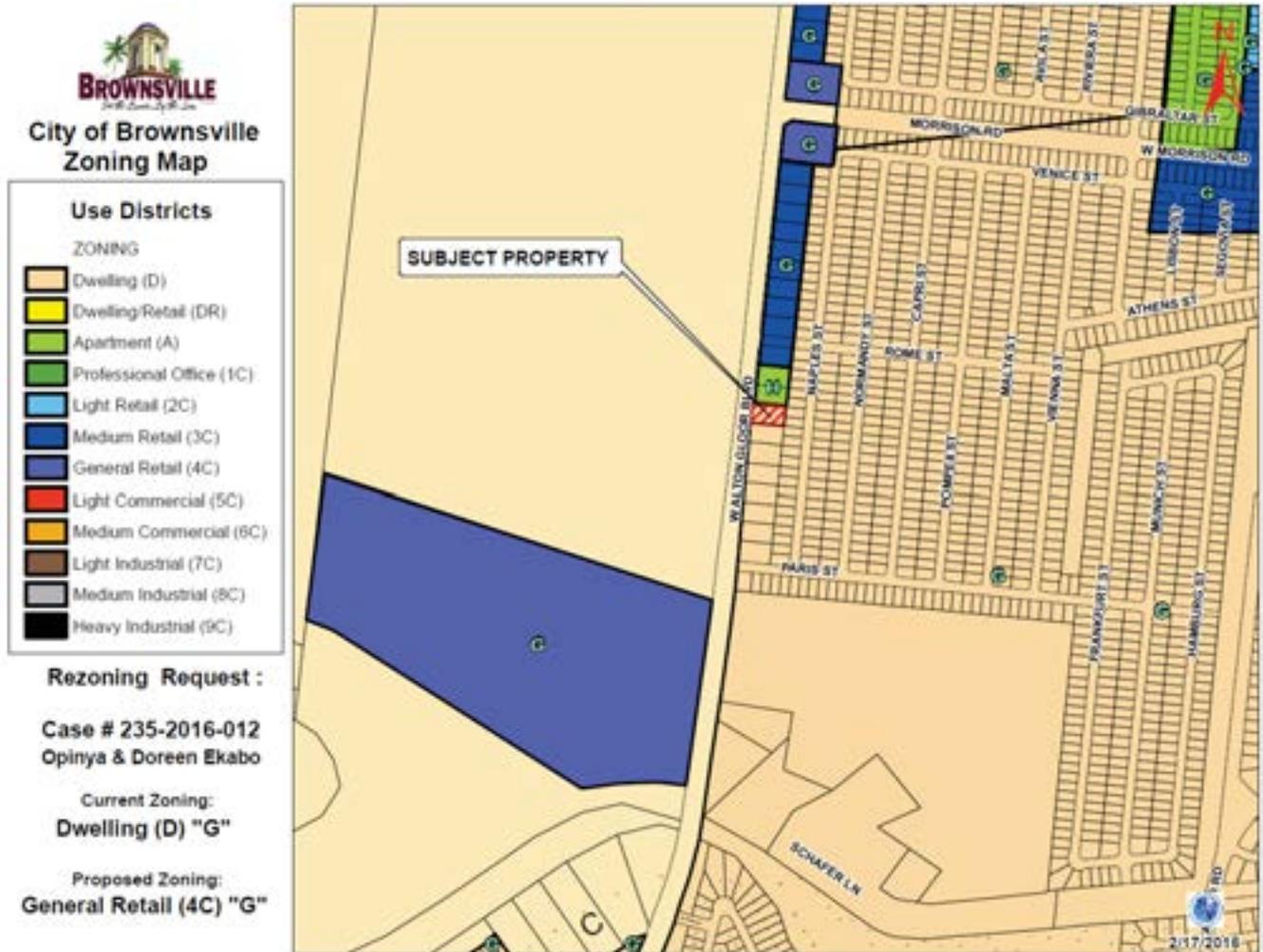


Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north is vacant property and apartments. To the east of the subject property are single family homes. West and south of the subject property is vacant.



D. Future Land Plan Consistency

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 Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of Sub-Regional roadways with City streets. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve the local residents. Town Corridors are also highly suitable areas for adult and child daycare facilities, schools, and education and recreation centers. It is the opinion of staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 generally 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 homes and apartments. It is the opinion of staff that the proposed zoning 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, or schools.

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 would generally complement the area and it would not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling G” to “General Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: **14.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-018: To rezone from Dwelling "A" (DA) to Light Retail "G" (2CG) for Blocks 36 and 42 of Share 19 of El Jardin Subdivision located at 1784 Old Port Isabel Road, Brownsville, Texas 78520. (District 2)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted to recommend approval. Commissioner Troy Whitemore, Jose de la Garza, Derek Benavides, Michael Reyes and Francisco Orozco aye the motion. Commissioner Myles R. Garza nay the motion. Commissioner Ronald Mills abstained.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-018

AN ORDINANCE AMENDING THE “CITY ZONING ORDINANCE” BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING \$2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City’s comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the “City Zoning Ordinance” by amending the Official Zoning Atlas so to rezone from Dwelling “A” (DA) to Light Retail “G” (2CG) for Blocks 36 and 42 of Share 19 of El Jardin Subdivision located at 1784 Old Port Isabel Road, Brownsville, Texas 78520. (District 2); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



ZONING APPLICATION

City of Brownsville
Planning Department
(956) 548-6150

1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

- Planning and Zoning Commission
- City Commission

Tentative Date: 04-07-16
 Tentative Date: 04-19-16 5th 05-3-16

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

Geographic ID #: 02-7900-0360-0400-00
 Project Address: 1784 Old Port Isabel Rd
 Subdivision: EL JARDIN SUBDIVISION
 Lot(s)/Block: SHARE 19 BLKS 36+42
 Current Area Classification: RESIDENTIAL Proposed Area Classification: _____ Gross Acreage: 0.3599
 Current Zoning: RESIDENTIAL Proposed Zoning: 2-C
 Proposed Used: TAX OFFICE 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: Patricia C Perez
 Address: 1784 Old Port Isabel Rd
 City: Brownsville, TX 78521
 State: Texas Zip Code: 78521
 Telephone: 956
 Fax: _____
 Email: pperez@bisd.us
 Signature: [Signature]

Representative/Agent Information

Name: MIKE A. PEREZ
 Address: 1020 ALTAMESA BLVD
 City: BRO.
 State: TX Zip Code: 78526
 Telephone: (956) 433-9489
 Fax: _____
 Email: _____
 Signature: [Signature]

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

Office Use Only

Date Submitted: February 11, 2016 Application Fee: \$500.00 Electoral District: _____
 Accepted by: [Signature] Dept. Director: _____ Case Number 235- 2016-018

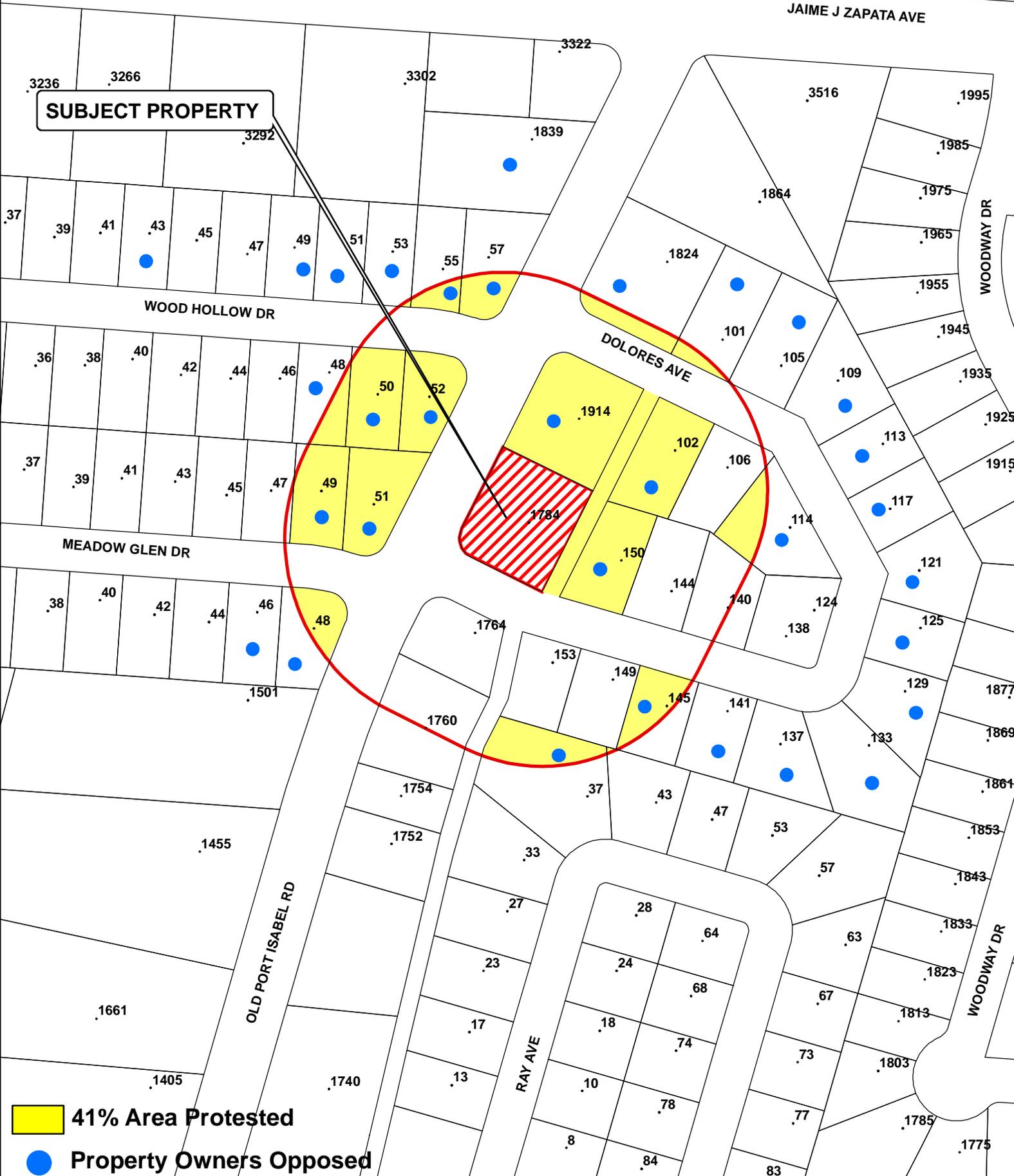
Protested Case No. 235-2016-018

41%



SUBJECT PROPERTY

JAIME J ZAPATA AVE



-  41% Area Protested
-  Property Owners Opposed

PLANNING & ZONING COMMISSION
CASE NUMBER 235-2016-018
1784 Old Port Isabel Road
Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
Signature <u>Gloria S. Juwino</u> Address <u>1914 Old Pt. Isabel Rd</u> <u>Brownsville, TX 78521</u>	956-546-6538	Maggie.t.boyd@gmail.com
Signature <u>Ypacio Lopez</u> Address <u>1834 Old Port Isabel Rd</u>	956-541-1138	
Signature <u>Rosa Huerta</u> Address <u>50 Wood Hollow Dr.</u>	956) 545-2895	
Signature <u>Donald H. Donnell</u> Address <u>52 Wood Hollow</u> <u>Brownsville</u>	956-542-4263	
Signature <u>Francisco Del Angel</u> Address <u>49 Wood Hollow</u> <u>Brownsville Tx</u>	(956) 455-74-18	
Signature <u>Maria D. Valdez + Jaime Valdez</u> Address <u>51 Wood Hollow</u> <u>Brownsville</u>	(956) 466-0543	

PLANNING & ZONING COMMISSION

CASE NUMBER 235-2016-018

1784 Old Port Isabel Road

Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
✓ Signature <u>Celia Cruz</u> Address <u>1824 Old Port Isabel Rd</u> <u>Brownsville TX 78521</u>	956-204-9720	
Signature <u>[Signature]</u> Address <u>113 Dolores</u> <u>Brownsville</u>	956-546-1503	
Signature <u>[Signature]</u> Address <u>NORMIE GRAMATA</u> <u>105 Dolores Ave</u> <u>Brownsville TX</u>	956-202-8190	
Signature <u>[Signature]</u> Address <u>105 Dolores Ave</u> <u>Brownsville TX</u>	956-204-0555	
Signature <u>[Signature]</u> Address <u>125 Dolores Ave</u>	956-455-5542	
Signature <u>Juan de la Goyza</u> Address <u>37 RAY. AVE</u>	956-546-1316	

PLANNING & ZONING COMMISSION

CASE NUMBER 235-2016-018

1784 Old Port Isabel Road

Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
Signature <u>[Signature]</u> Address <u>102 Dolores Ave.</u> <u>Brownsville TX 78521</u>	(956) 518-1501	Juan4991@hotmail.com
Signature <u>[Signature]</u> Address <u>101 Dolores Ave</u> <u>Brownsville, TX. 78521</u>	(956) 525-3376	nrojas@bisd.us
Signature <u>[Signature]</u> Address <u>57 Wood Hollow</u> <u>B, ville Texas</u>	970 970 7368	
Signature <u>[Signature]</u> Address <u>53 Wood Hollow</u> <u></u>	956 546-4045	
Signature <u>[Signature]</u> Address <u>51 Meadow Glen</u> <u></u>	(956) 312-2325	
Signature <u>[Signature]</u> Address <u>109 Dolores Ave.</u> <u></u>	(956) 832-7306	

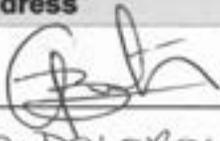
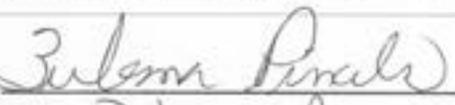
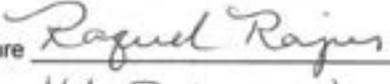
PLANNING & ZONING COMMISSION
CASE NUMBER 235-2016-018
1784 Old Port Isabel Road
Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
Signature <u>Laura Estrada</u> Address <u>117 Dolores Ave.</u>	459-3764	estrada.laura@icloud.com
Signature <u>[Signature]</u> Address <u>121 Dolores Ave</u>	579-1328	ricorodriguez@regnet.com
Signature <u>Chetia Morazan</u> Address <u>129 Dolores Ave</u>	2661489	gamagus1@yahoo.com
Signature _____ Address _____		
Signature _____ Address _____		
Signature _____ Address _____		

PLANNING & ZONING COMMISSION
CASE NUMBER 235-2016-018
1784 Old Port Isabel Road
Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
Signature  Address <u>150 Dolores Ave</u> <u>Brownsville, TX 78521</u>	4594361	bernardoegtz@hotmail.com
Signature  Address <u>141 Dolores Ave.</u> <u>Brownsville, Tx. 78521</u>	243-2068 832-4647	mramirez@iagraphics.net asantana@iagraphics.net
Signature  Address <u>145 Dolores Ave</u> <u>Brownsville, Tx 78521</u>	408 8943	zulema.pinal@yahoo.com.mx
Signature  Address <u>137 Dolores Ave. 7</u> <u>Brownsville, Tx 78521</u>	579.9969	qinyuliao@yahoo.com
Signature  Address <u>1133 Dolores</u> <u>Brownsville, TX 78521</u>	956 311-7912	2A0177ZAM@AOL.com
Signature  Address <u>114. Dolores Ave.</u>	956- 983-2144	raquel_1119@hotmail.

PLANNING & ZONING COMMISSION
CASE NUMBER 235-2016-018
1784 Old Port Isabel Road
Meeting Date: April 19, 2016

Petition: We, the undersigned, are opposed to the rezoning of the property located at 1784 Old Port Isabel Road, from Dwelling "A" (DA) to Light Retail "G" (2CG), because it would increase traffic and safety issues, add to roadway access problems and erode the residential appeal of the area and negatively impact property values.

Name and Address	Phone	E-Mail
Signature <u>Chela Vega and Angelica Vega</u> Address <u>48 Woodhollow Dr.</u>	(956) 708-1137	
Signature <u>Herminio & Brenda Reyno</u> Address <u>43 Wood Hollow Dr</u>	956-518-0049	
Signature <u>Clint M</u> Address <u>55 Wood Hollow</u> <u>Bville TX 7852</u>	956-639 8506.	
Signature <u>Va Byl Bulno Berndez</u> Address <u>49 Meadow Glen Dr</u> <u>Bville TX 78521</u>	956-466- 7114	
Signature <u>[Signature]</u> Address <u>76 Meadow Glen</u>	572-6524	
Signature <u>Mirna Perez</u> Address <u>48 Meadow Glen</u>	6403747	



City of Brownsville Zoning Map

Use Districts

ZONING

-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-018
Patricia C. Perez

Current Zoning:
Dwelling (D) "A"

Proposed Zoning:
Light Retail (2C) "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

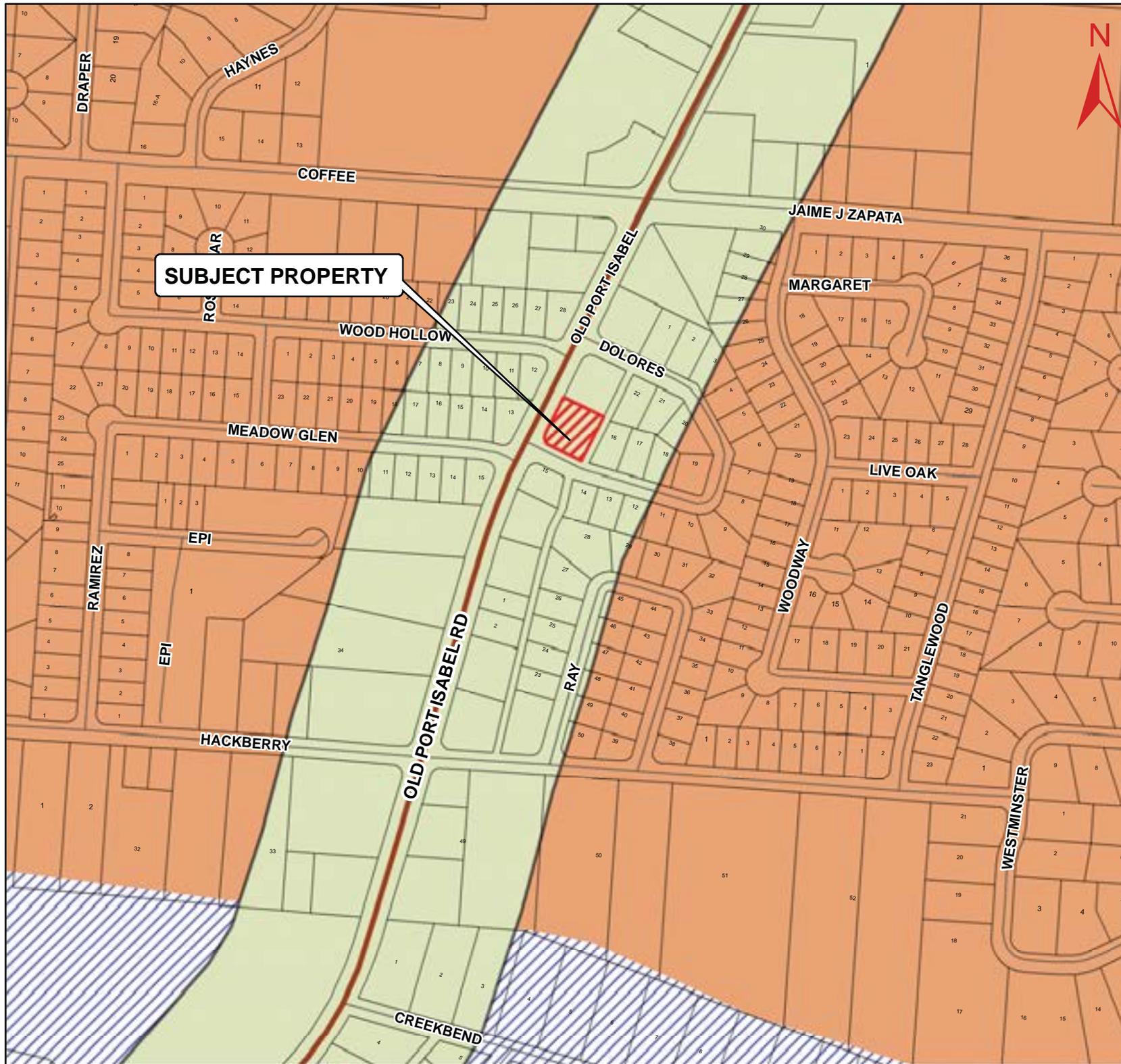
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

- Brownsville's City Limits
- Brownsville's ETJ Boundary

Zoning Case No.
235-2016-018





Staff Report

A. Application Information

Applicant/Property Owner:	Patricia C. Perez
Property ID:	02-7900-0360-0400-00
Case Number:	235-2016-018
Application Type:	Rezoning
Proposed Use:	Tax Office
Current Zoning District:	Dwelling "A"
Proposed Zoning District:	Light Retail "G" (2CG)
Date Application Submitted:	February 11, 2016
Planning & Zoning Commission Meeting Date:	April 7, 2016
City Commission Meeting Dates:	April 19, 2016 & May 3, 2016
City Commission District:	2
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone 0.359 acres from "Dwelling A" to "Light Retail G".

C. Subject Property

The subject property is located on Blocks 36 and 42 of El Jardin Subdivision Share 19. This property is fronting Old Port Isabel road, a secondary arterial. Single family homes, a plaza, and apartments are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utility Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property are single family homes.
- East of the subject property are single family homes.
- South of the subject property are single family homes and a plaza.
- West of the subject property are single family homes and apartments.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The abutting properties to the north, south, and east of the subject property are zoned “Dwelling”. The properties to the west are across Old Port Isabel Road are also zoned “Dwelling”.

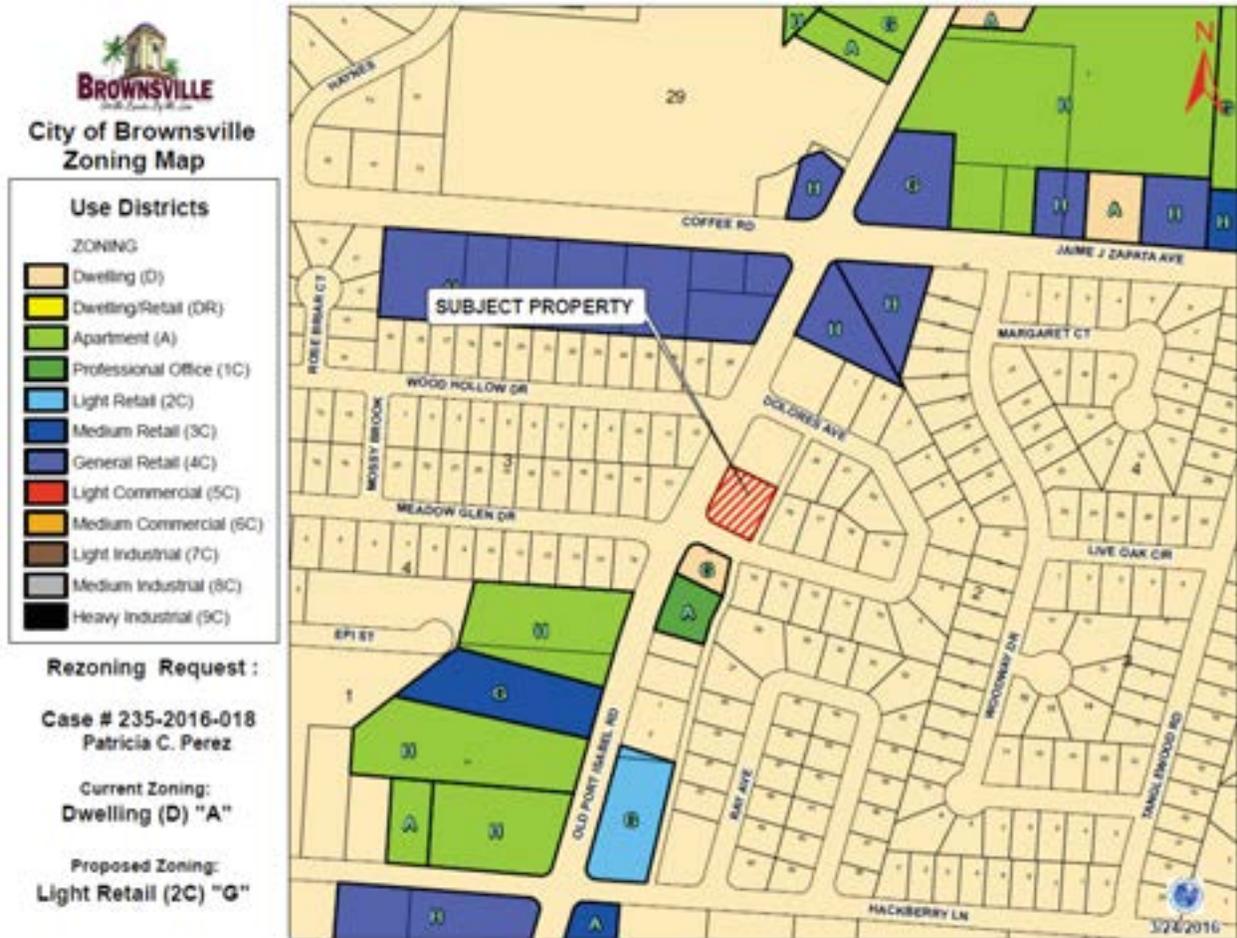


Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north and east are single family homes. South of the subject property are single family homes and a plaza. West of the property across Old Port Isabel Road are single family homes and apartments.

