

1. May 3, 2016 Agenda

Documents:

[A-05-03-2016.PDF](#)

2. May 3, 2016 Meeting Binder

Documents:

[BINDER05-03-2016.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 a **Workshop**, an **Executive Session**, and a **Regular Meeting**, on **Tuesday, May 03, 2016**, at **5:05 P.M.**, **5:45 P.M.**, and at **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.

WORKSHOP: 5:05 P.M.

- a) Brownsville Chamber of Commerce. (Ruth Osuna – Assistant City Manager – 40 mins)

EXECUTIVE SESSION: 5:45 P.M.

- A) Consultation with attorney of the Texas Government Code, Sections §551.071 and §551.072 regarding real property. (Mark Sossi – City Attorney – 15 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:

National Small Business Week
(Commissioners D. Portillo/R. Gowen)

Water Drinking Month
(Mayor A. Martinez/Commissioner D. Portillo)

Toddle Inn Restaurant
(Commissioners C. de Leon/R. Longoria, Jr.)

Elder Abuse Prevention Month
(Commissioners R. Longoria, Jr. /J. Villarreal)

4. **PRESENTATIONS:**

Employee of the Month
(Charlie Cabler – City Manager)

Report on Northside Traffic
(Commissioners C. de Leon/R. Longoria, Jr.)

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 “h”

- a) Approval of the minutes of the Regular Meeting of April 19, 2016.
- b) To acknowledge the following individuals to incur travel expense:

Employee	Department	Destination	Date
Sesha Vorrey	Airport	Houston, TX	May 13-19, 2016
Sesha Vorrey	Airport	Washington, D.C.	June 20-23, 2016
Dorene Fourar	BMetro	Fort Worth, TX	May 15-17, 2016
Georgina Gonzales	BMetro	Fort Worth, TX	May 15-17, 2016
Jorge Santillan	Finance	San Francisco, CA	June 14-17, 2016
Efren Trujillo	Grants	Jefferson Parish, LA	May 24-28, 2016
Christopher Haggstrom	Health	San Antonio, TX	May 24-26, 2016
Fredrick Barnes	Health	San Antonio, TX	May 24-26, 2016
James McCoy	Library	Dallas, TX	May 12-13, 2016
Omar Puente	Municipal Court	Dallas, TX	May 16-18, 2016
Lorenzo Hernandez	Municipal Court	Dallas, TX	May 16-18, 2016
Georgina Lopez	Planning	Houston, TX	June 14-18, 2016

- c) Consideration and **ACTION** to approve **Resolution Number 2016-026** and application to the Local Border Security Grant Program (BorderStar) through the Office of the Governor, Homeland Security Grants Division. (Marina Zolezzi – Grants)
- d) **APPROVAL** on **SECOND** and **FINAL 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)
- e) **APPROVAL** on **SECOND** and **FINAL 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)
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- g) **APPROVAL** on **SECOND** and **FINAL 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 Boulevard. (District 3) (Constanza Miner – Planning Director of Operations)
- h) **APPROVAL** on **SECOND** and **FINAL 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)

* * * * *

6. PUBLIC COMMENT PERIOD: PLEASE NOTE:

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 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**

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO BE RECOGNIZED AND ADDRESS THE COMMISSION ON A SUBJECT THAT IS **NOT A PUBLIC HEARING**.
- **ADDRESS THE COMMISSION AS A WHOLE – DO NOT DIRECT YOUR COMMENTS TO ANY INDIVIDUAL MEMBER OF THE COMMISSION.**
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- **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:

- 7. Consideration and **ACTION** to acknowledge the City’s Comprehensive Annual Financial Report (CAFR) and Single Audit Report for the Fiscal Year ended September 30, 2015. (Lupe Granado III – Finance)

8. Consideration and **ACTION** to acknowledge the financial statements and cash investment report for the City of Brownsville for the second quarter ended March 31, 2016. (Lupe Granado III – Finance)
9. Consideration and **ACTION** to adopt budget amendment **Resolution Number 2016-029**, to amend the General Fund, expenditures budget to provide \$160,000.00 for traffic signals. (Lupe Granado III – Finance)

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PURCHASES/BIDS/CONTRACTS:

10. Consideration and **ACTION** to award a Work Order to AGH for Survey, Engineering and Design of Phase 1 of the Brownsville Metro ADA Bus Stop Enhancement Project under the Professional Engineering Services Contract. (Norma H. Zamora – BMetro)
11. Consideration and **ACTION** to award a contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at Jose Colunga. (Norma H. Zamora – BMetro)
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14. Consideration and **ACTION** to approve **Resolution Number 2016-028**, for a Lease Agreement with the US Postal Services for office space rental at City Hall. (Roberto Luna – Purchasing)

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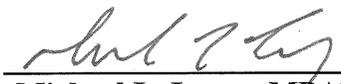
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By; Antonio Martinez
Mayor of the City of Brownsville

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Michael L. Lopez, MPA
 City Secretary

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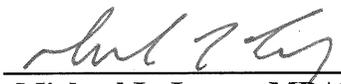
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Michael L. Lopez, MPA
 City Secretary



Submit

AGENDA REQUEST FORM

Item Number: Workshop a

COMMISSION MEETING DATE: 5/03/16

City Manager's Office
DEPT: _____ CONTACT Ruth Osuna

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: <u>40</u>	Presentation Time Needed: _____	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
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Brief Description of Agenda Item:
Brownsville Chamber of Commerce

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: _____



Submit

AGENDA REQUEST FORM

Item Number: **Executive A**

COMMISSION MEETING DATE: 5/03/16

LEGAL

DEPT: _____ CONTACT MARK SOSSI

AGENDA

Select One:

Executive Session (City Attorney Only)	Workshop	Presentation	Agenda	Ordinance
Time needed: <u>15</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:

Consultation with attorney of the Texas Government Code, Sections §551.071 and §551.072 regarding real property.

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Comments: _____

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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

A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
DESIGNATING MAY 1-7, 2016, AS
NATIONAL SMALL BUSINESS WEEK

WHEREAS, America's progress has been driven by pioneers who think big, take risks and work hard. From the storefront shops that line our major thoroughfares, to the industrial companies that keep our region on the forefront, *small businesses are the backbone of our economy and the cornerstones of our nation's promise*;

WHEREAS, Brownsville's small business owners have energy and a passion for what they do and when we support small business, jobs are created and local communities preserve their unique culture;

WHEREAS, Because our country's 28 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs;

WHEREAS, The President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

WHEREAS, The Brownsville Chamber of Commerce provides vital resources to create and sustain the small business community and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW THEREFORE, WE THE MEMBERS OF THE CITY COMMISSION of the City of Brownsville, Texas, by virtue of the authority vested by the Charter of said City, and on behalf of all our citizens, do hereby proclaim May 1 through May 7, 2016, as **NATIONAL SMALL BUSINESS WEEK**, and call upon the residents of Brownsville to recognize the critical role that small businesses play in America's economic growth and global competitiveness.

DONE, on this, the 3rd day of May 2016.



PROCLAMATION

A PROCLAMATION OF THE CITY COMMISSION OF BROWNSVILLE, TEXAS, DESIGNATING MAY 2016 AS WATER DRINKING MONTH

WHEREAS, water is our most valuable natural resource;

WHEREAS, the Brownsville Public Utilities Board delivers reliable and safe tap water to support health protection, fire protection, Brownsville's economy and the quality of life we enjoy;

WHEREAS, any measure of a successful society – low mortality rates, economic growth and diversity, productivity, and public safety – are in some way related to access to safe drinking water;

WHEREAS, we are all stewards of the water infrastructure upon which future generations depend; and

WHEREAS, each citizen of our city is called upon to help protect our source waters from pollution, to practice water conservation, and to get involved in local water issues by getting to know their water and water treatment provider.

NOW THEREFORE, WE THE MEMBERS OF THE CITY COMMISSION of the City of Brownsville, Texas, by virtue of the authority vested by the Charter of said City, and on behalf of all our citizens, **DO HEREBY PROCLAIM MAY 2016 AS "DRINKING WATER MONTH" IN BROWNSVILLE, TEXAS.**

DONE, on this, the 3rd day of May 2016.



PROCLAMATION

A PROCLAMATION OF THE CITY COMMISSION OF BROWNSVILLE, TEXAS, RECOGNIZING AND HONORING THE TODDLE INN RESTAURANT

WHEREAS, The Toddle Inn Restaurant opened in 1961 through a partnership of Brownsville locals. It was owned by Ms. Fannie Bates until December 1971. During this time, Alex Perez was a delivery salesman for ButterKrust Bread at The Toddle Inn, when its former owner, Ms. Bates, offered to sell him the restaurant. At that time, The Toddle Inn had only 4 tables and 11 bar stools. Astonished, Alex and his wife Edna Perez, agreed to purchase the restaurant and take ownership on January 1, 1972;

WHEREAS, Alex and Edna successfully owned and operated The Toddle Inn Restaurant for 33 years, serving Mexican and American food seven days a week. Edna managed and operated the restaurant during the week, and Alex did the same on the weekends. Their children, Mark & Michelle washed dishes, cleared tables, and took orders during the weekends and summers to help the family business;

WHEREAS, The Toddle Inn Restaurant has been in business for 55 years and it is the oldest breakfast restaurant in Brownsville, Texas. It has received several local awards for “Best Breakfast,” “Best Breakfast Taco,” “Best Mexican Food,” and “Best Tamales.” The Toddle Inn Restaurant has also been recognized in local and nationwide publications, including The New Yorker;

WHEREAS, Since January 1, 2005, The Toddle Inn Restaurant is owned by Mark (Alex and Edna’s son) and Hilda Perez, his wife. Since then, Mark and Hilda have added new plates and salsas to the menu, and have created an original logo featuring a sheriff’s badge with the slogan, “We Give Flavor Justice,” in honor of his father, Alex Perez, who served as: Justice of the Peace from 1977 to 1984; Cameron County Sheriff from 1985 to 1996; and Texas State Jail Commissioner from 1990 to 1996; and

WHEREAS, The Toddle Inn Restaurant prides itself in being a family-owned and operated business, and believes that fresh food, great service and a clean restaurant, along with the support of family, has been the key to its success.

NOW THEREFORE, WE THE MEMBERS OF THE CITY COMMISSION of the City of Brownsville, Texas, by virtue of the authority vested by the Charter of said City, and on behalf of all our citizens, **DO HEREBY RECOGNIZE AND HONOR THE TODDLE INN RESTAURANT**, and further commend Alex Perez for his outstanding contributions to the community of Brownsville.

DONE, on this, the 3rd day of May 2016.



PROCLAMATION

A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
**DESIGNATING THE MONTH OF MAY 2016 AS
ELDER ABUSE PREVENTION MONTH**

WHEREAS, People who are elderly or have disabilities have contributed to the general welfare of our community by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds;

WHEREAS, These residents are vital and integral members of our society and their wisdom and experience has enriched our lives;

WHEREAS, Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country;

WHEREAS, In 2015, there were 78,180 completed cases of elderly and disabled persons abuse in Texas, of which 54,552 were confirmed;

WHEREAS, Elder abuse is grossly underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS, Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia.

NOW THEREFORE, WE THE MEMBERS OF THE CITY COMMISSION of the City of Brownsville, Texas, by virtue of the authority vested by the Charter of said City, and on behalf of all our citizens, **DO HEREBY PROCLAIM THE MONTH OF MAY 2016 TO BE “ELDER ABUSE PREVENTION MONTH” IN BROWNSVILLE, TEXAS**, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

DONE, on this, the 3rd day of May 2016.

4.

The City of Brownsville

Presents the

Employee of the Month

to

OFFICER HUGO VALDEZ

PATROLMAN A (IV)

In recognition for outstanding services rendered to the City of Brownsville

For the Month of MAY, 2016

Presented on this 3RD day of MAY, 2016



Submit

AGENDA REQUEST FORM

Item Number: **4.**

COMMISSION MEETING DATE: 5/03/16

COMMISSION
DEPT: _____

Commissioners Cesar de Leon/
CONTACT Ricardo Longoria, Jr.

AGENDA

Select One:

Executive Session (City Attorney Only) Time needed: _____ Action Item: _____	Workshop Time Needed: _____	Presentation Time Needed: <u>10</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:
Report on Northside Traffic

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: _____

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 19, 2016, at 5:30 P.M.**, and at **6:00 P.M.** with the following members present:

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

A quorum being present, Mayor Antonio Martinez, 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 15, 2016.

EXECUTIVE SESSION: 5:30 P.M.

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

- 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.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:10 p.m. No action was taken in Executive Session.

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

UNITED STATES PLEDGE * TEXAS PLEDGE

The Pledge of Allegiance and the Texas Pledge was led by Mayor Antonio Martinez.

INVOCATION:

The invocation was delivered by Pastor Jacob Carrillo, from Iglesia Bautista Apocalipsis, from Brownsville, Texas.

* * * * *

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez did not deliver a report.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Rose Gowen thanked City staff for their participation in Cyclobia, and announced that the American Association of Retired Persons (AARP) were hosting a Brownsville Livable Communities Survey event which would be held on Wednesday, April 27, 2016, between 10:00 a.m. to 11:30 a.m. at the Courtyard Marriott.

Commissioner Ricardo Longoria, Jr., thanked Public Works, Engineering, and the Brownsville Public Utilities for the completion of 30th Street, Stanolind Ave, and Owens Road. and thanked the audience for their patience. Commissioner Longoria, Jr., also congratulated the Gladys Porter High School Soccer Team for their UIL 5A 2016 State Championship win.

Commissioner Cesar de Leon thanked City staff for their attendance at the STARGATE Talk, he also congratulated, and presented a proclamation to the Gladys Porter High School Soccer Team for their UIL 5A 2016 State Championship win.

Commissioner Jessica Tetreau asked the public for their support and vote for Egly student Joel Trevino, in La Voz Kids, at Telemundo.com.

Commissioner John Villarreal welcomed back Mr. Pete Gonzalez, Deputy City Manager.

Commissioner Deborah Portillo thanked City staff for the completion of the project at the entrance of Brownville Country Club, and noted that City staff was also working on installing a traffic light at Morrison Road and San Marcelo Street.

3. PROCLAMATIONS:

Financial Capabilities Month
(Commissioners R. Gowen/J. Villarreal)

The proclamation was read and presented by Commissioner Rose Gowen.

Fair Housing Month
(Commissioners C. de Leon/J. Villarreal)

The proclamation was read and presented by Commissioner John Villarreal.

4. PRESENTATIONS: *Arboviral Mosquitos Update*
(Arturo Rodriguez – Health)

Mr. Arturo Rodriguez, Public Health Director, gave a PowerPoint presentation regarding the Arbo-Viral (Zika)

Brownsville Convention & Visitors Bureau
(Charlie Cabler – City Manager)

Mr. Mariano “Bean” Ayala, Brownsville Convention & Visitors Bureau President/CEO, gave a PowerPoint presentation regarding the 2014-2015 Annual Report, and the 2016 1st Quarterly Report.

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 Jessica Tetreau seconded by Commissioner Rose Gowen and carried unanimously, Consent Agenda Items “a through c” were **approved**.

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
Crystal Juarez	BMetro	Waco, TX	Apr. 26-29, 2016
Lupe Granado III	Finance	Toronto, Canada	May 19-25, 2016
Jorge Santillan	Finance	Austin, TX	May 12-13, 2016
Oscar Salinas	Human Resources	Fort Worth, TX	May 03-06, 2016
Fernando Arellano	Human Resources	Fort Worth, TX	May 03-06, 2016
Ray Arellano	Parks	San Antonio, TX	Apr. 26-28, 2016
Luis Uresti	Parks	San Antonio, TX	Apr. 26-28, 2016
Ramiro Gonzalez	Planning	Austin, TX	Apr. 28-29, 2016
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.**

BOARDS AND COMMISSIONS:

6. Consideration and ACTION to fill two vacancies to the Brownsville Public Library System Advisory Board by appointment or re-appointment.

Commissioner Ricardo Longoria, Jr., moved that *Ms. Rose M. Lehmann*, be **re-appointed** to the Brownsville Public Library System Advisory Board. The motion was seconded by Commissioner John Villarreal and carried unanimously.

Commissioner Cesar de Leon moved that *Mr. Alexandre C. Gagnon*, be **appointed** to the Brownsville Public Library System Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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

Commissioner Cesar de Leon moved that *Mr. Marco S. Ochoa*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Jessica Tetreau moved that *Mr. Eder F. Hernandez*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner Deborah Portillo moved that *Mr. Luis Urquieta*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner John Villarreal moved that *Mr. Larry Holtzman*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Ricardo Longoria, Jr., moved that *Mr. Larry Jokl* be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Rose Gowen moved that *Mr. Avi K. Schwarz*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Mayor Antonio Martinez moved that *Ms. Edmund Cyganiewicz*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Rose Gowen moved that *Ms. Ana Hernandez, Senior Planner, Planning Division* and *Ms. Sarah Dierlam, Office of Grant Management and Community Development Grant Manager*, be appointed to the Main Street Advisory Board. The motion was seconded by Commissioner John Villarreal and carried unanimously.

* * * * *

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)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinance, noting the proposed changes of the zoning area for the Mobile Vendor Food Court to be located at 840 East Adams Street, and further noting that the Planning and Zoning Commission recommended approval for the proposed ordinance.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner John Villarreal and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-004-S, be **adopted** at first reading, 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) The motion was seconded by Commissioner Deborah Portillo and carried unanimously.

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)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinance, noting the proposed changes of the zoning area for the Mobile Vendor Food Court to be located at 6305 Paredes Line Road, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2016-006-S, be **adopted** at first reading, 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) The motion was seconded by Commissioner John Villarreal and carried unanimously.

Agenda Items #10, #11, #12, #13 were read consecutively.

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)**
11. **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 West Alton Gloor Boulevard. (District 4)**
12. **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 West Alton Gloor Boulevard. (District 4)**
13. **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 West Alton Gloor Boulevard. (District 4)**

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinances, noting that the current zoning was Dwelling G (DG) and the applicants were requesting to rezone to General Retail G with a conditional overlay (4CG-CO) for properties located on W. Alton Gloor, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

Citizens addressed their concerns regarding the rezoning of the properties.

Various citizens spoke in regards to these ordinances during the public hearing portion..

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Roe Gowen and carried unanimously, the public hearing was **closed**.

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Rose Gowen and carried unanimously, agenda items 10, 11, 12, and 13 were **tabled**.

14. **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. (District 2)**

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinances, noting that the current zoning was Dwelling A (DA), and the applicant was requesting to rezone to Light Retail G, for the proposed use of a Tax Office on a property on Old Port Isabel Road, and further noted that Planning and Zoning recommended approval of the proposed ordinance.

Various citizens spoke in regards to these ordinances during the public hearing portion..

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Deborah Portillo and carried unanimously, the public hearing was **closed**.

Commissioner Jessica Tetreau moved that 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. (District 2), be **denied**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

15. 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. (District 3)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinances, noting that the current zoning was Dwelling Z (DZ), and the applicant was requesting rezone to General Retail G (4CG) for the proposed use of a Tire Shop on a property located on Paredes Line Road, and further noting that the Planning and Zoning Commission recommend approval of the proposed ordinance.

Various citizens spoke in regards to these ordinances during the public hearing portion. Upon motion by Commissioner Rose Gowen seconded by Commissioner John Villarreal, and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-019, be **adopted** at first reading, 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. (District 3) The motion was seconded by Commissioner John Villarreal and carried unanimously.

16. 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 Boulevard. (District 3)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinance, noting that the current zoning of the property was Medium Industrial (8CJ), for a Specific use to allow a Cell Tower on the property located on Veterans Boulevard.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, the public hearing **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-022-S, be **adopted** at first reading, 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 Boulevard. (District 3) The motion was seconded by Commissioner John Villarreal and carried unanimously.

Commissioner Deborah Portillo left the meeting at 8:58 p.m.

Commissioners Jessica Tetreau and Cesar de Leon were not present for this item.

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)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the ordinance, noting that the current zoning of the property was Professional Office F (1CF), and the applicant was requesting to rezone to Medium Retail F (3CF) for the proposed use of a Food service-Food to go, on a property located at 1234 McDavit Boulevard, and further noting that the Planning and Zoning Commission denied the proposed ordinance.

Various citizens spoke in regards to these ordinances during the public hearing portion. Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen, and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-025, be **adopted** at first reading, 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) The motion was seconded by Commissioner John Villarreal and carried unanimously.

* * * * *

18. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Mr. Mauro Avilez, thanked the Commission for paving 30th Street, and presented his concern regarding brush pick-up, and a traffic citation that had been issued to him.

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.

Commissioner Rose Gowen moved that 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, be **approved**. The motion was seconded by Commissioner John Villarreal and carried unanimously.

Commissioner Jessica Tetreau was not present.

- 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.**

Mr. Jorge A. Garza, Senior Managing Director of Estrada Hinojosa, delivered a PowerPoint presentation regarding the plan of finance for the Brownsville Public Utilities Board 2016 Refunding Bonds.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2016-1615, that 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, be **authorized**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

- 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.**

Commissioner John Villarreal moved that 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, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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.

Mr. Lupe Granado III, Finance Director, gave a brief explanation of the Resolution noting the changes on the General Fund, regarding the Public Works Oil Spills Clean Up/Remediation from \$152,000.00 to \$222,500.00.

Commissioner Cesar de Leon moved that the 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, be **adopted**, with changes as presented. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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.

Commissioner Rose Gowen moved that a \$5,000.00 value donation from the Healthy Communities of Brownsville for an education station at the City Cemetery Resaca on 5th Street and Old Alice Road, be **accepted**. The motion was seconded by Commissioner John Villarreal and carried unanimously.

PURCHASES/BIDS/CONTRACTS:

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

Ms. Constanza Miner, Planning Director of Operations, gave a brief explanation of the agreement, noting that the agreement should become 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, 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.

Commissioner Jessica Tetreau moved that a Lease Agreement between City of Brownsville and Verizon Wireless, be **approved**. The motion was seconded by Commissioner John Villarreal and carried unanimously.

25. Consideration and ACTION to approve sale of Cueto Complex located at 1301 E. Madison to the University of Texas Rio Grande Valley (UTRGV).

Commissioner Rose Gowen moved that a sale of the Cueto Complex located at 1301 E. Madison to the University of Texas Rio Grande Valley (UTRGV), be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

26. 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.

Commissioner John Villarreal moved that the City Manager, be **authorized**, to accept and execute a grant awarded by the Texas Department of Transportation under the Intercity Bus Program. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

27. Consideration and ACTION to award a contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at 700 Jose Colunga.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Cesar de Leon and carried unanimously, the item was **tabled**.

* * * * *

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 9:45 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: 5/3/2016

DEPT: Airport

CONTACT _____

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 Sessa Vorrey, Interim Airport Director , to travel to Houston, Texas, to attend the 88th. Annual AAE Conference & Exposition on May 13, 2016 through May 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: 4/20/2016

FROM: Sesha S. Vorrey

DEPARTMENT Interim Airport Director

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

Sesha S. Vorrey
EMPLOYEE NAME

Interim Airport Director
POSITION

1. Destination: Houston, Texas
2. Est. date and time leaving: May 13, 2016 Est. date and time returning: May 19, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Presentation of Part 139, Part 121, General Aviation and meet various vendors.

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

Meet various federal agents FAA, TSA and vendors.

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>383.50</u>
c. Lodging \$ <u>157X6</u> per night x (1) person	\$ <u>942.00</u>
d. Registration Fees \$ <u>0</u> per person x (1) person	\$ <u>0</u>
e. Other costs (explain) <u>Taxi</u>	\$ <u>60.00</u>
TOTAL:	\$ <u>1,611.70</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 1,611.70 FOR THE PURPOSE OF THIS TRIP.

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

9. Charges to be made to line item # 61 - 540-770 which has a balance of \$ 9,881.00 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
in Houston, Texas
From May 13, 14, 15, 16, 17, 18, 19, 2016
The Daily Meal & IE for Houston, Texas rate is \$59.00

Travel Date	Week day	City or Destination	Max Lodgging Allowed	Meal Per Diem Daily Rate	First Day & Last Day at 75% of Daily Rate	Total Daily Allowance
May 13, 2016	Saturday	Houston, Texas	147.00	59.00	0.75	44.25
May 14, 2016	Friday	Houston, Texas		59.00		59.00
May 15, 2016	Sunday	Houston, Texas		59.00		59.00
May 16, 2016	Monday	Houston, Texas		59.00		59.00
May 17, 2016	Tuesday	Houston, Texas		59.00		59.00
May 18, 2016	Wednesday	Houston, Texas		59.00		59.00
May 19, 2016	Thursday	Brownsville, Texas		59.00	0.75	44.25
Total Meal & IE Allowance						<u><u>383.50</u></u>



The Power to SPARK

You know that current knowledge is critical to everything you do. You need the latest innovative ideas, and the most up-to-date information on federal rules and regulations. These sessions are your one-stop shop for the information you have to know to do your job. Spark ideas and connections with exciting concurrent sessions and must-see keynote speakers!

Choose from sessions in the following tracks:

- [Airfield Safety, Operations and Security](#)
- [Federal Affairs - Legislative, Regulatory and Transportation Security Policy](#)
- [Planning and Facility Management](#)
- [Marketing, Customer Service and Public Affairs](#)
- [Finance and Economics](#)
- [General Aviation](#)

Keynote Highlight



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 5/03/2016

DEPT: Airport

CONTACT _____

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 Sessa Vorrey, Interim Airport Director , to travel to Washington, D.C. to attend the Contract Tower Program Workshop, on June 20 - June 23, 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: 4/20/2016

FROM: Sesha S. Vorrey

DEPARTMENT Interim Airport Director

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

Sesha S. Vorrey

Interim Airport Director

EMPLOYEE NAME

POSITION

1. Destination: Washington, D.C.
2. Est. date and time leaving: June 20, 2016 Est. date and time returning: June 23, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:

Funding for the contract tower at Brownsville South Padre Island International Airport by The Federal Aviation Administration (FAA)

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

~~Keep the contract tower operation at no cost to the City.~~

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>694.20</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>241.50</u>
c. Lodging \$ <u>275.00X3</u> per night x (1) person	\$ <u>825.00</u>
d. Registration Fees \$ <u>0</u> per person x (1) person	\$ <u>0</u>
e. Other costs (explain) <u>Taxi</u>	\$ <u>60.00</u>
TOTAL:	\$ <u>1,820.70</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 1,820.70 FOR THE PURPOSE OF THIS TRIP.

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

9. Charges to be made to line item # 61 - 540-767 which has a balance of \$ 9,881.00 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
in Washington, DC
From June 20-23, 2016
The Daily Meal & IE for Washington, DC rate is \$69.00

Travel Date	Week day	City or Destination	Max Lodgging Allowed	Meal Per Diem Daily Rate	First Day & Last Day at 75% of Daily Rate	Total Daily Allowance	
June 20, 2016	Monday	Washington D.C.		69.00	0.75	51.75	
June 21, 2016	Tuesday	Washington D.C.		69.00		69.00	
June 22, 2016	Wednesday	Washington D.C.		69.00		69.00	
June 23, 2016	Friday	Brownsville, TX		69.00	0.75	51.75	
Total Meal & IE Allowance					106.50	0.00	241.50



[General Information](#) [Agenda](#) [Registration](#) [Hotel](#) [Transportation](#) [Contacts](#)

GENERAL INFORMATION

The Federal Aviation Administration (FAA) Contract Tower Program has been in place since 1982 and currently provides for the contract operation of air traffic control services at 253 airports. The program continues to receive high marks from the Department of Transportation Inspector General, Congress and the National Transportation Safety Board. FAA also has implemented the cost-sharing program for some airports that fall below the eligibility criteria for contract towers.

To assist airports that currently are in the FAA Contract Tower Program, FAA, AAAE and AAAE's affiliated organization, the U.S. Contract Tower Association (USCTA), are pleased to present the annual workshop on the FAA Contract Tower Program, June 22-23, 2016, at the Loews Madison Hotel in Washington, D.C.

Airport management at current FAA contract towers, ATC companies, aviation users and other officials interested in the program should not miss this special opportunity to learn more about the FAA Contract Tower Program. Speakers will include airport directors from facilities that currently have contract towers, FAA officials, congressional staff and officials from ATC companies.



Submit

AGENDA REQUEST FORM

Item Number: 5b. _

COMMISSION MEETING DATE: 5/03/16

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 Dorene Fourar, Grant/Public Outreach Manager and Georgina Gonzales, Accountant II, to travel to Fort Worth, Texas to attend the Federal Transit Association (FTA) Financial Management Oversight Overview (FMO) on May 15-17, 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:** _____



MEMO

To: Charlie Cabler, City Manager
Cc: Pete Gonzalez, Deputy Chief/CFO
From: Norma H. Zamora, Director
Date: April 25, 2016
Re: BMetro Dept. Agenda Request for Travel

We hereby request authorization for Dorene Fourar, Grant/Public Outreach Manager and Georgina Gonzales, Accountant II, to travel to Fort Worth, Texas to attend the Federal Transit Association (FTA) Financial Management Oversight Overview (FMO) on May 15-17, 2016.

Please see attached documents;

- Agenda Request Form
- Travel Request Form
- 6. TxDOT Scholarship Application
- 7. Transportation Information
 - 7a. Flight information
 - 7b. Meals & IE Per Diem Allowance
 - 7c. Lodging information
 - 7d. Registration Confirmation
 - 7e. Other costs, taxi, shuttle services estimate

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 7, 2016

FROM: Norma H. Zamora

DEPARTMENT Brownsville Metro

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

Dorene Fourar
EMPLOYEE NAME

Grant/Public Outreach Manager
POSITION

1. Destination: Ft Worth, Texas
2. Est. date and time leaving: May 15, 2016 Est. date and time returning: May 17, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Attend FTA FMO workshop.

5. Anticipated benefit to the City for allowing this trip and how will information be disseminated? *(attach additional memo as needed.)*
The FTA FMO workshop will help broaden understanding of federal rules and regulations, as well as how to comply with FTA program requirements.

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 _____ miles x 50.5 cents a mile for private vehicle (list other) <u>airplane</u>	\$ <u>285.20</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>129.00</u> per night x (1) person	\$ <u>258.00</u>
d. Registration Fees \$ <u>n/a</u> per person x (1) person	\$ <u>n/a</u>
e. Other costs (explain) <u>Taxi/shuttle service estimate</u>	\$ <u>125.62</u>
TOTAL:	\$ <u>816.32</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 531.12 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: 4/7/16

FROM: Norma Zamora

DEPARTMENT B-Metro

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

Georgina Gonzalez

Accountant II

EMPLOYEE NAME

POSITION

1. Destination: Forth Worth, TX

2. Est. date and time leaving: 05/15/16

Est. date and time returning: 05/17/16

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

4. Purpose of Trip:

FTA FMO workshop

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

~~The FTA FMO workshop will help broaden understanding of federal rules and regulations, as well as how to comply with FTA program requirements.~~

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>airplane</u>	\$ <u>285.20</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>129 x 2 nights</u> per night x (1) person	\$ <u>258.00</u>
d. Registration Fees	\$ _____ per person x (1) person	\$ <u>0.00</u>
e. Other costs (explain)	<u>Taxi</u>	\$ <u>125.62</u>
TOTAL:		\$ <u>816.32</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 531.12 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 \$ 531.12 as an advance expense.

/s/ _____

Finance Director

D:\Webdevelopment\websites\dwmx\intranet.cob.us\main\Travel_Request_Form.doc

City of Brownsville, Texas
Analysis of Meal & IE Per Diem Allowance
National Transit Institute
May 15-17, 2016
Ft. Worth, Texas
The Daily Meal & IE For Ft, Worth, Texas \$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>
15-May-16	Sunday	0.00	44.25	44.25
16-May-16	Monday	59.00	0.00	59.00
17-May-16	Tuesday	0.00	44.25	44.25
 		<hr/>	<hr/>	<hr/>
Total Meal & IE Per diem		<u>59.00</u>	88.50	<u>147.50</u>



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 4/19/2016

Office of Grant Management and Community Development
DEPT: _____ CONTACT Marina Zolezzi, Director

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 authorize Efren Trujillo, Housing Manager to attend the National Community Development Association HOME Basics Course being in Jefferson Parish, LA on May 24-28, 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: 4/14/2016

FROM: Marina Zolezzi

DEPARTMENT Director

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

Efren Trujillo
EMPLOYEE NAME

Housing Manager
POSITION

1. Destination: Jefferson Parish, LA
2. Est. date and time leaving: May 24, 2016 Est. date and time returning: May 28, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
To attend the National Community Development Association HOME Basics Course.

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

Housing staff will learn how to better assess and build the capacity of local community housing development organization to ensure they can carry out HOME - funded projects in a timely and efficient manner.

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>484.20</u>
b. Meals: PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]	\$ <u>288.00</u>
c. Lodging \$ _____ per night x (1) person	\$ <u>445.86</u>
d. Registration Fees \$ _____ per person x (1) person	\$ <u>300.00</u>
e. Other costs (explain) _____	\$ <u>200.00</u>
<u>\$50.00 baggage \$150.00 taxi fee</u>	
TOTAL:	\$ <u>1,718.06</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 488.00 FOR THE PURPOSE OF THIS TRIP.

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

9. Charges to be made to line item # 17-7392 - 7138 which has a balance of \$ 55,240.73 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 National Community Development Association HOME Basics Course.			
in Jefferson Parish, LA.			
From May 24 Through May 28, 2016			
The Daily Meal & IE For New York, NY is \$ 64.00			
		First Day	
	Meal	& Last	Total
	Per Diem	at 75% of	Daily
Date	Daily Rate	Daily Rate	Allowance
Tuesday, May 24, 2016		\$ 48.00	\$ 48.00
Wednesday, May 25, 2016	\$ 64.00		\$ 64.00
Thursday, May 26, 2016	\$ 64.00		\$ 64.00
Friday, May 27, 2016	\$ 64.00		\$ 64.00
Saturday, May 28, 2016		\$ 48.00	\$ 48.00
Total Meal & IE Allowance	\$ 192.00	\$ 96.00	\$ 288.00
Nightly Lodging from May 24, 2016 through May 27 and checked out on Saturday, May 28 , 2016.			
Tuesday, May 24, 2016 (First Day) Wednesday, May 25, 2016(second day)			
Thursday, May 26, 2016 (Third day) Friday, May 27, 2016(fourth day)			
Saturday, May 28, 2016(Last Day) were traveling days.			



HOME Basics Course

May 25-27

Jefferson Parish, LA

Location

Parish of Jefferson
Eastbank Office
Joseph S. Yenni Building
1221 Elmwood Boulevard
Suite 405
Jefferson, Louisiana 70123

Course Overview

NCDA is pleased to announce the delivery of a three-day basic course on the HOME Investment Partnerships (HOME) Program. The course will provide a basic, but comprehensive overview of the HOME program. This course will include information on:

- The fundamentals of the program (history, reading the regulations, and a general overview of the course materials);
- Eligible and prohibited activities;
- Eligible costs (eligible project costs, CHDO costs, eligible planning and administrative costs, tenant-based rental assistance, and pre-award costs);
- CHDOs (overview of the role of CHDOs, certifying CHDOs, special CHDO costs, other special requirements);
- General program requirements (program-wide income targeting, distribution of assistance)
- Project requirements (general project requirements, rental housing, homeownership, rehabilitation of owner-occupied housing, tenant-based rental assistance).
- Match requirements
- Program administration (consolidated plan, financial management, working with subrecipients, CHDOs, contractors, owners, developers, and sponsors, monitoring, record keeping, reporting performance);
- Complying with other federal requirements
- Achieving quality administration

The course will be reinforced through in-class exercises. Course participants will also receive a comprehensive training manual that includes the HOME program regulations and important



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 5/3/16

DEPT: Public Health

CONTACT Arturo Rodriguez

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 approve travel for Christopher Haggstrom, Assistant Public Health Director, and Fredrick Barnes, Vector Control Officer; to attend the 2016 James Steele Conference on Diseases in Nature Transmissible to Man in San Antonio, Texas on May 24-26, 2016.

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: _____



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: 04/25/2016

FROM: Arturo Rodriguez

Public Health

DEPARTMENT

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

Christopher Haggstrom

Assistant Public Health Director

EMPLOYEE NAME

POSITION

1. Destination: San Antonio, Texas

2. Est. date and time leaving: Tuesday, May 24, @ noon

Est. date and time returning: Thursday, May 26, 2016

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

4. Purpose of Trip:

To attend the 2016 James Steele Conference on Diseases in Nature Transmissible to Man.

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

Topics to be discuss are Disease Vectors, Zika Virus, Rickettsial Diseases, Chagas Disease, Arboviruses, Bacterial Diseases, Zoonotic Helminths.

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	<input type="text"/> miles x 44.5 cents a mile for private vehicle (list other)	<input type="text"/>	\$ <input type="text"/>
b. Meals:	PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]		\$ 160.00
c. Lodging	\$ <input type="text"/> 120 x 2 +40.00 Taxes=\$280 per night x (1) person CONFERENCE HOTEL		\$ 280.00
d. Registration Fees	\$ <input type="text"/> per person x (1) person		\$ 250.00
e. Other costs (explain)	<input type="text"/>		\$ <input type="text"/>
TOTAL:			\$ 690.00

8. I HEREBY REQUEST AN ADVANCE OF \$ 440.00 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01 - 01-535-770 which has a balance of \$ 2,200.00 as of this date.

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

/S/ _____

Finance Director

City of Brownsville, Texas
 Analysis of Meal & IE Per Diem Allowance
 During 2016 James Steele Conference on
 Diseases in Nature Transmissible to Man
 in San Antonio, Texas
 From May 24 to May 26, 2016
 The Daily Meal & IE For San Antonio, Texas is \$64

<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>
Tuesday	May 24, 2016	48.00	48.00
Wednesday	May 25, 2016	64.00	64.00
Thursday	May 26, 2016	48.00	48.00
Total Meal & IE Allowance	<u>64.00</u>	<u>96.00</u>	<u>160.00</u>

Nightly Lodging from May 24 through May 26, 2016 and checked out on Thursday, May 26, 2016. Tuesday, May 24, 2016 (first day), and May 26, 2016 (last day) were traveling days.



CITY OF BROWNSVILLE

TRAVEL REQUEST FORM

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

TO: **FINANCE DIRECTOR**

DATE: 04/25/2016

FROM: Arturo Rodriguez

Public Health

DEPARTMENT

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

Fredrick Barnes

Vector Control Officer

EMPLOYEE NAME

POSITION

1. Destination: San Antonio, Texas

2. Est. date and time leaving: Tuesday, May 24, @ noon

Est. date and time returning: Thursday, May 26, 2016

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

4. Purpose of Trip:

To attend the 2016 James Steele Conference on Diseases in Nature Transmissible to Man.

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

Topics to be discuss are Disease Vectors, Zika Virus, Rickettsial Diseases, Chagas Disease, Arboviruses, Bacterial Diseases, Zoonotic Helminths.

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	<input type="text"/> miles x 44.5 cents a mile for private vehicle (list other)	<input type="text"/>	\$ 120.00
b. Meals:	PER DIEM AS PER CITY TRAVEL EXPENSE POLICY [@ 75% FOR FIRST & LAST DAY OF TRAVEL]		\$ 160.00
c. Lodging	\$ <input type="text"/> 120 x 2 +40.00 Taxes=\$280 per night x (1) person CONFERENCE HOTEL		\$ 280.00
d. Registration Fees	\$ <input type="text"/> per person x (1) person		\$ 250.00
e. Other costs (explain)	<input type="text"/>		\$ 0
TOTAL:			\$ 810.00

8. I HEREBY REQUEST AN ADVANCE OF \$ 560.00 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 01 - 01-532-770 which has a balance of \$ 897.47 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 2016 James Steele Conference on
 Diseases in Nature Transmissible to Man
 in San Antonio, Texas
 From May 24 to May 26, 2016
 The Daily Meal & IE For San Antonio, Texas is \$64

<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>
Tuesday	May 24, 2016	48.00	48.00
Wednesday	May 25, 2016	64.00	64.00
Thursday	May 26, 2016	48.00	48.00
Total Meal & IE Allowance	<u>64.00</u>	<u>96.00</u>	<u>160.00</u>

Nightly Lodging from May 24 through May 26, 2016 and checked out on Thursday, May 26, 2016. Tuesday, May 24, 2016 (first day), and May 26, 2016 (last day) were traveling days.