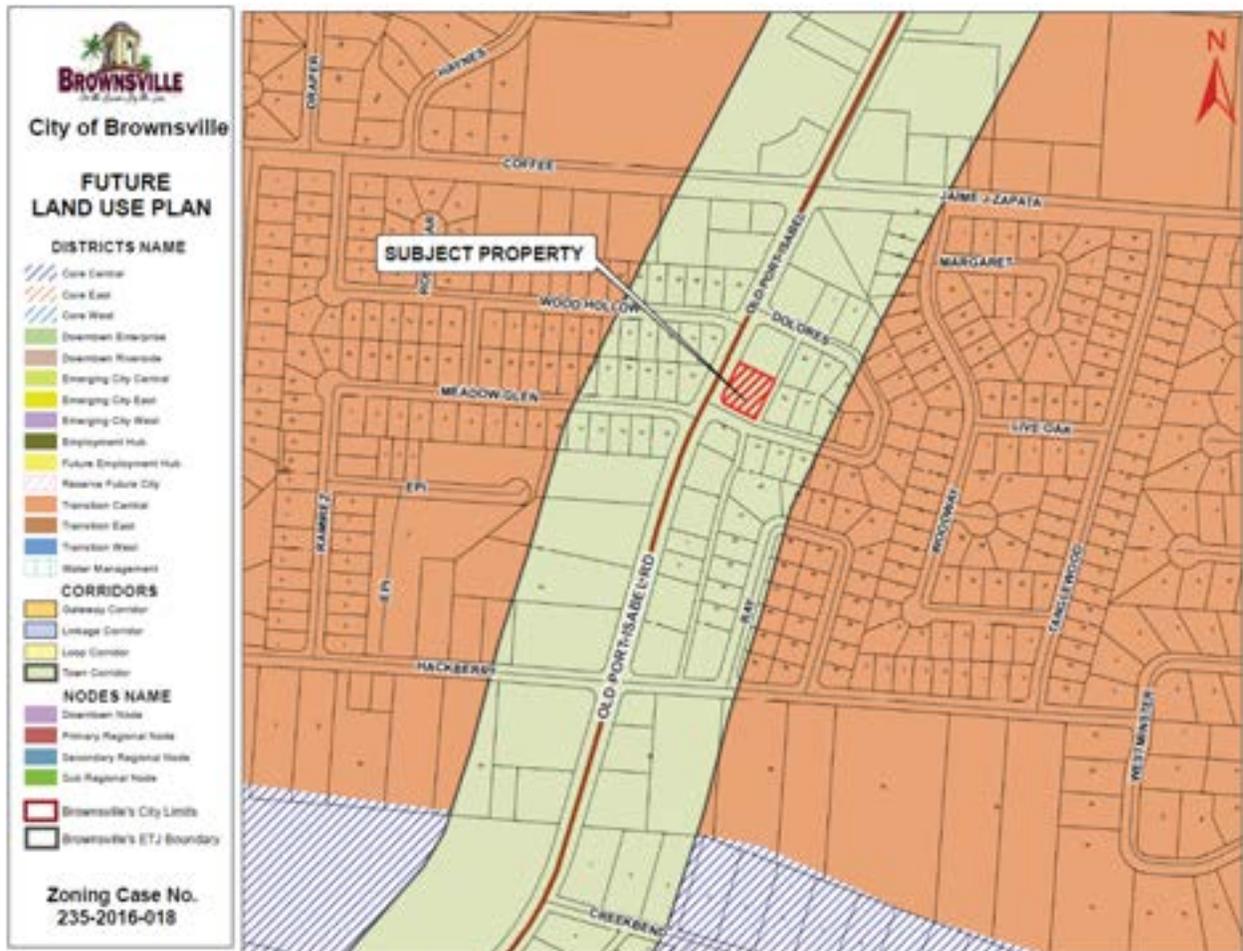


D. Future Land Plan Consistency

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, Town Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of sub-regional roadways with city streets. The density of residential land uses should have an average of 3 dwelling units per acre and consist primarily of single family homes, with some attached townhouses and some larger lots. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve local residents. It is the opinion of staff that the request is consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 homes, a plaza, and apartments. It is the opinion of staff that the proposed zoning would 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, and schools.

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 would complement the area and it would not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling A” to “Light Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: **15.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-019: To rezone from Dwelling "Z" (DZ) to General Retail "G" (4CG) for Lot 4, Block 6 of Cameron Park located at 4614 Paredes Line Road, Brownsville, Texas 78520. (District 3)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted to recommend approval. Commissioner Troy Whitemore, Jose de la Garza, Derek Benavides, Michael Reyes and Francisco Orozco aye the motion. Commissioner Myles R. Garza nay the motion. Commissioner Ronald Mills abstained.

City Manager Approval

_____ **Date:** _____

ORDINANCE NUMBER 235-2016-019

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 General Retail “G” (4CG) for Lot 4, Block 6 of Cameron Park located at 4614 Paredes Line Road, Brownsville, Texas 78520. (District 3); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



ZONING APPLICATION

City of Brownsville
Planning Department
(956) 548-6150

1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

- Planning and Zoning Commission
- City Commission

Tentative Date: _____
Tentative Date: _____

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

Geographic ID #: 74-0010-0060-0040-00

Project Address: 4614 PAYEDES LN. RD.

Subdivision: CAMEYON PARK FIRST INSTALLMENT.

Lot(s)/Block: LOT 4 BLOCK 6

Current Area Classification: _____ Proposed Area Classification: _____ Gross Acreage: _____

Current Zoning: _____ Proposed Zoning: _____

Proposed Used: (Tireshop) 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	Representative/Agent Information
Name: <u>ADAN RAMIREZ</u>	Name: <u>FELIPA RAMIREZ</u>
Address: <u>4614 PAYEDES LN. RD</u>	Address: <u>4614 PAYEDES LN. RD.</u>
City: <u>BROWNSVILLE</u>	City: <u>BROWNSVILLE</u>
State: <u>TX.</u> Zip Code: <u>78526</u>	State: <u>TX</u> Zip Code: <u>78526</u>
Telephone: <u>546-7173-7933578</u>	Telephone: <u>546 71 76</u>
Fax: _____	Fax: _____
Email: _____	Email: _____
Signature: <u>Adan Ramirez</u>	Signature: <u>Felipa Ramirez</u>

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

Office Use Only

Date Submitted: February 29, 2016 Application Fee: \$500.⁰⁰ Electoral District: _____

Accepted by: Frika Espinoza Dept. Director: _____ Case Number 235- 2016-019



City of Brownsville Zoning Map

Use Districts

ZONING

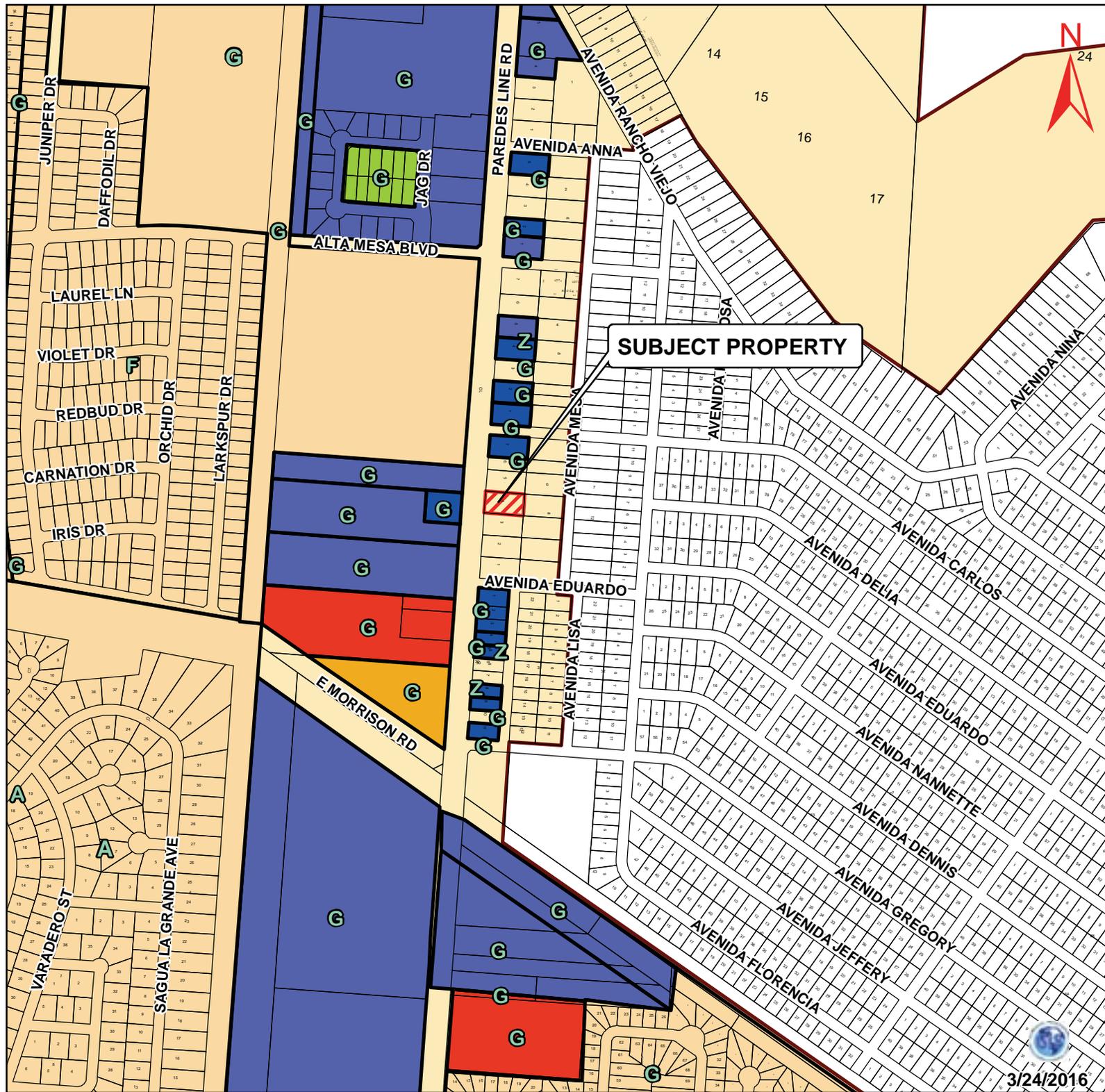
-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-019
Adan Ramirez

Current Zoning:
Dwelling (D) "Z"

Proposed Zoning:
General Retail (4C) "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

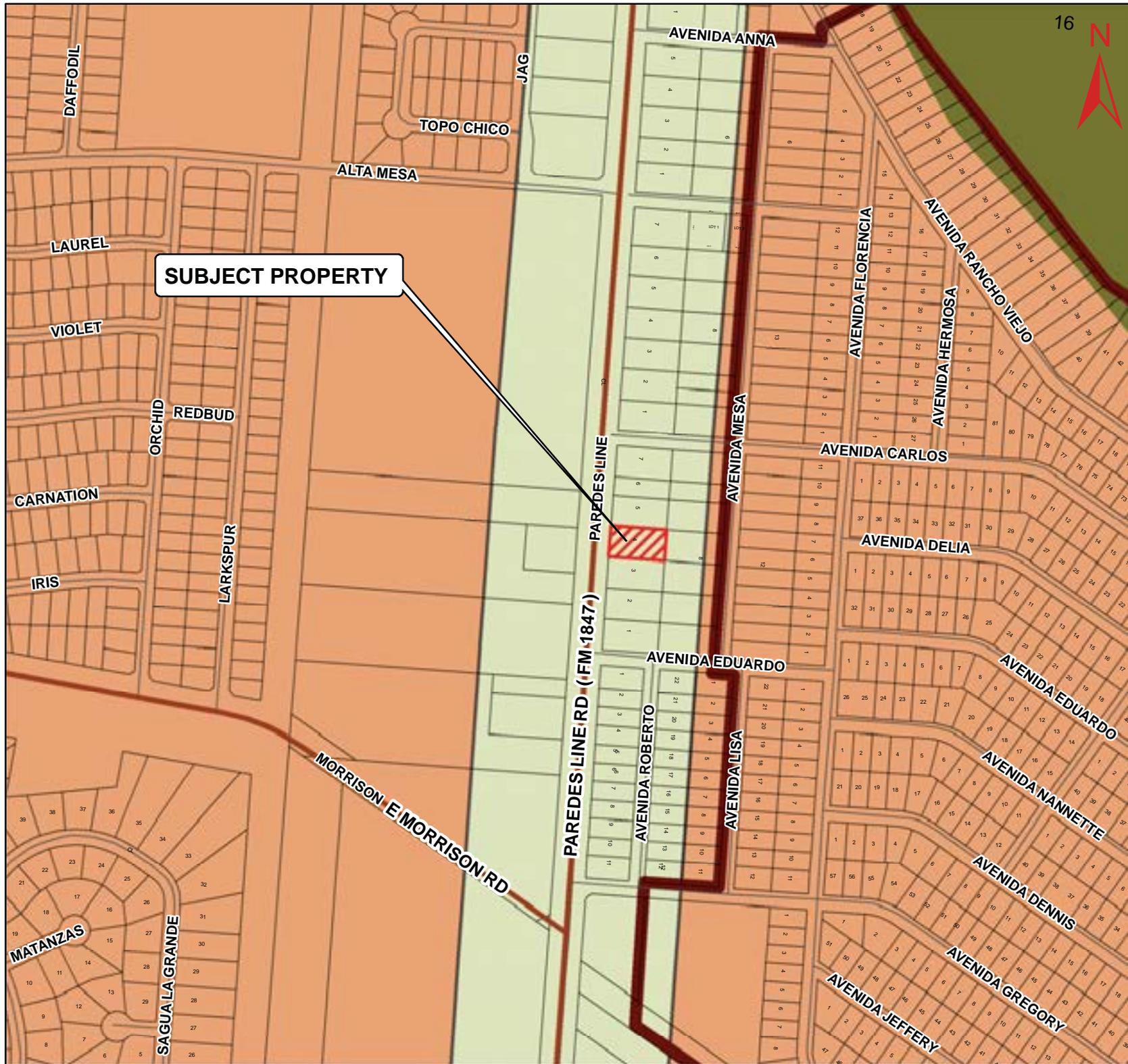
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

- Brownsville's City Limits
- Brownsville's ETJ Boundary

Zoning Case No.
235-2016-019





Staff Report

A. Application Information

Applicant/Property Owner:	Adan Ramirez
Property ID:	74-0010-0060-0040-00
Case Number:	235-2016-019
Application Type:	Rezoning
Proposed Use:	Tire shop
Current Zoning District:	Dwelling "Z"
Proposed Zoning District:	General Retail "G" (4CG)
Date Application Submitted:	February 29, 2016
Planning & Zoning Commission Meeting Date:	April 7, 2016
City Commission Meeting Dates:	April 19, 2016 & May 3, 2016
City Commission District:	3
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone from "Dwelling Z" to "General Retail G".

C. Subject Property

The subject property is located on Lot 4, Block 6 of Cameron Park Subdivision. This property is fronting Paredes Line road, a primary arterial. Single family homes, restaurants, apartments, and a tire shop are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utility Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property are single family homes, a bakery, and a laundry mat.
- East of the subject property is outside the city limits.
- South of the subject property are single family homes and a tire shop.
- West of the subject property are restaurants and apartments.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The abutting properties to the north, south, and east of the subject property are zoned “Dwelling”. The properties to the west across Paredes Line are zoned “General Retail”.

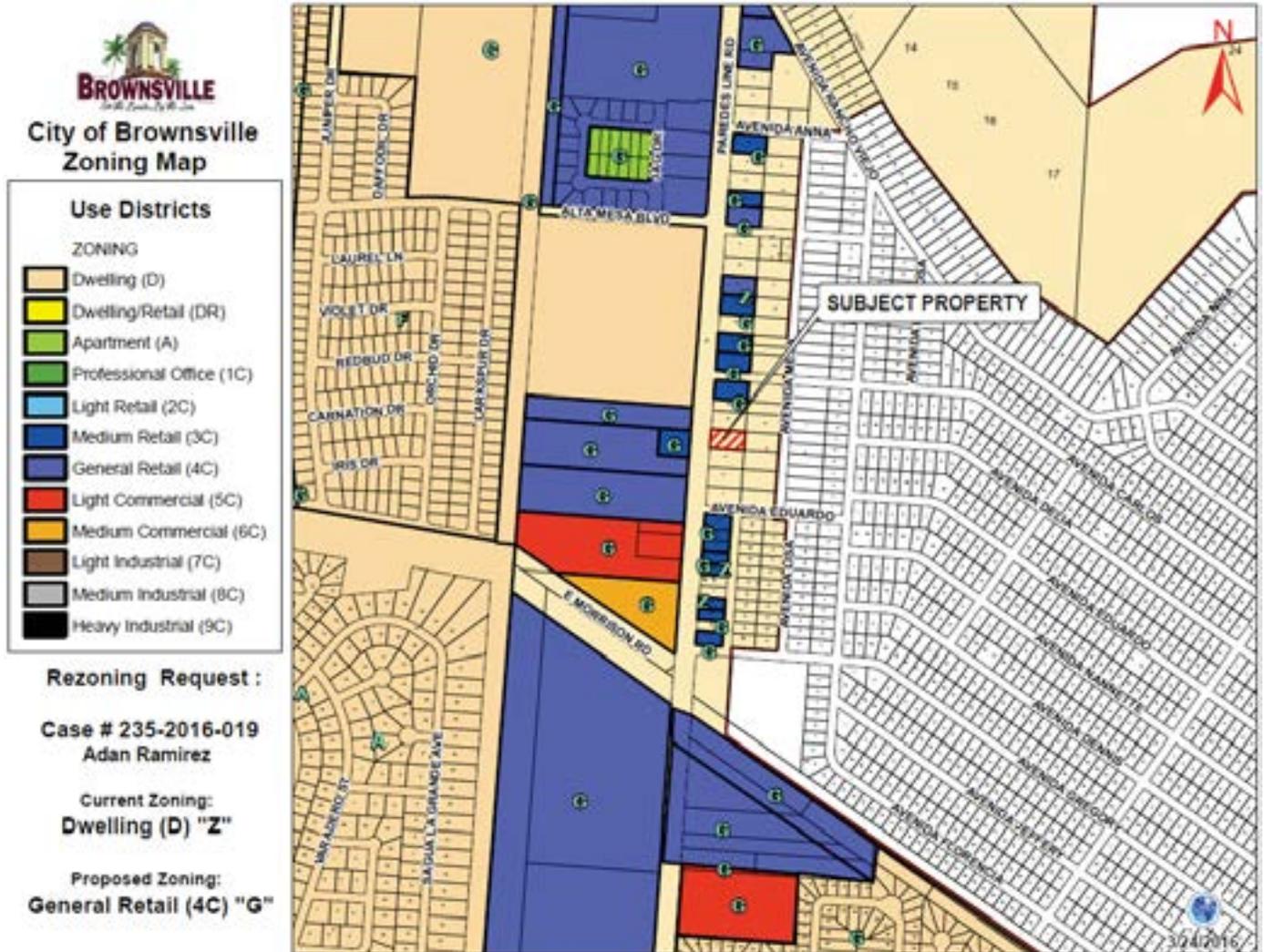


Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north are single family homes, a laundry mat, and a bakery. South of the subject property are single family homes and a tire shop. West of the property across Paredes Line Road are restaurants and apartments. East of the property is outside the city limits.



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 homes, a bakery, restaurants, and apartments. It is the opinion of staff that the proposed zoning would 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 would not create significant or burdensome demands on public facilities such as water, wastewater, transportation, and schools.

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 would complement the area and it may not have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends to support the request to rezone from “Dwelling Z” to “General Retail G”.



Submit

AGENDA REQUEST FORM

Item Number: **16.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-022-S: To allow a Cell Tower in a Medium Industrial "J" (8CJ) for 0.037 acres of Block 34 & 35 of Los Ebanos Properties Subdivision located at 1850 Veteran's Blvd., Brownsville, Texas 78521. (District 3)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-022-S

AN ORDINANCE AMENDING THE "CITY ZONING ORDINANCE" BY AMENDING THE OFFICIAL ZONING ATLAS; AND DEALING WITH RELATED MATTERS INCLUDING \$2000 PENALTIES.

WHEREAS, this ordinance is in accordance with the City's comprehensive plan; is consistent with the existing zoning surrounding the area to be rezoned; and bears a substantial relationship to the public health, safety, morals or general welfare; and all procedural requirements for the passage hereof have been met;

Be It Ordained by the City of Brownsville:

Section 1. That the City Commission of the City of Brownsville, Texas, hereby amends the "City Zoning Ordinance" by amending the Official Zoning Atlas so to allow a Cell Tower in a Medium Industrial "J" (8CJ) for 0.037 acres of Block 34 & 35 of Los Ebanos Properties Subdivision located at 1850 Veteran's Blvd., Brownsville, Texas 78521. (District 3); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That the area rezoned by this amendment shall continue to be subject to all applicable regulations.

Section 3. That whenever one provision of this ordinance conflicts with another provision of this ordinance, the provision which governs shall be the one listed sooner on the following list: Section 3 of this ordinance, Section 2 of this ordinance, Section 1 of this ordinance.

Section 4. That all provisions of Section 348 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof, and that this ordinance shall become effective on the earliest date allowed by law.

Section 5. Specific Use shall be valid for one year from the passage of this ordinance. If no construction occurs within one year from the time of passage the specific use permit shall be null and void.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



SPECIFIC USE PERMIT APPLICATION

City of Brownsville
Planning Department
(956) 548-6150

1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

- Planning and Zoning Commission
- City Commission

Tentative Date: _____

Tentative Date: _____

* For submittal requirements, see Appendix A Zoning Processing Fees

Geographic ID #: 04-9200-0320-0020-00

Project Address: 1850 Veterans Blvd, Brownsville Texas 78521

Subdivision: Los Ebanos Properties Subdivision, Called 11.913 Acre out of 14.49 Acres

Lot(s)/Block: Block 34 & Block 35

Current Zoning: Medium Industrial And overlay district if applicable: _____

Proposed Use: Wireless Telecommunications Facility Gross Acreage: 0.037 Ac

** If property is not subdivided need to provide survey map and/or metes and bounds.*

Owner Information

Representative/Agent Information

Name: City of Brownsville

Address: 1001 E. Elizabeth

City: Brownsville

State: TX Zip Code: 78522

Telephone: (956) 548-6069

Fax: (956) 546-4291

Email: allison.bastian@cob.us

Signature: See Attached Authorization Letter

Name: Vincent Gerard & Assoc., Vincent Huebinger

Address: 1715 Capital Texas Hwy, Suite 207

City: Austin

State: TX Zip Code: 78746

Telephone: (512) 328-2693

Fax: N/A

Email: Vincent@vash.net

Signature: 

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

Office Use Only

Date Submitted: March 7, 2016 Application Fee: \$2,500.00 Electoral District: _____

Accepted by: Krika Espinoza Dept. Director: _____ Case Number 235-2016-022-S



City of Brownsville Zoning Map

Use Districts

ZONING

-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Specific Use Permit Request :

Case # 235-2016-022-S
City of Brownsville

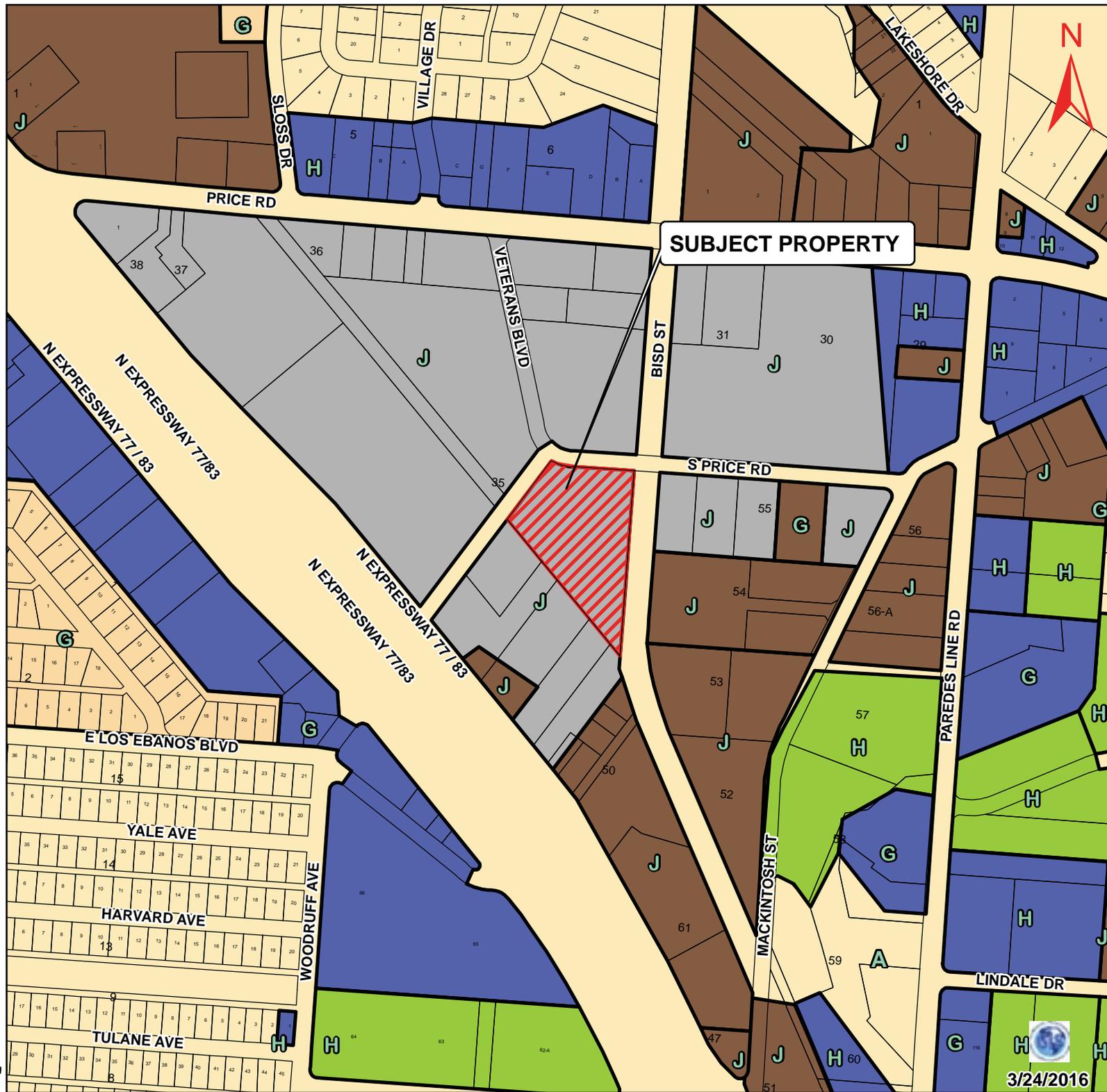
Current Zoning:

Medium Industrial (8C) "J"

Proposed Use:

Cell Tower

Medium Industrial (8C) "J"





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

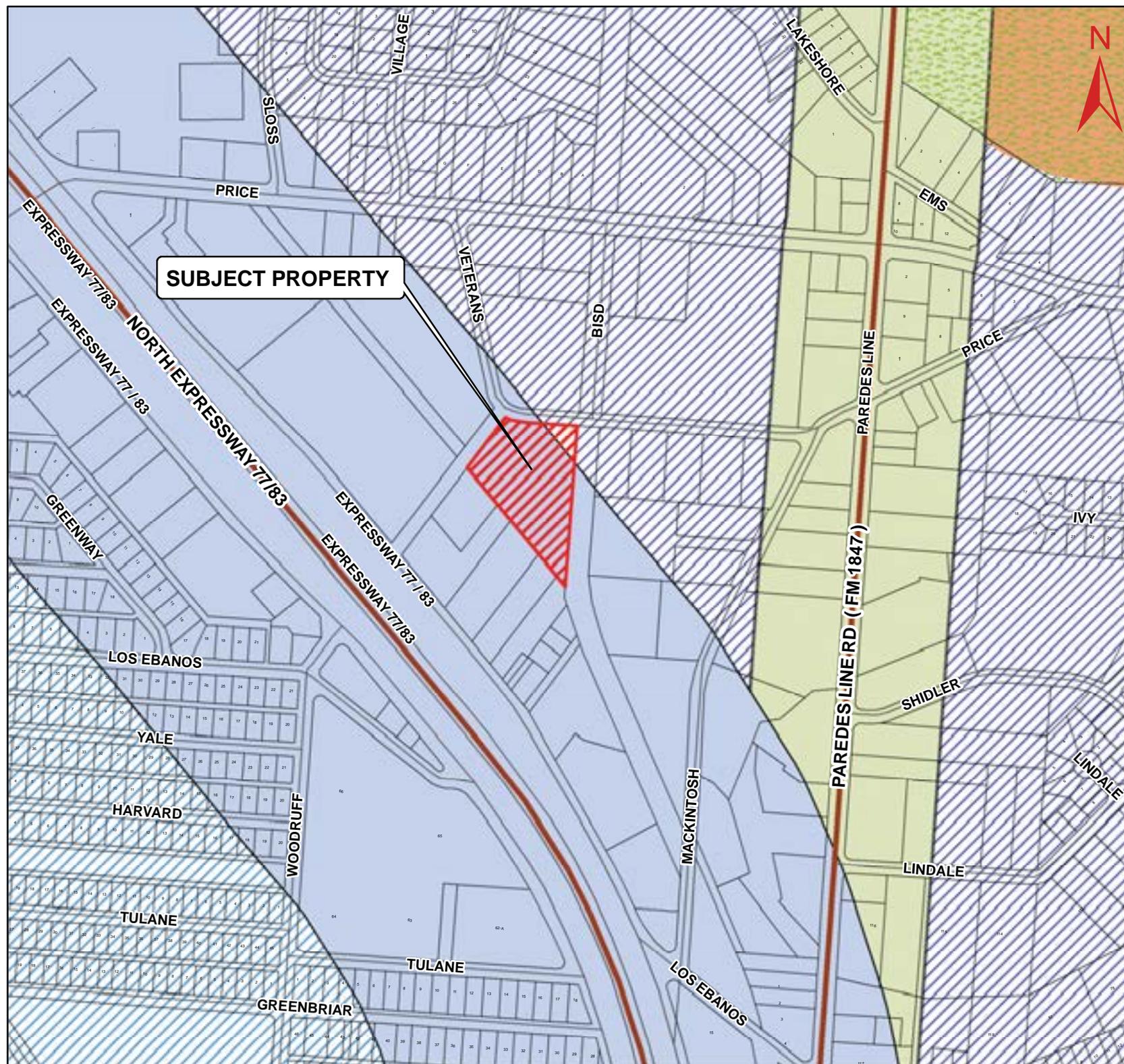
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

- Brownsville's City Limits
- Brownsville's ETJ Boundary

Zoning Case No.
235-2016-022-S





Submit

AGENDA REQUEST FORM

Item Number: **17.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

PUBLIC HEARING and ACTION on FIRST READING on ORDINANCE NUMBER 235-2016-025: To rezone from Professional Office "F" (1CF) to Medium Retail "F" (3CF) for .284 acres for Lot 1, Block 3 of Henrietta Addition located at 1234 McDavit Blvd., Brownsville, Texas 78520. (District 1)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted unanimously to recommend denial.

City Manager Approval

_____ Date: _____

ORDINANCE NUMBER 235-2016-025

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 Professional Office “F” (1CF) to Medium Retail “F” (3CF) for .284 acres for Lot 1, Block 3 of Henrietta Addition located at 1234 McDavit Blvd., Brownsville, Texas 78520. (District 1); the area rezoned by this amendment being situated entirely within the corporate limits of Brownsville, Cameron County, Texas.

Section 2. That all provisions of Sections 180 through 221 of the City Zoning Ordinance are incorporated herein by reference and declared to be a part hereof; and that this ordinance shall become effective on the earliest date allowed by law.

INTRODUCED at a public hearing on **April 19, 2016**. Passed at First Reading on **April 19, 2016**. PASSED at Second and Final Reading and ADOPTED, APPROVED, and ENACTED on **May 03, 2016**.

(SEAL)

BY: _____
Antonio Martinez
Mayor

ATTEST: _____
Michael L. Lopez
City Secretary



ZONING APPLICATION

City of Brownsville
Planning Department
(956) 548-6150

1150 E. Adams St. 3rd FL
Brownsville, Texas 78520

- Planning and Zoning Commission
- City Commission

Tentative Date: _____

Tentative Date: _____

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

Geographic ID #: 03/5510/0030/0010/00

Project Address: 1234 Mc Davitt Blvd Brownsville, Tx

Subdivision: Villa Verde Subdivision

Lot(s)/Block: Lot 1 Block 3

Current Area Classification: F Proposed Area Classification: _____ Gross Acreage: .284

Current Zoning: 1C Proposed Zoning: 3C

Proposed Used: Food service. Food to go 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

Representative/Agent Information

Name: Gerald & Susan Alton

Address: 31 Winter Haven Ln

City: Brownsville

State: Tx Zip Code: 78526

Telephone: 956-545-9448

Fax: 5

Email: Hollytexasdog@gmail.com

Signature: Susan Alton

Name: _____

Address: _____

City: _____

State: _____ Zip Code: _____

Telephone: _____

Fax: _____

Email: _____

Signature: _____

Special Note: INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

Office Use Only

Date Submitted: March 7, 2016 Application Fee: \$500.00 Electoral District: _____

Accepted by: Erika Espinoza Dept. Director: _____ Case Number 235-2016-025

April 8, 2016

Planning and Community Development Department
City of Brownsville

Dear Sirs:

I have requested a zone change for my property located at 1234 McDavitt, Brownsville, Texas; Lot 1, Block 3 of Henrietta Addition. The request was reviewed and denied April 7, 2016. Ordinance # 235-2016-025. I am not satisfied with the result, I feel because the business has operated under a "food designation" , with the city's approval since 2003, it should be properly changed to the zoning: C3. I would like to appeal this issue to the City Commissioner's Meeting April 19th.

Thank you for your assistance. Any questions, please call me: 956-545-9448.

Sue Alton

Sue Alton



City of Brownsville Zoning Map

Use Districts

ZONING

-  Dwelling (D)
-  Dwelling/Retail (DR)
-  Apartment (A)
-  Professional Office (1C)
-  Light Retail (2C)
-  Medium Retail (3C)
-  General Retail (4C)
-  Light Commercial (5C)
-  Medium Commercial (6C)
-  Light Industrial (7C)
-  Medium Industrial (8C)
-  Heavy Industrial (9C)

Rezoning Request :

Case # 235-2016-025
Gerald & Susan Alton

Current Zoning:
Professional Office (1C) "F"

Proposed Zoning:
Medium Retail (3C) "F"





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

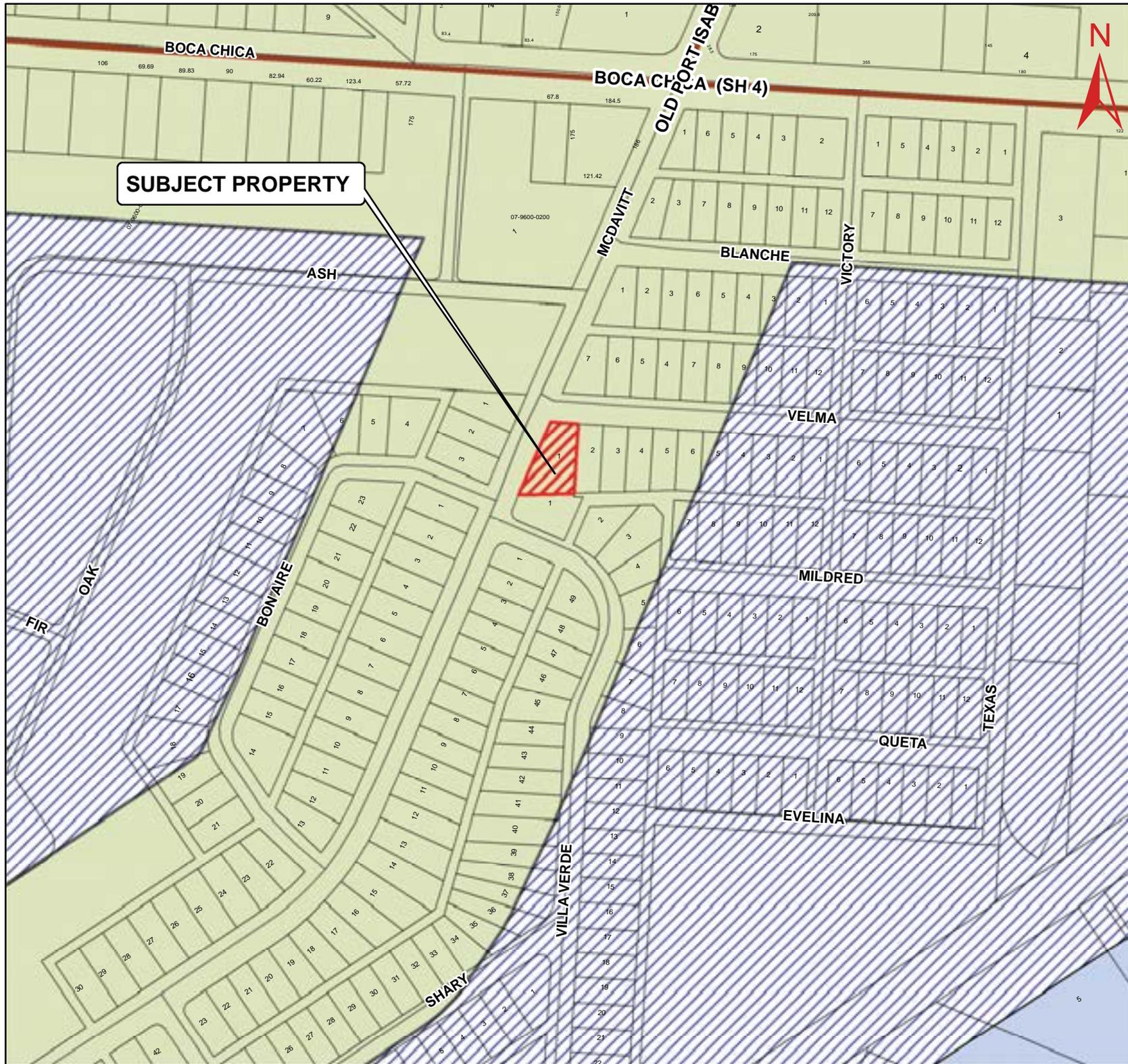
- Gateway Corridor
- Linkage Corridor
- Loop Corridor
- Town Corridor

NODES NAME

- Downtown Node
- Primary Regional Node
- Secondary Regional Node
- Sub Regional Node

- Brownsville's City Limits
- Brownsville's ETJ Boundary

Zoning Case No.
235-2016-025





Staff Report

A. Application Information

Applicant/Property Owner:	Gerald & Susan Alton
Property ID:	03-5510-0030-0010-00
Case Number:	235-2016-025
Application Type:	Rezoning
Proposed Use:	Food service-Food to go
Current Zoning District:	Professional Office "F" (1CF)
Proposed Zoning District:	Medium Retail "F" (3CF)
Date Application Submitted:	March 7, 11, 2016
Planning & Zoning Commission Meeting Date:	April 7, 2016
City Commission Meeting Dates:	April 19, 2016 & May 3, 2016
City Commission District:	1
Overlay in area:	N/A

B. Application Type/Background

The applicant is requesting to rezone from "Professional Office" to "Medium Retail".

C. Subject Property

The subject property is located on Lot 1, Block 3 of Henrietta Addition Subdivision. This property is fronting McDavitt Blvd, a secondary arterial. Single family homes are the predominant existing land uses within the subject property's immediate area. There are no major transportation improvements planned or programmed in the immediate area. The area is served with water and wastewater by Brownsville Public Utility Board (PUB).

Existing land uses abutting the subject property are identified below and illustrated in Figure 2.

- North of the subject property are single family homes.
- East of the subject property are single family homes.
- South of the subject property are single family homes.
- West of the subject property are single family homes.

Figure 1: Existing Zoning Map

The following map illustrates existing zoning of the subject property and zoning of properties within the immediate area. The abutting properties to the east and south of the subject property are zoned “Dwelling”. The properties to the west across McDavitt Blvd are also zoned “Dwelling”. The properties to the north across Velma are zoned “Professional Office”.



Figure 2: Existing Land Use Map

The following map illustrates existing land uses surrounding the subject property. The existing land uses of the surrounding properties to the north, south, east, and west are single family homes.

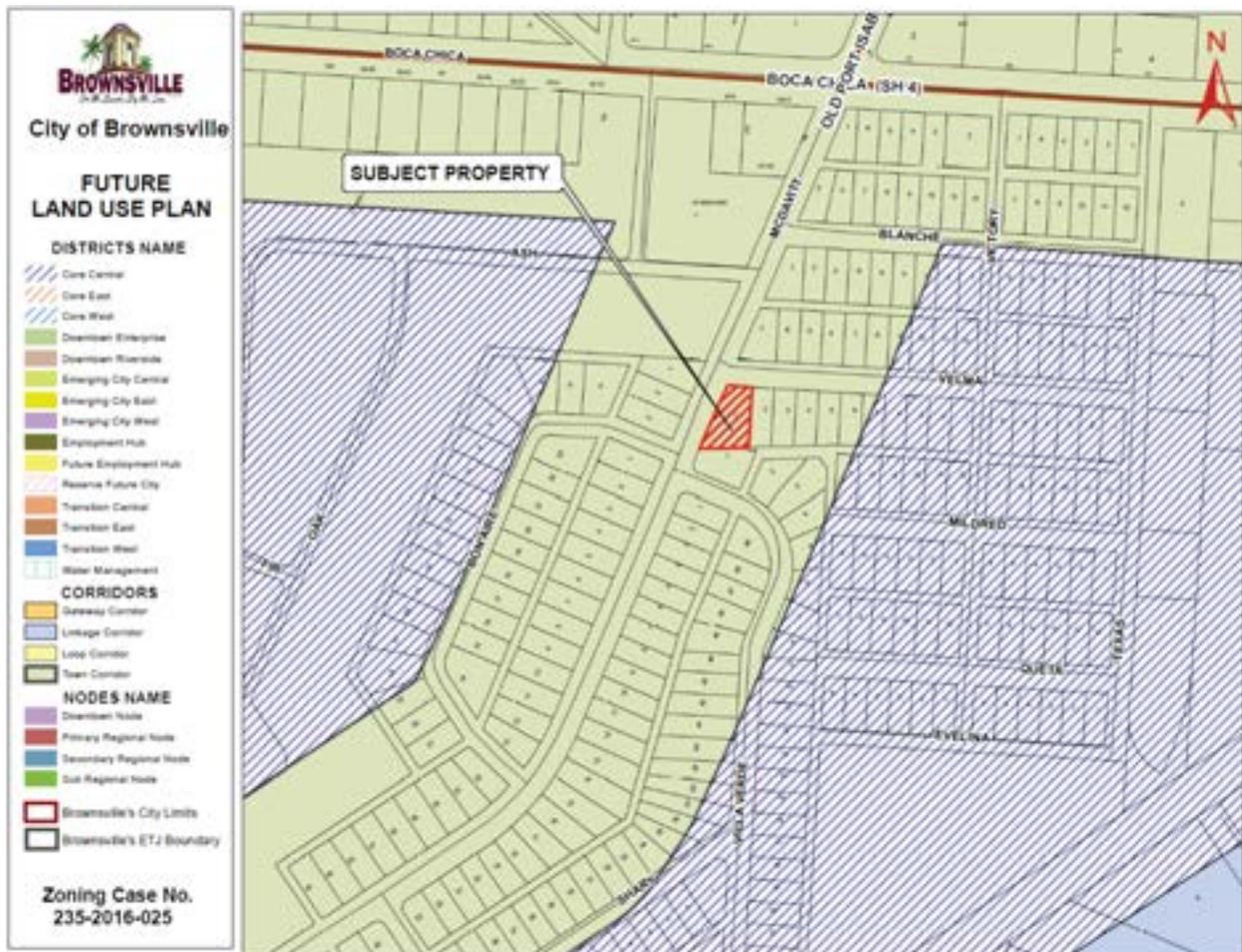


D. Future Land Plan Consistency

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, Town Corridors are primarily residential, with small clusters of commercial land uses at regularly spaced intervals, mostly found at intersections of sub-regional roadways with city streets. The density of residential land uses should have an average of 3 dwelling units per acre and consist primarily of single family homes, with some attached townhouses and some larger lots. Commercial uses should be neighborhood office and retail, ideally independently owned businesses and shops that serve local residents. It is the opinion of staff that the request is not consistent with the Comprehensive Plan and Future Land Use Plan.

Figure 3: Future Land Use Map (Town Corridor)

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 not 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 homes. It is the opinion of staff that the proposed zoning would generally not 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 would create significant or burdensome demands on public facilities such as water, wastewater, transportation, and schools.

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 would not complement the area and it may have adverse impacts on area property values.

F. Staff Recommendation

Based upon the analysis presented in this report and based on observations from the Planning Department staff, staff recommends not support the request to rezone from “Professional Office” to “Medium Retail”.

City of Brownsville PUBLIC COMMENT PERIOD

THE PUBLIC COMMENT PERIOD IS DESIGNATED FOR HEARING CONCERNS REGARDING CITY OF BROWNSVILLE PUBLIC POLICY OR CITY OF BROWNSVILLE BUSINESS THAT IS *NOT ON THE AGENDA*.

- DO NOT REQUEST A PUBLIC COMMENT FORM IF YOUR COMMENT DEALS WITH ANY ITEM ON THE AGENDA OR A PUBLIC HEARING ITEM ON THE AGENDA.
- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO BE RECOGNIZED AND ADDRESS THE COMMISSION ON A SUBJECT THAT IS **NOT AN AGENDA ITEM OR A PUBLIC HEARING**.
- ADDRESS THE COMMISSION AS A WHOLE – DO NOT DIRECT YOUR COMMENTS TO ANY INDIVIDUAL MEMBER OF THE COMMISSION.
- THE PUBLIC COMMENT PERIOD IS A TOTAL OF 15 MINUTES.
- THERE IS A **THREE (3)-MINUTE TIME LIMIT** PER SPEAKER.
- NO **FORMAL** ACTION CAN BE TAKEN.
- FOR THE RECORD, THE SPEAKER **MUST IDENTIFY BY NAME** BEFORE SPEAKING.
- “PUBLIC COMMENT FORMS” ARE LOCATED ON THE SECOND FLOOR AT THE DESK OF CITY SECRETARY STAFF IN THE COMMISSION CHAMBERS (on the day of the meeting).
- “**PUBLIC COMMENT FORMS**” ARE NOT RESERVED FOR ANYONE.
- “PUBLIC COMMENT FORMS” Must be filled out and presented to THE CITY SECRETARY STAFF **NO LATER THAN 6:00 P.M.** TO BE RECOGNIZED.
- “**PUBLIC COMMENT FORMS**” ARE NOT ACCEPTED AFTER 6:00 P.M.
- **POWERPOINT PRESENTATIONS ARE NOT CONDUCTED DURING THE PUBLIC COMMENT PERIOD.** [For further information, contact The Office of the City Secretary at 548-6001]

PRESENTATIONS:

PERSONS/GROUPS SCHEDULED TO CONDUCT A PRESENTATION OR DISTRIBUTING HANDOUTS ASSOCIATED WITH A PRESENTATION TO THE COMMISSION MUST PROVIDE A COPY OF SAME TO THE CITY SECRETARY FOR THE RECORD.



Submit

AGENDA REQUEST FORM

Item Number: **19.**

COMMISSION MEETING DATE: 4/19/16

Brownsville Metro
DEPT: Department CONTACT Norma H. Zamora

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
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Brief Description of Agenda Item:

Consideration and ACTION on Resolution Number 2016-023 the filing of applications with the Department of Transportation, an operating Administration of the United States, for federal transportation assistance authorized by the House of Representatives 2019 - Consolidated Appropriations ACT, 2016 (PUGB. L 114-113, December 18, 2015) ("FY2016 of Appropriations ACT" or the "ACT"), United States code, and other federal statutes administered by the Department of Transportation.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ **Date:** _____

RESOLUTION NO. 2016 - 023

A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE DEPARTMENT OF TRANSPORTATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY THE HOUSE OF REPRESENTATIVES 2029 - CONSOLIDATED APPROPRIATIONS ACT, 2016 (PUB. L. 114-113, DECEMBER 18, 2015) ("FY 2016 APPROPRIATIONS ACT" or the "ACT"), UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Department of Transportation, Office of the Secretary of Transportation, has delegated authority to award Federal financial assistance for National Infrastructure Investments under the House of Representatives 2029 - Consolidated Appropriations Act, 2016 (Pub. L. 114-113, December 18, 2015) ("FY 2016 Appropriations Act" or the "Act") known as the Transportation Investment Generating Economic Recovery, or "TIGER Discretionary Grants" program; and

WHEREAS, the City of Brownsville proposes the project, "Connecting Communities," to meet the needs of a fast growing population by increasing the City of Brownsville's regional transit fleet (Metro Connect) and local facilities, as well as create an easily accessible mode of connection for pedestrian and bicycle access on Queen Isabella Causeway between South Padre Island and Port Isabel, Texas; and

WHEREAS, the City of Brownsville, in coordination with regional partners, will pursue TIGER funding for "Connecting Communities" with the technical assistance provided by the Texas A&M Transportation Institute (TTI) - a reputable organization with successful TIGER application experience; and

WHEREAS, the City of Brownsville and its regional partners understand that if awarded this grant requires that certain obligations be imposed to provide the local share of the project costs; and

WHEREAS, the City of Brownsville, under the Connecting Communities Initiative, seeks these funds in order to benefit the region and its partners by providing residents with different modes of transportation, stimulating economic growth; and

WHEREAS, the City of Brownsville is a designated Strong Cities, Strong Communities (SC²) community under the White House Initiative to help advance Brownsville's infrastructure development, including transportation, to directly impact the economic vitality of our community to improve the lives of our residents.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Brownsville, Texas;

RESOLUTION NO. 2016 - 023

THAT the City Manager or his designee is authorized to execute and file applications and amendments on behalf of the City of Brownsville, Texas with the Department of Transportation for Federal assistance authorized by the House of Representative 2029 - Consolidated Appropriations Act, 2016, United States Code, or other Federal statutes authorizing projects administered by the Department of Transportation.