2016 Conference Agenda

The conference runs 8:00 am-5:00 pm on Wednesday and Thursday and 8:00 am-1:00 pm on Friday. The J.V. Irons Luncheon and Keynote Address is on Thursday.

Tuesday, May 24, 2016

5:30-6:30 pm Registration Table Open – Grand Ballroom Foyer

Wednesday, May 25, 2016

7:00 **Registration Table Opens – Grand Ballroom Foyer**

7:00 **Meeting Room Opens – Grand Ballroom**

7:30 **Breakfast Buffet – Grand Ballroom Foyer**

7:55 **Call to Order and Announcements**

Bonny C. Mayes, MA, Department of State Health Services, Austin, TX

Pamela Wilson, LVT, MEd, MCHES, Department of State Health Services, Austin, TX

8:10 **Welcome Remarks**

Erik Walsh, Deputy City Manager, San Antonio, TX

8:30-10:00 Session I: Disease Vectors

8:30 **Sand Flies of Texas: Vectors of Leishmania**

Stavana Strutz, PhD, University of Texas at Austin, Austin, TX

9:00 **Entomological and Molecular Evidence of Interstate and International Translocation and Sustained Establishment of *Triatoma rubida* on the Southcentral Edwards Plateau**

Edward J. Wozniak, DVM, PhD, MPH, Department of State Health Services, Uvalde, TX



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 5/03/16

MUNICIPAL COURT
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 checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	---

Brief Description of Agenda Item:

CONSIDERATION AND ACTION TO ALLOW OFFICER OMAR PUENTE AND OFFICER LORENZO HERNANDEZ TO ATTEND A TMCEC 12-HOUR CONFERENCE MAY 16-18, 2016 IN DALLAS, TX.

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: 4/19/2016

FROM: ROBERTO BAEZ

DEPARTMENT MUNICIPAL COURT

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

OMAR PUENTE

WARRANT OFFICER

EMPLOYEE NAME

POSITION

1. Destination: DALLAS, TX
2. Est. date and time leaving: MAY 16, 2016 Est. date and time returning: MAY 18, 2016
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:

TO ATTEND THE TMCEC CONFERENCE FOR BAILIFF/WARRANT OFFICERS IN DALLAS, TX.

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

~~BAILIFFS AND WARRANT OFFICERS ARE ESSENTIAL RESOURCES FOR JUDGES AND CLERKS AND THIS CONFERENCE IS TRAINING FOR COURTROOM SECURITY.~~

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>285.20</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>00.00</u> per night x (1) person	\$ <u>.00</u>
d. Registration Fees \$ <u>100</u> per person x (1) person	\$ <u>100.00</u>
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>545.20</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 445.20 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature:

* Employee Signatures:

9. Charges to be made to line item # 140 - 770 which has a balance of \$ 2,480.00 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: 4/19/2016

FROM: ROBERTO BAEZ

DEPARTMENT: MUNICIPAL COURT

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

LORENZO HERNANDEZ

BAILIFF

EMPLOYEE NAME

POSITION

1. Destination: DALLAS, TX

2. Est. date and time leaving: MAY 16, 2016

Est. date and time returning: MAY 18, 2016

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

4. Purpose of Trip:

TO ATTEND THE TMCEC CONFERENCE FOR BAILIFF/WARRANT OFFICERS IN DALLAS, TX.

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

~~BAILIFFS AND WARRANT OFFICERS ARE ESSENTIAL RESOURCES FOR JUDGES AND CLERKS AND THIS CONFERENCE IS TRAINING FOR COURTROOM SECURITY.~~

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>285.20</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>00.00</u> per night x (1) person	\$ <u>.00</u>
d. Registration Fees \$ <u>100</u> per person x (1) person	\$ <u>100.00</u>
e. Other costs (explain) _____	\$ _____
TOTAL:	\$ <u>545.20</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 445.20 FOR THE PURPOSE OF THIS TRIP.

Department Director Signature: _____

* Employee Signatures: _____

9. Charges to be made to line item # 140 - 770 which has a balance of \$ 2,480.00 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
 to attend the TMCEC Bailiffs & Warrant Officers Conference
 in Dallas, Texas
 May 16-18, 2016
 The Daily Meal & IE For Dallas, Texas, 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>
May 16, 2016	0.00	48.00	48.00
May 17, 2016	64.00	0.00	64.00
May 18, 2016	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 Monday, May 16, 2016 through Tuesday, May 17, 2016 and check out on
 Wednesday, May 18, 2016.
 Monday, May 16, 2016 (first day), and Wednesday, May 18, 2016 (last day) are traveling days.



Texas Municipal Courts Education Center

[Menu](#)

Bailiffs & Warrant Officers

Although annual education of municipal court bailiffs, city marshals, and warrant officers is not required to work in a municipal court, the Texas Legislature, the Court of Criminal Appeals, and the [Texas Municipal Courts Association](#) recognize the importance of training and allocating funds for training the people who maintain courtroom security, serve process for the court, and assist in fine collection and enforcement. Bailiff/Warrant Officer seminars offered by TMCEC always contain a court security component, making costs for attending reimbursable through the [Municipal Court Building Security Fund](#). (See Article 102.017 of the Code of Criminal Procedure).

Note: Commissioned peace officers licensed by TCOLE are mandated by the Texas Legislature to receive 40 hours of continuing education every training unit (two years). Currently, officers must receive these 40 hours between September 1, 2013 and August 31, 2015. All officers, regardless of proficiency certificate level (i.e., basic, intermediate, or master peace officer designation), must complete at least two hours of instruction in Course Number 3183 (State and Federal Legal Update). For more information on all training requirements, go to the website for the [Texas Commission on Law Enforcement](#).

Helping the court design your city's citations?

Download [this document](#) to view all of the legal requirements for notices to appear.

**FY16 Online Registration will not be open until September 1, 2015.
Any Registration received for FY16 will be processed after the 1st.**

Bailiffs/Warrant Officers Conference \$100 Dallas



Submit

AGENDA REQUEST FORM

Item Number: **5b.**

COMMISSION MEETING DATE: 5-3-16

DEPT: Planning/MPO

CONTACT Georgina Lopez

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 checked="" type="checkbox"/> Consent	Ordinance <input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading
--	---	---	--	---

Brief Description of Agenda Item:

Consideration and Action for travel request for Georgina Lopez, MPO Planner, to Houston, TX to attend the 2016 TxDOT Transportation Planning Conference on June 14-18, 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)

To be 100% reimbursed by the Texas Department of Transportation.

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: 04/25/2016

FROM: Georgina Lopez

DEPARTMENT Planning

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

Georgina Lopez
EMPLOYEE NAME

MPO Planner
POSITION

1. Destination: Houston, TX
2. Est. date and time leaving: 06/14/2016 8:00 am Est. date and time returning: 06/18/2016 3:00 pm
3. Transportation mode: City Vehicle Private Vehicle Airplane (scheduled) No Transportation Cost

4. Purpose of Trip:
Attend the 2016 TxDOT Transportation Planning Conference.

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

Attend the 2016 TxDOT Transportation Planning Conference.

6. Will any costs be paid by a grant or sponsor: YES NO (List) To be 100% reimbursed by the Texas Department of Transportation.

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>698.40</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>265.50</u>
c. Lodging \$ <u>164.97</u> per night x (1) person	\$ <u>659.88</u>
d. Registration Fees \$ _____ per person x (1) person	\$ <u>0.00</u>
e. Other costs (explain) _____	\$ <u>0.00</u>
TOTAL:	\$ <u>1,302.52</u>

8. I HEREBY REQUEST AN ADVANCE OF \$ 1,302.52 FOR THE PURPOSE OF THIS TRIP.

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

9. Charges to be made to line item # 614 - 770 which has a balance of \$ 6,444.77 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
 2016 TxDOT Transportation Planning Conference
 Houston, TX
 June 14-18, 2016
 The Daily Meal & IE For Houston, 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>
June 14, 2016	Tuesday	\$0.00	\$44.25	\$44.25
June 15, 2016	Wednesday	\$59.00	\$0.00	\$59.00
June 16, 2016	Thursday	\$59.00	\$0.00	\$59.00
June 17, 2016	Friday	\$59.00	\$0.00	\$59.00
June 18, 2016	Saturday	<u>\$0.00</u>	<u>\$44.25</u>	<u>\$44.25</u>
Total Meal & IE Allowance		\$177.00	\$88.50	\$265.50

Texas A&M Transportation Institute - Event Management & Planning

2016 TxDOT Transportation Planning Conference

On this page:

- [Registration Fees and Payment Information](#)
- [Speaker Information](#)
- [Hotel Reservations](#)
- [Parking](#)
- [For More Information](#)

June 15-17, 2016

*Omni Houston Hotel
4 Riverway
Houston, Texas 77056*

We are pleased to invite you to attend and participate in the 2016 Transportation Planning Conference in Houston Texas, hosted by the Transportation Planning and Programming Division of the Texas Department of Transportation. The conference program is being developed to meet your professional needs through the dissemination of the latest information by noted professionals in the transportation field. We look forward to seeing you in Houston!

Special thanks to the following organizations for assisting in the planning of the 2016 conference:

- Association of Texas Metropolitan Planning Organizations (TEMPO)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Houston Galveston MPO (HGAC)
- Houston Metro
- TxDOT, Houston District
- TxDOT, Environmental Affairs Division Staff
- TxDOT, Public Transportation Division Staff
- TxDOT, Transportation Planning and Programming Division Staff

Casey Dusza
Conference Co-chair
TxDOT-TPP(S)
casey.dusza@txdot.gov



Submit

AGENDA REQUEST FORM

Item Number: **5c.**

COMMISSION MEETING DATE: 5/3/16

Office of Grant Management and Community CONTACT Marina Zolezzi, Director

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 Resolution Number 2016-026 and application to the Local Border Security Grant Program (BorderStar) through the Office of the Governor, Homeland Security Grants Division.

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 2016-026

A RESOLUTION OF THE CITY OF BROWNSVILLE SUPPORTING THE SUBMISSION OF AN APPLICATION TO THE LOCAL BORDER SECURITY GRANT PROGRAM, THROUGH THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION

WHEREAS, The City of Brownsville finds that collective regional efforts and strategies to deter and fight against criminal activity along the U.S./Mexico border is imperative in the successful prevention and cessation of such criminal activity; and

WHEREAS, operating in a collective regional effort with communities in the Rio Grande Valley is not only imperative in deterring and fighting crime but is also further advances the best interests of Brownsville citizens as well as the greater community in that it better enables law enforcement capacities to serve and protect the public; and

WHEREAS, participating in the City of Brownsville Police Department Local Border Security Program for 2016 would be in the best interests of Brownsville citizens as is specifically geared towards further effecting and accomplishing the aforementioned regional efforts and strategies, thus expanding the abilities of the Brownsville Police Department to serve and protect the public from crime along the U.S./Mexico border;

NOW THEREFORE, BE IT RESOLVED:

- (1) The City of Brownsville approves the submission of the grant application for the City of Brownsville Police Department Local Border Security Program to the Office of the Governor, Homeland Security Grants Division;
- (2) The City of Brownsville agrees to return all Local Border Security Grant Funds to the Homeland Security Grants Division in the event of the determination of a loss or misuse of Local Border Security Grant funds received by the City of Brownsville from the Homeland Security Grant Office; and
- (3) The City of Brownsville designates City Manager Charlie Cabler as the grantee's authorized official, with the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City.

Adopted on this, the 3rd day of May, 2016

Antonio "Tony" Martinez, Mayor

Attest:

Michael Lopez, City Secretary

Approved as to legality and form

this 21 day of May, 2016

Name: _____

Title: _____

Office of the City Attorney

1001 E. Elizabeth Street

Brownsville, TX 78520

Phone (956) 548-4001

Fax (956) 546-4291





Submit

AGENDA REQUEST FORM

Item Number: **5d.**

COMMISSION MEETING DATE: 05/3/16

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 type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL 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: _____



Submit

AGENDA REQUEST FORM

Item Number: **5e.**

COMMISSION MEETING DATE: 5/3/16

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 type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL 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: _____



Submit

AGENDA REQUEST FORM

Item Number: **5f.**

COMMISSION MEETING DATE: 5/3/16

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 type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL 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: _____



Submit

AGENDA REQUEST FORM

Item Number: **5g.**

COMMISSION MEETING DATE: 5/3/16

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 type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL 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: _____



Submit

AGENDA REQUEST FORM

Item Number: **5h.**

COMMISSION MEETING DATE: 5/3/16

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 type="checkbox"/> Action <input checked="" type="checkbox"/> Consent	<input type="checkbox"/> First Reading <input checked="" type="checkbox"/> Second Reading

Brief Description of Agenda Item:

APPROVAL on SECOND and FINAL 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: _____

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: **7.**

COMMISSION MEETING DATE: 5/03/16

Finance
DEPT: _____ CONTACT Lupe Granado III

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 acknowledge the City's Comprehensive Annual Financial Report (CAFR) and Single Audit Report for the Fiscal Year ended September 30, 2015.

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: _____



Submit

AGENDA REQUEST FORM

Item Number: **8.**

COMMISSION MEETING DATE: 5/03/16

Finance
DEPT: _____ CONTACT Lupe Granado III

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 acknowledge the financial statements and cash investment report for the City of Brownsville for the second quarter ended March 31, 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: _____



Submit

AGENDA REQUEST FORM

Item Number: **9.**

COMMISSION MEETING DATE: 5/3/16

Finance
DEPT: _____

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: 2016.04.27 13:21:37
-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 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 2016-029 to amend the General Fund, expenditures budget to provide \$160,000 for traffic signals.

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 2016-029

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BROWNSVILLE
TEXAS AMENDING THE FISCAL YEAR 2016 BUDGET FOR THE GENERAL
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 amendment for the General Fund.

WHEREAS, the attached budget amendment for the General Fund; and is an emergency expenditure to meet unusual/unforeseen conditions and/or for municipal purposes; and

WHEREAS, all prerequisites heretofore required by law have been met and the attached fiscal year 2016 budget amendment for the General 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 amendment for the General Fund; and is an emergency expenditure to meet unusual/unforeseen conditions and/or to change the budget for the municipal purposes.

Section 2. That the attached fiscal year 2016 budget amendment for the General Fund; and is 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, May 3, 2016.

Antonio "Tony" Martinez
Mayor

ATTEST:

Michael Lopez
City Secretary

City of Brownsville, Texas
Analysis of Budget Amendment
For General Fund
May 3, 2016

<u>Account No.</u>	<u>Fund Name</u>	<u>Account Title</u>	<u>Amount</u>
01-9111-848-252	General Fund	Special Projects - Traffic Signals	160,000
01-007-441	General Fund	Fund Balance	(160,000)
			<hr/>
Total General Fund			<u><u>0</u></u>

Lupe Granado

From: Robert Esparza
Sent: Wednesday, April 20, 2016 10:12 AM
To: Pete Gonzalez
Cc: Lupe Granado; Ruth Osuna; Dale Levsen
Subject: FW: San Marcello @ Morrion Rd
Attachments: 06-10-15RE_Prop-Ltr.pdf

Good Morning, Mr. Gonzalez:

Attached is a cost estimate for the proposed traffic signal at Morrison Road and San Marcello Boulevard.

This intersection has been open for about four years. We have had numerous complaints from motorists about the difficulty of entering and exiting San Marcello Boulevard at this intersection.

And, we have seen several accidents at this intersection.

We have done traffic counts and traffic warrants. Under State law, this intersection has met all the requirements.

Morrison Road and San Marcello are not State roads, so this traffic signal does not qualify for Safety Funding from the State.

See the attachment for a detailed cost estimate.

If you have any questions on this matter, please let me know.

Thank you,
Robert Esparza, Traffic Director

From: Albert J. Aldana [<mailto:aaldana@aetdengineers.com>]
Sent: Wednesday, April 20, 2016 9:30 AM
To: Robert Esparza
Cc: Dale Levsen
Subject: FW: San Marcello @ Morrion Rd

From: Albert J. Aldana [<mailto:aaldana@aetdengineers.com>]
Sent: Wednesday, April 20, 2016 9:28 AM
To: 'roberte@cob.us'
Cc: 'Dale Levsen'
Subject:





ALDANA ENGINEERING & TRAFFIC DESIGN, LLC

ENGINEERING CONSULTANTS

June 10, 2015

Mr. Robert Esparza
Director of Traffic
City of Brownsville
404 E. Washington St.
Brownsville, Texas 78520

**RE: Traffic Engineering Services Proposal
Morrison Rd @ San Marcelo Rd**

Dear Mr. Esparza:

ALDANA ENGINEERING & TRAFFIC DESIGN (AETD) is pleased to submit this proposal for traffic engineering services relating to the preparation of Plans, Specifications and Estimate for the design of traffic signal improvements at the intersection of Morrison Rd and San Marcelo Rd in the City of Brownsville, Texas.

AETD will perform Traffic Engineering Services as detailed in **Attachment No. 1 - Scope of Services**.

SCHEDULE

It is estimated that this project can be completed within two weeks from the date a written notice to proceed is received. A more detailed schedule is included in **Attachment No. 2 - Time Schedule**.

COMPENSATION

The total lump sum fees for this traffic engineering study is detailed in **Attachment No. 3 - Fee Schedule**.

I would like to thank you for the opportunity to provide this proposal. If you have any questions or require additional information, please do not hesitate to call us.

Sincerely,

ALDANA ENGINEERING & TRAFFIC DESIGN, LLC

Albert J. Aldana, P.E.
Project Manager

ATTACHMENTS: Attachments 1-3, Conceptual Layout, Estimate of Probable Const. Costs

Albert J. Aldana, P.E.

***A*LDANA ENGINEERING & TRAFFIC DESIGN**

720 S. Texas
Weslaco, TX 78596

(956) 968-4373 OFF
(956) 968-5803 FAX

ATTACHMENT NO. 1

Scope of Services

The following provides an outline of the services to be provided by the ENGINEER (Aldana Engineering & Traffic Design) in developing Plans, Specifications and Estimate (PS&E) for the proposed construction of traffic signal improvements at the intersection of Morrison Rd and San Marcelo Rd in the City of Brownsville, Texas.

The Engineer will prepare Plans, Specifications and Estimate for the design of signal improvements.

The Engineer shall perform several engineering tasks necessary to complete this PS&E Project. The Engineer will perform the following tasks:

Task A – Traffic Data Collection

The Engineer will perform traffic movement counts during the AM and PM peak hours for the following intersection:

- Morrison Rd at San Marcelo Rd

The data will be presented in a table form, tabulated in 15-minute intervals, indicating all the turning movements during the AM and PM peak periods. Counts will be performed during typical weekday peak hours.

The Engineer will also collect existing lane geometry and other roadway information. This information will be used for development of initial traffic signal phasing and timing plans.

Task B – Preliminary Engineering

The Engineer will use Gonzalez Engineering & Surveying, Inc. to secure a CADD File containing the intersection topography. The CADD file will include the following items:

- Topography
- Existing Drainage Structures
- Existing Utilities (Under and Above Ground)
- Existing Driveways
- Existing Lighting
- Existing ROW

The Engineer will utilize the CADD file in the development of existing condition diagrams. This will enable the Engineer to assess any potential conflicts that may exist with proposed traffic signal improvements. The Engineer will use the existing conditions layout as a base for the development of a preliminary improvement layout for review and approval.

Task C – Traffic Signal Design PS&E

The Engineer shall prepare plans and detailed drawings for traffic signal improvements at the intersection of Morrison Rd and San Marcello Rd.

This existing intersection is presently un-signalized. The proposed traffic signal will

include traffic signal poles and arms, traffic signal controller & cabinet, foundations, the use of VIVDS for vehicle detection, LED lenses for all vehicular and pedestrian signal heads, countdown type pedestrian signal indications, and any required access sidewalks that adhere ADA requirements.

Traffic Signalization plans shall be designed in conformance with City requirements, including any appropriate Americans with Disabilities Act (ADA) design considerations. The Engineer's plan layouts shall be prepared in English units on 1"= 50' half scale single-banked drawings for traffic signals. Traffic signal plans shall generally consist of the following drawings:

- **Plan Layouts** (to specify proposed signal improvements, including signal heads, detection and electrical schedules, phasing diagram, etc.)
- **Traffic Signal General Notes** (to provide guidance in constructing the proposed traffic signal).
- **Traffic Signal Basis of Estimate** (for all materials required at each intersection).
- **Standard Detail Drawings** (for traffic signal installation).
- **Cost Estimate** (provide preliminary construction cost estimate).
- **Electrical Service Data & Summary** (for electrical service pole and disconnect information).