THAT the City Manager or his designee is authorized to execute and file with its applications the annual certifications and assurances and other documents the Department of Transportation requires before awarding a Federal assistance grant or cooperative agreement.

THAT the City Manager or his designee is authorized to execute grant and cooperative agreements with the Department of Transportation on behalf of the City of Brownsville, Texas.

PASSED AND APPROVED on April, 2016

Antonio Martinez
Mayor

ATTEST:

Michael L. Lopez
City Secretary

139
9
APR 16
MARK SSS

TIGER 2016

METRO CONNECT | CONNECTING COMMUNITIES

INTRODUCTION

The City of Brownsville (City) recognizes the need to invest in transportation infrastructure and transportation services to address the rapidly growing population of the Rio Grande Valley region. The City seeks to create the multimodal transportation project, Connecting Communities to transform the Valley into a highly mobile community.

MISSION

Connecting Communities' mission is to advance the Ladders of Opportunity principle, pursue transformative projects, leverage resources, and encourage partnerships by incorporating regional transit with bicycle and pedestrian services the Rio Grande Valley.

VISION

Connecting Communities seeks to transform connectivity within the Rio Grande Valley, including *colonias**, by providing seamless and efficient connectivity to centers of employment, education, health care services, and recreational areas. All of these connections contribute to the communities' revitalization by providing new services, accessibility, safety enhancements, and efficiency gains.

*residential area along the Texas-Mexico border that may lack most basic living necessities. .

PROJECT DESCRIPTION

Connecting Communities is a transformative and an innovative multimodal transportation project that will allow isolated rural areas to become interlinked with the RGV Metro communities. Connecting Communities facilitates residents' commute to work, school, recreational services, or medical facilities by offering various means of transportation options such as pedestrian, bicycle, motor vehicle, and most importantly public transit.

PROJECT PROPOSAL

Transit Component (estimated cost \$13,212,000)

- 8 hybrid buses to enhance regional connections
- Brownsville Metro Phase II Maintenance Yard Rehab
- Brownsville Metro Phase III Eastside Transfer Station
- City-wide Bus Stop Improvements

Bike & Pedestrian Component (estimated cost \$9,300,000)

- Queen Isabella Causeway
- Bicycle Amenity Stations



- **Green Line** [more info >>](#)
- **Red Line** [more info >>](#)
- **Blue Line** [more info >>](#)

**LOWER RIO GRANDE VALLEY
ACTIVE TRANSPORTATION
AND TOURISM PLAN**

LEGACY ROUTES



DRAFT



Submit

AGENDA REQUEST FORM

Item Number: **20.**

COMMISSION MEETING DATE: 4/19/16

Finance/BPUB
DEPT: _____ CONTACT Pete Gonzalez

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
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Brief Description of Agenda Item:

Consideration and ACTION on Ordinance Number 2016-1615, authorizing the issuance of "City of Brownsville, Texas Utilities System Revenue Refunding Bonds, Series 2016"; providing for the payment of the principal of and interest on the Bonds by a lien on and Pledge of the Net Revenues of the system; providing the terms and conditions of such Bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such Bonds, including the approval and distribution of an official statement; authorizing the execution of a paying agent/registrar agreement, a purchase contract, and an Escrow Agreement and/or Deposit Letter; complying with the requirements of the Depository Trust Company; delegating the authority to the City Manager and certain members of the City or Brownsville Public Utilities Board (BPUB) staff to execute certain documents relating to the sale of the Bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an effective date.

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ **Date:** _____

ORDINANCE NO. 2016-1615

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF BROWNSVILLE, TEXAS UTILITIES SYSTEM REVENUE REFUNDING BONDS, SERIES 2016"; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A LIEN ON AND PLEDGE OF THE NET REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AGREEMENT AND/OR DEPOSIT LETTER; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO THE CITY MANAGER AND CERTAIN MEMBERS OF THE CITY OR BPEB STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

"Adapted April 19, 2016"



Submit

AGENDA REQUEST FORM

Item Number: **21.**

Finance/City Mgr.

COMMISSION MEETING DATE: 4/19/16

DEPT: _____ CONTACT Pete Gonzalez

AGENDA

Pete Gonzalez

Digitally signed by Pete Gonzalez
DN: cn=Pete Gonzalez, o=City of
Brownsville, ou=Deputy City Manager,
email=peteg@cob.us, c=US
Date: 2016.04.12 15:42:35 -0500

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: <u>5 min</u>	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	--	---	---

Brief Description of Agenda Item:

Consideration and action to approve resolution number 2016-024 expressing official intent to reimburse with tax-exempt obligation proceeds costs associated with certain capital improvements to the Brownsville/South Padre Island International Airport.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____

RESOLUTION NO. 2016-024

RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE WITH TAX-EXEMPT OBLIGATION PROCEEDS COSTS ASSOCIATED WITH CERTAIN CAPITAL IMPROVEMENTS TO THE BROWNSVILLE/SOUTH PADRE ISLAND INTERNATIONAL AIRPORT

WHEREAS, the CITY OF BROWNSVILLE, TEXAS (the "*City*") owns and operates the Brownsville/South Padre Island International Airport (the "*Airport*"); and

WHEREAS, over the last several years the City has conducted studies and developed plans to make extensive improvements to the Airport; and

WHEREAS, as a result of such studies and plans, the City Commission of the City hereby determines that it is necessary and desirable to acquire, construct and equip capital improvements to the Airport, including but not limited to constructing and equipping of a new terminal, new terminal apron, new terminal access roadway and parking, and new landside access roadways, and demolishing the existing terminal (collectively, the "*Project*"); and

WHEREAS, the City expects that it will pay, from available funds of the City, expenditures in connection with the Project prior to the issuance of tax-exempt obligations (the "*Obligations*") to finance the Project; and

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the United States Treasury Regulations and the laws of the State of Texas, to reimburse itself for such payments at such time as the City issues Obligations to finance the Project;

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS THAT:

SECTION 1. EXPECTATION TO INCUR DEBT. The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount of \$25,000,000 for the purpose of paying the costs of the Project; and

SECTION 2. REIMBURSEMENT OF PRIOR EXPENDITURES. All costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid, or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

SECTION 3. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no Obligations will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

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

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

[The remainder of this page intentionally left blank]

***PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
BROWNSVILLE, TEXAS THIS 19TH DAY OF APRIL, 2016.***

Mayor, City of Brownsville, Texas

Attest:

City Secretary,
City of Brownsville, Texas

(City Seal)

** **

CERTIFICATE FOR RESOLUTION

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 April 19, 2016 at the designated meeting place (the "**Meeting**"), and the roll was called of the duly constituted officers and members of the City Commission, to wit:

Antonio "Tony" Martinez , Mayor
César de León, Commissioner At-Large "A"
Rose M. Z. Gowen, Commissioner At-Large "B"

Ricardo Longoria, Jr., Commissioner District 1
Jessica Tetreau-Kalifa, Commissioner District 2
Deborah Portillo, Commissioner District 3
John Villarreal, Commissioner District 4

and all of said persons 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. 2016-024 entitled:

RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE WITH TAX-EXEMPT OBLIGATION PROCEEDS COSTS ASSOCIATED WITH CERTAIN CAPITAL IMPROVEMENTS TO THE BROWNSVILLE/SOUTH PADRE ISLAND INTERNATIONAL AIRPORT

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

AYES: _____ NOES: _____ ABSTENTIONS: _____

2. A true, full and correct copy of the Resolution passed 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' minutes of the Meeting; the above and foregoing paragraph is a true, full and correct excerpt from the City Commission' 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 Texas Government Code, Chapter 551.

SIGNED AND SEALED the 19th day of April, 2016.

City Secretary
City of Brownsville, Texas

(CITY SEAL)



Submit

AGENDA REQUEST FORM

Item Number: **22.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Finance CONTACT Lupe Grando

AGENDA

Lupe

Digitally signed by Lupe
DN: cn=Lupe, o=City of
Brownsville, ou=Finance,
email=lupe@cob.us,
c=US
Date: 2016.04.14
10:42:07 -0500

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

Consideration and action to adopt budget amendment resolution number 2016-025 to amend the General Fund, Streetscape Fund and Motor Vehicle Parking System Fund expenditures budget, and to amend the budget for additional expenditures and revenues in Capital Projects Fund.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____

RESOLUTION NUMBER 2016-025

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE TEXAS AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE FOLLOWING FUNDS: (1) GENERAL FUND, (2) STREETScape FUND, (3) CAPITAL PROJECTS FUND, AND (4) MOTOR VEHICLE PARKING SYSTEM FUND.

WHEREAS, in accordance with the City Charter of the City of Brownsville, Texas and budgetary laws of the State governing home rule cities, the city manager has hereby submitted to the City Commission the attached fiscal year 2016 budget amendments for the following funds: (1) General Fund, (2) Streetscape Fund, (3) Capital Projects Fund, and (4) Motor Vehicle Parking System Fund.

WHEREAS, the attached budget amendments for the following funds; (1) General Fund, (2) Streetscape Fund, (3) Capital Projects Fund, and (4) Motor Vehicle Parking System Fund.

WHEREAS, all prerequisites heretofore required by law have been met and the attached fiscal year 2016 budget amendments for the following funds: (1) General Fund, (2) Streetscape Fund, (3) Capital Projects Fund, and (4) Motor Parking System Fund; and must be formally adopted by the City Commission.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BROWNSVILLE, TEXAS:

Section 1. That the attached budget amendments for the following funds: (1) General Fund, (2) Streetscape Fund, (3) Capital Projects Fund, and (4) Motor Parking System Fund; and are emergency expenditures to meet unusual/unforeseen conditions and/or to change the budget for the municipal purposes.

Section 2. That the attached fiscal year 2016 budget amendments for the following funds: (1) General Fund, (2) Streetscape Fund, (3) Capital Projects Fund, and (4) Motor Vehicle Parking Fund; and are prepared and submitted to the City Commission be and are hereby adopted.

ADOPTED AND APPROVED by the City Commission of the City of Brownsville, Texas at a meeting thereof held on Tuesday, April 19, 2016.

ANTONIO (TONY) MARTINEZ
MAYOR

ATTEST:

MICHAEL LOPEZ
CITY SECRETARY

City of Brownsville, Texas
 Analysis of Budget Amendment
 For General Fund, Streetscape Fund
 Capital Projects Fund and Motor Vehicle Parking System Fund
 April 19, 2016

General Fund

Account No.	Department's Name	Account Title	Amount
01-491-942	General Fund	Library Broadcasting Equipment	27,000
01-9110-848-388	General Fund	805 E. Tyler Building - Asbestos Removal	35,000
01-9110-848-421	General Fund	Commission Chambers Automation Upgrade	12,500
01-9110-876-288	General Fund	Young House Maintenance & Repairs	65,000
01-9110-876-895	General Fund	ETJ Litigation - Legal	55,000
01-9112-876-295	General Fund	Pine Verde - Storm Pipe Repair	16,000
01-9112-876-928	General Fund	Public Works Oil Spills Clean Up / Remediation	152,000
01-9115-848-115	General Fund	Zoo Infrastructure Improvements	93,000
01-9115-848-174	General Fund	La Posada Nature Trail	175,000
		Approved by Commission 04/05/2016	
01-437-206	General Fund	Budget Change in Committed Fund Balance	
		Park Subdivision Fees	(175,000)
01-992-991-45	General Fund	Transfers to Capital Projects Fund - Market	(47,940)
		Square Revitalization Project - Funding Update	
01-441-131	General Fund	Budget Change in Assigned Fund Balance	
		AEP Settlement Funds	47,940
01-441	General Fund	Budget Change in Fund Balance	(455,500)
Total General Fund			<u>0</u>

Streetscape Fund

Account No.	Department's Name	Account Title	Amount
33-992-991-45	Streetscape Fund	Transfer to Capital Project Fund	
		Market Square Dome Imprv Project	(50,183)
33-441	Streetscape Fund	Budget Change in Fund Balance	50,183
Total Streetscape Fund			<u>0</u>

Capital Projects Fund

Account No.	Department's Name	Account Title	Amount
45-591-01	Capital Projects Fund	Transfer from GF - AEP Settlement Fund	47,940
45-591-33	Capital Projects Fund	Transfer to Streetscape Fund - Market Square	
		Revitalization Project - Funding Update	50,183
45-591-63	Capital Projects Fund	Transfer from MVPS Fund - Market Square	
		Revitalization Project - Funding Update	(98,123)
Total Capital Projects Fund			<u>0</u>

City of Brownsville, Texas
Analysis of Budget Amendment
For General Fund, Streetscape Fund
Capital Projects Fund and Motor Vehicle Parking System Fund
April 19, 2016

Motor Vehicle Parking System Fund

<u>Account No.</u>	<u>Department's Name</u>	<u>Account Title</u>	<u>Amount</u>
63-992-991-45	M.V.P.S. Fund	Transfer to Capital Projects Fund	98,123
63-441	M.V.P.S. Fund	Restricted Meter Revenues for Downtown Improv - Market Square Revitalization Proj	<u>(98,123)</u>
Total Motor Vehicle Parking System Fund			<u><u>0</u></u>

CITY OF BROWNSVILLE

Expense Ledger Summary Listing

From Date: 10/1/2015 - To Date: 4/14/2016

G/L Date	Journal	Journal Type	Sub Ledger	Description/Project	Source	Reference	Budget	Encumbrance	Actual	
G/L Account Number: 01-9110-848-388 Special Projects 805 E Tyler Building							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: December 2015			\$0.00	\$13,275.00	\$0.00	
				Month Total: January 2016			\$0.00	\$17,035.00	\$0.00	
				Month Total: February 2016			\$0.00	\$4,500.00	\$0.00	
				Month Total: March 2016			\$0.00	(\$34,810.00)	\$34,810.00	
				Account Total: Special Projects 805 E Tyler Building			\$0.00	\$0.00	\$34,810.00	
G/L Account Number: 01-9110-848-421 Special Projects Comm Chambers Automation Upgrade							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: December 2015			\$0.00	\$11,752.60	\$0.00	
				Month Total: January 2016			\$0.00	(\$11,752.60)	\$11,752.60	
				Month Total: February 2016			\$0.00	\$0.00	\$303.60	
				Account Total: Special Projects Comm Chambers Automation Upgrade			\$0.00	\$0.00	\$12,056.20	
G/L Account Number: 01-9110-876-288 Contingency Young House Maintenance, Repairs							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: October 2015			\$0.00	\$0.00	\$110.00	
				Month Total: December 2015			\$0.00	\$0.00	\$1,610.71	
				Month Total: January 2016			\$0.00	\$500.00	\$202.48	
				Month Total: February 2016			\$0.00	\$30,955.24	\$1,340.06	
				Month Total: March 2016			\$0.00	(\$30,699.00)	\$36,697.00	
				Account Total: Contingency Young House Maintenance, Repairs			\$0.00	\$756.24	\$39,960.25	
G/L Account Number: 01-9110-876-895 Contingency ETJ Litigation - Legal							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: November 2015			\$0.00	\$0.00	\$31,690.24	
				Month Total: December 2015			\$0.00	\$0.00	\$3,186.00	
				Month Total: March 2016			\$0.00	\$0.00	\$3,662.98	
				Account Total: Contingency ETJ Litigation - Legal			\$0.00	\$0.00	\$38,539.22	
				Department Total: Service & Contingency/GG			\$0.00	\$756.24	\$125,365.67	
G/L Account Number: 01-9112-876-295 Contingency Storm Pipe Repair - Pine Verde							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: December 2015			\$0.00	\$0.00	\$15,500.00	
				Account Total: Contingency Storm Pipe Repair - Pine Verde			\$0.00	\$0.00	\$15,500.00	
G/L Account Number: 01-9112-876-928 Contingency P/W Oil Spill							Fiscal YTD:	\$0.00	\$0.00	\$0.00
				Month Total: November 2015			\$0.00	\$0.00	\$51,355.25	
				Month Total: December 2015			\$0.00	\$100,000.00	\$0.00	
				Month Total: January 2016			\$0.00	(\$58,993.66)	\$58,993.66	

Expense Ledger Summary Listing

From Date: 10/1/2015 - To Date: 4/14/2016

G/L Date	Journal	Journal Type	Sub Ledger	Description/Project	Source	Reference	Budget	Encumbrance	Actual	
G/L Account Number: 01-9112-876-928 Contingency P/W Oil Spill							Fiscal YTD:	\$0.00	\$0.00	\$0.00
Month Total: March 2016							\$0.00	(\$40,971.15)	\$40,971.15	
Account Total: Contingency P/W Oil Spill							\$0.00	\$35.19	\$151,320.06	
Department Total: Service & Contingency/PW							\$0.00	\$35.19	\$166,820.06	
Fund Total: General Fund							\$0.00	\$791.43	\$292,185.73	
Grand Total:							\$0.00	\$791.43	\$292,185.73	



GLADYS PORTER ZOO
OPERATED BY
VALLEY ZOOLOGICAL SOCIETY

April 6, 2016

Charles Cabler, City Manager
City of Brownsville
City Hall
1001 E. Elizabeth Street
Brownsville, Texas 78520

Dear Mr. Cabler,

In October of 2007, the City of Brownsville granted a funding increase of \$115,000 per annum bringing the cash support to the Gladys Porter Zoo to \$515,000. In 2011 the \$115,000 was rescinded and has never been reinstated.

The roughly 460,000-517,000 zoo visitors annually brings many millions of tourist dollars to Brownsville and the local economy.

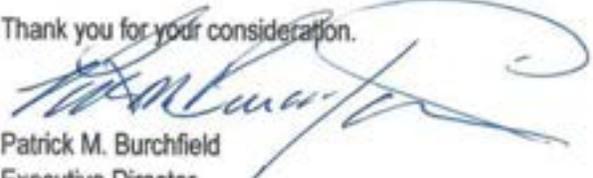
The year 2015 was a particularly difficult one for the Zoo. Rainy weather on holidays and practically every weekend diminished our attendance greatly and caused us to fall short on our budgetary projections. To keep our doors open we had to suspend all of our planned improvements and in-house expenses.

We currently have \$92,809 worth of critically needed repairs. These include the public's handrails and bridges to the Australian building. Repairs to the wooden roof of a hoof stock rearing and holding building, repairs to the main entrance office, fascia and roof repairs. These presently are unsightly and create safety issues for our visitors. Our maintenance building is in desperate condition requiring replacing sidewall, roof and door. A wall separating an antelope area and a restroom needs replacement as well.

We want to thank the Mayor and commissioners for their continuing support responsible for the great strides we have made in the last few years addressing the Zoo's infrastructure.

With our 5 year international accreditation inspection (Association of Zoos and Aquariums, AZA) a little over a year away it is very important to get the zoo up to standards.

Thank you for your consideration.



Patrick M. Burchfield
Executive Director
Gladys Porter Zoo
500 Ringgold St.
Brownsville, Texas 78520

cc: Lupe Granado III, Finance Director

500 Ringgold Street • Brownsville, Texas 78520 • Tel (956) 546-7187 • Fax (956) 541-4940

e-mail: admin@gpz.org • www.gpz.org

ACCREDITED MEMBER ASSOCIATION OF ZOOS AND AQUARIUMS



Submit

AGENDA REQUEST FORM

Item Number: 8.

COMMISSION MEETING DATE: 4/05/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input checked="" type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input checked="" type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
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Brief Description of Agenda Item:

Consideration and Action on Resolution Number 2016-021 authorizing the purchase of two tracts of land for future park purposes from the Estate of Delia Angelina Spencer located off the intersection of La Posada and Esperanza and dealing with related matters

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On February 4, 2016 the Zoning Commission voted unanimously to recommend approval.

City Manager Approval

_____ **Date:** _____

Resolution No. 2016-021

A Resolution of the City Commission of Brownsville, Texas, authorizing the purchase of two tracts of land for future park purposes from the Estate of Delia Angelina Spencer, designating signatories for the purchase, and related matters.

Whereas, the City of Brownsville had the opportunity to purchase two tracts of land for future park land purposes and protection of pristine natural habitat;

Whereas, these two tracts are 1.95 acres and 1.92 acres for a total amount of 3.87 acres in the heart of Southmost;

Whereas, this land is suitable for future park purposes given its location at the terminus of the Southmost Trail and also has an amazing array of natural not seen anywhere else in Brownsville; and

Whereas, the price of \$175,000 is supported by an independent appraisal hired by the City and the City has received a letter from the owner expressing her willingness to sell;

Now, therefore, be it **Resolved by the City Commission of the City of Brownsville, Texas:**

1. That the City of Brownsville shall purchase from the Estate of Delia Angelina Spencer two tracts of land legally described as: Tract 1: ABST 2- ESPIRITU SANTO GRANT SH 23 TRACT E PT, 1.9200 ACRE and Tract 2; ABST 2-ESPIRITU SANTO GRANT SH 23 TRACT E PT, 1.9500 ACRE in the amount of \$175,000; and
2. The City Manager, Deputy City Manager, and Assistant City Managers are each authorized to execute any documents necessary or appropriate to the closing of this transaction.

Adopted by the City Commission of the City of Brownsville, Texas on April 5, 2016

(Seal)

BY: _____
Antonio "Tony" Martinez
Mayor

ATTEST: _____
Michael Lopez
City Secretary

Approved as to form and legality:

Mark Sossi, City Attorney

Market Square Revitalization Project

Capital Projects Fund

<u>Account No.</u>	<u>Department's Name</u>	<u>Account Title</u>	<u>Amount</u>
45-8110-9218-02	Capital Project's Fund	Market Square Revitalization Project (Approved by Commission on 11/03/15)	3,479,298
45-573-315	Capital Project's Fund	B PUB Contribution - Market Square Project	(1,389,405)
45-591-01	Capital Project's Fund	Transfer from GF - AEP Settlement Funds	(1,824,406)
45-591-33	Capital Project's Fund	Transfer from Streetscape Project Fund	(167,364)
45-591-63	Capital Project's Fund	Transfer from Motor Vehicle Parking Fund	(98,123)
		Total Capital Projects Fund	-

Option 2 approved by City Commission on 11/03/15.

City of Brownsville, Texas
 Analysis of Budget Amendment
 For General Fund, Streetscape Fund
 Capital Projects Fund, Airport Fund,
 and Public Transit Fund
 December 8, 2015

General Fund

Account No.	Department's Name	Account Title	Amount
01-9110-848-132	General Fund	Legislative Consultant (Approved by Commission on 12/01/2015)	80,000
01-992-991-61	General Fund	Transfers to Airport Fund	14,000
01-992-991-65	General Fund	Transfers to Public Transit	347,469
01-992-991-45	General Fund	Transfers to Capital Projects Fund	1,872,346
01-441-131	General Fund	Budget Change in Assigned Fund Balance	(1,872,346)
01-441	General Fund	AEP Settlement Funds Budget Change in Fund Balance	(441,469)
Total General Fund			<u><u>0</u></u>

Streetscape Fund

Account No.	Department's Name	Account Title	Amount
33-992-991-45	Streetscape Fund	Transfer to Capital Projects Fund	217,547
33-441	Streetscape Fund	Budget Change in Fund Balance	(217,547)
Total Streetscape Fund			<u><u>0</u></u>

Capital Projects Fund

Account No.	Department's Name	Account Title	Amount
45-8110-9218-02	Capital Projects Fund	Market Square Revitalization Project (Approved by Commission on 11/03/2015)	3,479,298
45-573-315	Capital Projects Fund	BPUB Contribution - Market Square Project	(1,389,405)
45-591-01	Capital Projects Fund	Transfer from GF - AEP Settlement Funds	(1,872,346)
45-591-33	Capital Projects Fund	Transfer from Streetscape Project Fund	(217,547)
Total Capital Projects Fund			<u><u>0</u></u>

Airport Fund

Account No.	Department's Name	Account Title	Amount
61-9126-848-501	Airport Fund	Civil Air Patrol MOA - Local Funding (Approved by Commission on 11/17/2015)	14,000
61-591-01	Airport Fund	Transfer from General Fund	(14,000)
Total Airport Fund			<u><u>0</u></u>

Public Transit Fund

Account No.	Department's Name	Account Title	Amount
65-9125-848-409	Public Transit Fund	BUS Shelters Grant	385,000
65-581	Public Transit Fund	BCIC Grant - BUS Shelter	(261,131)
65-591-01	Public Transit Fund	Transfer from General Fund	(374,469)
65-441	Public Transit Fund	Budget Change in Fund Balance	250,600
Total Public Transit Fund			<u><u>0</u></u>



Submit

AGENDA REQUEST FORM

Item Number: **23.**

COMMISSION MEETING DATE: 4/19/16

PARD
DEPT: _____ CONTACT _____

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
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Brief Description of Agenda Item:

Consideration and ACTION to accept \$5,000 value donation from the Healthy Communities of Brownsville for an education station at the City Cemetery Resaca on 5th Street and Old Alice Road.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

Healthy Communities of Brownsville received a \$5,000.00 grant from United Airlines. Healthy intends to work with partners bcWorkshop, Texas Southmost College, and Brownsville PUB for the design and construction of the project.