The Engineer will also include drawings depicting all existing and proposed permanent pavement markings. Engineer shall design permanent signing and marking in accordance with the *Latest Edition* of the *Texas Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways*. Pavement marking plan layouts shall be prepared in English units on 1" = 50' half scale double-banked drawings. All striping material shall be specified as thermoplastic, and buttons graphically depicted independent of thermoplastic stripe. Permanent signing and striping design shall consist of the following drawings:

- **Signing and Marking Layouts** (to identify all existing signs to remain, signs to be removed or relocated, all proposed signs and all proposed marking).
- **Intersection Marking Details** (for all special marking as required at the intersections in the project).
- **Pavement Marking Basis of Estimate** (for all marking devices and materials).
- **Small Sign Summary** (to identify all proposed small signs and mounting materials).
- **Small Signs to be Removed Summary** (to identify all small signs to be removed and/or relocated).
- **Standard Detail Drawings** (for permanent signing and marking).
- **Specification Data & Cost Estimate** (provide preliminary and Engineer's Probable construction cost estimate)

The Engineer will make the following project submittals for this Traffic Signal PS&E Project:

1. **60% Review Plan Submittal** – Engineer will provide two (2) copies of the following components that will comprise a 60% completion level:

- a. Title Sheet with project location map, all standards and plan sheets identified on Index of Sheets.
 - b. Consolidated Summary showing bid items. This sheet will indicate Electrical Service Data Table with applicable information filled in.
 - c. Plan layouts will contain estimated quantity boxes with appropriate bid item descriptions, conduit runs clearly labeled, and filled-in conduit run tables.
 - d. A preliminary construction cost estimate will be provided.
 - e. First draft of technical specifications will be provided.
 - f. First draft of general notes.
2. **90% Review Submittal** – Engineer will provide two (2) copies of the following components that will comprise a 90% completion level:
- a. Plans will be mostly completed including quantities. All data tables, consolidated summaries and plan sheet estimated quantities will be complete and filled in.
 - b. *General Notes, Technical Specifications* and *construction cost estimate* will be provided for review.
3. **100% Submittal**
- a) Engineer will provide three (3) copies of final 11”x17” set of plans.
 - b) Engineer will provide three (3) copies of bidding documents and technical specifications.
 - c) Engineer will provide one (1) CD containing an electronic copy of plans.

Task D - Bidding Services

The Engineer will assist the City of Brownsville with all requirements to request bids from potential traffic signal construction contractors. AETD will provide the City of Brownsville copies of the bid documents, plans, and technical specifications required for bidding of project.

Engineer will conduct a pre-bid meeting as may be required. The Engineer will also assist with tabulation of bids and will provide a bid acceptance recommendation.

Task E - Construction Support Services

The Engineer will provide construction support services to ensure the project is constructed in accordance to plans and specifications. The services will consist of conducting a pre-construction meeting, providing reviews of all shop drawings, provide periodic construction monitoring of project site, respond to contractor inquiries, and verify contractor payment requests/estimates.

ATTACHMENT NO. 2
Time Schedule

Task A – Traffic Data Collection– 3 Business Days

Task B – Preliminary Engineering – 5 Business Days

Task C – Traffic Signal Design PS&E – 10 Business Days

Task D - Bidding Services - 10 Business Days

Task E - Construction Support Services - 20 Business Days

ATTACHMENT NO. 3
Fee Schedule

Payment shall be based on each task completed:

Task A – Traffic Data Collection – \$500.00

Task B – Preliminary Engineering – \$5,520.00 (Gonzalez Engineering & Surveying, Inc.)

Task C – Traffic Signal Design PS&E – \$15,135.00

Task D – Bidding Services – \$2,250.00

Task E - Construction Support Services - \$3,975.00

Total Fees: \$27,080.00



LED PEDESTRIAN SIGNAL W/COUNTDOWN



NOTE:
BACK PLATES SHALL BE INSTALLED FOR ALL SIGNAL HEADS. ALL SIGNAL/PEDESTRIAN HEAD LENSES SHALL BE LED.

CITY OF BROWNSVILLE

ALDANA ENGINEERING & TRAFFIC DESIGN, LLC
ENGINEERING CONSULTANTS
720 S. Texas
Weslaco, Texas 78596
Tel: (361) 698-8373
Fax: (361) 698-8373
info@aldanengineers.com

PROPOSED TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF MORRISON ROAD AND SAN MARCELO ROAD.

CONCEPTUAL LAYOUT



ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COSTS

CITY OF BROWNSVILLE MORRISON RD AT SAN MARCELO PROPOSED TRAFFIC SIGNAL PROJECT						
ITEM	CODE	DESCRIPTION	UNIT	QTY	ESTIMATE	
					PRICE	TOTAL
416	2003	DRILL SHAFT (TRF SIG POLE) (30 IN)	LF	30	\$150.00	\$4,500.00
416	2004	DRILL SHAFT (TRF SIG POLE) (36 IN)	LF	30	\$200.00	\$6,000.00
500	2001	MOBILIZATION	LS	1	\$5,000.00	\$5,000.00
502	2001	BARRICADES, SIGNS, AND TRAFFIC HANDLING	MO	3	\$1,500.00	\$4,500.00
618	2018	CONDT (PVC) (SCHD 40) (2")	LF	50	\$9.00	\$450.00
618	2024	CONDT (PVC) (SCHD 40) (4")	LF	50	\$14.00	\$700.00
618	2025	CONDT (PVC) (SCHD 40) (4") (BORE)	LF	230	\$24.00	\$5,520.00
620	2009	ELEC CONDR (NO. 6) BARE	LF	50	\$1.25	\$62.50
620	2010	ELEC CONDR (NO. 6) INSULATED	LF	100	\$1.60	\$160.00
620	2011	ELEC CONDR (NO. 8) BARE	LF	300	\$1.40	\$420.00
621	2004	TRAY CABLE (4 CONDR) (12 AWG)	LF	300	\$1.70	\$510.00
624	2008	GROUND BOX TY A (122311) W/APRON	EA	5	\$500.00	\$2,500.00
624	2012	GROUND BOX TY C (162911) W/APRON	EA	1	\$700.00	\$700.00
628	2145	ELC SRV TY T 120 / 240 000 (NS) GS (L) TS (O)	EA	1	\$1,750.00	\$1,750.00
644	2060	REMOVE SM RD SN SUP & AM	EA	4	\$75.00	\$300.00
666	2036	REFL PAV MRK TY I (W) 8" (SLD) (100MIL)	LF	100	\$1.00	\$100.00
666	2048	REFL PAV MRK TY I (W) 24" (SLD) (100MIL)	LF	250	\$5.60	\$1,400.00
666	2054	REFL PAV MRK TY I (W) (ARROW) (100MIL)	EA	2	\$112.00	\$224.00
666	2069	REFL PAV MRK TY I (W) (DBL ARROW) (100MIL)	EA	0	\$160.00	\$0.00
666	2096	REFL PAV MRK TY I (W) (WORD)	EA	0	\$130.00	\$0.00
666	2111	REFL PAV MRK TY I (Y) 4" (SLD) (100MIL)	LF	300	\$0.50	\$150.00
672	2012	REFL PAV MRKR TY I-C	EA	10	\$3.25	\$32.50
672	2015	REFL PAV MRKR TY II-A-A	EA	20	\$3.00	\$60.00
677	2001	ELIM EXT PAV MRK & MRKS (4")	LF	100	\$0.50	\$50.00
677	2007	ELIM EXT PAV MRK & MRKS (24")	LF	100	\$2.25	\$225.00
677	2008	ELIM EXT PAV MRK & MRKS (ARROW)	EA	0	\$45.00	\$0.00
677	2009	ELIM EXT PAV MRK & MRKS (DBL ARROW)	EA	0	\$60.00	\$0.00
677	2021	ELIM EXT PAV MRK & MRKR (RAISED PAVEMENT MARKERS)	EA	0	\$0.90	\$0.00
680	2002	INSTALL HWY TRF SIG (ISOLATED)	EA	1	\$16,000.00	\$16,000.00
*		SIGNAL CONTROLLER CONC. FOUNDATION	CY	1	\$0.00	\$0.00
*		CONTROLLER, FULL TRAFFIC ACTUATED	EA	1	\$0.00	\$0.00
*		PHOTOELECTRIC CELL	EA	2	\$0.00	\$0.00
*		ROADWAY LIGHT ON POLE (LED)	EA	2	\$0.00	\$0.00
*		GROUND ROD 5/8" X 10'	EA	6	\$0.00	\$0.00
*		SIGN, "PEDESTRIAN" R10-4b, 9" X 12"	EA	8	\$0.00	\$0.00
682	2001	BACK PLATE (12 IN) (3 SEC)	EA	8	\$70.00	\$560.00
682	2003	BACK PLATE (12 IN) (5 SEC)	EA	2	\$100.00	\$200.00
682	2022	VEH SIG SEC (12 IN) LED (GRN ARW)	EA	2	\$190.00	\$380.00
682	2023	VEH SIG SEC (12 IN) LED (GRN)	EA	10	\$190.00	\$1,900.00
682	2024	VEH SIG SEC (12 IN) LED (YEL ARW)	EA	2	\$190.00	\$380.00
682	2025	VEH SIG SEC (12 IN) LED (YEL)	EA	10	\$200.00	\$2,000.00
682	2027	VEH SIG SEC (12 IN) LED (RED)	EA	10	\$190.00	\$1,900.00
682	2066	PED SIG SEC (12 IN) LED (COUNTDOWN)	EA	8	\$470.00	\$3,760.00
684	2010	TRF SIG CBL (TY A) (12 AWG) (5 CONDR)	LF	800	\$2.65	\$2,120.00
684	2012	TRF SIG CBL (TY A) (12 AWG) (7 CONDR)	LF	1200	\$2.40	\$2,880.00
686	2027	INS TRF SIG PL AM (S) 1 ARM (28')	EA	1	\$5,000.00	\$5,000.00
686	2031	INS TRF SIG PL AM (S) 1 ARM (32')	EA	1	\$6,000.00	\$6,000.00
686	2045	INS TRF SIG PL AM (S) 1 ARM (44') (LUM)	EA	2	\$10,000.00	\$20,000.00
688	2001	PED DETECT (2 INCH PUSH BTN)	EA	8	\$290.00	\$2,320.00
6006	2001	SPREAD SPECTRUM RADIO	EA	0	\$2,000.00	\$0.00
6006	2002	COAXIAL CABLE	LF	0	\$2.50	\$0.00
6006	2005	ANTENNA (UNI-DIRECTIONAL)	EA	0	\$450.00	\$0.00
6266	2001	VIVDS PROCESSOR SYSTEM	EA	1	\$5,900.00	\$5,900.00
6266	2002	VIVDS CAMERA ASSEMBLY	EA	4	\$1,500.00	\$6,000.00
6266	2003	VIVDS SET-UP SYSTEM	EA	1	\$600.00	\$600.00
6266	2005	VIVDS COMMUNICATION CABLE (COAXIAL)	LF	800	\$2.50	\$2,000.00
					TOTAL	\$115,214.00

* FOR CONTRACTOR INFORMATION ONLY



153 East Price Road
 Brownsville, Texas 78521
 Phone: (956) 546-5515
 Fax: (956) 546-2804

6/10/2015

Albert J. Aldana, P.E.
 Aldana Engineering - City of Brownsville
 720 South Texas Blvd.
 Weslaco, TX 78596
 (956) 968-4373

Mr. Aldana,

Our firm proposes to provide professional surveying services pertaining to a **right-of-way and topographic survey of the existing conditions for the intersection of N. San Marcelo (200 ft. approaches) and East Morrison Rd. (200 ft. approaches) in Brownsville, Tx.**, A break down of the work to be performed is as follows:

Description		Rate	Hrs.	Subtotal
Survey to Include: location of culverts, drainage structures, underground and overhed utilites, driveways and driveway openings, curbs, sidewalks, R.O.W., elevations and a text point file	Registered Surveyor	\$99.00	2	\$198.00
	Survey Tech.	\$92.00	2	\$184.00
	Field Crew	\$142.00	24	\$3,408.00
	CADD Tech	\$95.00	14	\$1,330.00
	Clerical	\$65.00		\$0.00
	Expenses			\$100.00
			Total	\$5,220.00

Notes: The following is our billing policy:

1. Invoices for all work performed are mailed out at the beginning of the following month.
2. Invoices must be paid no later than 30 days after the date postmarked or delivered.
3. Invoices not paid within 30 days will incur a 10% penalty fee.
4. Invoices not paid within 45 days will result in work stoppage and may result in legal action.

If you wish to accept this proposal and authorize us to begin work please read and sign the statement below:

I, Albert J. Aldana , accept this proposal and authorize work to begin on the this project. I agree to pay the total amount above in exchange for the performance of work stated.

 Albert J. Aldana, for Aldana Engineering

 Date

Thank you,

 Edmundo R. Gonzalez, R.P.L.S., Gonzalez Engineering & Surveying

SUMMARY OF PROJECT COSTS

Estimated Construction Costs

Engineer's Estimate of Probable Construction Costs	\$115,214.00
Contingencies (15%)	\$17,282.00
Total Construction Costs	\$132,496.00

Engineering Costs

Plans, Specifications & Estimate (Aldana Engineering)	\$15,635.00
Topographic Surveys (Gonzalez Engineering & Surveying)	\$5,220.00
Bidding Documents (Aldana Engineering)	\$2,250.00
Construction Support Services (Aldana Engineering)	\$3,975.00
Total Engineering Costs	\$27,080.00

Grand Total Project Costs

Total Engineering Costs
Total Construction Costs

Grand Total Project Costs	\$159,576.00
----------------------------------	---------------------



Submit

AGENDA REQUEST FORM

Item Number: 10.

COMMISSION MEETING DATE: 5/03/20

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 checked="" type="checkbox"/> Contract <input checked="" 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 award a Work Order for AGH for Survey, Engineering and Design of Phase 1 of the Brownsville Metro ADA Bus Stop Enhancement Project under the Professional Engineering Services Contract."

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)

Funding for this procurement provided by BCIC (80%) and local match (20%) coming from the general fund.
 Project not to exceed total of \$81,125.00 (Account #65-9125-848-409)

City Manager Approval

_____ **Date:** _____



PURCHASING & CONTRACT SERVICES DEPARTMENT PROCUREMENT ANALYSIS

Date: April 28, 2016
To: Mr. Charlie Cabler, City Manager
Mr. Pete Gonzalez, Deputy City Manager/CFO
Ms. Stephanie Reyes, Assistant City Manager
CC: Ms. Ruth Osuna, Assistant City Manager
Mr. Michael Lopez, City Secretary
Mr. Lupe Granado III, Finance Director
From: Mr. Roberto C. Luna, Purchasing & Contract Services Director
Subject: Agenda Item for the City Commission meeting of May 3, 2016:
"Consideration and Action to award a work order to AGH for Survey,
Engineering and Design of Phase 1 of the Brownsville Metro ADA Bust Stop
Enhancement Project under the Professional Engineering Services Contract."

RECAP

On April 1, 2014 City Commission approved a Term Contract for Engineering and Surveying Services for Paving and Drainage of Street and Drainage Improvement Projects and Miscellaneous City Projects expiring in April 30, 2017. In result, the City is able to contract with seven firms on a rotation basis to provide engineering and surveying consulting services for the preparation and design of construction drawings for paving and drainage of City street and drainage improvement projects as well as other miscellaneous City projects that requires any engineering and surveying consulting services.

The rotation list consists of the following firms and a fixed rate of 8.5% of awarded construction contract amount :

- **Ambiotec Civil Engineering** of Brownsville, TX.
- **AGH Engineering & Surveying** of Brownsville, TX.
- **Mejia & Rose, Incorporated** of Brownsville, TX.
- **Plagar Engineering, LLC** of Brownsville, TX.
- **Naismith Engineering Inc.** of Brownsville, TX.
- **Gonzalez Engineering** of Brownsville, TX.
- **CADCON Engineering** of Brownsville, TX.

Update

B-Metro is requesting to use the rotation list and award a work order to AGH Engineering & Surveying from Brownsville, TX. for the Phase I of the Brownsville Metro Project.



Memo

To: Charlie Cabler, City Manager

From: Norma H. Zamora, B Metro Director

CC: Monica Tellam, B Metro Transit Planner
Andrew Munoz, B Metro Assistant Director
Robert Luna, Purchasing Director
Georgina Gonzalez, B Metro Accountant

Date: April 21, 2016

Subject: Work Order Award- BCIC Grant 2016

Please allow this memorandum to serve as B Metro's request to have this purchase request placed on the May 2, 2016 City Commission meeting agenda.

Primary funding for this purchase is from the Brownsville Community Improvement Corporation (BCIC). Staff requests to award AGH a Work Order for Surveying, Engineering and Design of Phase 1 of the Brownsville Metro ADA Bus Stop Improvement Plan.

Staff is recommending AGH as the vendor as they have entered into a Professional Engineering Services Contract with the City of Brownsville on April 2nd, 2014 to perform technical and professional services for the City. Also, Brownsville Metro received an independent cost estimate from Naismith Engineering at \$95,500.00.

Therefore it is my recommendation we proceed with said work order from AGH as outlined below. Funding for this project will be derived as follows:

Account #65-9125-848-409

BCIC Funds Awarded:	\$261,131.00
BCIC Funds for Survey, Engineering and Design:	\$72,400.00
Grant Portion	\$64,094.60 (80%)
Local Match General Fund	\$16,024.40 (20%)
Total Cost for Survey, Engineering and Design:	\$81,125.00

Should you require additional information, please feel free to contact my office.



AGH Engineering & Surveying

P.O. BOX 4180 Brownsville, Texas 78523-4180 6305 Paredes Line Road 78526
Tel. (956) 574-8300 TBPE Firm No. 5197 TBPLS #100840-00 Fax. (956) 574-8305

WORK ORDER

April 21, 2016

Ms. Monica Tellam
Transit Planner
Brownsville Metro
755 International Boulevard
Brownsville TX 78520

**Re: Work Order for Professional Surveying and Engineering Services
Brownsville Metro Project Phase I
AGH Job No. 2016-0089**

Dear Ms. Tellam:

AGH Engineering & Surveying, LLC (Engineer) is pleased to submit this Work Order to the Brownsville Metro (Client) for Phase I of the Brownsville Metro project. The project area is within the Southmost region of Brownsville and largely includes Route 6 and Route 8 of the Brownsville Metro bus routes. The project area contains 117 bus stops and is depicted graphically in Exhibit A.

SCOPE OF SERVICES:

PLEASE REFER TO MASTER AGREEMENT FOR TERMS AND CONDITIONS

The proposed surveys will include the following:

- The right of way width along the street for each of the 117 proposed bus stops
- All surface features in the vicinity of each bus stop in sufficient detail to ascertain whether a bench, shelter, sidewalk and ADA improvements are feasible for that location
- Horizontal and vertical control points for use during future construction
- Office computations for the production of an electronic file for delivery to Client
- Oversight by a Registered Professional Land Surveyor

The proposed engineering services will include the following:

- Evaluate the 117 indicated bus stops and determine whether a bench, shelter, sidewalk and ADA improvements are feasible for that location
- Prepare construction drawings for all proposed bench, shelter, sidewalk and ADA improvements
- Assist Brownsville Metro with bidding phase services including the evaluation and tabulation of bids and recommending the most advantageous and qualified bidder to the Client

- Perform construction phase services including; periodic observation of the work in progress, responding to Contractor's questions, processing pay requests and change orders.
- Assisting the Client with final project closeout and preparation of record drawings.

ITEMS TO BE FURNISHED BY CLIENT:

1. Unfettered access to the sites as described above
2. Copies of previous reports, plans or standards that may facilitate the performance of this work.

COMPENSATION AND LIABILITY:

The above described scope of services will be completed for a not to exceed amount of \$81,125.00. This amount is a lump sum amount and is our best and final offer.

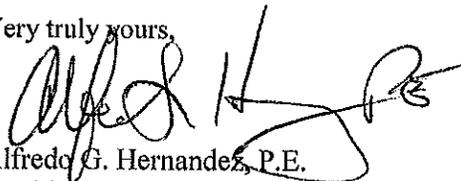
PROPOSED SCHEDULE:

We anticipate project completion based on the following durations. Design Services will be completed prior to February 2017.

Boundary & Topo Surveys	30 Days
Preliminary Design	30 Days
Final Design	60 Days
Bidding Phase	30 Days
Construction Phase	90 Days

We appreciate the opportunity to perform these services for you and look forward to working with you on this important project.

Very truly yours,



Alfredo G. Hernandez, P.E.
President

Attachment

XC: file

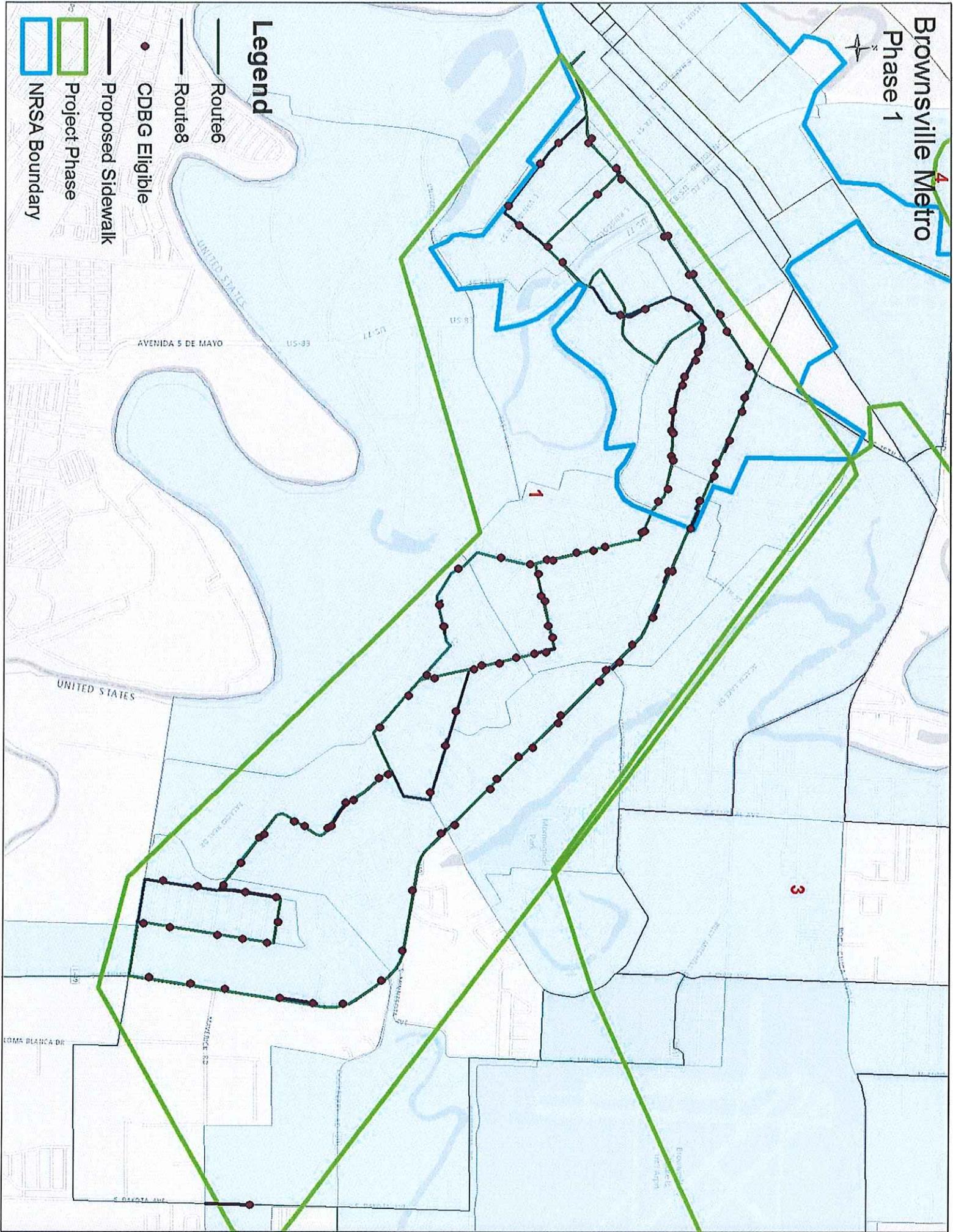
EXECTUTED BY:

City of Brownsville

Date

Brownsville Metro

Phase 1



Legend

- Route6
- Route8
- CDBG Eligible
- Proposed Sidewalk
- Project Phase
- NRSA Boundary

Map showing proposed sidewalks, routes, and project phases in Brownsville, Texas. The map includes a legend, route numbers (6, 8), and various street names like Avenida 5 de Mayo and Roma Blanca Dr. A large green area is labeled '1' and a blue area is labeled '3'.

STATE OF TEXAS §
 §
COUNTY OF CAMERON §

PROFESSIONAL ENGINEERING SERVICES CONTRACT

This is a Contract between the City of Brownsville, ("COB"), acting by its duly authorized City Manager, and AGH Engineering doing business in Texas ("Engineer"), acting herein by its duly authorized Principal, Alfredo G. Hernandez, P.E.

WHEREAS, the COB desires to engage Engineer as an independent Contractor to render certain technical and professional services, to include the engineering evaluation and/or design of: see attached proposal.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, the parties hereby agree as follows:

1. Scope of Work

Engineer agrees to perform professional engineering services to proceed with topography survey, preliminary design, final design, bidding & negotiation, construction phase and project close-out of: see attached proposal.

See Attachment proposal for Engineers Proposal

2. Compensation

COB will pay Engineer for the basic technical and professional services as described in the attached proposal in the not-to-exceed amount of \$xx,xxx.xx

See Attachment Proposal for Fee Summary

In the event that Engineer believes that the proposed amounts are inadequate to accomplish the intended Scope of Services, Engineer shall notify COB in advance of exceeding the attached amount and negotiate a contract change as agreed by both parties.

3. Method of Payment

A. Compensation under all invoices shall be in accordance with and at the fees described in Paragraph 2 above and attached proposal as may be periodically amended, COB shall pay Engineer its fees based on the presentation by Engineer to COB of a monthly statement for all current amounts earned under the Contract. COB shall then attempt to pay Engineer its fees within 10 (ten) days after the approval and payment of each monthly amount by the COB, but in no event later than thirty (30) days after presentation of an accurate monthly statement by

Engineer to COB. COB shall have sole discretion in the approval or disapproval of any compensation to Engineer.

- B. Engineer shall keep accurate records, including time sheets and travel vouchers of all time and expenses allocated to performance of any technical and professional services included within the Scope of Services described in the attached proposal. All such records shall be kept in the offices of Engineer for a period of not less than three (3) years and shall be made available to COB for inspection, audit or copying upon reasonable request.

4. Engineer's Standard of Care

Engineer shall provide its services under this Contract with the same degree of care, skill and diligence as is ordinarily provided by a professional engineer under similar circumstances for a project of which this Contract applies, and shall give professional consultations and advice to the COB during the performance of the services under this Contract.

5. Ownership of Documents

As part of the total compensation which COB has agreed to pay Engineer for the professional services to be rendered under this Contract, Engineer agrees that all finished and unfinished documents (including but not limited to paper and digital formats), data, studies, surveys, drawings, specifications, field notes, maps, models, photographs and reports which are produced by Engineer are, and will remain, the property of the COB. Engineer shall have the right to use such work products for Engineer's purposes. The above notwithstanding, Engineer shall retain all rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary and intellectual property information provided pursuant to this Contract, whether or not such proprietary information was modified during the course of providing the Services.

Any reuse of the documents by COB or others without the express written consent of the Engineer will be at reuser's sole risk and without liability or legal exposure to the Engineer, and COB shall hold harmless the Engineer from all claims, damages, losses, expenses, and costs, including attorneys' fees arising out of or resulting from the improper reuse of said documents without the Engineer's consent. The granting of such consent may entitle the Engineer to further compensation at rates to be agreed upon by COB and the Engineer.

6. Insurance

- A. Engineer agrees to maintain Worker's Compensation and Employer's Liability Insurance to cover all of its own personnel engaged in performing services for COB under this Contract in at least the following amounts:

Workmen's Compensation – Statutory
Employer's Liability – \$100,000.00

- B. Engineer also agrees to maintain Commercial General Liability, Business Automobile Liability, and Umbrella Liability Insurance covering claims against Engineer for damages resulting from bodily injury, death or property damages from accidents arising in the course of work performed under this Contract in at least the following amounts:

Commercial General Liability

Personal injury and property damage -
\$500,000 combined single limit each occurrence and
\$500,000 aggregate

Business Automobile Liability for all vehicles:

Bodily injury and property damage -
\$300,000 combined single limit each occurrence

Umbrella Liability:

\$1,000,000.00

- C. Engineer shall add the City of Brownsville as additional insureds on all required insurance policies, except worker's compensation, employer's liability and errors and omissions insurance that Engineer will carry. The Commercial General Liability Policy and Umbrella Liability Policy shall be of an "occurrence" type policy. The Commercial General Liability Policy shall also include protection against claims insured by usual personal injury liability coverage, and a "protective liability" endorsement to ensure contractual liability assumed by Engineer under Section 7 entitled "Indemnification."
- D. Engineer shall furnish COB with an Insurance Certificate on the date this Contract is executed and accepted by the COB, which confirms that all required insurance policies are in full force and effect.
- E. Engineer agrees to maintain errors and omissions liability insurance in the amount of not less than one million dollars (\$1,000,000) annual aggregate, on a claims made basis, as long as reasonably available under standard policies.

7. Indemnification

Engineer shall indemnify, defend and hold harmless COB and its officers, agents, servants and employees from all suits, actions, losses, damages, claims, or liability of any character, type, or description, including without limiting the generality of the foregoing, all expenses of litigation, court costs, and reasonable attorney's fees for injury or death to any person, or injury to any property, received or sustained by any person or persons or

property, to the extent arising out of, or occasioned by, the negligent acts of Engineer or its agents or employees, in the execution of performance of this Contract.

Engineer's total liability to COB for any loss or damages from claims arising out of, or in connection with, this Contract from any cause including Engineer's strict liability, breach of contract, or professional negligence, errors and omissions shall not exceed the limits of the Engineer's liability insurances as specified in Paragraph 6.E. herein.

8. Addresses for Notices and Communications

City of Brownsville
404 E. Washington Street
P.O. Box 911
Brownsville, Texas 78520
Attn: Carlos Lastra, P. E.
City Engineer
Phone (956) 541-1012 Office
(956) 542-7843 Fax

Engineer
Alfredo G. Hernandez, P.E.
Principal
AGH Engineering, LLC
6305 Paredes Line Rd.
P. O. Box 4180
Brownsville, Texas 78526

All notices and communications under this Contract shall be mailed or delivered to the COB and Engineer at the above addresses.

9. Successors and Assignments

The COB and Engineer each binds itself and its successors, executors, administrators and assigns to the other parties of this Contract and to the successors, executors, administrators and assigns of such other parties, in respect to all covenants of this Contract. Except as noted in the first part of this Paragraph, neither the COB nor Engineer shall assign, sublet or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer, board member, commissioner, employee or agent of any public body which is a party hereto.

10. Termination of Contract for Cause

If, through any cause, Engineer shall fail to fulfill in timely and proper manner his obligations under this Contract, or if Engineer shall violate any of the covenants, agreements, warranties or stipulations of this Contract, the COB shall thereupon have the right to terminate this Contract by giving written notice to Engineer of such termination

and specifying the date thereof, at least five (10) days before the effective date of such termination. In such event, all finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, and reports prepared by Engineer under this Contract shall become the property of the COB, except as provided by paragraph 5 of this Contract, and Engineer shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder provided such compensation is approved by the COB in its sole discretion. The method of compensation herein shall be as provided in Paragraphs 2. and 3.A. of this Contract.

Notwithstanding the above, Engineer shall not be relieved of liability to the COB for damages sustained by the COB by virtue of any intentional and/or negligent act or omission, or any breach of the Contract by Engineer, and the COB may withhold any payments to Engineer for the purpose of setoff until such time as the exact amount of damages due the COB from Engineer is determined.

Engineer agrees that the COB shall have all rights and remedies afforded to it at law to recover any damages sustained by the COB in connection with the work performed by Engineer under the Contract. In the alternative, the COB shall also have all rights and remedies afforded to it in equity to enforce the terms of the Contract. The exercise of any one right or remedy shall be without prejudice to the enforcement of any other right or remedy allowed at law or in equity.

11. Termination for Convenience of the Parties

Engineer and the COB may terminate this Contract at any time by giving at least thirty (30) days notice in writing to each other. If the Contract is terminated by the COB and/or Engineer as provided herein, Engineer will be paid for the time provided and expenses incurred up to the termination date, if such compensation is approved by the COB, in its sole discretion. If this Contract is terminated due to the fault of Engineer, Paragraph 10 hereof, relative to Termination for Cause, shall apply. All finished and unfinished documents, data, studies, surveys, drawings, specifications, field notes, maps, models, photographs, and reports prepared by Engineer under this Contract shall become the property of the COB, except as provided by paragraph 5 of this Contract, and Engineer shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder, provided such compensation is approved by the COB in its sole discretion. The method of compensation herein shall be as provided in Paragraphs 2. and 3.A. of this Contract.

Notwithstanding the above, Engineer shall not be relieved of liability to the COB for damages sustained by the COB by virtue of any intentional and/or negligent act or omission, or any breach of the Contract by Engineer, and the COB may withhold any payments to Engineer for the purpose of setoff until such time as the exact amount of damages due the COB from Engineer is determined.

Engineer agrees that the COB shall have all rights and remedies afforded to it at law to recover any damages sustained by the COB in connection with the work performed by

Engineer under the Contract. In the alternative, the COB shall also have all rights and remedies afforded to it in equity to enforce the terms of the Contract. The exercise of any one right or remedy shall be without prejudice to the enforcement of any other right or remedy allowed at law or in equity.

12. Changes

The COB may, from time to time, request changes in the scope of the services of Engineer to be performed hereunder. Such changes, including any increase or decrease in the amount of Engineer's compensation, or time for performance, which are mutually agreed upon by and between the COB and Engineer, shall be incorporated in written amendments to this Contract. Any such work orders or change orders shall be executed by the City Manager, or other authorized representative as designated by the City Manager or COB Board.

13. Reports and Information

Engineer, at such times and in such forms as the COB may require, shall furnish the COB such periodic reports as they may request pertaining to the work or services undertaken pursuant to this Contract, the cost and obligations incurred, or to be incurred in connection therewith, and any other matter covered by this Contract.

14. Civil Rights

Under Article 6252-16 of the Revised Civil Statutes of Texas, no person shall, on the grounds of race, religion, gender, age, physically challenged condition or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of Engineer and the COB.

15. Incorporation of Provisions Required by Law

Each provision and clause required by law to be inserted into the Contract shall be, deemed to be enacted herein and the Contract shall be read and enforced as though each were included herein. If through mistake, or otherwise, any such provision is not inserted or is not correctly inserted, the Contract shall be mutually amended to make such insertion, on application by either party.

16. Entire Agreement

This Contract, including the attached proposal, constitutes the entire agreement, and supersedes all prior agreements and understandings between the parties concerning the subject matter of this Contract.

17. Waiver

The failure on the part of either party herein at any time to require the performance by the other party, of any portion of this Contract, shall not be deemed a waiver of, or in any way affect that party's rights to enforce such provision, or any other provision. Any waiver by any party herein of any provision hereof, shall not be taken or held to be a waiver of any other provision hereof, or any other breach hereof.

18. Severability

The invalidity or unenforceability of any provision of this Contract shall not affect the validity or enforceability of any other provision of this Contract.

19. Survival

Any and all representations, conditions and warranties made by Engineer under this Contract are of the essence of this Contract and shall survive the execution, delivery and termination of it, and all statements contained in any document required by the BPUB, whether delivered at the time of the execution, or at a later date, shall constitute representations and warranties hereunder.

20. Force Majeure

In the event that the COB or Engineer shall be prevented from completing performance of its obligations under this Contract by an Act of God, or other occurrence whatsoever, which is beyond the control of the COB or Engineer, then the COB or Engineer shall be excused from any further performance of their respective obligations and undertakings hereunder to the extent impeded by the Force Majeure presuming that the party affected is making reasonable efforts to mitigate the impact of the Force Majeure.

21. Governing Law

This Contract is governed by the laws of the State of Texas and all obligations of the parties under this Contract are performable in Cameron County, Texas.

22. Time for Performance

Engineer's technical and professional services described in the attached Scope of Work and Proposal shall be completed in a timely manner, except to the extent timely performance is prevented by Force Majeure.

23. Attorney's Fees

If it is necessary for either party herein to file a cause of action at law or in equity against the other party due to: (a) a breach of this Contract by the other party and/or (b) any intentional and/or negligent act or omission by the other party arising out of this Contract, the non-defaulting party shall be entitled to reasonable attorney's fees and costs, and any necessary disbursements, in addition to any other relief to which it is legally entitled.

24. Cumulative Remedies

In the event of default by a party herein, the other party shall have all rights and remedies afforded to it at law or in equity to recover damages and interpret, or enforce, the terms of the Contract. The exercise of any one right or remedy shall be without prejudice to the enforcement of any other right or remedy allowed at law or in equity.

25. State or Federal Laws

This Contract is subject to all applicable Federal and State laws, statutes, codes, and any applicable permits, ordinances, rules, orders and regulations of any local, state or federal government authority having or asserting jurisdiction, but nothing contained herein shall be construed as a waiver of any right to question or contest any such law, ordinance, order, rule or regulation in any forum having jurisdiction.

26. No Third Party Beneficiary

The parties are entering into this Contract solely for the benefit of themselves and agree that nothing herein shall be construed to confer any right, privilege or benefit on any person or entity other than the parties hereto.

EXECUTED in triplicates originals on this 2nd day of April 2011.⁴

AGH ENGINEERING, LLC.

By: [Signature] PE, RPLS
Name: Alfredo G. Hernandez, P.E.
Title: Principal/Owner

EXECUTED in triplicates originals on this 14 day of April 2011.

CITY OF BROWNSVILLE
By: [Signature]
Name: Charlie Cabler
Title: City Manager

Approved as to legality and...
this 14 day of April, 2011
Name: [Signature]
Title: [Signature]
Office of the City Attorney
1001 E. Elizabeth Street
Brownsville, TX 78520
Phone: (361) 546-0011
Fax: (361) 546-4291



Submit

AGENDA REQUEST FORM

Item Number: **11.**

COMMISSION MEETING DATE: 5/3/16

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 Award a Contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at 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: _____



Submit

AGENDA REQUEST FORM

Item Number: _____

COMMISSION MEETING DATE: 04/19/16

DEPT: B-Metro

CONTACT: Norma 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 Award a Contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at 700 Jose Colunga"

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

REVIEWING DEPARTMENTS ONLY

FINANCE DEPARTMENT: Date Reviewed: 4-14-16 By: [Signature]

Comments: _____

PURCHASING DEPARTMENT: Date Reviewed: 4-14-16 By: [Signature]

Comments: _____

CITY ATTORNEY: Date Reviewed: _____ By: _____

Comments: _____

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

City Manager Approval

[Signature] [Signature]

Date: 4.14.16

5. A total of four (4) meetings were conducted on March 17th, 2016, March 22nd, 2016, March 30th, 2016 and April 1st, 2016 to discuss the evaluation process and review the proposals submitted by all five (5) general contractors. After reviewing all five (5) proposals, the committee members proceeded to score the submittals and request interview and negotiations with the highest ranked general contractor. *[Bookmark "A" Evaluation Score Sheet]*
6. The Evaluation Committee and Purchasing & Contracting office scheduled interview and negotiation at the Purchasing Conference room with the highest ranked general contractor for Wednesday, April 6th, 2016.
7. Initial Interview was conducted with highest ranked general contractor to review their project cost submittal as well as proposed materials, subcontractors and time line to complete rehabilitation process. Immediately after the interview, the evaluation committee proceeded to negotiate project cost, project time line, materials and other miscellaneous components of the RFP.
8. After finalizing interview and initial negotiations with highest ranked general contractor, a second negotiations meeting was scheduled for Wednesday, April 13th, 2016 to continue with cost negotiations as well as material samples for approval.
9. Negotiations took place as per the date scheduled with the highest ranked general contractor to consider several construction items and materials.
10. On Thursday, April 14, 2016, Noble Texas Builders, highest ranked general contractor submitted their best and final offer "BAFO".
11. As a result of the negotiation process, the recommended General Contractor and the City of Brownsville have reached a satisfactory rehabilitation project agreement. *[Bookmark "B" Best and Final Offer "BAFO"]*

Procurement Summary

B-Metro Administrative staff recommends the following:

1. Consideration and Action to Award a Contract for Rehabilitation of B-Metro Maintenance Facility Project Phase I located at 700 Jose Colunga to **Noble Texas Builders** of **Weslaco, TX**. for a total amount of **\$1,800,000.00** *[Bookmark "B" Best and Final Offer "BAFO"]*
2. Completion time is schedule to be eight (8) months after receiving notice to proceed.
3. The evaluation committee concurs with this recommendation.