City Manager Approval

_____ **Date:** _____

City Cemetery Resaca Educational Station

Healthy Communities of Brownsville
March 3, 2016



Increasing knowledge of our Resacas

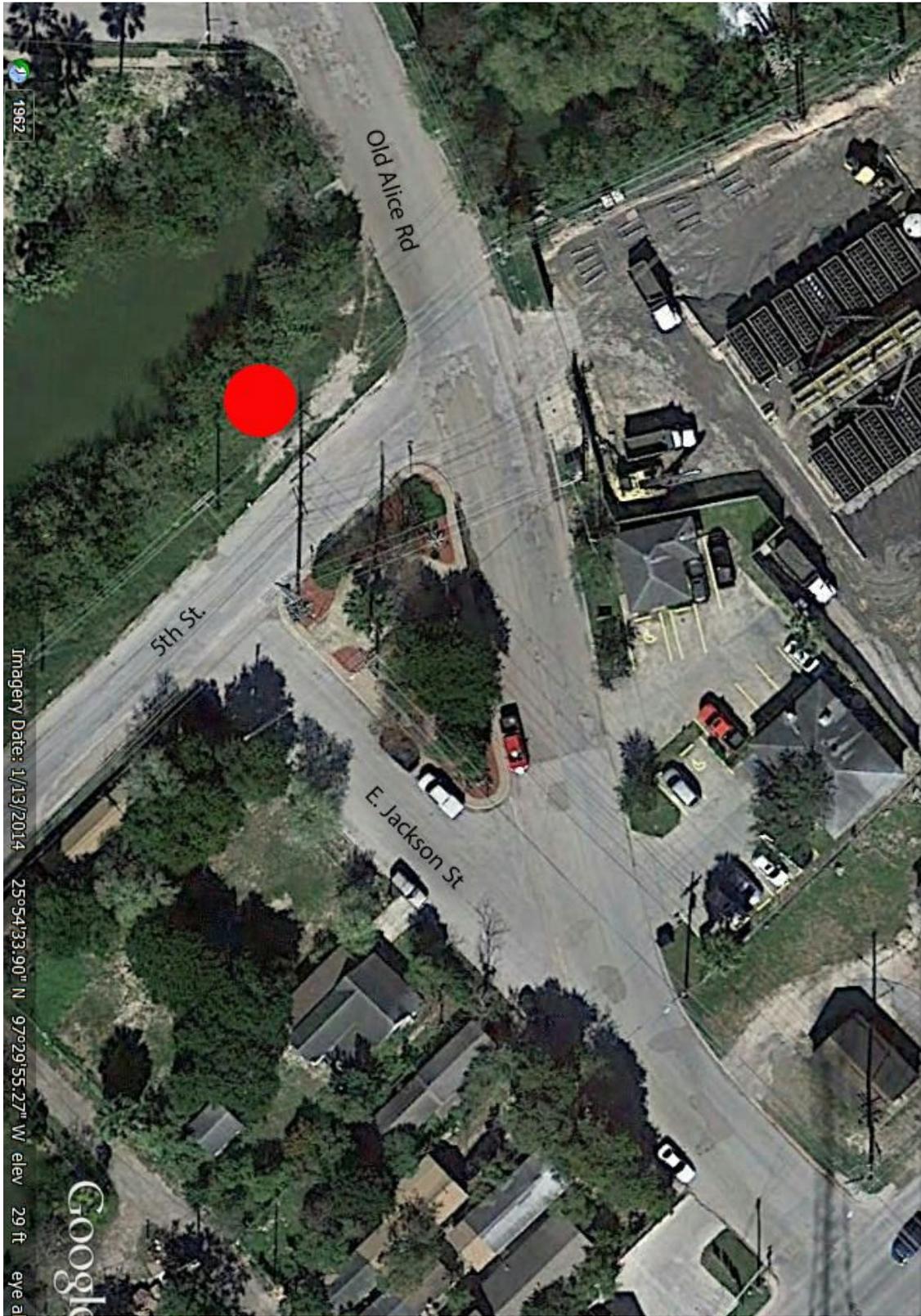
(White Pelicans in a Resaca, Picture by the Brownsville Herald)

Project Description and goals:

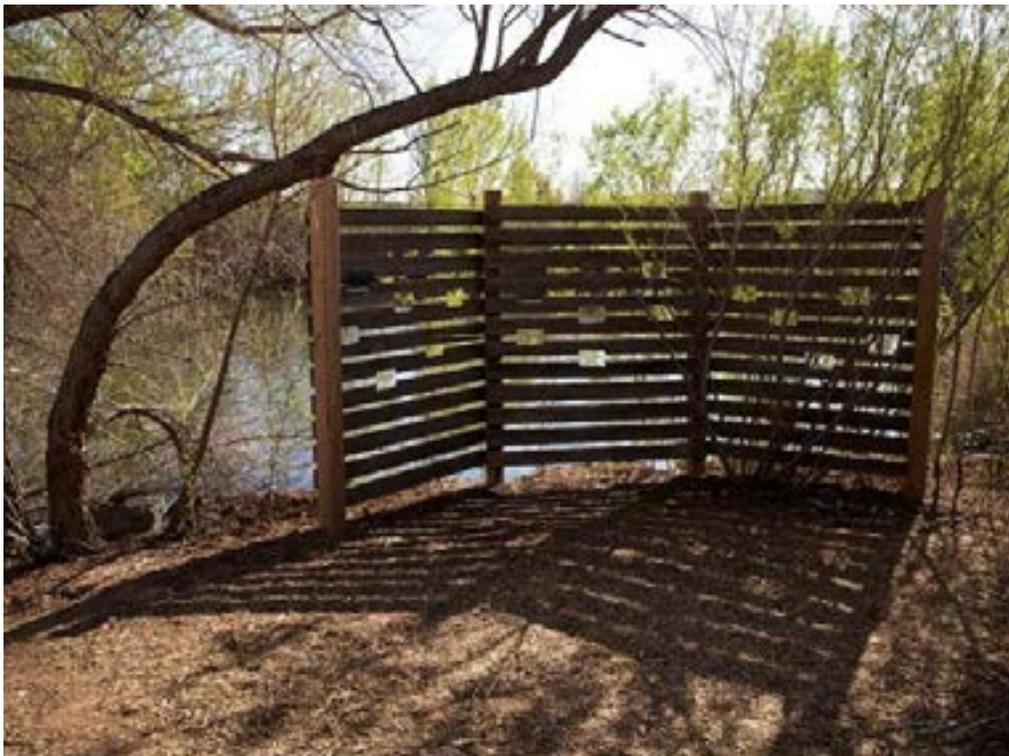
Healthy Communities of Brownsville (HCB) has received a \$5,000 grant that would like to use to develop an educational project in the City of Brownsville. HCB proposes the creation of an educational station at the City Cemetery Resaca consisting of a bird blind, educational signage and a floating platform. The project's goal is to increase knowledge and awareness of Brownsville Resacas, and promote the use of this important natural resource in the City of Brownsville. The specific location proposed is at intersection of 5th st with Old Alice Road (see attached map).

HCB is interested in working together with buildingcommunityWORKSHOP, [bc], and Texas Southmost College (TSC) to develop the design and construction of this project. Acknowledging that the Brownsville Public Utilities Board (PUB) is investing in the restoration of Resacas, HCB seeks to establish conversations with this department and the City of Brownsville to make this project possible.

Proposed Site:



Samples:







Submit

AGENDA REQUEST FORM

Item Number: **24.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Ramiro Gonzalez

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	---

Brief Description of Agenda Item:

Consideration and Action to approve Lease agreement between City of Brownsville and Verizon Wireless (Read Lease for exact name)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

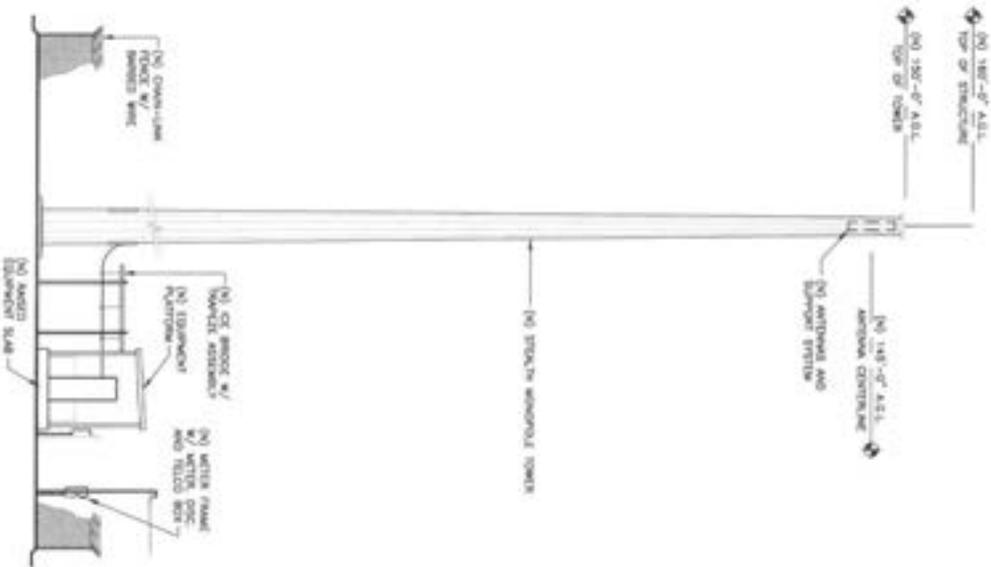
CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

Date: _____



1 SITE ELEVATION
SCALE: NTS

FLOOD ZONE: V4
B/E: 28.2'

(N) = NEW LISTING
(E) = EXISTING
(T) = TYPICAL



DINDA

VETERANS BLVD
BROWNSVILLE, CAMERON COUNTY, TEXAS
(301835)

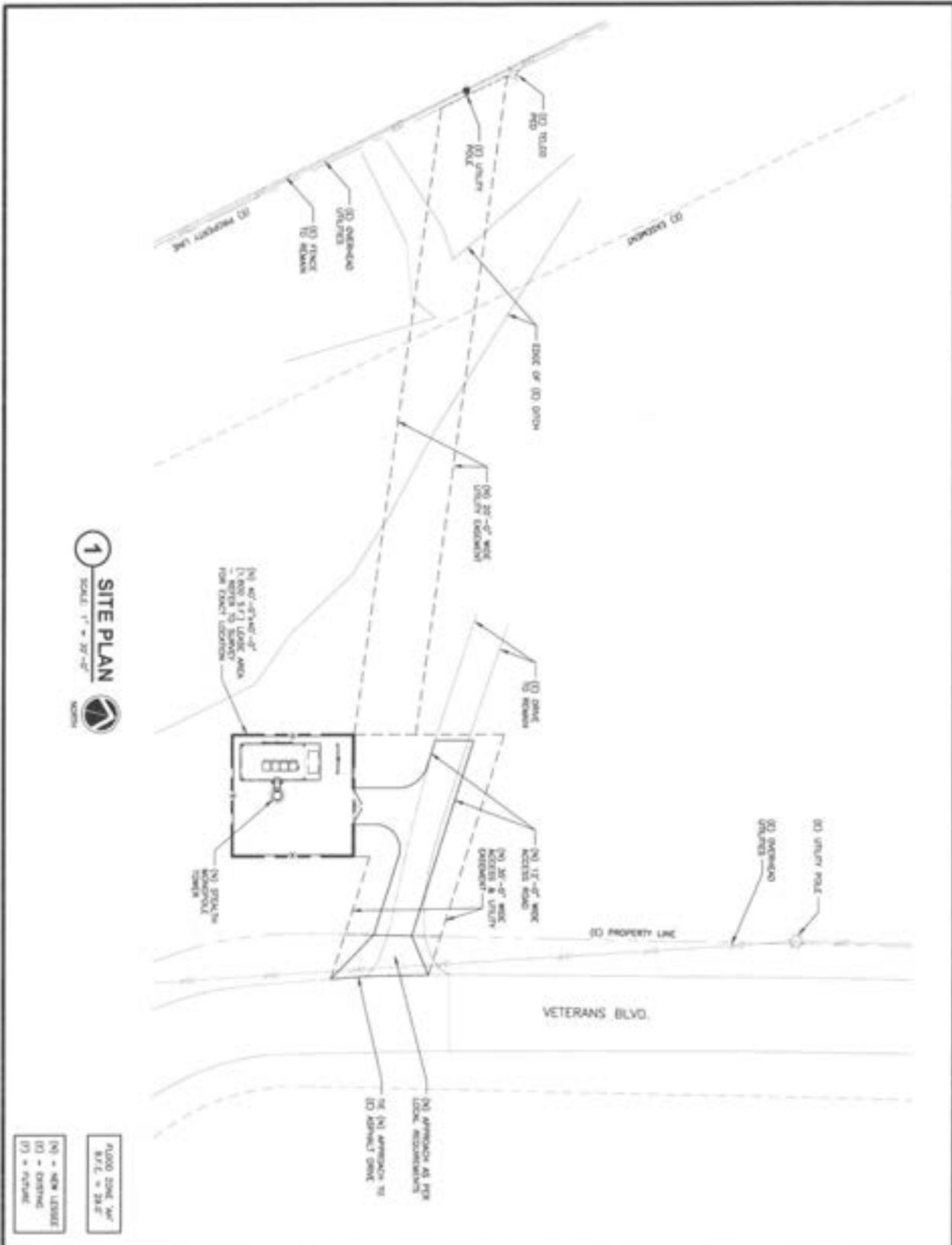
THIS IS AN INCOMPLETE
SET NOT FOR
CONSTRUCTION OR
PERMITTING.
APPROPRIATE
PROFESSIONAL SEAL
WILL BE APPLIED TO
FINAL CONSTRUCTION
SET



A.D. CONSULTING, L.L.C.
10000 W. LOOP WEST
SUNNYVALE, TEXAS 77313
DINDA
7706 MO. P. 416668

PROJECT NAME	
PROJECT NUMBER	
DATE	
SCALE	
BY	
CHECKED	
DATE	

EN3

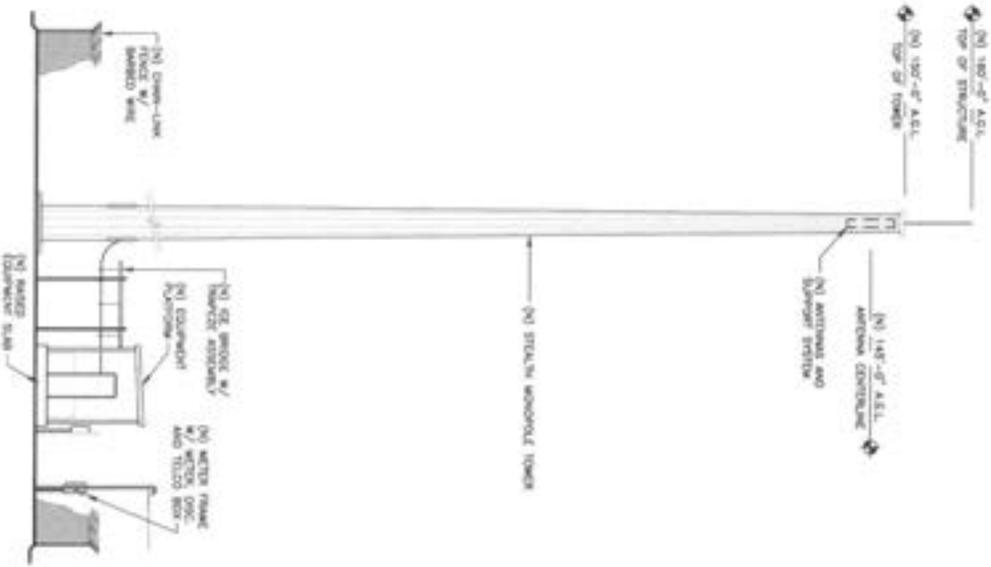


1 SITE PLAN
SCALE: 1" = 30'-0"
NORTH

ALLOD 2006 1/4"
R/T/L = 24.5"

- (N) - NEW LISTED
- (E) - EXISTING
- (F) - FUTURE

	<p>DINDA ***</p> <p>VETERANS BLVD BROWNSVILLE, CAMERON COUNTY, TEXAS (301835)</p>	<p>ANGCHONG, L.L.C. 10000 S. FARM ROAD BROWNSVILLE, TEXAS 77813 TEL: 361-444-8888 WWW.ANCHONG.COM</p>	<p>THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET</p>
<p>EN1</p>			



1 SITE ELEVATION
SCALE: N.T.S.

FLOOD ZONE: X
B.T.E. = 29.5'

(N) = NEW LESSEE
(E) = EXISTING
(F) = FUTURE

	DINDA *** VETERANS BLVD BROWNSVILLE, CAMERON COUNTY, TEXAS (301835)
	ARCHITECT: N.E. CONSTRUCTION LANDLORD LEASING CONSTRUCTION
THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET	
 ARCHCOASTAL, LLC 1008 Parkway San Antonio, TX 78213 TEL: 214-516-8888 WWW.ARCHCOASTAL.COM	
SITE ELEVATION PROJECT NUMBER: 1086738-002	
ENS3	



LAND LEASE AGREEMENT

This Agreement, made this _____ day of _____, 2015 between the City of Brownsville, Texas with its principal offices located at 1001 E. Elizabeth Street, Brownsville, Texas 78520, hereinafter designated LESSOR, and San Antonio MTA, L.P. d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404), hereinafter designated LESSEE. LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. PREMISES. Upon LESSEE obtaining all required approvals from the City of Brownsville City Commission, City of Brownsville Planning and Zoning Commission, and if appropriate the City of Brownsville Board of Adjustments, LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the Property), located at _____, and being described as a 40' by 40' parcel containing 1,600 square feet (the "Land Space"), together with the non-exclusive right (the "Rights of Way") for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks over or along a twenty (20') foot wide right-of-way extending from the nearest public right-of-way, Veterans Boulevard, to the Land Space, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along one or more rights of way from the Land Space, said Land Space and Rights of Way (hereinafter collectively referred to as the "Premises") being substantially as described herein in Exhibit "A" attached hereto and made a part hereof. The Property is further described in Deed Book _____ at Page _____ as recorded in the County Clerk's Office of Cameron County, Texas. LESSOR shall retain the right to access the property in order to perform necessary governmental tasks and functions upon providing LESSEE with prior written notice except an emergency situation whereupon LESSEE will be notified by LESSOR promptly after such emergency situation of LESSOR's access.

In the event any public utility is unable to use the Rights of Way, LESSOR hereby agrees to grant an additional right-of-way either to LESSEE or to the public utility at no cost to LESSEE.

2. SURVEY. LESSOR also hereby grants to LESSEE the right to survey the Property and the Premises, and said survey shall then become Exhibit "B" which shall be attached hereto and made a part hereof, and shall control in the event of boundary and access discrepancies between it and Exhibit "A". Cost for such work shall be borne by LESSEE.

3. TERM; RENTAL.

a. This Agreement shall be effective as of the date of execution by both Parties, provided, however, the initial term shall be for five (5) years and shall commence on the Commencement Date (as hereinafter defined) at which time rental payments shall commence and be due at a total annual rental of \$12,000.00 to be paid in equal monthly installments on the first day of the month, in advance, to LESSOR or to such other person, firm or place as LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date by notice given in accordance with Paragraph 23 below. The Agreement shall commence based upon the date LESSEE commences installation of the equipment on the

Premises. In the event the date LESSEE commences installation of the equipment on the Premises falls between the 1st and 15th of the month, the Agreement shall commence on the 1st of that month and if the date installation commences falls between the 16th and 31st of the month, then the Agreement shall commence on the 1st day of the following month (either the "Commencement Date"). LESSOR and LESSEE agree that they shall acknowledge in writing the Commencement Date. LESSOR and LESSEE acknowledge and agree that initial rental payment(s) shall not actually be sent by LESSEE until thirty (30) days after a written acknowledgement confirming the Commencement Date. By way of illustration of the preceding sentence, if the Commencement Date is January 1 and the written acknowledgement confirming the Commencement Date is dated January 14, LESSEE shall send to LESSOR the rental payments for January 1 and February 1 by February 13.

Upon each anniversary of the Commencement Date during the initial term and any extension of the initial term, rental shall be increased by two percent (2%) per annum.

Upon agreement of the Parties, LESSEE may pay rent by electronic funds transfer and in such event, LESSOR agrees to provide to LESSEE bank routing information for such purpose upon request of LESSEE.

b. LESSOR hereby agrees to provide to LESSEE certain documentation (the "Rental Documentation") evidencing LESSOR's interest in, and right to receive payments under, this Agreement, including without limitation: (i) documentation, acceptable to LESSEE in LESSEE's reasonable discretion, evidencing LESSOR's good and sufficient title to and/or interest in the Property and right to receive rental payments and other benefits hereunder; (ii) a complete and fully executed Internal Revenue Service Form W-9, or equivalent, in a form acceptable to LESSEE, for any party to whom rental payments are to be made pursuant to this Agreement; and (iii) other documentation requested by LESSEE in LESSEE's reasonable discretion. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. The Rental Documentation shall be provided to LESSEE in accordance with the provisions of and at the address given in Paragraph 23. The Parties agree and acknowledge that LESSEE shall be responsible for rental payments due under this Agreement commencing on the Commencement Date and for each month thereafter throughout the term of this Agreement (except as otherwise provided herein), but that LESSEE will be unable to process any rental payment until the Rental Documentation has been supplied to LESSEE as provided herein.

Within fifteen (15) days of obtaining an interest in the Property or this Agreement, any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall provide to LESSEE Rental Documentation in the manner set forth in the preceding paragraph. From time to time during the Term of this Agreement and within thirty (30) days of a written request from LESSEE, any assignee(s) or transferee(s) of LESSOR agrees to provide updated Rental Documentation in a form reasonably acceptable to LESSEE. Delivery of Rental Documentation to LESSEE by any assignee(s), transferee(s) or other successor(s) in interest of LESSOR shall be a prerequisite for the payment of any rent by LESSEE to such party and notwithstanding anything to the contrary herein, LESSEE shall have no obligation to make any rental payments to

any assignee(s), transferee(s) or other successor(s) in interest of LESSOR until Rental Documentation has been supplied to LESSEE as provided herein.

4. EXTENSIONS. This Agreement shall automatically be extended for four (4) additional five (5) year terms unless LESSEE terminates it at the end of the then current term by giving LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term.

5. EXTENSION RENTALS. INTENTIONALLY DELETED.

6. ADDITIONAL EXTENSIONS. INTENTIONALLY DELETED.

7. TAXES. LESSEE shall have the responsibility to pay any personal property, assessments, or charges owed on the Property resulting from the installation, maintenance, and operation of LESSEE's improvements, and any sales tax imposed on the rent (except to the extent that LESSEE is or may become exempt from the payment of sales tax in the jurisdiction in which the Property is located).

LESSEE shall have the right, at its sole option and at its sole cost and expense, to appeal, challenge or seek modification of any tax assessment or billing for which LESSEE is wholly or partly responsible for payment. LESSOR shall reasonably cooperate with LESSEE at LESSEE's expense in filing, prosecuting and perfecting any appeal or challenge to taxes as set forth in the preceding sentence, including but not limited to, executing any consent, appeal or other similar document. In the event that as a result of any appeal or challenge by LESSEE, there is a reduction, credit or repayment received by LESSOR for any taxes previously paid by LESSEE, LESSOR agrees to promptly reimburse to LESSEE the amount of said reduction, credit or repayment.

8. USE; GOVERNMENTAL APPROVALS. LESSEE shall use the Premises solely for the purpose of constructing, maintaining, repairing and operating a communications facility and uses incidental thereto. A security fence consisting of a solid wooden fence eight feet in height with drought-tolerant plants or other plants native to South Texas shall be placed around the perimeter of the Premises by LESSEE (not including the access easement). LESSEE shall grant LESSOR, without cost, antenna space as well as space for a remote-controlled tower-mounted camera for use by the City of Brownsville Police Department. All improvements, equipment, antennas and conduits shall be at LESSEE's expense and their installation shall be at the discretion and option of LESSEE. LESSEE shall have the right, upon obtaining written approval from LESSOR, to replace, repair, add or otherwise modify its utilities, equipment, antennas and/or conduits or any portion thereof and the frequencies over which the equipment operates, whether the equipment, antennas, conduits or frequencies are specified or not on any exhibit attached hereto, during the Term. It is understood and agreed that LESSEE's ability to use the Premises is contingent upon its obtaining after the execution date of this Agreement all of the certificates, permits and other approvals (collectively the "Governmental Approvals") that may be required by any Federal, State or Local authorities, as well as satisfactory soil boring tests which will permit LESSEE use of the Premises as set forth above. LESSOR shall cooperate with LESSEE in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Property with respect to the proposed use thereof by LESSEE. In the event that (i) any of such

applications for such Governmental Approvals should be finally rejected; (ii) any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority; (iii) LESSEE determines that such Governmental Approvals may not be obtained in a timely manner; (iv) LESSEE determines that any soil boring tests are unsatisfactory; (v) LESSEE determines that the Premises is no longer technically compatible for its use, or (vi) LESSEE, in its sole discretion, determines that the use the Premises is obsolete or unnecessary, LESSEE shall have the right to terminate this Agreement. Notice of LESSEE's exercise of its right to terminate shall be given to LESSOR in writing by certified mail, return receipt requested, and shall be effective upon the mailing of such notice by LESSEE, or upon such later date as designated by LESSEE. All rentals paid to said termination date shall be retained by LESSOR. Upon such termination, this Agreement shall be of no further force or effect except to the extent of the representations, warranties and indemnities made by each Party to the other hereunder. Otherwise, LESSEE shall have no further obligations for the payment of rent to LESSOR. LESSEE also agrees to comply with all applicable Federal, State, and Local laws (including but not limited to Chapter 338 of the City of Brownsville Code of Ordinances) in the construction, maintenance, repair, and operation of its wireless communication facility pursuant to this lease.

9. INDEMNIFICATION. INTENTIONALLY DELETED.

10. INSURANCE.

a. INTENTIONALLY DELETED.

b. LESSEE will maintain at its own cost:

i. Commercial General Liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence;

ii. Commercial Auto Liability insurance on all owned, non-owned and hired automobiles with a minimum combined limit of not less than one million (\$1,000,000) per occurrence; and

iii. Workers Compensation insurance providing the statutory benefits and not less than one million (\$1,000,000) of Employers Liability coverage.

LESSEE will include LESSOR as an additional insured on the Commercial General Liability and Auto Liability policies.

c. LESSOR will maintain at its own cost commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. LESSOR will include LESSEE as an additional insured.

11. LIMITATION OF LIABILITY. Neither Party shall be liable to the other, or any of their respective agents, representatives, employees for any lost revenue, lost profits, lost rights,

incidental, punitive, indirect, special or consequential damages, or loss of data, whether under theory of contract, tort (including negligence), strict liability or otherwise.

12. ANNUAL TERMINATION. Notwithstanding anything to the contrary contained herein, provided LESSEE is not in default hereunder beyond applicable notice and cure periods, LESSEE shall have the right to terminate this Agreement upon the annual anniversary of the Commencement Date provided that three (3) months prior notice is given to LESSOR.

13. INTERFERENCE. LESSEE agrees to install equipment of the type and frequency which will not cause harmful interference which is measurable in accordance with then existing industry standards to any equipment of LESSOR. In the event any after-installed LESSEE's equipment causes such interference, LESSEE will take all commercially reasonable steps necessary to correct and eliminate the interference, including immediately powering down such equipment and later powering up such equipment for intermittent testing, but only powering up such equipment upon written approval by LESSOR.

14. REMOVAL AT END OF TERM. LESSEE shall, upon expiration of the Term, or within ninety (90) days after any earlier termination of the Agreement, remove its building(s), antenna structure(s), footings and foundations three feet (3') below grade, equipment, conduits, fixtures and all personal property and restore the Premises to its original condition, reasonable wear and tear and casualty damage excepted. LESSOR agrees and acknowledges that all of the equipment, conduits, fixtures and personal property of LESSEE shall remain the personal property of LESSEE and LESSEE shall have the right to remove the same at any time during the Term, whether or not said items are considered fixtures and attachments to real property under applicable Laws (as defined in Paragraph 33 below). If such time for removal causes LESSEE to remain on the Premises after termination of this Agreement, LESSEE shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term, until such time as the removal of the building, antenna structure, fixtures and all personal property are completed.

15. HOLDOVER. LESSEE has no right to retain possession of the Premises or any part thereof beyond the expiration of that removal period set forth in Paragraph 14 herein, unless the Parties are negotiating a new lease or lease extension in good faith. In the event that the Parties are not in the process of negotiating a new lease or lease extension in good faith, LESSEE holds over in violation of Paragraph 14 and this Paragraph 15, then the rent then in effect payable from and after the time of the expiration or earlier removal period set forth in Paragraph 14 shall equal to the rent applicable during the month immediately preceding such expiration or earlier termination.

16. RIGHT OF FIRST REFUSAL. If LESSOR elects, during the Term (i) to sell or otherwise transfer all or any portion of the Property, whether separately or as part of a larger parcel of which the Property is a part, or (ii) to grant to a third party by easement or other legal instrument an interest in and to that portion of the Property occupied by LESSEE, or a larger portion thereof, for the purpose of operating and maintaining communications facilities or the management thereof, with or without an assignment of this Agreement to such third party, LESSEE shall have the right of first refusal to meet any bona fide offer of sale or transfer on the

same terms and conditions of such offer. If LESSEE fails to meet such bona fide offer by submitting it in writing via certified mail pursuant to paragraph 23 and within fifteen (15) days after written notice thereof from LESSOR, LESSOR may sell or grant the easement or interest in the Property or portion thereof to such third person in accordance with the terms and conditions of such third party offer.

17. RIGHTS UPON SALE. Should LESSOR, at any time during the Term decide (i) to sell or transfer all or any part of the Property to a purchaser other than LESSEE, or (ii) to grant to a third party by easement or other legal instrument an interest in and to that portion of the Property occupied by LESSEE, or a larger portion thereof, for the purpose of operating and maintaining communications facilities or the management thereof, such sale or grant of an easement or interest therein shall be under and subject to this Agreement and any such purchaser or transferee shall recognize LESSEE's rights hereunder under the terms of this Agreement. To the extent that LESSOR grants to a third party by easement or other legal instrument an interest in and to that portion of the Property occupied by LESSEE for the purpose of operating and maintaining communications facilities or the management thereof and in conjunction therewith, assigns this Agreement to said third party, LESSOR shall not be released from its obligations to LESSEE under this Agreement, and LESSEE shall have the right to look to LESSOR and the third party for the full performance of this Agreement.

18. QUIET ENJOYMENT. LESSOR covenants that LESSEE, on paying the rent and performing the covenants herein, shall peaceably and quietly have, hold and enjoy the Premises.

19. TITLE. LESSOR represents and warrants to LESSEE as of the execution date of this Agreement, and covenants during the Term that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants during the Term that there are no liens, judgments or impediments of title on the Property, or affecting LESSOR's title to the same and that there are no covenants, easements or restrictions which prevent or adversely affect the use or occupancy of the Premises by LESSEE as set forth above.

20. INTEGRATION. It is agreed and understood that this Agreement contains all agreements, promises and understandings between LESSOR and LESSEE and that no verbal or oral agreements, promises or understandings shall be binding upon either LESSOR or LESSEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing signed by the Parties or in a written acknowledgment in the case provided in Paragraph 3. In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not affect the validity and enforceability of the remaining provisions of this Agreement. The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, in law or in equity.

21. GOVERNING LAW. This Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the Laws of the State in which the Property is located.

22. ASSIGNMENT; SUBLEASE.

a. This Agreement may be sold, assigned or transferred by LESSEE without any approval or consent of LESSOR to LESSEE's principal, affiliates, subsidiaries of its principal or to any entity which acquires all or substantially all of LESSEE's assets in the market defined by the Federal Communications Commission in which the Property is located by reason of a merger, acquisition or other business reorganization. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of LESSOR, which such consent will not be unreasonably withheld, delayed or conditioned. No change of stock ownership, partnership interest or control of LESSEE or transfer upon partnership or corporate dissolution of LESSEE shall constitute an assignment hereunder.

b. LESSEE may sublease any portion of the Property as its sole discretion, upon notice to LESSOR. Any sublease that is entered into by LESSEE shall be subject to the provisions of this Agreement and shall be binding upon the successors, assigns, heirs and legal representatives of the respective parties hereto. The term "Sublease", "Sublet", "Sublessee" and any other similar term shall apply to any situation by which LESSEE allows a their party use of the Property for collocation, whether it be by formal sublease, license or other agreement. All rights and responsibilities of LESSEE set forth in this Agreement shall be enjoyed by and binding on any Sublessee.

c. In the event LESSEE subleases any portion of the Property, in accordance with this Agreement, any rental paid by any Sublessee(s) shall be divided between LESSOR and LESSEE in the following manner: 25% to LESSOR and 75% to LESSEE. Any Sublessee shall be instructed to pay the foregoing percentage amounts directly to LESSOR and LESSEE. LESSEE shall not be responsible to LESSOR for the collection or payment of rents by the Sublessee to LESSOR, and LESSEE shall have no liability to LESSOR in the event of failure to payment by the Sublessee. In this event: (i) LESSEE shall have no liability of any nature to LESSOR for failure to sublet all or any of the premises to any or all potential Sublessee(s); and (ii) LESSEE will provide LESSOR with a tri-party agreement to be executed by LESSEE, its Sublessee, and LESSOR to confirm direct payment obligation from Sublessee to LESSOR and to indicate LESSOR has been notified of the sublease.

d. It is understood and agreed by the Parties that the foregoing rental percentage amounts shall only apply if LESSEE is able to accommodate all Sublessee's facilities within LESSEE's Property. If LESSEE is unable to accommodate any or part of Sublessee's facilities within the Property, then LESSOR may enter into an agreement with the Sublessee for a portion of the property Sublessee requires to locate its facilities. In this event, LESSEE shall receive 100% of the rental for that portion of the facilities that are located within the limits of the Property and LESSOR shall receive 100% of the rental, negotiated by LESSOR and Sublessee, for the portion of Sublessee's facilities that are located on the Property outside LESSEE's Premises.

e. Notwithstanding any other provision of this Agreement, LESSEE shall not be required to obtain approval from LESSOR for the Subletting of the Premises or part thereof. LESSEE shall have the sole right to determine whether it will Sublet any portion of the Premises or whether it will sublease to any specific Sublessee.

f. The rental provisions of this section shall not apply to any subletting for public emergency and/or safety systems purposes (i.e. police, ambulance and/or fire), that may be required or ordered by any government authority having jurisdiction over LESSEE of the Property. LESSEE shall not be required to pay any amount to LESSOR in connection with the subletting for public emergency and/or safety system purposes that may be required or ordered by any governmental authority having jurisdiction. Notwithstanding any other provision of this Agreement, LESSEE shall not be required to obtain any approval from LESSOR for the subletting for public emergency and/or safety system purposes.

23. NOTICES. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: The City of Brownsville, Texas
1001 E. Elizabeth Street
Brownsville, Texas 78520

LESSEE: San Antonio MTA, L.P.
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

24. SUCCESSORS. This Agreement shall extend to and bind the heirs, personal representative, successors and assigns of the Parties hereto.

25. SUBORDINATION AND NON-DISTURBANCE. At LESSOR's option, this Agreement shall be subordinate to any future master lease, ground lease, mortgage, deed of trust or other security interest (a "Mortgage") by LESSOR which from time to time may encumber all or part of the Property or right-of-way; provided, however, as a condition precedent to LESSEE being required to subordinate its interest in this Agreement to any future Mortgage covering the Property, LESSOR shall obtain for LESSEE's benefit a non-disturbance and attornment agreement for LESSEE's benefit in the form reasonably satisfactory to LESSEE, and containing the terms described below (the "Non-Disturbance Agreement"), and shall recognize LESSEE's right to remain in occupancy of and have access to the Premises as long as LESSEE is not in

default of this Agreement beyond applicable notice and cure periods. The Non-Disturbance Agreement shall include the encumbering party's ("Lender's") agreement that, if Lender or its successor-in-interest or any purchaser of Lender's or its successor's interest (a "Purchaser") acquires an ownership interest in the Property, Lender or such successor-in-interest or Purchaser will (1) honor all of the terms of the Agreement, (2) fulfill LESSOR's obligations under the Agreement, and (3) promptly cure all of the then-existing LESSOR defaults under the Agreement. Such Non-Disturbance Agreement must be binding on all of Lender's participants in the subject loan (if any) and on all successors and assigns of Lender and/or its participants and on all Purchasers. In return for such Non-Disturbance Agreement, LESSEE will execute an agreement for Lender's benefit in which LESSEE (1) confirms that the Agreement is subordinate to the Mortgage or other real property interest in favor of Lender, (2) agrees to attorn to Lender if Lender becomes the owner of the Property and (3) agrees to accept a cure by Lender of any of LESSOR's defaults, provided such cure is completed within the deadline applicable to LESSOR. In the event LESSOR defaults in the payment and/or other performance of any mortgage or other real property interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or other real property interest and LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

26. RECORDING. LESSOR agrees to execute a Memorandum of this Agreement which LESSEE may record with the appropriate recording officer. The date set forth in the Memorandum of Lease is for recording purposes only and bears no reference to commencement of either the Term or rent payments.

27. DEFAULT.

a. In the event there is a breach by LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, LESSOR shall give LESSEE written notice of such breach. After receipt of such written notice, LESSEE shall have fifteen (15) days in which to cure any monetary breach and thirty (30) days in which to cure any non-monetary breach, provided LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and LESSEE commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. LESSOR may not maintain any action or effect any remedies for default against LESSEE unless and until LESSEE has failed to cure the breach within the time periods provided in this Paragraph.

b. In the event there is a breach by LESSOR with respect to any of the provisions of this Agreement or its obligations under it, LESSEE shall give LESSOR written notice of such breach. After receipt of such written notice, LESSOR shall have thirty (30) days in which to cure any such breach, provided LESSOR shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and LESSOR commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. LESSEE may not maintain any action or effect any remedies for default against LESSOR unless and until

LESSOR has failed to cure the breach within the time periods provided in this Paragraph. Notwithstanding the foregoing to the contrary, it shall be a default under this Agreement if LESSOR fails, within five (5) days after receipt of written notice of such breach, to perform an obligation required to be performed by LESSOR if the failure to perform such an obligation interferes with LESSEE's ability to conduct its business on the Property; provided, however, that if the nature of LESSOR's obligation is such that more than five (5) days after such notice is reasonably required for its performance, then it shall not be a default under this Agreement if performance is commenced within such five (5) day period and thereafter diligently pursued to completion.

28. REMEDIES. Upon a default which has not been cured pursuant to paragraph 26(b), the non-defaulting Party may at its option (but without obligation to do so), perform the defaulting Party's duty or obligation on the defaulting Party's behalf, including but not limited to the obtaining of reasonably required insurance policies. The costs and expenses of any such performance by the non-defaulting Party shall be due and payable by the defaulting Party upon invoice therefor. In the event of a default by either Party with respect to a material provision of this Agreement, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may terminate the Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the Laws or judicial decisions of the state in which the Premises are located; provided, however, both parties shall use reasonable efforts to mitigate its damages in connection with a default by the other.

29. ENVIRONMENTAL.

a. LESSOR will comply with all applicable Federal, State and Local requirements governing environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to activity now conducted in, on, or in any way related to the Property, unless such conditions or concerns are caused by the specific activities of LESSEE in the Premises.

b. LESSEE, in conducting its activities pursuant to this Agreement, will comply with all applicable Federal, State and Local requirements governing environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, unless such conditions or concerns are caused by the specific activities of LESSOR in the Premises.

c. LESSEE shall hold LESSOR harmless and indemnify LESSOR from and assume all duties, responsibility and liability, at LESSEE's sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which results from any (i) failure by LESSEE to comply

with any applicable legal requirement governing environmental or industrial hygiene matters except to the extent that any such non-compliance is caused by LESSOR; and (ii) any environmental or industrial hygiene conditions to the extent resulting from the activities of LESSEE. LESSEE shall not be responsible for any existing environmental conditions, including any contamination, which existed prior to the date of this Agreement or to any environmental conditions or contamination to the extent not caused by LESSEE or those acting on its behalf.

30. CASUALTY. In the event of damage by fire or other casualty to the Premises that cannot reasonably be expected to be repaired within forty-five (45) days following same or, if the Property is damaged by fire or other casualty so that such damage may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, then LESSEE may, at any time following such fire or other casualty, provided LESSOR has not completed the restoration required to permit LESSEE to resume its operation at the Premises, terminate this Agreement upon fifteen (15) days prior written notice to LESSOR. Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment, as of such termination date, with respect to payments due to the other under this Agreement. Notwithstanding the foregoing, the rent shall abate during the period of repair following such fire or other casualty in proportion to the degree to which LESSEE's use of the Premises is impaired.

31. CONDEMNATION. In the event of any condemnation of all or any portion of the Property, this Agreement shall terminate as to the part so taken as of the date the condemning authority takes title or possession, whichever occurs first. If as a result of a partial condemnation of the Premises or Property, LESSEE, in LESSEE's sole discretion, is unable to use the Premises for the purposes intended hereunder, or if such condemnation may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, LESSEE may, at LESSEE's option, to be exercised in writing within fifteen (15) days after LESSOR shall have given LESSEE written notice of such taking (or in the absence of such notice, within fifteen (15) days after the condemning authority shall have taken possession) terminate this Agreement as of the date the condemning authority takes such possession. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to the equipment, conduits, fixtures, its relocation costs and its damages and losses (but not for the loss of its leasehold interest). Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment as of such termination date with respect to payments due to the other under this Agreement. If LESSEE does not terminate this Agreement in accordance with the foregoing, this Agreement shall remain in full force and effect as to the portion of the Premises remaining, except that the rent shall be reduced in the same proportion as the rentable area of the Premises taken bears to the total rentable area of the Premises. In the event that this Agreement is not terminated by reason of such condemnation, LESSOR shall promptly repair any damage to the Premises caused by such condemning authority.

32. SUBMISSION OF AGREEMENT/PARTIAL INVALIDITY/AUTHORITY. The submission of this Agreement for examination does not constitute an offer to lease the Premises and this Agreement becomes effective only upon the full execution of this Agreement by the Parties and approval by the City of Brownsville City Commission, Planning and Zoning Commission and/or City of Brownsville Board of Adjustments. If any provision herein is invalid, it shall be considered deleted from this Agreement and shall not invalidate the remaining provisions of this Agreement. Each of the Parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such Party has the full right, power and authority to enter into and execute this Agreement on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Agreement.

33. APPLICABLE LAWS. During the Term, LESSOR shall maintain the Property in compliance with all applicable laws, rules, regulations, ordinances, directives, covenants, easements, zoning and land use regulations, and restrictions of record, permits, building codes, and the requirements of any applicable fire insurance underwriter or rating bureau, now in effect or which may hereafter come into effect (including, without limitation, the Americans with Disabilities Act and laws regulating hazardous substances) (collectively "Laws"). LESSEE shall, in respect to the condition of the Premises and at LESSEE's sole cost and expense, comply with (a) all Laws relating solely to LESSEE's specific and unique nature of use of the Premises (other than general office use); and (b) all building codes requiring modifications to the Premises due to the improvements being made by LESSEE in the Premises. LESSEE understands this lease is subject to approval by the City of Brownsville City Commission, Planning and Zoning Commission, and (if applicable) Board of Adjustments.

34. CAPTIONS. The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals the day and year first above written.

LESSOR:

The City of Brownsville, Texas

By: _____

Printed Name: _____

Its: _____

Date: _____

Approved as to legality and form
this 2 day of March, 2016

Name: _____
Title: _____

Office of the City Attorney
1001 E. Elizabeth Street
Brownsville, TX 78520
Phone (956) 546-8011
Fax (956) 546-4291



LESSEE:

**San Antonio MTA, L.P.
d/b/a Verizon Wireless**

By: **Verizon Wireless, LLC,
its General Partner**

By: _____

LESSEE SITE NAME: Dinda_FINAL2-22-16

Aparna Khurjekar
Its: Area Vice President Network

Date: _____

Exhibit "A" (Sketch of Premises within Property)

Exhibit "B"

(See attached Survey)

(to be added at a later date)



Submit

AGENDA REQUEST FORM

Item Number: **25.**

COMMISSION MEETING DATE: 4/19/16

DEPT: Planning

CONTACT Constanza Miner

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: _____ Action Item: _____	Time Needed: _____	Time Needed: _____	<input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading

Brief Description of Agenda Item:

Consideration and Action to approve sale of Cueto Complex located at 1301 E. Madison to the University of Texas Rio Grande Valley (UTRGV)

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: _____ By: _____

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

On April 07, 2016 the Zoning Commission voted to recommend approval. Commissioner Troy Whitemore, Jose de la Garza, Derek Benavides, Michael Reyes and Francisco Orozco aye the motion. Commissioner Myles R. Garza nay the motion. Commissioner Ronald Mills abstained.

City Manager Approval

_____ Date: _____

REAL ESTATE CONTRACT

(Cueto Complex: 1301 and 1325 East Madison St., Brownsville, Texas)

1. **PARTIES.** The names and addresses of the parties to this Real Estate Contract ("**Contract**") are:

- a. **Seller:** City of Brownsville
1001 E. Elizabeth St.
Brownsville, Texas 78520
Attention: Mr. Charlie Cabler, City Manager
Telephone No.: (956) 548-6007
Fax No.: (956) 546-6021
Email: charlie@cob.us
- b. **Purchaser:** Board of Regents of The University of Texas System
c/o Office of General Counsel – Real Estate Office
201 West 7th Street, Suite 600
Austin, Texas 78701
Attention: Nina Burke
Telephone No.: (512) 499-4247
Fax No. (512) 499-4523
Email: nburke@utsystem.edu

2. **DEFINED TERMS.** As used in this Contract, the following terms shall have the meanings set forth herein:

- a. **Closing:** The closing, funding and consummation of Seller's conveyance of the Property to Purchaser.
- b. **Closing Date:** The date agreed upon by the parties for Closing, which date shall be no later than **20 days** after the latest to occur of (i) the expiration of the Cure Period, (ii) the expiration of the Feasibility Period; or (iii) the satisfaction of all the conditions of Closing set forth in this Contract (including but not limited to the conditions under Section 14.p below).
- c. **Days:** All references to "days" in this Contract shall refer to calendar days, except as otherwise expressly provided herein.
- d. **Deed:** The general warranty deed by which Seller shall convey the Property to Purchaser at Closing, which deed shall be substantially of the form attached as Exhibit A hereto.
- e. **Effective Date:** The date this Contract is signed by the last to sign of Purchaser or Seller. If one party fails to date its execution of this Contract, the Effective Date shall be the date shown for the other party's execution. Each party agrees to give notice to the other party immediately upon execution of this Contract.

- f. **Escrow Deposit:** \$5,000.00 U.S., together with any interest earned thereon in accordance with the terms of this Contract.
- g. **Feasibility Period:** The period commencing on the Effective Date and expiring at 5:00 p.m., Austin, Texas time on the **90th day** thereafter, subject to extension pursuant to Section 8.d of this Contract.
- h. **Independent Contract Consideration:** \$100.00 U.S., which amount is taken out of the Escrow Deposit in accordance with Section 6 below.
- i. **Property:** The property to be conveyed by Seller to Purchaser at Closing, as described in Section 3 below.
- j. **Purchase Price:** \$900,000.00 U.S.
- k. **Title Company:** Edwards Abstract and Title Co., having an address of 3111 W. Freddy Gonzalez Drive, Edinburg, TX 78539; phone: (956) 383-4951; fax: (956) 289-3006; email: diana.kaufold@edwards-titleco.com
- l. **Title Policy:** A Texas Standard Form T-1 Texas Owner's Policy of Title Insurance
- m. **Underwriter:** The title insurance underwriting company associated with the Title Company and acceptable to Purchaser that at Closing will underwrite the Title Policy on the Land and Improvements issued in favor of the Purchaser.

3. **PROPERTY.** Seller agrees to sell, convey, grant and assign to Purchaser, and Purchaser agrees to purchase and pay for, the following real and personal property (collectively, the "**Property**"):

a. **Land.** Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block One Hundred Nineteen (119), Brownsville Original Townsite, Cameron County, Texas, according to the Map or Plat thereof recorded in _____, Map Records of Cameron County, Texas, **[UT: Please provide a copy of the vesting deed into the City]**, together with all rights and interests appurtenant thereto, including but not limited to all of Seller's right, title and interest in and to (i) adjacent streets, alleys, rights-of-way and easements, (ii) any adjacent strips or gores of real estate, (iii) all mineral interests, and (iv) all water rights (collectively, the "**Land**")

b. **Improvements.** Any and all buildings, fixtures and improvements located on the Land and all rights, titles and interests appurtenant to such buildings, fixtures or Improvements (collectively, the "**Improvements**");

c. **Claims Relating to Injury to Land.** All of Seller's right, title and interest in all causes of action, if any, pertaining to any injury to or trespass upon the Land or the Improvements; and

d. **Statutory Water Rights.** All statutory rights to capture and use water on the Land, and all grants, licenses and/or that allow or authorize the capture, taking or use of water in connection with the ownership, use and/or occupancy of the Land.

4. PURCHASE PRICE. Subject to the terms and conditions of this Contract, Purchaser agrees to pay the Purchase Price to Seller at Closing in cash or other good and immediately available United States Federal funds reasonably satisfactory to Seller and the Title Company.

5. ESCROW DEPOSIT. As a condition precedent to the continued existence of this Contract, Purchaser shall deliver the Escrow Deposit to Title Company on or before the **5th business day** after the Effective Date. Purchaser and Seller authorize the Title Company's disbursement of funds from the Escrow Deposit in accordance with the terms of this Contract. At Closing, the Escrow Deposit shall be applied to the Purchase Price or returned to Purchaser, at Purchaser's option.

6. INDEPENDENT CONTRACT CONSIDERATION. **One Hundred Dollars (\$100.00)** of the Escrow Deposit shall be retained by Seller as Independent Contract Consideration for Purchaser's option evidenced in this Contract; however, if Closing occurs, that amount shall be credited to the Purchase Price.