Solicitation Information:

As of 08/20/2014

Newspaper: Brownsville Herald – 01/31/2016 and 02/07/2016

Texas Bid Systems:

- Companies that received a notice: 150
- Companies that accessed bid package: 45

Cost Proposal (City Budget \$1,500,000.00)	<u>Alpha Construction</u> \$2,178,000.00	<u>Ziwa Corporation</u> \$2,027,000.00	<u>Spawglass</u> \$2,085,500.00	<u>Noble- Texas Builders</u> \$1,619,000.00	<u>Icon Construction</u> \$1,675,000.00
1	78.27	83.8	84.69	82.2	74.41
2	77.77	82.8	82.39	83.53	80.91
3	70.77	73.8	77.39	79.53	68.91
4	67.77	65.8	75.39	70.53	60.91
5	75.77	75.3	76.39	83.53	75.41
	74.07	76.3	79.25	79.86	72.11



April 14, 2016

Mr. Roberto C. Luna
Purchasing Director
City of Brownville
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 (MEP 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,

A handwritten signature in black ink, appearing to read "Rene Capistran", written over a horizontal line.

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. Betterment 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 *NZamora*
CC: Charlie Cabler, City Manager
Ruth Osuna, Assistant City Manager
Andrew Munoz, Asst. B Metro Director
Doroteo Garcia, Asst. City Engineer
Lupe Granado, 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.

Noble 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.



Submit

AGENDA REQUEST FORM

Item Number: 12.

COMMISSION MEETING DATE: 5/3/16

DEPT: Police Department

CONTACT Orlando Rodriguez, Chief of Police

AGENDA

Select One:

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

Consideration and Action to authorize the purchase of 60 police patrol units recently covered through a bond under debt services in our city budget.

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 POLICE DEPARTMENT



MEMORANDUM

TO: ROBERT LUNA
PURCHASING DIRECTOR

FROM: JAMES PASCHALL 
COMMANDER, FISCAL MANAGEMENT

**SUBJECT: REQUEST FOR AGENDA ITEM
POLICE VEHICLE PURCHASE**

DATE: APRIL 25, 2016

I am requesting an agenda item regarding the purchase of 60 police patrol units recently covered through a bond under debt services in our City budget. I have reviewed the tabulation documentation from the Purchasing Department. The two lowest bidders for these vehicles are Silsbee Ford from Silsbee, Texas and Tipton Motors Incorporated from Brownsville, Texas. Local vendor preference does not apply since the total price of the bids are over \$500,000.

The two lowest bids are the following:

Silsbee Ford:	\$2,654,352.30
Tipton Motors:	\$2,673,231.90

The difference in the price between the two lowest bidders is less than 1%; therefore, my recommendation is to approve Tipton Motors Incorporated. We have worked on numerous projects with Tipton Motors and it just makes good sense to keep the money spent on this project in Brownsville and the police department believes this is the best value for the City of Brownsville.

Please see below for the highlighted sections of the Texas Local Government Code that applies to my recommendation.

Texas Local Government Code

Sec. 252.043. AWARD OF CONTRACT.

- (a) If the competitive sealed bidding requirement applies to the contract for goods or services, the contract must be awarded to the lowest

responsible bidder or to the bidder who provides goods or services at the best value for the municipality.

- (b) In determining the best value for the municipality, the municipality may consider:
 - (1) the purchase price;
 - (2) the reputation of the bidder and of the bidder's goods or services;
 - (3) the quality of the bidder's goods or services;
 - (4) the extent to which the goods or services meet the municipality's needs;
 - (5) the bidder's past relationship with the municipality;
 - (6) the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
 - (7) the total long-term cost to the municipality to acquire the bidder's goods or services; and
 - (8) any relevant criteria specifically listed in the request for bids or proposals.
- (c) Before awarding a contract under this section, a municipality must indicate in the bid specifications and requirements that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the municipality.
- (d) The contract must be awarded to the lowest responsible bidder if the competitive sealed bidding requirement applies to the contract for construction of:
 - (1) highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; or
 - (2) buildings or structures that are incidental to projects that are primarily civil engineering construction projects.
- (e) If the competitive sealed bidding requirement applies to the contract for construction of a facility, as that term is defined by Section 271.111, the contract must be awarded to the lowest responsible bidder or awarded under the method described by Subchapter H, Chapter 271.
- (f) The governing body may reject any and all bids.
- (g) A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. This chapter does not change the common law right of a bidder to withdraw a bid due to a material mistake in the bid.
- (h) If the competitive sealed proposals requirement applies to the contract, the contract must be awarded to the responsible offeror whose proposal is determined to be the most advantageous to the



PURCHASING & CONTRACT SERVICES DEPARTMENT PROCUREMENT ANALYSIS

Date: April 18, 2016

To: Mr. Charlie Cabler, City Manager

CC: Mr. Pete Gonzalez, Deputy Assistant City Manager

Mrs. Ruth Osuna, Assistant City Manager

Mrs. Stephanie Reyes, Assistant City Manager

Mr. Michael L. Lopez, Planning and Development Services Director

Mr. Orlando Rodriguez, Police Chief

Mr. Lupe Granado III, Finance Director

From: Mr. Roberto C. Luna, Jr., Purchasing & Contract Services Director

Subject: Agenda Item for City Commission meeting of May 3, 2016:

“Consideration and Action to Award a Contract for the Purchase and Delivery of Police Patrol Vehicles for the Brownsville Police Department.” Bid# PDV-21-0316

At the request of the Police Chief, Orlando Rodriguez, the Purchasing and Contract Services Office solicited seal bids for the aforementioned project.

It is the City's intent to award a contract for the purchase and delivery of police patrol vehicles for the Brownsville Police Department.

Project Milestones were accomplished as follows:

1. The legal advertisement appeared in *The Brownsville Herald* two times on February 7 and February 14 2016 posted to the Texas Bid system website. A total of Twenty One (21) companies received an invitation to participate; Eleven (11) companies downloaded the bid package on the Texas Bid System website.
2. One Pre-bid meeting was conducted on February 24, 2016 at 10:00 a.m. at the Purchasing & Contract Services bid room. A total of Two (2) vendors were represented at the pre-bid meeting. Five (5) addendums were issued during the bidding process.
3. Sealed bids were received and acknowledged for the subject project on Wednesday April 6, 2016 at 3:00 p.m. at the Purchasing & Contract Services bid room. A total of four (4) bids were received and tabulated by the Purchasing office.

Procurement Results:

1. The responsive and responsible vendor:
Silsbee Ford of Silsbee, Texas in the amount of **\$2,654,352.30** for a total of 60 vehicles. 50 new model, police patrol interceptor sedan for a unit price of \$ 43,847.76 for an extended price amount of \$2,192,388.00. 10 new model, police patrol interceptor utility AWD for a unit price of \$ 46,196.43 for an extended price of \$ 461,964.30. (*See attached Tabulation Sheet*) (the City of Brownsville has the right and option to purchase additional police patrol vehicles for one year for the same unit prices)
2. Funding for this procurement purchase is available from budget # 801-311-943

municipality considering the relative importance of price and the other evaluation factors included in the request for proposals.

- (i) This section does not apply to a contract for professional services, as that term is defined by Section 2254.002, Government Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1997, 75th Leg., ch. 1370, Sec. 4, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1409, Sec. 3, eff. Sept. 1, 2001.

Please note that the Brownsville Police Department will also be purchasing in-car vehicle radios from Motorola and drop shipped to the installers of the bidder. The total price is approximately \$145,222.50. The reason for this is that as a City receives HGAC pricing with is a significant discount as opposed to the bidder purchasing the radios.

The total price of this project is \$2,818,454.40. The City of Brownsville recently authorized 2.8 million through Budget Code 801-311-943. The \$18,464.40 will be funded through forfeiture funds.

Enclosure: Bid Tabulation – Purchasing Department



BID TABULATION
Invitation for Bids for the Purchase and Delivery of Police Patrol Vehicles
for the Brownsville Police Department
BID # PDV-21-0316
Wednesday, April 6, 2016 at 2:00 P.M.

Vendors:	Holiday Ford P.O. Box 707 Whitesboro, Tx 76273 Attn: Matt Knight Ph #: 1-800-486-3115 Fax #: 1-903-564-6363	Sam Parks Five Star Ford 1635 IH 35E Carrollton, Tx 75006 Attn: Kevin Moore Ph #: 1-972-242-6415 Fax #: 1-972-245-5278	Silsbee Ford 1211 U.S. Hwy. 96N Silsbee, Tx 77656 Attn: a. Glen Angelle Ph #: 1-409-880-9191 Fax #: 1-409-895-3884	Tipton Motors Inc. 3840 N. Expressway Brownsville, Tx 78526 Attn: Dennis Thomae Ph #: 1-956-350-5600 Fax #: 1-956-350-6093
Vehicle Description – 2016 Ford Interceptor Sedan AWD V6 FFV, 3.7 Ti-VCT, 6-SPD	Unit Price: \$44,983.00	Unit Price \$45,399.03	Unit Price: \$43,847.76	Unit Price \$43,882.39
<u>Extended Price</u> (50 Vehicles)	\$2,249,150.00	\$2,269,951.50 N	\$2,192,388.00	\$2,194,119.50
Vehicle Description – 2017 Ford Interceptor Utility AWD V6 FFV, 3.7 Ti-VCT 6-SPD	Unit Price: \$46,677.00	Unit Price: \$48,748.00	Unit Price: \$46,196.43	Unit Price \$47,911.24
Extended Price (10 Vehicles)	\$466,770.00	\$487,480.00	\$461,964.30	\$479,112.40
Total Extended Price: (60 vehicles)	\$2,715,920.00	2,757,431.50	<u>\$2,654,352.30</u>	\$2,673,231.90
Delivery: (calendar days)	140 Days	150 Days	150 Days	90-150 Days
Addenda:	Acknowledged	Acknowledged	Acknowledged	Acknowledged
Specification Criteria:	Responsive and responsible	Responsive and responsible	Responsive and responsible Lowest Bidder	Responsive and responsible



Submit

AGENDA REQUEST FORM

Item Number: 13.

COMMISSION MEETING DATE: 5/03/16

DEPT: Purchasing Department

CONTACT Roberto C. Luna, Jr.

AGENDA

Select One:

<p>Executive Session (City Attorney Only)</p> <p>Time needed: _____ Action Item: _____</p>	<p>Workshop</p> <p>Time Needed: _____</p>	<p>Presentation</p> <p>Time Needed: _____</p>	<p>Agenda</p> <p><input type="checkbox"/> Public Hearing <input type="checkbox"/> Contract <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Action <input type="checkbox"/> Consent</p>	<p>Ordinance</p> <p><input type="checkbox"/> First Reading <input type="checkbox"/> Second Reading</p>
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Brief Description of Agenda Item:
 Consideration and ACTION to award a term contract for Appraisal Services for the City of Brownsville.

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 18, 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 L. Lopez, Planning and Development Services Director
Mr. Lupe Granado III, Finance Director
Mr. Arvin Tucker, Internal Auditor
From: Mr. Roberto C. Luna, Purchasing & Contract Services Director
Subject: Agenda Item for the City Commission meeting of May 3rd, 2016:
"Consideration and Action to Award a Term Contract for Appraisal Services for the City of Brownsville" SOQ # QAS-10-1216

At the request of the City Manager, Charlie Cabler, the Purchasing & Contract Services Department solicited request for qualifications for the aforementioned project.

Project milestones were accomplished as follows:

1. The legal advertisement appeared in *The Brownsville Herald* two times on December 6 and December 13, 2015 and was posted on the Purchasing website and the Texas Bid System website. A total of (41) forty-one companies/firms on the Texas Bid System received an invitation to participate. A total of (17) seventeen companies/firms accessed and downloaded the SOQ package on the Texas Bid System website.
2. During the SOQ process, one (1) addendum was submitted to participants to extend the due date to received qualification statements. Addendum was posted at the Purchasing website and the Texas Bid System website.
3. Five (5) Qualification Statements were received for the subject project on January 14, 2016 at the Purchasing & Contract Services Office.
4. Copies of Qualification Statements received were forwarded to the Evaluation Committee ^[1] for review.

^[1] Evaluation Committee Members:

- Eduardo Santillan, Right of Way Specialist
 - Tina Garza, GIS Coordinator
 - Arvin Tucker, Internal Auditor
 - Lupe Granado, Finance Director
5. *Several meetings were conducted on March 7, April 7, 2016 to discuss the evaluation process and procedures to independently score the proposals. [Bookmark "A" - Evaluation/Score Sheet]*
 6. As a result of this process all five (5) firms were selected as the highest ranked firms. All five (5) firms were invited and scheduled for interviews/presentations with the evaluation committee at the purchasing conference room to do presentations based on their appraisal services. In addition, the committee had questions for all five (5) firms represented at this interview/presentation meeting.
 7. As a result of the interviews and presentation processes the evaluation committee only selected four (4) firms to be qualified to service term contract and

were offered the opportunity to submit a fee structure that met the requirements of the City of Brownsville set forth by the evaluation committee members. As a result of the negotiation process, the Purchasing and Contracting Services Department and the Evaluation Committee have reached a proposed satisfactory service agreement with the recommended firms. *[Bookmark "B" Best and Final Offer "Fee Schedule"]*

Procurement Summary

1. List of Qualified Appraisal Firms:

- a. **Landmark Appraisal** of Brownsville, Texas
- b. **Robinson, Duffy & Barnard L.L.P.** of Harlingen, Texas
- c. **Independent Real Estate Appraisers** of Brownsville, Texas
- d. **Valbridge Property Advisors** of Houston, Texas

At the stipulated prices as per attached fee schedule. *[Bookmark "B" Best and Final Offer "Fee Schedule"]*

2. The Contract for these services shall commence upon approval by the City Commission and shall expire December 31, 2018. Term contract will have a renewal term of two (2) periods of one (1) year each thereafter, with thirty (30) days written notice by City to the Contractor and approved by City Commission.
3. The evaluation committee concurs with this recommendation.



Request for Statements of Qualifications for Appraisal Services for the City of Brownsville

SOQ# QAS-10-1216

Evaluation Summary

	Independent Real Estate Appraisals	Landmark Appraisal Services	Robinson, Duffy & Barnard L.L.P.	Valbridge Property Advisors	American Appraisal
Member 1	78	75	86	76	74
Member 2	85	61	82	67	31
Member 3	58	50	74	71	68
Member 4	65	71	88	72	50
Total	71.5	64.25	82.5	71.5	55.75



Request for Statements of Qualifications for Appraisal Services for the City of Brownsville

SOQ# QAS-10-1216

BEST and Final Offer (BAFO)

	Independent Real Estate Appraisals	Landmark Appraisal Services	Robinson, Duffy & Barnard L.L.P.	Valbridge Property Advisors
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Residential

Single Family

up to 1,500 sq/ft	\$350.00	\$400.00	\$500.00	\$1,500.00
up to 2,000 sq/ft	\$500.00	\$400.00	\$750.00	\$2,000.00
up to 4,000 sq/ft	\$800.00	\$600.00	\$1,500.00	\$2,000.00

Apartments Complex/Duplex

2 units (800sqft. Min each)	\$800.00	\$750.00	\$1,500.00	\$3,000.00
4 units (800sqft. Min each)	\$1,200.00	\$750.00	\$2,000.00	\$3,000.00
6 units (800sqft. Min each)	\$1,200.00	\$1,500.00	\$2,500.00	\$3,500.00
8 units (800sqft. Min each)	\$1,200.00	\$1,500.00	\$3,000.00	\$3,500.00

Historic Property

up to 1,500 sq/ft	\$1,000.00	\$1,500.00	\$2,500.00	\$4,000.00
up to 2,500 sq/ft	\$1,500.00	\$1,500.00	\$3,500.00	\$4,250.00
up to 4,000 sq/ft	\$1,800.00	\$2,000.00	\$4,500.00	\$4,500.00

Commercial**Retail Single Tenant**

up to 750 sq/ft	\$1,500.00	\$1,500.00	\$2,500.00	\$4,000.00
up to 1,500 sq/ft	\$2,000.00	\$1,500.00	\$3,000.00	\$4,000.00
up to 4,000 sq/ft	\$3,000.00	\$1,500.00	\$4,000.00	\$4,000.00
up to 8,000 sq/ft	\$3,500.00	\$1,500.00	\$5,000.00	\$4,000.00
up to 10,000 sq/ft	\$4,000.00	\$2,000.00	\$5,000.00	\$4,500.00
up to 15,000 sq/ft	\$4,000.00	\$2,500.00	\$8,500.00	\$4,500.00
up to 20,000 sq/ft	\$3,500.00	\$2,500.00	\$8,500.00	\$4,500.00

Restaurant

up to 500 sq/ft	\$1,500.00	\$1,500.00	\$2,500.00	\$3,500.00
up to 1,000 sq/ft	\$0.00	\$1,500.00	\$3,000.00	\$4,000.00
up to 1,500 sq/ft	\$0.00	\$1,500.00	\$3,000.00	\$4,000.00
up to 5,000 sq/ft	\$3,500.00	\$2,000.00	\$3,500.00	\$4,500.00

Office

up to 750 sq/ft	\$1,500.00	\$1,500.00	\$1,500.00	\$4,000.00
up to 1,500 sq/ft	\$0.00	\$1,500.00	\$1,500.00	\$4,000.00
up to 4,000 sq/ft	\$0.00	\$2,000.00	\$2,000.00	\$4,250.00
up to 8,000 sq/ft	\$0.00	\$2,500.00	\$2,500.00	\$4,250.00
up to 10,000 sq/ft	\$0.00	\$3,000.00	\$4,000.00	\$4,750.00

up to 15,000 sq/ft	\$0.00	\$3,000.00	\$4,000.00	\$4,750.00
up to 20,000 sq/ft	\$4,500.00	\$3,000.00	\$4,500.00	\$5,000.00

Warehousing

up to 750 sq/ft	\$1,500.00	\$1,500.00	\$1,500.00	\$4,000.00
up to 1,500 sq/ft	\$0.00	\$1,500.00	\$1,500.00	\$4,000.00
up to 4,000 sq/ft	\$0.00	\$1,500.00	\$2,500.00	\$4,000.00
up to 8,000 sq/ft	\$0.00	\$1,500.00	\$3,000.00	\$4,500.00
up to 10,000 sq/ft	\$0.00	\$1,500.00	\$3,500.00	\$4,500.00
up to 15,000 sq/ft	\$0.00	\$1,500.00	\$3,500.00	\$4,500.00
up to 20,000 sq/ft	\$4,500.00	\$2,000.00	\$4,000.00	\$4,500.00

Industrial

Manufacturing

up to 5,000 sq/ft	\$3,000.00	\$1,500.00	\$3,000.00	\$3,500.00
up to 10,000 sq/ft	\$0.00	\$2,000.00	\$3,500.00	\$3,750.00
up to 15,000 sq/ft	\$0.00	\$2,000.00	\$4,000.00	\$4,000.00
up to 20,000 sq/ft	\$0.00	\$2,500.00	\$4,500.00	\$4,500.00
up to 40,000 sq/ft	\$0.00	\$2,500.00	\$5,000.00	\$5,000.00
up to 80,000 sq/ft	\$5,000.00	\$2,500.00	\$5,000.00	\$5,000.00

Warehousing

up to 5,000 sq/ft	\$3,500.00	\$0.00	\$1,500.00	\$4,000.00
up to 10,000 sq/ft	\$0.00	\$1,500.00	\$2,000.00	\$4,000.00
up to 15,000 sq/ft	\$0.00	\$1,500.00	\$2,500.00	\$4,500.00
up to 20,000 sq/ft	\$0.00	\$2,000.00	\$3,000.00	\$4,500.00
up to 40,000 sq/ft	\$0.00	\$2,500.00	\$3,500.00	\$4,500.00

up to 80,000 sq/ft	\$5,000.00	\$3,000.00	\$4,000.00	\$4,500.00
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R.O.W.

up to 3,000 sq/ft	\$600.00	\$800.00 - \$1,200.00	\$1,500.00	\$3,500.00
up to 8,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$1,500.00	\$3,500.00
up to 15,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$2,500.00	\$4,000.00
up to 20,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$2,500.00	\$4,000.00
up to 40,000 sq/ft	\$2,000.00	\$800.00 - \$1,200.00	\$3,000.00	\$4,500.00

Alleys

up to 6,000 sq/ft	\$600.00	\$800.00 - \$1,200.00	\$1,500.00	\$3,000.00
up to 10,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$2,000.00	\$3,000.00
up to 20,000 sq/ft	\$1,500.00	\$800.00 - \$1,200.00	\$2,000.00	\$3,500.00

Easement

up to 3,000 sq/ft	\$600.00	\$800.00 - \$1,200.00	\$2,000.00	\$3,000.00
up to 6,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$2,000.00	\$3,000.00
up to 10,000 sq/ft	\$0.00	\$800.00 - \$1,200.00	\$2,500.00	\$3,500.00
up to 20,000 sq/ft	\$1,500.00	\$800.00 - \$1,200.00	\$3,000.00	\$3,500.00

Developed Land

up to 1 Acre	\$400.00	\$1,500 and up	\$2,000.00	\$2,500.00
up to 5 Acre	\$0.00	\$1,500 and up	\$2,500.00	\$2,750.00
up to 10 Acre	\$0.00	\$1,500 and up	\$3,500.00	\$3,000.00
up to 20 Acre	\$800.00	\$1,500 and up	\$4,000.00	\$3,250.00

Undeveloped Land

up to 1 Acre	\$400.00	\$0.00	\$1,500.00	\$2,500.00
up to 5 Acre	\$0.00	\$1,500 and up	\$1,500.00	\$2,750.00
up to 10 Acre	\$0.00	\$1,500 and up	\$2,500.00	\$3,000.00
up to 20 Acre	\$800.00	\$1,500 and up	\$2,500.00	\$3,250.00

Avigation Easement

up to 1 Acre	\$0.00	\$1,500 and up	\$2,500.00	\$4,000.00
up to 5 Acre	\$0.00	\$1,500 and up	\$3,000.00	\$4,000.00
up to 10 Acre	\$0.00	\$1,500 and up	\$3,500.00	\$4,000.00
up to 20 Acre	\$0.00	\$1,500 and up	\$4,000.00	\$4,000.00

Independent REal Estate Appraisal

Agricultural

	<u>Cost Approach</u>	<u>Market Approach</u>	<u>Income Approach</u>	<u>Value/Use</u>
up to 20 Acre	\$400.00	\$400.00	\$400.00	\$400.00
up to 50 Acre	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
up to 100 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
up to 300 Acre	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
up to 500 Acre	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00

Landmark Appraisal Services

Agricultural

	<u>Cost Approach</u>	<u>Market Approach</u>	<u>Income Approach</u>	<u>Value/Use</u>
up to 20 Acre	\$1,500 and up	\$0.00	\$0.00	\$0.00
up to 50 Acre	\$1,500 and up	\$0.00	\$0.00	\$0.00
up to 100 Acre	\$2,500 and up	\$0.00	\$0.00	\$0.00

up to 300 Acre	\$3,000 and up	\$0.00	\$0.00	\$0.00
up to 500 Acre	\$3,000 and up	\$0.00	\$0.00	\$0.00

Robinson, Duffy & Barnard L.L.P.

Agricultural	<u>Cost Approach</u>	<u>Market Approach</u>	<u>Income Approach</u>	<u>Value/Use</u>
up to 20 Acre	\$2,500.00	\$2,500.00	\$3,500.00	\$4,500.00
up to 50 Acre	\$2,500.00	\$2,500.00	\$3,500.00	\$4,500.00
up to 100 Acre	\$2,500.00	\$3,500.00	\$4,500.00	\$5,500.00
up to 300 Acre	\$4,500.00	\$4,500.00	\$5,500.00	\$12,000.00
up to 500 Acre	\$6,500.00	\$6,500.00	\$7,500.00	\$17,500.00

Valbridge Property Advisors

Agricultural	<u>Cost Approach</u>	<u>Market Approach</u>	<u>Income Approach</u>	<u>Value/Use</u>
up to 20 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00
up to 50 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00
up to 100 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00
up to 300 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00
up to 500 Acre	\$2,000.00	\$2,000.00	\$2,000.00	\$0.00



Submit

AGENDA REQUEST FORM

Item Number: **14.**

COMMISSION MEETING DATE: 5/03/16

DEPT: Purchasing Department

CONTACT Roberto C. Luna, Jr.

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 approve Resolution Number 2016-028, for a Lease Agreement with the US Postal Services for office space rental at City Hall.

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: _____

February 5, 2016

City Of Brownsville Texas
PO Box 911
Brownsville, TX 78520-0911

**SUBJECT: USPS Brownsville Downtown Station, Brownsville, TX 78520- Lease
Current Lease Expires: 11/30/2016**

Dear Mr. Roberto Luna:

On behalf of the United States Postal Service, CBRE, Inc. is pleased to present the enclosed Lease for the above referenced property. Let me take this opportunity to thank you for providing this property for Postal use.

Should the enclosed Lease document meet with your approval as-is, please sign and date where marked and return to my attention using the enclosed envelope. **If it does not meet with your approval, please do not mark-up the Lease, please contact me immediately at (303) 227-5632.**

The following instructions have been added for your convenience and to help you expedite the documents preparation process and mailing them back to the Postal Service through CBRE:

- **Please date each copy of the agreement at the top of page 4 on the date that you sign it.**
 - **Your signature(s) must be witnessed by two parties or notarized, whichever is easiest for you.**
 - **Copy of City Council Resolution approving the lease and granting a City Official by name the power to sign the Lease on behalf of City of Brownsville, TX.**

- **Conflict of Interest Form – The Lessor must fill out the enclosed document, sign and return one copy.**
- **W-9. Please fill out sign and date it. The social security number must include the last 4-digits found on the signature page.**
- **Mortgagee Agreement: If there is a mortgage on the property, please have the mortgage company complete the form signing it in front of a Notary and return with the two (2) signed Leases.**

***Should you have any questions regarding any of these above reference documents please feel free to call me direct at 303-227-5632.**

Please mail **2 Lease copies (POSTAGE PAID ENVELOPE INCLUDED), with original signatures.** Upon acceptance by the Postal Service a fully-executed original will be returned to you for your files. **Please return by February 19, 2016.**

Notice: All owners of record are advised to read the Lease thoroughly to ensure that each party is in agreement with the terms and conditions of this contract. Please contact me at 303-227-5632 should you have any questions.

Respectfully,



Nathan Omansky
Transaction Manager

Enclosure

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. City of Brownsville	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) P.O. Box 911	Requester's name and address (optional)
6 City, state, and ZIP code Brownsville, TX 78520	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number											

or

Employer identification number											
74											

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶

[Handwritten Signature]

Date ▶ 3-16-16

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Facility Name: BROWNSVILLE-DOWNTOWN STATION
Fin/Sub No: 481130-004
Address: 1001 E ELIZABETH ST FL 1
City, ST, ZIP: BROWNSVILLE, TX 78520-9995

Real Estate Conflict of Interest Certification

To avoid actual or apparent conflicts of interest, the United States Postal Service ("Postal Service") requires the following certification from you as a potential Landlord/Supplier/Contractor to the Postal Service. Please check all that apply in item A below. Further, please understand that the Postal Service will be relying on the accuracy of the statements made by you in this certification in determining whether to proceed with any possible transaction with you.

I, Charlie Cabler, City Manager hereby certify to the Postal Service as follows:
[PRINT: name of potential Landlord/Supplier/Contractor]

- A. (Check all that apply) I am:
- (i) _____ A Postal Service employee;
 - (ii) _____ The spouse of a Postal Service employee;
 - (iii) A family member of a Postal Service employee; (Relationship) husband
 - (iv) _____ An individual residing in the same household as a Postal Service employee;
 - (v) _____ I am one of the individuals listed in (i) through (iv) above AND a controlling shareholder or owner of a business organization leasing space or intending to lease space to the Postal Service; OR
 - (vi) _____ None of the above.
- B. (Complete as applicable):
- i. I have the following job with the Postal Service (Title) _____
(Location) _____
 - ii. My Spouse who works for the Postal Service holds the following job:
(Title) Rural Carner (Location) _____
 - iii. My family member who works for the Postal Service holds the following job:
(Title) _____ (Location) Los Ebanos, Brownsville, TX
 - iv. My household member who works for the Postal Service holds the following job: _____
(Title) _____ (Location) _____
- C. If you have checked "none of the above" and during the lease term or any renewal term, you do fall into any of the categories listed in A (i) through (v) above, you shall notify the Postal Service Contracting Officer in writing within 30 days of the date you fall into any of the such categories and shall include an explanation of which of the above categories now applies.
- D. The person signing this certification has full power of authority to bind the potential Landlord/Supplier/Contractor named above.

Executed this 10th day of March, 2014 by

BY: _____
[Insert Signature]

BY: City of Brownsville
[PRINT: name of entity or person]

Title: City Manager
[Insert title]

Approved as to legality and form
this 10 day of March, 2014
Name: _____
Title: _____
Office of the City Attorney
1001 E. Elizabeth Street
Brownsville, TX 78520
Phone (956) 548-6011
Fax (956) 546-4291





Chris Bergmann
Associate

2800 Post Oak Blvd.
Suite 2300
Houston, Texas 77056

CBRE, Inc.
Brokerage Services - Retail

713-577-1694 Tel
713-577-1677 Fax

chris.bergmann@cbre.com
www.cbre.com

1/25/2016

City Of Brownsville
c/o Roberto Luna
PO Box 911
Brownsville, TX 78520-9995

Via Email: Roberto@cob.us

RE: USPS Brownsville Downtown Station
1001 East Elizabeth, Brownsville, TX 78520-9995 Dear

Mr. Luna:

On behalf of our client, The United States Postal Service, we are pleased to present the following proposal to renew its lease for space at the subject property for consideration. We appreciate your cooperation and look forward to working with you. Please see the proposed terms below.

BUILDING:	Brownsville Downtown Station
AREA:	2,564 square feet (Net Interior)
TENANT:	United States Postal Service
TERM:	Five (5) years
COMMENCEMENT DATE:	12/1/2016
BASE RENTAL RATE:	Annual Base Rent shall be \$50,000.00/year or \$19.50/SF
TENANT IMPROVEMENTS:	Tenant will require \$0/SF in Tenant Improvement Allowance for general maintenance.
RENT ABATEMENT:	\$0 month's free rent.
OPERATING EXPENSES:	Per the terms of the USPS Utilities, Services & Equipment Rider.
MAINTENANCE:	Per the terms of the Maintenance Rider - Landlord Responsibility.
TAXES:	Per the terms of the Tax Rider - None Specified.
TERMINATION OPTION:	The tenant has the right to terminate anytime by giving 180 of days' notice.

RENEWAL OPTION:

Landlord shall provide one (1), five (5) year renewal option at an annual rent of \$50,767.00 per year or \$19.80/SF.

LEASING COMMISSION:

In the event Landlord and Tenant fully execute a lease agreement Landlord agrees to pay Tenant's representative a leasing fee representing 0% (\$0.00) of the lease value payable at execution. A commission agreement will be provide upon receipt of an accepted proposal.

QUALIFICATION/DISCLAIMER:

This proposal represents an outline of the basic terms and conditions which terms and conditions shall remain open for acceptance by Landlord until 9/29/2015 unless earlier terminated by Tenant. The general responsibilities of the parties shall remain the same as the current lease.

Documents Requested:

Please provide the following documents with an accepted proposal:

- General Warranty Deed (recorded)
- W9
- Signing Authority
- Conflict of Interest Certification (*If there is more than one person signing the lease, provide a certification for each individual.*)

Notwithstanding the validity of the terms and conditions set forth herein, Tenant shall not be contractually bound until the proposed lease has received all customary approvals, and all related lease documents have been completed and signed by both parties.

If the terms of this proposal are acceptable please sign where provided below. Upon receipt of this letter with your counter signature, the Postal Service will draft lease documents for your review. If you have any questions on this proposal please contact me to discuss.

Sincerely,

CBRE, Inc.
Retail Division

Associate

Approved and Accepted:	
By:	
Its:	City Manager
Date:	3-10-16

cc: TM NAME, Transaction Manager
GCS – United States Postal Service

Approved as to legality and form
this 10 day of Mar, 2016

Name: _____
 Title: _____
 Office of the City Attorney
 1001 E. Elizabeth Street
 Brownsville, TX 78520
 Phone (956) 548-6011
 Fax (956) 546-4291



Mortgagee's Agree
(To be executed and attached to

Facility Name/Location
BROWNSVILLE - DOWNTOWN STATION (481130-004)
1001 E ELIZABETH ST FL 1, BROWNSVILLE, TX 78520-9995

County: Cameron
Lease: Q90000464299

The undersigned, Holder(s) of a mortgage (or similar encumbrance, such as a Deed of Trust), in the sum of _____ on the property situated at: _____

_____ hereby consent(s) to the leasing of said property to the U.S. Postal Service and agree(s) for itself, its successors, executors, administrators, and assigns that in the event it should become necessary to:

- a) foreclose said mortgage or similar encumbrance, the Mortgagee will cause the sale of said premises to be made subject to said lease; or,
- b) take any other action terminating the mortgage or transferring title, the Mortgagee will cause such action to be made subject to said lease.

MORTGAGEE

Name of Mortgage Company

By: _____
Signature of Mortgagee's Officer

Its: _____
Title of Mortgagee's Officer

Street Address

City, State and ZIP+4

Subscribed and Sworn to before me, a notary public, in and for _____ County, State of _____ this _____ day of _____.

Notary Public

My commission expires _____

N/A AB
2/19/16



Lease

BROWNSVILLE - DOWNTOWN STATION (481130-004)
1001 E ELIZABETH ST FL 1, BROWNSVILLE, TX 78520-9995

Facility Name/Location

BROWNSVILLE - DOWNTOWN STATION (481130-004)
1001 E ELIZABETH ST FL 1, BROWNSVILLE, TX 78520-9995

County: Cameron
Lease: Q90000464299

This Lease made and entered into by and between CITY OF BROWNSVILLE hereinafter called the Landlord, and the United States Postal Service, hereinafter called the Postal Service:

In consideration of the mutual promises set forth and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties covenant and agree as follows:

1. The Landlord hereby leases to the Postal Service and the Postal Service leases from the Landlord the following premises, hereinafter legally described in paragraph 7, in accordance with the terms and conditions described herein and contained in the 'General Conditions to U.S. Postal Service Lease,' attached hereto and made a part hereof.

Upon which is a four story, multi-tenant, brick/block building and which property contains areas, spaces, improvements, and appurtenances as follows:

AREA	SQ. FEET	COMMON/JOINT USE AREA	SQ. FEET
Net Total USPS Leased SF	2,564	Joint-use/Interior	2,115
Exterior, Platform and Ramp	242		

Postal Service customers, agents, employees and invitees shall also have use of all areas providing access or services to the leased premises, including but not limited to driveways, parking, walkways, entries and service areas.

Total Site Area: 20,150.00

2. TO HAVE AND TO HOLD the said premises with their appurtenances for the following term:

FIXED TERM: The term becomes effective December 01, 2016 with an expiration date of November 30, 2021, for a total of 5 Years.

3. RENTAL: The Postal Service will pay the Landlord an annual rental of: \$50,000.00 (Fifty Thousand and 00/100 Dollars) payable in equal installments at the end of each calendar month. Rent for a part of a month will be prorated.

Rent checks shall be payable to:

CITY OF BROWNSVILLE
PO BOX 911
BROWNSVILLE, TX 78520-0911

4. **RENEWAL OPTIONS:** The Lease may be renewed at the option of the Postal Service, for the following separate and consecutive terms and at the following annual rentals:

EFFECTIVE DATE	EXPIRATION DATE	PER ANNUM RENTAL
12/01/2021	11/30/2026	\$50,000.00
12/01/2026	11/30/2031	\$50,000.00

provided that notice is sent, in writing, to the Landlord at least 30 days before the end of the original lease term and each renewal term. All other terms and conditions of this Lease will remain the same during any renewal term unless stated otherwise herein.

5. **OTHER PROVISIONS:** The following additional provisions, modifications, riders, layouts, and/or forms were agreed upon prior to execution and made a part hereof:

Utilities Services & Equipment Rider, Maintenance Rider - Landlord Responsibility, Mortgagee's Agreement.

See Addendum.

6. **TERMINATION:**

The Postal Service may terminate this Lease at any time by giving 180 days written notice to the Landlord.

7. **LEGAL DESCRIPTION:**

Lots 7, 8 and 9, Block 65 of the Original Townsite of Brownsville, Cameron County, Texas.

Facility Name/Location

BROWNSVILLE - DOWNTOWN STATION (481130-004)
1001 E ELIZABETH ST FL 1, BROWNSVILLE, TX 78520-9995

County: Cameron

Lease: Q90000464299

8. EXCLUSIVE PARKING AREA:

The Postal Service shall have exclusive parking rights on the East side of building at or near the loading dock. Landlord shall provide one (1) parking space for Postal Service vehicle contiguous to the loading dock and one (1) parking space for Postal Service employee contiguous to the loading dock per Exhibit A.

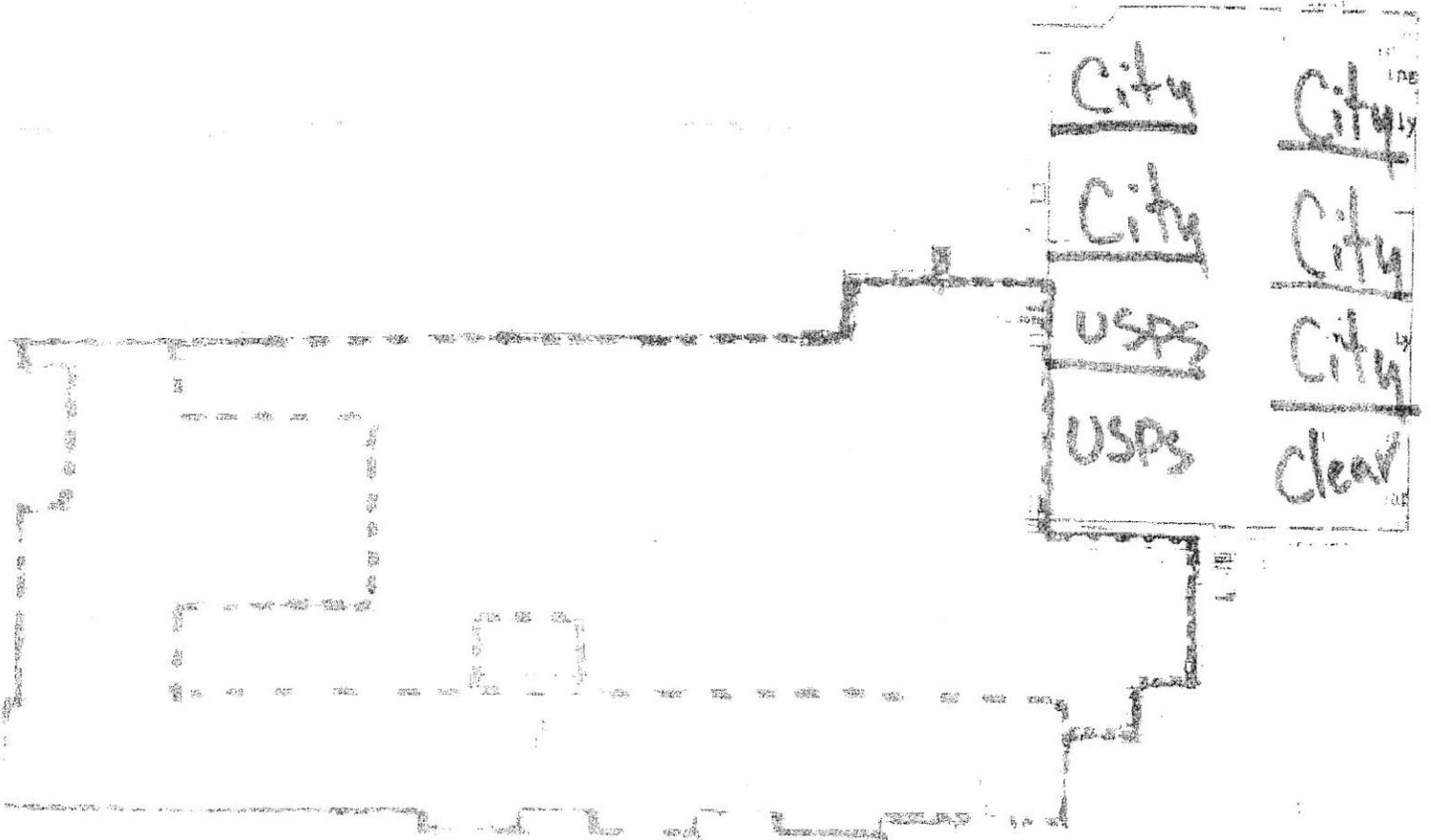
9. PRIVILEGES AND CONDITIONS:

A Postal Service mail truck will be delivering and picking up mail from the demised premises throughout the term of the Lease and Landlord warrants and guarantees to the Postal Service, its employees, agents, contractors and invitees, unlimited rights of ingress and egress to the demised premises. The Postal Service shall have the right to tow any vehicles illegally parked. The Postal Service shall not incur liability with respect to any vehicles towed.