7. TITLE COMMITMENT AND SURVEY.

a. Title Commitment. Within **30 days** after the Effective Date, Seller shall cause the Title Company and the Underwriter to issue to Purchaser, in the form then promulgated under applicable Texas law, their written commitment ("**Commitment**") to issue Purchaser a Title Policy for the Land. The Commitment shall set forth the status of the title of the Land and show all liens, encumbrances, easements, rights-of-way, encroachments, reservations, restrictions, and any other matters affecting the Land, together with a legible copy of all documents referenced therein (collectively, "**Title Exception Documents**"), including the deed or other instrument vesting title in Seller, and shall have an effective date no earlier than the Effective Date of this Contract.

b. Survey. Within **5 business days** after the Effective Date, Seller will deliver to Purchaser a copy of Seller's most recent survey of the Property (if any). Within **30 days** after the Effective Date, Purchaser may (but is not obligated to) cause a duly registered Texas surveyor to prepare and deliver to Purchaser a current survey of the Land and the Improvements ("**Survey**"). The cost of the Survey shall be paid by Purchaser.

For purposes of the description of the Land to be included in the Deed to Purchaser at Closing, any field notes prepared by the surveyor shall control any conflicts or inconsistencies with the description contained or referred to in Section 1.a, and such field notes shall be incorporated into this Contract upon their completion.

c. Review of Title Commitment and Survey. Purchaser shall have until 5:00 p.m., Austin, Texas time, on the **20th day** following the date of the last to be delivered to Purchaser of the Commitment (including the Title Exception Documents) and the Survey ("**Purchaser's Objection Period**") to specify in writing to Seller those matters reflected on the Commitment and the Survey that Purchaser finds objectionable ("**Objections**").

i. Permitted Encumbrances. Any item not timely specified by Purchaser as an Objection shall be deemed a "**Permitted Exception**" and will be shown as a reservation from or exception to the warranty of title in the Deed. Notwithstanding the preceding sentence, any liens or security interests affecting the Property, other than liens and security interests specifically allowed under this Contract, shall be Objections, and Seller shall at its sole cost cause such liens and security interests to be released at or prior to Closing.

ii. Seller's Cure. Within **15 days** following written notice from Purchaser of the Objections ("**Cure Period**"), Seller shall notify Purchaser in writing ("**Seller's Response**") as to (i) those Objections that Seller has satisfied at Seller's expense during the Cure Period; (ii) those Objections that the

Seller cannot or will not satisfy during the Cure Period but agrees to satisfy at Seller's expense prior to Closing; and (iii) those Objections that the Seller cannot or will not satisfy at Seller's expense at any time under this Contract. Seller's failure to timely give the Seller's Response to Purchaser shall be deemed an election by Seller not to satisfy any of the Objections at any time under this Contract, and in the event Seller's Response fails to address any particular Objection(s), Seller shall be deemed to have elected not to satisfy such Objection(s) at any time under this Contract.

d. Objections Not Corrected During the Cure Period. With respect to each Objection that the Seller's Response indicates will not be satisfied during the Cure Period but will be satisfied on or before Closing, Seller's satisfaction of such Objection is a condition precedent to Purchaser's obligation to close hereunder, and Seller's failure to satisfy such Objection by the Closing Date shall be a default by Seller hereunder. If Seller's Response (or failure to respond) indicates that Seller cannot or will not satisfy any one or more of the Objections at any time under this Contract, then Purchaser must, in its sole discretion and as its sole remedy in such circumstances, either:

i. Termination. Terminate this Contract by giving Seller written notice thereof at any time prior to Closing, in which event the Escrow Deposit shall be returned to Purchaser and both parties shall be released from all further obligations under this Contract, save and except for those obligations that by their express terms are intended to survive the Closing, expiration or sooner termination of this Contract; or

ii. Waiver of Objection. As to those Objections that Seller stated would not be corrected at any time under this Contract, elect to purchase the Property subject to the Objections not so corrected, in which event the uncorrected Objections shall be deemed waived by Purchaser and shall thereafter be Permitted Exceptions under this Contract. If Purchaser fails to give such written notice of termination specified in Section 7.e.i, Purchaser shall be deemed to have elected to waive the Objections not corrected and to accept such exceptions as Permitted Exceptions.

e. Revisions to Survey or Title Commitment. In the event that the Survey or the Commitment is revised after the expiration of Purchaser's Objection Period and such revised Survey or Commitment discloses matters not previously disclosed to Purchaser ("*New Exceptions*"), the notice and objection procedure set forth in Section 7.c and Section 7.d shall be repeated solely with respect to such New Exceptions, with the review period for the New Exceptions commencing on the date that Purchaser receives, as applicable, the revised Survey or the revised Commitment and legible copies of all documents, instruments and plats referenced in the New Exceptions; and Closing shall be extended accordingly.

8. FEASIBILITY STUDIES.

a. Property Condition Determination. If Purchaser determines, in Purchaser's sole judgment and discretion, that the Property is not suitable for Purchaser's intended use, Purchaser may terminate this Contract by giving Seller written notice of Purchaser's decision to terminate prior to the expiration of the Feasibility Period. Upon delivery to Seller of such written notice of termination, Purchaser and Seller shall instruct the Title Company to (i) disburse the Independent Contract Consideration to Seller; and (ii) refund the balance of the Escrow Deposit to Purchaser. Thereafter, both parties shall be released from further obligations under this Contract, except as such obligations and covenants herein that expressly survive the Closing, expiration or termination of this Contract.

b. Feasibility Studies. From the Effective Date through the earlier to occur of the Closing or termination of this Contract, Purchaser and Purchaser's agents, representatives and contractors may, after reasonable prior notice to Seller, enter upon the Land and Improvements at any reasonable time for the purpose of inspecting the Property and conducting such tests and examinations thereof as may be desired by Purchaser. Such investigations may include, but are not limited to: (i) studies of subsurface soil conditions; (ii) test borings;

(iii) an environmental assessment; (iv) an historical investigation; and (v) an archeological investigation. Purchaser shall be solely responsible for all costs of arranging and paying for such tests and examinations. If Purchaser elects to conduct an environmental site assessment that complies with the Environmental Protection Agency's then current "Standards and Practices for All Appropriate Inquiries and ASTM International's then current "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (collectively, "AAI"), then, per the AAI, (i) Seller and Purchaser shall identify and provide to the "Environmental Professional" all "Helpful Documents; (ii) Seller shall make available for interview by the Environmental Professional a person or persons with good knowledge of the uses and physical characteristics of the Land and the Improvements; and (iii) such person(s) shall answer in good faith and to the extent of their knowledge. Within **5 days** after the Effective Date, Seller shall provide Purchaser with copies of any reports or other relevant information pertaining to any prior proceedings involving the Land or Improvements in accordance with AAI.

c. Property Condition Reports. Within **10 days** after the Effective Date, Seller shall provide to Purchaser legible copies of the following that are in Seller's possession regarding the Property: (i) all existing leases and contracts pertaining to the Property; (ii) all service, maintenance, and other reports relating to the ownership and operation of the Property (including but not limited to termite inspection reports); (iii) all building permits and certificates of occupancy or of substantial completion, if any, pertaining to the Property; (iv) all operating statements of Seller relating to the Property (if any); and (v) all plans, manuals and specifications pertaining to the Property.

d. Extended Feasibility Period. Purchaser, at Purchaser's sole option, may extend the Feasibility Period and Closing by **30 days** by delivering to Seller a cashier's check or other immediately available funds in the amount of \$100 U.S. ("*Extension Fee*") prior to the termination of the initial end date for the Feasibility Period established under Section 2.g. The Extension Fee shall be non-refundable, but shall be applied to the Purchase Price if and when the transaction contemplated by this Contract closes.

9. MAINTENANCE AND OPERATION OF THE PROPERTY.

a. Operation of Property. From the Effective Date through the earlier to occur of the Closing, or the termination of this Contract, Seller will (i) maintain the Property as it existed on the Effective Date, except for reasonable wear and tear and casualty damage; (ii) operate the Property in the same manner as it was operated on the Effective Date; (iii) comply with all contracts and governmental regulations affecting the Property; and (iv) not transfer, dispose of, or waste any of the Property. Seller shall not transfer or remove any Improvements from the Land subsequent to the Effective Date without the prior written approval of Purchaser, except for purposes of replacements thereof in the ordinary course of business, in which case such replacements shall be promptly installed prior to Closing and shall be comparable in quantity and quality to the item(s) being replaced.

b. Leases, Licenses and Use Agreements. There are currently no leases, licenses or use agreements affecting the Property, other than the existing lease agreement(s) between Seller and Purchaser. From the Effective Date through the earlier to occur of the Closing or termination of this Contract, without the prior written consent of Purchaser, Seller shall not enter into any new leases, licenses, or use agreements pertaining to the Property. Seller further agrees to terminate prior to or simultaneously with Closing any and all existing leases, licenses or use agreements pertaining to the Property.

10. WARRANTIES AND COVENANTS. Seller hereby represents and warrants to, and covenants with, Purchaser that the following facts are true and correct as of the date of Seller's execution of this Contract and will be true and correct as of Closing, and that if prior to Closing Seller discovers that one or more of such facts are untrue or inaccurate (including, but not limited to, any change or proposed change in the zoning or allowed use of the Land), Seller will immediately inform Purchaser in writing of the discovery:

a. Prudent Practices. From the Effective Date through the earlier to occur of Closing or the termination of this Contract, Seller shall (i) maintain and operate the Property in a good and businesslike manner in accordance with good and prudent business practices, and not commit or permit to be committed any waste to the Property; (ii) not enter into, modify or extend any agreement or instrument or take any action that would constitute an encumbrance of the Property, that would bind Purchaser or the Property after Closing, or that would be outside the normal scope of maintaining and operating the Property, without the prior written consent of Purchaser; and (iii) not remove any item of the Property unless it is replaced with an item of at least equal value that is properly suited for its intended purpose;

b. Title. Seller has and will convey to Purchaser at Closing good and indefeasible fee simple title to the Property, free and clear of all conditions, exceptions or reservations, except the Permitted Exceptions;

c. Unpaid Bills. At the Closing, there will be no unpaid bills for (i) utilities serving the Property; (ii) management fees; or (iii) labor or materials furnished to Seller in connection with the Property that would cause or permit a mechanic's or materialman's lien to be filed against any whole or part of the Property;

d. Actions. There are no actions, suits, claims, assessments, or proceedings (including, without limitation, eminent domain proceedings) pending or, to the knowledge of Seller, threatened that could materially adversely affect the ownership, operation, or maintenance of the Property or Seller's ability to perform hereunder;

e. Notice of Violations. Seller has not received notice, actual or constructive, from any person or source, claiming that the location, operation or use of the Property, or any part thereof, is in violation of any statute, ordinance, code, rule or regulation of any governmental entity, or any restrictive covenant or deed restriction (including, but not limited to, zoning regulations, building codes, and health and environmental laws and regulations), or stating that any investigation has been commenced or is contemplated regarding any of the foregoing; and Seller has no knowledge that any of the foregoing is pending or threatened. Seller further agrees to notify Purchaser within **3 business days** of receiving or learning of any such investigation or notice;

f. Compliance. Seller, in connection with the Property, is not currently in violation of or subject to any existing, pending or threatened investigation or inquiry by any governmental authority or to any remedial obligations under any laws pertaining to zoning, use, health or the environment, and this representation and warranty would continue to be true and correct following disclosure to the applicable governmental authorities of all relevant facts, conditions, and circumstances, if any, pertaining to the Property;

g. Authority. Seller has the full right, power, and authority to sell the Property to Purchaser as provided in this Contract and to carry out Seller's obligations under this Contract, all requisite action necessary to authorize Seller to enter into this Contract and to carry out Seller's obligations hereunder has been or on or before Closing will have been taken, and the person signing this Contract on behalf of Seller has been duly authorized by Seller to execute this Contract; and

h. Adverse Possession. There are no adverse or other parties in possession of the Property, except Seller and Purchaser.

Purchaser's obligation to consummate this transaction shall be contingent upon the lack of any material variance with respect to the truth and accuracy of all such representations and warranties as of the day of Closing.

To the extent authorized by the Constitution and laws of the State of Texas, Seller agrees to indemnify and hold harmless Purchaser against and in respect of, any and all damages, claims, losses,

liabilities, and expenses that may be imposed upon, incurred by, or asserted against Purchaser by any other person (including, without limitation, a governmental entity), arising out of, in connection with, or relating to: (i) the falsity, untruth or Seller's breach of any of the foregoing representations and warranties; or (ii) any violations of any applicable law, rule, or regulation with respect to the Property or any improvements thereon, existing as of and/or prior to the Closing Date, even if not discovered until after the Closing Date. This indemnity shall survive the Closing or the sooner termination of this Contract.

11. CLOSING.

a. Date and Place. The Closing of the sale of the Property shall occur on a date as agreed upon by the parties, which date shall be no later than the Closing Date. The Title Company will be instructed to disburse the Purchase Price and other funds in accordance with this Contract, record the Deed and the other closing documents directed to be recorded, and distribute documents and copies of the closing documents in accordance with the written instructions of Seller and Purchaser.

b. Seller's Obligations at Closing. At Closing, Seller shall deliver or cause the following to be delivered to Purchaser, at Seller's sole cost and expense, unless otherwise specifically provided herein:

i. Deed. The Deed, duly-executed and acknowledged by Seller, conveying good and indefeasible fee title to the Property to Purchaser, subject only to the Permitted Exceptions and any liens created by Purchaser in connection with the purchase of the Property;

ii. Owner Policy of Title Insurance. The Title Policy, issued by the Underwriter for the Title Company in favor of Purchaser in the amount of the Purchase Price, insuring that at the Closing Date Purchaser is the owner of the Land and the Improvements, subject to any Permitted Exceptions and any liens created by Purchaser in connection with the purchase of the Land and Improvements. Seller shall pay the premium for the Title Policy. All endorsements to the Purchaser's Title Policy shall be at the option and sole expense of Purchaser. At the option and sole expense of Purchaser, the survey exception may be deleted except for "shortages in area";

iii. Tax Certificate. A tax certificate pursuant to Section 31.08 of the *Texas Tax Code* from each taxing unit in which the Property is located (if applicable);

iv. Certification. A Non-Foreign Certification, in compliance with Section 1445 of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder, stating under penalty of perjury the Seller's United States identification number and that Seller is not a "foreign person" as defined in Section 1445, duly executed and acknowledged by Seller;

v. Keys. Keys to all locks located on the Property that are in Seller's possession;

vi. Other Instruments. Seller shall execute, acknowledge and deliver such other documents as are customarily executed in the State of Texas in connection with the conveyance of the Property, including all required closing statements, releases, affidavits, evidences of authority to execute the documents, and any other instruments that may be reasonably required by the Underwriter and/or Title Company; and

vii. Possession. Possession of the Property free and clear of all tenancies of every kind and parties in possession, except for the Permitted Exceptions, and in substantially the same physical condition as on the Effective Date, ordinary wear and tear excepted.

c. Purchaser's Obligations at Closing. At Closing, Purchaser shall

i. Payment of Purchase Price. Pay the Purchase Price to Seller at Closing, subject to any adjustments for prorations or other credits, in accordance with the provisions of this Contract; and

ii. Other Instruments. Execute, acknowledge and deliver such other documents as are customarily executed in the State of Texas in connection with the conveyance of the Property, including all required closing statements, releases, affidavits, evidences of authority to execute the documents, and any other instruments that may be reasonably required by the Underwriter and/or Title Company.

d. Prorations.

i. Ad Valorem Taxes.

A. Section 26.11 Tax Allocation and Payment. Ad valorem taxes relating to the Property for that portion of the calendar year of the Closing from January 1 of said year to the Closing Date shall be tendered by Seller to the appropriate tax collector(s) pursuant to Section 26.11 of the Texas Tax Code on or before the Closing Date. Notwithstanding anything to the contrary herein, Seller shall be responsible for all taxes assessed against the Property for any period prior to Closing. This Section shall survive Closing.

B. Alternative Tax Allocation and Payment. In the event allocation or payment of ad valorem taxes pursuant to Section 11.d.i.A is not feasible as determined by Purchaser, ad valorem taxes relating to the Property shall be prorated and paid in accordance with this Section 11.d.i.B. The parties hereto agree that ad valorem taxes relating to the Property for the calendar year of the Closing shall be prorated between Seller and Purchaser as of the Closing Date. If the actual amount of taxes for the calendar year of the Closing is not known as of the Closing Date, the proration shall be based on the amount of taxes due and payable with respect to the Property for the calendar year immediately preceding the calendar year of the Closing, and Seller shall pay by credit on Purchaser's closing statement at the Closing Seller's prorata portion of those taxes. When the amount of taxes levied against the Property for the year of Closing is known, either Seller or Purchaser shall have the right to have the proration amount readjusted with the result that Seller shall pay for those taxes attributable to the period of time prior to the Closing Date; provided, however, that to avail itself of the right to have the proration amount readjusted, the party seeking readjustment must deliver to the other party a written request to that effect on or before March 1 of the calendar year immediately following the year of Closing. Notwithstanding anything to the contrary herein, Seller shall be responsible for all taxes assessed against the Property for any period prior to Closing. Payments after the Closing Date shall be made in immediately available funds to the applicable party at its address set forth in Section 1. This Section shall survive Closing.

e. Closing Costs. Each party is responsible for paying the legal fees of its counsel in negotiating, preparing, and closing the transaction contemplated by this Contract. Seller is responsible for paying fees, costs, and expenses identified in this Contract as being the responsibility of Seller. Purchaser is responsible for paying fees, costs, and expenses identified in this Contract as being the responsibility of Purchaser. Any Title Company escrow fee shall be split equally between the parties. All other expenses shall be allocated between the parties in the customary manner for closings of real property similar to the Land and the Improvements in the area in where the same is located.

12. DEFAULTS AND REMEDIES.

a. Purchaser's Default and Seller's Remedies.

i. Purchaser's Default. Purchaser shall be in default under this Contract if Purchaser shall (i) do or fail to do any act, the performance or nonperformance of which is required of Purchaser under this Contract, or (ii) fail or refuse to pay the Purchase Price at Closing for any reason other than a default by Seller.

ii. Seller's Remedies. If Purchaser is in default under this Contract, Seller may, as Seller's sole remedy at law or in equity, terminate this Contract by written notice delivered to Purchaser and receive the entire Escrow Deposit as liquidated damages for such default.

b. Seller's Defaults and Purchaser's Remedies.

i. Seller's Defaults. Seller shall be deemed to be in default under this Contract if Seller shall do or fail to do any act, the performance or nonperformance of which is required of Seller under this Contract, for any reason other than a default by Purchaser.

ii. Purchaser's Remedies. If Seller is in default under this Contract, Purchaser may (i) terminate this Contract by written notice delivered to Seller on or before the Closing Date, as appropriate, and receive a return of the Escrow Deposit, (ii) enforce specific performance of this Contract, and/or (iii) enforce any other remedy available at law or in equity for such default.

c. Notice to Title Company. Upon the termination of this Contract pursuant to this Section or any other provision of this Contract, the parties covenant and agree to deliver a letter of instruction to the Title Company directing disbursement of the Escrow Deposit to the party entitled thereto under the terms of this Contract. In the event that either party hereto fails or refuses to execute and deliver such an instruction letter when the other party is entitled to receive the disbursement of the Escrow Deposit, the party refusing to deliver the instruction letter shall (to the extent authorized by the statutes and the Constitution of the State of Texas) pay, upon the final order of a court with appropriate jurisdiction, the actual and reasonable attorney fees, court costs and other costs of collection incurred in connection with the recovery thereof by the party entitled to the Escrow Deposit.

13. REAL ESTATE COMMISSION.

a. No Brokers. Seller represents to Purchaser that in connection with the Closing and sale of the Property pursuant to this Contract, no brokerage fee or commission is due or will be payable to any person claiming by, through or under Seller. Purchaser represents to Seller that in connection with the Closing and sale of the Property pursuant to this Contract, no brokerage fee or commission is due or will be payable to any person claiming by, through or under Purchaser.

b. Indemnity. *Purchaser (but only to the extent authorized by the laws and the Constitution of the State of Texas) and Seller (but only to the extent authorized by the laws and Constitution of the State of Texas) each agrees to indemnify, defend and hold the other party harmless from any loss, liability, claim or cost (including, without limitation, attorneys' fees, costs of suit, and court costs) arising out of a claim for a fee or commission pertaining to the sale of the Property that arises in favor of any person claiming by, through, or under the indemnifying party.* This indemnity shall survive the Closing or the sooner termination of this Contract.

14. MISCELLANEOUS.

a. Notice. Any notice required or permitted to be delivered under this Contract shall be deemed received when actually delivered by hand delivery, facsimile transmission, or overnight courier, or when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to Seller or Purchaser, as the case may be, at the physical address or Post Office box stated in Section 1 and to such party's respective attorney at the physical address or Post Office box as set forth below:

Seller's Attorney
City of Brownsville
1001 E. Elizabeth St.
Brownsville, TX 78520
Attention: Mark Sossi
Telephone No.: (956) 548-6011
Fax No.: (956) 546-4291
Email: mark.sossi@cob.us

Purchaser's Attorney:
Office of General Counsel
201 West 7th Street, Suite 600
Austin, Texas 78701
Attention: Ha Dao
Telephone No.: (512) 499-4522
Fax No.: (512) 499-4523
Email: hdao@utsystem.edu

b. No Conflict of Interest. If Seller is not an individual, Seller certifies that no member of the Board of Regents of The University of Texas System (i) owns or has a beneficial interest in more than five percent of Seller's outstanding capital stock, (ii) is an officer or employee of Seller, or (iii) to Seller's knowledge, has a pecuniary interest, directly or indirectly, in the transaction contemplated in this Contract.

c. Assignment of Contract. Purchaser may assign this Contract only with the prior written consent of Seller, which consent will not be unreasonably withheld or delayed.

d. Holidays. For purposes of this Contract, should any date specified herein as a deadline fall on (i) a Saturday or Sunday, or (ii) any day defined herein as a "Holiday," such date shall automatically be extended to the next following calendar day that is not a Saturday, Sunday or Holiday. "Holiday" shall mean any day on which the UT System Administration, The University of Texas Rio Grande Valley, national banks, Texas state banks and/or the U.S. Postal service are closed for business.

e. Survival of Covenants. Any of the representations, warranties, covenants and agreements of the parties under this Contract, and rights and benefits of the parties, pertaining to a period of time following Closing shall survive Closing and shall not be merged therein.

f. Applicable Law and Venue. This Contract shall be construed under and in accordance with the laws of the State of Texas. Any action brought to enforce or interpret this Contract may be brought in the court of appropriate jurisdiction in either Travis County, Texas or the county in which the Land is located.

g. Parties Bound. This Contract shall be binding upon and inure to the benefit of the parties to this Contract and their respective heirs, executors, administrators, legal representatives, successors, and assigns. This Section shall not constitute a party's consent to an assignment of this Contract.

h. Severability. In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Contract, and this Contract shall be construed as if such invalid, illegal and unenforceable provision had never been contained in this Contract.

i. Entirety and Amendments. This Contract (including all exhibits and addenda attached hereto) constitutes the sole and only agreement of the parties to this Contract and supersedes any prior understandings or written or oral agreements between the parties concerning the purchase of the Property. This

Contract may be amended or supplemented only by an instrument in writing executed by the party against whom enforcement is sought.

j. Time of Essence. Time is of the essence in the performance of the undertakings and obligations of the parties under this Contract.

k. Gender. Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

l. Construction. Each party acknowledges that it and its counsel have reviewed this Contract and that the normal rule of construction shall not be applicable and there shall be no presumption that any ambiguities will be resolved against the drafting party in the interpretation of this Contract. The captions in this Contract are for convenience only and shall not be deemed to define, limit or affect in any way the scope, meaning, intent or extent of this Contract or any part of it.

m. Risk of Loss. Seller shall bear the risk of all loss or damage to the Property from all causes other than the activities of Purchaser, until Closing. If, prior to Closing, all or part of the Property is damaged by fire or by any other cause of whatsoever nature, or condemnation proceedings are commenced or notice of such proceedings given, Seller shall promptly give Purchaser written notice of such damage or condemnation notice. After notice of such damage or condemnation (from Seller or otherwise), Purchaser shall have the option to require Seller either to convey the Property on the Closing Date to Purchaser in its damaged condition and to assign Purchaser all of Seller's right, title and interest in and to claims Seller may have under the insurance policies covering the Property, if any, or condemnation awards, or Purchaser may, at Purchaser's option, terminate this Contract by written notice delivered to Seller, with a copy to the Title Company. On receipt of said notice, the Title Company shall promptly disburse the Independent Contract Consideration to Seller and refund to Purchaser the balance of the Escrow Deposit and this Contract shall be of no further force and effect.

n. No Implied Waiver. A party's failure to insist at any time on the strict performance of any covenant or agreement or its failure to exercise any option, right, power, or remedy contained in this Contract shall not be construed as a waiver or a relinquishment thereof for the failure. The waiver of a breach or the acceptance of cure for any violation of any term, covenant, agreement, or condition contained in this Contract shall not prevent a subsequent act being a breach of this Contract.

o. No Third Party Beneficiaries. Except as otherwise expressly extended to a third party under the terms of this Contract, no beneficial rights are given to any third parties by or under this Contract.

p. Conditions of Contract and Closing. Purchaser's obligations to perform hereunder are conditioned upon final written approval of this Contract by the Board of Regents of The University of Texas System. In the event that such consent is not obtained for this Contract, the Escrow Deposit less the Independent Contract Consideration payable to Seller shall be returned to Purchaser and the parties shall have no further obligations hereunder.

q. E-Mail Transmission. A pdf facsimile of a duly executed counterpart of this Contract, mailed to a party at the address for e-mail notice shown below, shall be sufficient to evidence the binding agreement of each party to the terms hereof. However, each party agrees to promptly return to the other party an original, duly executed counterpart of this Contract following the e-mail delivery of the pdf facsimile thereof.

E-mail address for Seller: Charlie@cob.us
E-mail address for Purchaser: nburked@utsystem.edu

r. Multiple Counterparts. This Contract may be simultaneously executed in a number of counterparts, each of which for all purposes shall be deemed an original and all of which, when taken together, shall constitute but one and the same instrument.

s. Force Majeure. If the performance by a party of any provision of this Contract is delayed or prevented by (i) an act of God such as weather or earthquake; (ii) an act of war or terrorism; or (iii) restriction by any governmental authority, then the period for the party's performance of the provisions shall be automatically extended for the same amount of time that the party is so delayed or hindered.

15. STATUTORY NOTICES. The following statutory notices are provided to Purchaser:

a. Notice to Purchaser. THE PURCHASER IS ADVISED THAT PURCHASER SHOULD HAVE THE ABSTRACT OR TITLE COMMITMENT COVERING THE PROPERTY EXAMINED BY AN ATTORNEY OF PURCHASER'S OWN SELECTION, AND BY SIGNING THIS CONTRACT PURCHASER ACKNOWLEDGES RECEIPT OF THIS NOTICE.

b. Other Notices. Purchaser is advised of the matters set forth in the *Exhibit C* attached hereto.

16. LIST OF EXHIBITS. The following exhibits are appended to this Contract and incorporated herein by reference:

Exhibit A – Deed
Exhibit B – Statutory Notices

DATE OF EXECUTION:

_____, 2016

PURCHASER:

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By: _____

Kirk S. Tames
Executive Director of Real Estate
The University of Texas System

Approved as to Content:

The University of Texas Rio Grande Valley

By: _____

Martin V. Baylor
Executive Vice President for Finance and
Administration

Date: _____, 2016

DATE OF EXECUTION:

_____, 2016

SELLER :

CITY OF BROWSVILLE

By: _____
Charlie Cabler, City Manager

RECEIPT BY TITLE COMPANY

The undersigned, a title insurance company duly licensed and doing business under the laws of Texas, acknowledges on this _____ day of _____, 2016, that it is in receipt of both (i) the Escrow Deposit in the amount of \$5,000 in the form of cash or other immediately available funds; and (ii) a copy of this Contract executed by both Purchaser and Seller. The undersigned further acknowledges and agrees to (i) promptly notify Purchaser and Seller of the receipt of the Escrow Deposit and the fully signed Contract; and (ii) perform the duties and obligations of the "Title Company" set forth in the Contract.

Edwards Abstract and Title Co.

By: _____
Name: _____
Title _____

d. Statutory Water Rights. All statutory rights to capture and use water on the Land, and all grants, licenses and/or that allow or authorize the capture, taking or use of water in connection with the ownership, use and/or occupancy of the Land.

Exceptions to Warranty: This conveyance is made subject to those items listed on the attached **Exhibit B.**

Grantor, for the Consideration and subject to the Exceptions to Warranty, GRANTS, SELLS, TRANSFERS, ASSIGNS and CONVEYS the Property to Grantee, together with, all and singular, the rights and appurtenances thereto in any wise belonging, to have and to hold to Grantee, and Grantee's legal representatives, successors and assigns forever. Grantor hereby binds Grantor and Grantor's legal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular, the Property to Grantee and Grantee's legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Exceptions to Warranty.

When the context requires, singular nouns and pronouns include the plural.

Executed on the date set forth in the acknowledgment line below, to be effective for all purposes as of the Effective Date.

Exhibits To Deed:

Exhibit A - Description of Land

Exhibit B - Exceptions to Warranty

GRANTOR:

CITY OF BROWNSVILLE

By: _____

Name: Charlie Cabler

Title: City Manager

STATE OF TEXAS §

§

COUNTY OF CAMERON §

This instrument was acknowledged before me on the ____ day of _____, 2016, by Charlie Cabler, as City Manager of the City of Brownsville, for the consideration stated and as the act and deed thereof.

My commission expires _____.

Notary Public in and for

The State of Texas

Record and Return to:

The University of Texas System
Office of General Counsel – Real Estate Office
201 West 7th Street, Suite 600
Austin, Texas 78701
Attention: Ha Dao

EXHIBIT B TO REAL ESTATE CONTRACT

STATUTORY NOTICES



Submit

AGENDA REQUEST FORM

Item Number: **26.**

COMMISSION MEETING DATE: 4/19/16

Brownsville Metro
DEPT: Department CONTACT Norma H. Zamora

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda <input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
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Brief Description of Agenda Item:

Consideration and ACTION to authorize the City Manager to accept and execute a grant awarded by the Texas Department of Transportation under the Intercity Bus Program.

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

Re: FY2016 Federal Intercity Bus Project Grant Agreement ICB-1601(29)38

City Manager Approval

_____ **Date:** _____



TO: Charlie Culler, City Manager
Ruth Osuna, Assistant City Manager

CC: Lupe Granado III, Finance Director
Roberto Luna, Purchasing Director
Michael L. Lopez, MPA, City Secretary

FROM: Norma H. Zamora, Brownsville Metro Director

DATE: April 14, 2016

SUBJECT: Consideration and Action to authorize the City Manager to accept and execute a grant awarded by the Texas Department of Transportation under the Intercity Bus Program.

Please place the aforementioned item in the agenda for the City Commission meeting scheduled for April 19, 2016.

Since 2013, the State of Texas, acting through the Texas Department of Transportation, has annually awarded the City of Brownsville, ICB-1601, a federal grant under the Intercity Bus Program. Each year the City has received over a million dollars in a combination of federal grants and local matches to administer this grant. The local match for this project has been provided by all of the partners which include McAllen, South Padre Island and Brownsville. For example, in 2013-2014, the City was awarded \$1,392,438 which was a combination of \$659,484 in a federal grant and \$732,954 in a local match. In 2015-2016 the project's total cost is \$1,361,039, consisting of \$821,095 in federal funds and \$539,944 in local funds.

This funding will be used by the City of Brownsville in partnership with Valley Transit Company (VTC) and the cities of McAllen and South Padre Island for the Metro Connect Project. The Metro Connect Project provides three routes which will allow public transit customers to make meaningful connections with intercity carriers. The intercity service includes routes between Edinburg and McAllen; Brownsville and McAllen; and, from Brownsville to South Padre Island. The primary goals of this unique partnership are to connect Rio Grande Valley (RGV) regional hubs and provide seamless public transportation for customers.

This federal funding allows for the operating and marketing of the three routes and preventive maintenance for vehicles used to provide service in these three routes.



BROWNSVILLE METRO

260 International University, Brownsville, Texas 78520 Telephone: 361-541-1881 Fax: 361-571-6575 www.brownsvillemetro.org

Additionally, federal funding was used to purchase four (4) vehicles for use on the routes provided through this partnership.

Attached is the TXDOT letter and project grant agreement for the Metro Connect Services. This grant will run from November 2015 through August 2016. As you will note this grant was awarded in late 2015. However, since 2003 these grants have all extended beyond their annual end dates. TXDOT has accommodated all of these extensions. In fact, the 2014-2015 grant award closed in December of 2015. The 2015-2016 grant funds utilization began in January of 2016 with a proposed extension request through December 2016.

Staff recommends approval of this intercity bus program funding award.



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG • 126 E. 11TH STREET • AUSTIN, TEXAS 78701-2409 • (512) 463-9585

November 3, 2015

2

Mr. Charlie Cabler, City Manager
City of Brownsville
P. O. Box 911
Brownsville, Texas 78520

RE: FY2016 Federal Intercity Bus Project Grant Agreement ICB-1601(29)38

Dear Mr. Cabler:

Enclosed is a fully executed copy of the above referenced project grant agreement. This agreement is effective November 2, 2015 and terminates on August 31, 2016.

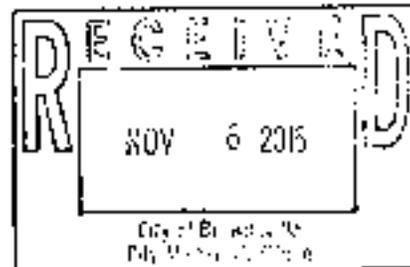
You may contact me at (956)702-6314 if you have any questions.

Sincerely,

Irma Flores
Public Transportation Coordinator

Enclosure (as stated)

cc: Norma Zarrora, City of Brownsville
Linda Hernandez, PTN



PGA: SECTION 5311(f) FEDERAL INTERCITY BUS
TRANSIT PROVIDER: Brownsville, City of
FTA GRANT #: TX-18-X038
CFDA # 20.509
TXDOT PROJECT #: ICB 1601 (29) 38
PROJECT GRANT AGREEMENT #: 0000007045
MASTER GRANT AGREEMENT #: 512XXF7025
FEDERAL TRANSIT ADMINISTRATION
NOT RESEARCH AND DEVELOPMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

**FEDERAL INTERCITY BUS
FISCAL YEAR 2016
PROJECT GRANT AGREEMENT**

THIS PROJECT GRANT AGREEMENT (PGA) is made by and between the State of Texas, acting through the Texas Department of Transportation, called the "State," and Brownsville, City of, called the "Transit Provider".

WITNESSETH

WHEREAS, under 49 United States Code Section 5311(f), Intercity Bus, the Transit Provider submitted a project proposal for financial assistance to be used to provide transportation services; and,

WHEREAS, Texas Transportation Code Chapter 455 authorizes the State to assist the Transit Provider in procuring aid for the purpose of establishing and maintaining public and mass transportation projects and to administer funds appropriated for public transportation under Transportation Code Chapter 456; and,

WHEREAS, the U.S. Secretary of Transportation approved the State's request for funding; and,

WHEREAS, the Governor of the State of Texas has designated Texas Department of Transportation to receive federal funds under the Section 5311 grant program; and

WHEREAS, the Transit Provider submitted a Fiscal Year 2016 Grant Application (if applicable) for state financial assistance, and the Texas Transportation Commission approved the application by Minute Order Number 114310; and,

WHEREAS, the Transit Provider must execute a Grant Application (if applicable) and the Federal Transit Administration (FTA) Certification and Assurances each fiscal year grant period for consideration for new state and federal grants, and

WHEREAS, a Master Grant Agreement (MGA) between the Transit Provider and the State has been adopted and states the general terms and conditions for grant projects developed through this PGA;

NOW THEREFORE, the State and the Transit Provider agree as follows:

AGREEMENT

ARTICLE 1. GRANT TIME PERIOD

This PGA becomes effective when fully executed by both parties or on **September 1, 2015**, whichever is later. This PGA shall remain in effect until **August 31, 2016**, unless terminated or otherwise modified in an Amendment. This PGA will not be considered fully executed until both parties have executed a MGA, and the Transit Provider has submitted the Grant Application (if applicable) and the FTA Certification and Assurances (federal funds only) to the State. The time period of this PGA cannot be extended past the MGA, without exception. Any cost incurred before or after the contract period shall be ineligible for reimbursement.

ARTICLE 2. PROJECT DESCRIPTION

- A.** The Transit Provider shall complete the public transportation project described in the Grant Application, the Attachment A - Approved Project Description, and the Attachment B - Project Budget. Attachments A and B are attached to and made a part of this agreement. The Transit Provider shall complete the project in accordance with all of the documents associated with the MGA and with all applicable federal and state laws and regulations.
- B.** If applicable, the Transit Provider shall begin competitive procurement procedures by issuing an invitation for bids or a request for proposals no later than sixty (60) days after the effective date of this grant agreement for the purchase of the approved line items referenced in Attachment A. No later than sixty (60) days after the issuance of public notification, the Transit Provider shall publicly open all bids or privately review proposals. The Transit Provider shall enter into a binding agreement with a supplier no later than thirty (30) days after the opening of an acceptable bid or proposal. The Transit Provider shall notify the department in writing when it is necessary to exceed these deadlines.

ARTICLE 3. COMPENSATION

The maximum amount payable under this PGA without modification is **\$ 821,095**, provided that expenditures are made in accordance with the amounts and for the purposes authorized in the Grant Application, the Attachment A, and the Attachment B.

The original and one copy of the invoice are to be submitted to the following address:

Texas Department of Transportation
Attn: Irma Flores
Public Transportation Coordinator
600 West Interstate 2
Pharr, Texas 78577

ARTICLE 4. AMENDMENTS

Except as noted in the MGA, changes in the scope, objectives, cost, or duration of the project authorized in this agreement shall be enacted by written amendment approved by the parties before additional work may be performed or additional costs incurred. Any amendment must be executed by both parties within the grant period specified in Article 1, Grant Time Period.

ARTICLE 5. INCORPORATION OF MGA PROVISIONS

This PGA incorporates all of the governing provisions of the MGA in effect on the date of final execution of this PGA, unless an exception has been made in this agreement.

ARTICLE 6. SIGNATORY WARRANTY

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

ARTICLE 7. ACCESS TO INFORMATION

The Transit Provider is required to make any information created or exchanged with the state pursuant to this contract, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the state.

THIS AGREEMENT IS EXECUTED by the State and the Transit Provider in duplicate.

THE TRANSIT PROVIDER



Signature

Charlie Cabler

Typed, Printed, or Stamped Name

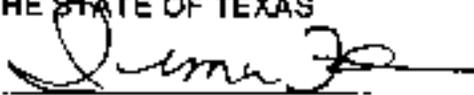
City Manager

Title

Aug. 14, 2015

Date

THE STATE OF TEXAS



Signature

Irma Flores

Typed, Printed, or Stamped Name

Public Transportation Coordinator

Title

11/2/2015

Date

Approved for the State and for
Sus _____ 2015
Name _____
Title _____
Office of the Comptroller
1001 E. Edinger Street
Brownsville, TX 78402
Phone (956) 349-6000
Fax (956) 349-6000


List of Attachments

- A - Approved Project Description
- B - Project Budget

ATTACHMENT A APPROVED PROJECT DESCRIPTION

This project provides federal funds of up to 50% of the net operating expense for the routes listed below. These interurban bus routes will make meaningful connections with intercity carriers.

Routes

South Padre Island – Brownsville

Brownsville – McAllen

McAllen – Edinburg

This project also provides federal funds for marketing of the routes mentioned and preventive maintenance for vehicles used for said routes.

The transit provider's response to the FY 2015 Coordinated Call for Projects is hereby incorporated in to the project description except as amended in this attachment.

Transit provider shall comply with Article 15 of the Master Grant Agreement requiring procurement and project milestones / quarterly progress reports. Within 30 days of PGA execution, the subrecipient will provide the TxDOT Public Transportation Coordinator with a project milestone plan that delineates fund expenditures throughout the contract period.

Per Texas Administrative Code 31.17: Failure to expend funds in a timely manner may cause the department to terminate the grant and re-award the unobligated balance to another project.

TxDOT's Public Transportation Division's (PTD) Federal Transit Administration overall Disadvantaged Business Enterprise (DBE) goal for fiscal years 2015 - 2017 is 4.57 percent of funds expended by grantees. This is not a contract specific goal but an overall goal for annual DBE participation. PTD grantees should undertake efforts to include DBE businesses in purchasing and contracting opportunities, and are encouraged to utilize DBE business whenever practicable. The full definition of DBE program requirements is found in Article 16 of the Master Grant Agreement



Submit

AGENDA REQUEST FORM

Item Number: **27.**

COMMISSION MEETING DATE: 04/19/16

B-Metro
DEPT: _____ CONTACT Norma Zamora

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: _____	Agenda ___ Public Hearing ___ Contract ___ Grant ___ Action <input checked="" type="checkbox"/> Consent	Ordinance ___ First Reading ___ Second Reading
--	---	---	---	---

Brief Description of Agenda Item:

"Consideration and Action to Award a Contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at 700 Jose Colunga"

FINANCIAL: Budgeted Y / N Matching Funds Required Y / N If yes, how much _____

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

PURCHASING DEPARTMENT: **Date Reviewed:** _____ **By:** _____

Comments: _____

CITY ATTORNEY: **Date Reviewed:** _____ **By:** _____

Comments: _____

ADDITIONAL COMMENTS: (Write in advisory board or committee name and recommendation if applicable)

City Manager Approval

_____ **Date:** _____



**PURCHASING & CONTRACT SERVICES DEPARTMENT
PROCUREMENT ANALYSIS**

Date: April 14, 2016
To: Mr. Charlie Cabler, City Manager
Mr. Pete Gonzalez, Deputy City Manager
Ms. Ruth Osuna, Assistant City Manager
Mrs. Stephanie Reyes, Assistant City Manager
CC: Mr. Michael I. Lopez, City Secretary
Mr. Lupe Granado III, Finance Director
Ms. Norma Zamora, B-Metro Director
From: Mr. Roberto C. Luna, Purchasing & Contract Services Director
Subject: Agenda Item for the City Commission meeting of April 19, 2016:
"Consideration and Action to Award a Contract for Rehabilitation of B-Metro
Maintenance Facility Project Phase I located at 700 Jose Colunga" RFP #
RBM-16-0316

At the request of the B-Metro Director, Norma Zamora, the Purchasing & Contract Services Department solicited formal sealed proposals for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared in The Brownsville Herald two times on January 31, 2016 and February 7, 2016 and was posted on the Purchasing website and the Texas Bid System website. A total of (150) one hundred and fifty companies on the Texas Bid System received an invitation to participate. A total of (45) forty-five companies accessed and downloaded the RFP package on the Texas Bid System website.
2. A Pre-proposal meeting was conducted on Tuesday, February 16, 2016, at 2:00 p.m. at the Purchasing & Contract Services Conference Room. A total of eight (8) contractors were represented at the meeting. Four (4) addendums were released and posted on the Purchasing website and the Texas Bid System website during the proposal process.
3. Seal Proposals were received for the subject project on Thursday, March 10th, 2016 at 4:00 p.m. A total of five (5) proposals were received. RFP's were acknowledged by the Purchasing & Contract Services Office. Submitting vendors were:
 - Noble Texas Builders
 - Alpha Construction
 - ZIWA Construction
 - JCON Construction
 - SpawGlass Construction
4. Copies of all proposals received were submitted to the Evaluation Committee^{III} for review.

^{III}Evaluation Committee Members:

- Evaristo Gamez, Building Inspections Director
- Andrew Muñoz, B-Metro Assistant Director
- Stanford Knowles, Project Architect
- Dorotheo Garcia, Assistant Engineer Director
- Eddie Velarde, B-Metro Transit Fleet Maintenance Contract Manager

Cost Proposal (City Budget \$1,500,000.00)	<u>Alpha Construction</u> \$2,178,400.00	<u>Zeta Corporation</u> \$2,027,600.00	<u>Snapgrass</u> \$2,045,400.00	<u>Noble, Keag, Blyden</u> \$1,619,000.00	<u>Iron Construction</u> \$1,675,000.00
1	78.27	83.8	84.65	87.7	74.41
2	77.73	82.6	82.14	81.51	80.91
3	76.77	83.8	77.23	79.53	82.91
4	67.77	66.8	75.35	76.53	80.91
5	75.77	75.3	76.41	81.51	75.41
	<u>74.07</u>	<u>76.3</u>	<u>79.25</u>	<u>79.86</u>	<u>72.11</u>



April 14, 2016

Mr. Roberto C. Luna
Purchasing Director
City of Brownsville
1001 E. Elizabeth St.
Brownsville, TX 78520

Re: City of Brownsville BUS Maintenance Facility
Best and Final Offer

Mr. Luna,
Below is Noble Texas Builders Best and Final Offer for City of Brownsville BUS Maintenance Facility bid on March 10, 2016:

Noble Texas Builders Base Bid:	\$1,619,000
Accepted Alternates	
Alternate # 1 (Vehicle Exhaust System):	\$ 18,134
Alternate # 2 (General Exhaust System):	\$ 25,207
Alternate # 3 (Fire Suppression System):	\$ 41,312
Alternate # 5 (MCP work for HVAC Syst.):	\$ 188,617
Subtotal:	\$1,892,270
Accepted Credits from Cost Savings Meeting:	(\$ 120,308) - See attached breakdown on Appendix A
Subtotal:	\$1,771,962
Accepted Add for Class 4 sealer Service Area:	\$ 64,452 - See attached breakdown on Appendix B
Subtotal:	\$1,836,414
Savings for turning second floor restrooms into shell space:	(\$ 15,212) - See attached breakdown on Appendix C
Noble Texas Builders voluntary credit:	(\$ 21,202)
Noble Texas Builders Best and Final Offer For BUS Maintenance Facility:	\$1,800,000

We look forward working with City of Brownsville and Brownsville Urban System in this project, if you are to have any questions, please do not hesitate to contact us.

Sincerely,

Rene Capistran
President

April 14, 2016

Norma Zamora, B Metro Director
755 International Blvd.
Brownsville, TX 78520

RE: Budget Considerations
Bus Maintenance Rehabilitation Project
700 Jose Colunga St, Brownsville, Texas

Dear Norma Zamora,

K+ Architect is disappointed the cost for renovations of the Bus Maintenance Facility is higher than the amounts anticipated in the Cost Estimates that we provided for the project. That said, I have confirmed with 3 sources, construction firm estimators, the increasing costs of materials that will be used in the construction of this project.

One good point of consideration is the Betterment Fund and Allowances that if not used will be returned to the owner total \$97,500,00. In this type of renovation we provide these funds in contract to address any unforeseen circumstances.

Requirements to meet the requirements of Federal Transportation and City also play a part in increased overhead, project management and supervision for the project.

Steel, the main product used for this project, has increased in cost by almost 15% since our original estimated budget. This stems mainly from an increase in construction across the USA and China and low stocks of materials for the new demand.

Demolition, insulation, windows and overhead doors were close to or a little above the estimate.

Concrete, while not a large amount used in this project has increased to \$110.00/Cubic Yard, up from \$90.00/CY at the time of the estimate. At this time 2 years ago concrete was selling at \$75.00/cubic yard.

Metal Studs and Gypsum Board have also increased in cost by almost 15%.

Anything with Copper has increased from 10% to 20% in cost and is reflected in the electrical, mechanical and plumbing increases.

Fire Sprinkler System was 30% higher than expected due in main part to increased cost of steel pipe and added cost to install new fire riser.

The repair for the Elevator was not anticipated in the cost estimate as originally this work was to be done under a separate contract. This cost was also higher than expected in the contractor cost of \$150,000.00.

While our MEP Engineer tried to estimate the cost of the overhead exhaust system required by code, this is

the first of this type he estimated in last two years so his numbers were low, which can partly be explained by the increased cost of steel. This increased cost of steel also increased the cost of the Air Conditioning System, Electrical Fixtures and supports as well as plumbing piping.

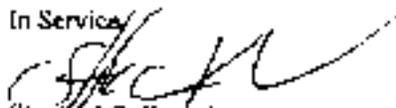
While as explained by one estimator, we would have expected the prices to decrease with the lower cost of gas and oil, it has not been the case because of the increased demand for construction materials and products in the last 12 months.

Three main items contributed to the cost being higher than expected

1. Steel increase by 15% affecting most trades and materials to the tune of almost \$100,000.00.
2. Retention Fund and Allowances \$97,500.00
3. Elevator not in original estimate and added to the scope \$150,000.00

I hope this explains the difference in the estimate and the final proposed construction cost.
If you have any questions do not hesitate to call .

In Service


Stanford C. Knowles

Memo

To: Roberto Luna, Purchasing Director
From: Norma Zamora, B Metro Director
CC: Charlie Cabler, City Manager
Rah Osuna, Assistant City Manager
Andrew Manoz, Asst. B Metro Director
Doroteo Garcia, Asst. City Engineer
Lupe Granada, Finance Director

Date: April 14 2016

Re: Jose Colunga Maintenance Facility Rehab Project

Brownsville Metro is requesting that the above referenced agenda item be placed on the City Commission agenda for the meeting scheduled on Tuesday, April 19, 2016.

Noel Construction, from Weslaco, Texas, has presented a Best and Final Offer (BAFO) in the total amount of **\$1,800,000.00** for Phase I of the proposed rehab project at the Jose Colunga Maintenance Facility located at 700 Jose Colunga Jr Street. Phase I includes the replacement of the building exterior and weatherization, plumbing, mechanical, electrical, HVAC, elevator, ADA and environmental compliance requirements for the main building. Phases II (bus yard improvements) and III (East-Side transfer Station) are currently in the design phase and B Metro staff is working on securing funding for these portions of the project.

The attached Best and Final Offer, is based on K+ Architects, construction drawings and specifications. With the assistance of the City's Purchasing and Contracting Department, the proposed project was advertised on January 31, 2016 and February 7, 2016. All submittals were evaluated by the Evaluation Committee and are presented as the "highest/most" qualified respondents providing the "best value" for the proposed project.

After reviewing all submittals and tabulation sheets, B Metro agrees with the committee's recommendation and has verified the proposed Best and Final Offer is within construction budget.

Recap: Facility Rehab

Estimated Construction	\$ 1,500,000.00
Best and Final Offer	\$ 1,800,000.00

Funding for this project is as follows:

2016 CO Funds	\$ 1,500,000.00
2012 CO Funds	<u>\$ 300,000.00</u>
Project Funding Total	\$ 1,800,000.00

The Notice to Proceed for demolition and construction services will commence subsequent to award by the City Commission. Noble Construction is obligated to commence work immediately after receiving Notice to Proceed and the date of substantial completion is 300 days from the date of said notice.

B Metro recommends approval of the Best and Final Offer as presented. Should you have questions or require additional information, please contact my office.