10. JANITORIAL SERVICE:

Landlord shall furnish janitorial service to the demised premises on a daily basis. Cleaning schedule to be coordinated with local postmaster.

Exhibit A



**PARKING AND MAINTENANCE AREA
NOT TO SCALE.

EXECUTED BY LANDLORD this 10th day of March, 2016.

GOVERNMENTAL ENTITY

By executing this Lease, Landlord certifies that Landlord is not a USPS employee or contract employee (or an immediate family member of either), or a business organization substantially owned or controlled by a USPS employee or contract employee (or an immediate family member of either).

Name of Governmental Entity: City of Brownsville

Eric Cook City Manager

Name & Title: _____ Name & Title: _____

Name & Title: _____ Name & Title: _____

Landlord's Address: PO BOX 911
BROWNSVILLE, TX 78520-0911

Landlord's Telephone Number(s): (956) 548 - 6011

E-mail Address: _____

Federal Tax Identification No.: XX-XXX0422

Witness [Signature] Witness [Signature]

- a. Where the Landlord is a governmental entity or other municipal entity, the Lease must be accompanied by documentary evidence affirming the authority of the signatory(ies) to execute the Lease to bind the governmental entity or municipal entity for which he (or they) purports to act.
- b. Any notice to Landlord provided under this Lease or under any law or regulation must be in writing and submitted to Landlord at the address specified above, or at an address that Landlord has otherwise appropriately directed in writing. Any notice to the Postal Service provided under this Lease or under any law or regulation must be in writing and submitted to "Contracting Officer, U.S. Postal Service" at the address specified below, or at an address that the Postal Service has otherwise directed in writing.

ACCEPTANCE BY THE POSTAL SERVICE

Date: _____

Contracting Officer _____ Signature of Contracting Officer _____

Address of Contracting Officer _____

Approved as to legality and form
this 10 day of March, 2016.
Name: _____
Title: _____
Office of the City Attorney
1001 E. Elizabeth Street
Brownsville, TX 78520
Phone (956) 548-6011
Fax (956) 546-4291



1. CHOICE OF LAW

This Lease shall be governed by federal law.

2. RECORDING

Not Required

3. MORTGAGEE'S AGREEMENT

If there is now or will be a mortgage on the property which is or will be recorded prior to the recording of the Lease, the Landlord must notify the contracting officer of the facts concerning such mortgage and, unless in his sole discretion the contracting officer waives the requirement, the Landlord must furnish a Mortgagee's Agreement, which will consent to this Lease and shall provide that, in the event of foreclosure, mortgagee, successors, and assigns shall cause such foreclosures to be subject to the Lease.

4. ASSIGNMENTS

a. The terms and provisions of this Lease and the conditions herein are binding on the Landlord and the Postal Service, and all heirs, executors, administrators, successors, and assigns.

b. If this contract provides for payments aggregating \$10,000 or more, claims for monies due or to become due from the Postal Service under it may be assigned to a bank, trust company, or other financing institution, including any federal lending agency, and may thereafter be further assigned and reassigned to any such institution. Any assignment or reassignment must cover all amounts payable and must not be made to more than one party, except that assignment or reassignment may be made to one party as agent or trustee for two or more parties participating in financing this contract. No assignment or reassignment will be recognized as valid and binding upon the Postal Service unless a written notice of the assignment or reassignment, together with a true copy of the instrument of assignment, is filed with:

1. the contracting officer; and
2. the surety or sureties upon any bond.

c. Assignment of this contract or any interest in this contract other than in accordance with the provisions of this clause will be grounds for termination of the contract for default at the option of the Postal Service.

d. Nothing contained herein shall be construed so as to prohibit transfer of ownership of the demised premises, provided that:

1. such transfer is subject to this Lease agreement; and

2. both the original Landlord and the successor Landlord execute the standard *Certificate of Transfer of Title to Leased Property and Lease Assignment and Assumption* form to be provided by the USPS Contracting Officer; and in the case of new leased space projects, the lease may only be assigned or ownership of the property transferred following commencement of the fixed term, unless prior written consent is obtained from the Postal Service.

5. APPLICABLE CODES AND ORDINANCES

The Landlord, as part of the rental consideration, agrees to comply with all codes and ordinances applicable to the ownership and operation of the building in which the rented space is situated and to obtain all necessary permits and related items at no cost to the Postal Service. When the Postal Service or one of its contractors (other than the Landlord) is performing work at the premises, the Postal Service will be responsible for obtaining all necessary and applicable permits, related items, and associated costs.

6. SUBLEASE

The Postal Service may sublet all or any part of the premises or assign this lease but shall not be relieved from any obligation under this lease by reason of any subletting or assignment.

7. RESTORATION AND ALTERATIONS

a. Upon written notification by Landlord within 30 days of the expiration or termination of this Lease, the Postal Service shall restore the premises to a "broom clean" and usable condition, excepting the following: reasonable and ordinary wear and tear; and damages by the elements or by circumstances over which the Postal Service has no control. If Landlord provides the above notice, the Postal Service and Landlord shall negotiate and reach agreement on necessary items of restoration and the reasonable cost for restoration; the Postal Service shall pay Landlord this agreed-upon amount and shall have no further restoration duties under this Lease.

b. The Postal Service shall have the right to make alterations, attach fixtures and erect additions, structures or signs in or upon the premises hereby leased (provided such alterations, additions, structures, or signs shall not be detrimental to or inconsistent with the rights granted to other tenants on the property or in the building in which said premises are located); which fixtures, additions or structures so placed in, upon or attached to the said premises shall be and remain the property of the Postal Service and may be removed or otherwise disposed of by the Postal Service.

8. CLAIMS AND DISPUTES

- a. This contract is subject to the Contract Disputes Act of 1978 (41 U.S.C. 601-613) ("the Act").
- b. Except as provided in the Act, all disputes arising under or relating to this contract must be resolved under this clause.
- c. "Claim," as used in this clause, means a written demand or written assertion by one of the contracting parties seeking, as a matter of right, the payment of money in a sum certain, the adjustment or interpretation of contract terms, or other relief arising under or relating to this contract. However, a written demand or written assertion by the Landlord seeking the payment of money exceeding \$100,000 is not a claim under the Act until certified as required by subparagraph d below. A voucher, invoice, or other routine request for payment that is not in dispute when submitted is not a claim under the Act. The submission may be converted to a claim under the Act by complying with the submission and certification requirements of this clause, if it is disputed either as to liability or amount or is not acted upon in a reasonable time.
- d. A claim by the Landlord must be made in writing and submitted to the contracting officer for a written decision. A claim by the Postal Service against the Landlord is subject to a written decision by the contracting officer. For Landlord claims exceeding \$100,000, the Landlord must submit with the claim the following certification:

"I certify that the claim is made in good faith, that the supporting data are accurate and complete to the best of my knowledge and belief, that the amount requested accurately reflects the contract adjustment for which the Landlord believes the Postal Service is liable, and that I am duly authorized to certify the claim on behalf of the Landlord."

The certification may be executed by any person duly authorized to bind the Landlord with respect to the claim.

- e. For Landlord claims of \$100,000 or less, the contracting officer must, if requested in writing by the Landlord, render a decision within 60 days of the request. For Landlord-certified claims over \$100,000, the contracting officer must, within 60 days, decide the claim or notify the Landlord of the date by which the decision will be made.
- f. The contracting officer's decision is final unless the Landlord appeals or files a suit as provided in the Act.
- g. When a claim is submitted by or against a Landlord, the parties by mutual consent may agree to use an alternative dispute resolution (ADR) process to assist in resolving the claim. A certification as described in subparagraph d of this clause must be provided for any claim, regardless of dollar amount, before ADR is used.
- h. The Postal Service will pay interest on the amount found due and unpaid from:
1. the date the contracting officer receives the claim (properly certified if required); or
 2. the date payment otherwise would be due, if that date is later, until the date of payment.
- i. Simple interest on claims will be paid at a rate determined in accordance with the Act.
- j. The Landlord must proceed diligently with performance of this contract, pending final resolution of any request for relief, claim, appeal, or action arising under the contract, and comply with any decision of the contracting officer.

9. HAZARDOUS/TOXIC CONDITIONS CLAUSE

"Asbestos containing building material" (ACBM) means any material containing more than 1% asbestos as determined by using the method specified in 40 CFR Part 763, Subpart E, Appendix E. "Friable asbestos material" means any ACBM that when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

The Landlord must identify and disclose the presence, location and quantity of all ACBM or presumed asbestos containing material (PACM) which includes all thermal system insulation, sprayed on and troweled on surfacing materials, and asphalt and vinyl flooring material unless such material has been tested and identified as non-ACBM. The Landlord agrees to disclose, to the best of its knowledge, any information concerning the presence of lead-based paint, radon above 4 pCi/L, and lead piping or solder in drinking water systems in the building, to the Postal Service.

Sites cannot have any contaminated soil or water above applicable federal, state or local action levels or undisclosed underground storage tanks. Unless due to the act or negligence of the Postal Service, if contaminated soil, water, underground storage tanks or piping or friable asbestos material or any other hazardous/toxic materials or substances as defined by applicable Local, State or Federal law are subsequently identified on the premises, the Landlord agrees to remove such materials or substances upon notification by the Postal Service at Landlord's sole cost and expense in accordance with EPA and/or State guidelines; prior to accomplishing this task, Landlord must seek written approval by the USPS Contracting Officer of the contractor and scope of work, such approval not to be unreasonably withheld. If ACBM is subsequently found in the building which reasonably should have been determined, identified, or known to the Landlord, the Landlord agrees to conduct, at Landlord's sole expense, an asbestos survey pursuant to the standards of the Asbestos Hazard Emergency Response Act (AHERA), establish an Operations and Maintenance (O&M) plan for asbestos management, and provide the survey report and plan to the Postal Service. If the Landlord fails to remove any friable asbestos or hazardous/toxic materials or substances, or fails to complete an AHERA asbestos survey and O&M plan, the Postal Service has the right to accomplish the work and deduct the cost plus administrative costs, from future rent payments or recover these costs from Landlord by other means, or may, at its sole option, cancel this Lease. In addition, the Postal Service may proportionally abate the rent for any period the premises, or any part thereof, are determined by the Postal Service to have been rendered unavailable to it by reason of such condition.

The Landlord hereby indemnifies and holds harmless the Postal Service and its officers, agents, representatives, and employees from all claims, loss, damage, actions, causes of action, expense, fees and/or liability resulting from, brought for, or on account of any violation of this clause.

The remainder of this clause applies if this Lease is for premises not previously occupied by the Postal Service.

By execution of this Lease the Landlord certifies:

- a. that the property and improvements are free of all contamination from petroleum products or any hazardous/toxic or unhealthy materials or substances, including friable asbestos materials, as defined by applicable State or Federal law;
- b. that there are no undisclosed underground storage tanks or associated piping, ACBM, radon, lead-based paint, or lead piping or solder in drinking water systems, on the property; and
- c. it has not received, nor is it aware of, any notification or other communication from any governmental or regulatory entity concerning any environmental condition, or violation or potential violation of any local, state, or federal environmental statute or regulation, existing at or adjacent to the property.

10. FACILITIES NONDISCRIMINATION

- a. By executing this Lease, the Landlord certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform services at any location under its control where segregated facilities are maintained.
- b. The Landlord will insert this clause in all contracts or purchase orders under this Lease unless exempted by Secretary of Labor rules, regulations, or orders issued under Executive Order 11246.

11. CLAUSES REQUIRED TO IMPLEMENT POLICIES, STATUTES, OR EXECUTIVE ORDERS

The following clauses are incorporated in this Lease by reference. The text of incorporated terms may be found in the Postal Service's Supplying Principles and Practices, accessible at www.usps.com/publications.

Clause 1-5, *Gratuities or Gifts* (March 2006)

Clause 1-6, *Contingent Fees* (March 2006)

Clause 9-3, *Davis-Bacon Act* (March 2006)¹

Clause 9-7, *Equal Opportunity* (March 2006)²

Clause 9-13, *Affirmative Action for Handicapped Workers* (March 2006)³

Clause 9-14, *Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era* (March 2006)⁴

Clause B-25, *Advertising of Contract Awards* (March 2006)

Note: For purposes of applying the above standard clauses to this Lease, the terms "supplier," "contractor," and "lessor" are synonymous with "Landlord," and the term "contract" is synonymous with "Lease."

¹ For premises with net interior space in excess of 6,500 SF and involving construction work over \$2,000.

² For leases aggregating payments of \$10,000 or more.

³ For leases aggregating payments of \$10,000 or more.

⁴ For leases aggregating payments of \$25,000 or more.

1. The Landlord shall, except as otherwise specified herein and except for damage resulting from the act or negligence of Postal Service agents or employees, maintain the demised premises, including the building and any and all equipment, fixtures, systems, and appurtenances, whether severable or non-severable, furnished by the Landlord under this Lease, in good repair and tenantable condition, during the continuance of the Lease. Landlord's duties include repair and replacement as necessary.

Notwithstanding the above, the Postal Service will be responsible for regular cleaning of gutters and downspouts connected to the outer edge (i.e., the eaves area) of the roof; Landlord will be responsible for regular cleaning of any other gutters, downspouts, troughs, scuppers, roof drains, etc.

For the purpose of so maintaining said premises and property, the Landlord may, at reasonable times, and upon reasonable notice to the facility manager, enter and inspect the same and make any necessary repairs thereto.

2. Landlord is responsible for inspection, prevention and eradication of termites and any other wood-eating insects and for repairs of any damage resulting therefrom during the continuance of the Lease.
3. Landlord shall paint all interior and exterior previously painted surfaces as follows: no later than six (6) months following the start of the lease, and at least once every five (5) years during the continuance of the lease unless required more often because of damage from fire or other casualty, or unless the time period is specifically modified in writing by the Contracting Officer. Landlord is required to apply only one coat of paint. USPS will be responsible for cost of additional coats of paint, including application costs. USPS will be responsible for moving furniture and equipment away from walls as required.
4. Any heating system furnished by Landlord must be properly sized for the facility, must be in good working order, and must be maintained and, if necessary, replaced by Landlord to ensure proper operation during the continuance of the Lease and in accordance with this Maintenance Rider; such system must be capable of providing a uniform temperature of at least 65 degrees Fahrenheit (65°F.) in all enclosed portions of the demised premises (excluding the rear vestibule) at all times. Regardless of whether Landlord is required by the Lease to provide fuel for a heating system, any investigative or remediation cost associated with a release of fuel from the system, including any fuel tank, shall be the responsibility of the Landlord, unless the release is caused by the act or negligence of the Postal Service or its agents. The Postal Service shall be responsible for regular replacement of filters.

Boilers (heating and hot water supply) and unfired pressure vessels provided by the Landlord as part of the leased premises shall be maintained and, if necessary, replaced by the Landlord in accordance with ASME Boiler and Pressure Vessel Code, Sections IV, VI, and VIII; National Fire Prevention Association (NFPA)-70, National Electric Code; and/or ASME Safety Code No. CSD-1, Controls and Safety Devices for Automatically Fired Boilers; ASME A18.1, Safety Standard for Platform Lifts and Chairlifts; NFPA-54, National Fuel Gas Code; and NFPA-31, Oil Burning Equipment Code, as applicable, or as required by local ordinances. Current safety certificates issued by an organization recognized by the National Board of Boiler and Pressure Vessel Inspectors or a federal, state or municipal authority which has adopted the American National Standard Institute/American Society of Mechanical Engineers (ASME) Boiler and Vessel Code, must be provided by the Landlord for boilers and unfired pressure vessels. In the event local jurisdictions do not require periodic inspection of such equipment, the Postal Service shall have the right to conduct inspections in accordance with the aforesaid codes, and may issue safety certificates, as appropriate.

5. Any elevators, escalators and dumbwaiters provided by the Landlord as part of the leased premises shall be maintained, and, if necessary, replaced by the Landlord during the continuance of the Lease in accordance with ASME A17.1, Safety Code for Elevators, Escalators, Dumbwaiters, and Moving Walks; ASME A17.2, Elevator Inspectors Manual; ASME A17.3 Safety Code for Existing Elevators and Escalators; ASME A17.4, Emergency Evacuation Procedures for Elevators; and ASME A17.5, Elevator and Escalator Electrical Equipment. Landlord must ensure that current safety certificates for elevators, dumbwaiters and escalators are issued by an organization authorized to inspect in accordance with the ANSI/ASME Code for Elevators, Dumbwaiters and Escalators or appropriate federal, state or municipal authority. In the event local jurisdictions do not require periodic inspection of such equipment, the Postal Service shall have the right to conduct inspections in accordance with the aforesaid codes, and may issue safety certificates, as appropriate.

6. Any air-conditioning equipment furnished by Landlord must be properly sized for the facility, must be in good working order, and must be maintained and, if necessary, replaced by Landlord to ensure proper operation during the continuance of the Lease and in accordance with this Maintenance Rider; air-conditioning must be capable of providing a uniform temperature of no greater than 78 degrees Fahrenheit (78°F.) in all enclosed portions of the demised premises at all times. Landlord shall be responsible for servicing of the air-conditioning equipment during the continuance of the Lease, including, refrigerant as required for proper operation of the equipment. The Postal Service shall be responsible for regular replacement of filters.
7. Any electrical/power system furnished by Landlord must be properly sized for the facility, must be in good working order, and must be maintained and, if necessary, replaced by Landlord to ensure proper operation during the continuance of the Lease and in accordance with this Maintenance Rider.
8. Any wiring, including, but not limited to, wiring for the Electronic Security and Surveillance Equipment (ESS), Closed Circuit Television (CCTV), Very Small Aperture Terminal (VSAT), Criminal Investigation System (CIS), Intrusion Detection System (IDS), etc., installed by the Landlord shall be maintained, and if necessary, replaced by the Landlord during the continuance of the Lease. However, the Landlord shall not attempt any maintenance of, or repair of, or interfere with, the actual security, telephone, or telecommunications equipment, such as cameras, consoles, monitors, satellite dishes, telephone handsets, and Point-of-Service (POS) equipment.
9. Whether public or private water or sewer systems are provided, said systems are to be maintained and replaced by the Landlord during the continuance of the Lease, including any inspections that may be required.
10. If the demised premises or any portion thereof are damaged or destroyed by fire or other casualty, Acts of God, of a public enemy, riot or insurrection, vandalism, or are otherwise determined by the Postal Service to be unfit for use and occupancy, or whenever there is a need for maintenance, repair, or replacement which is the Landlord's obligation under this Maintenance Rider, the Postal Service will require the Landlord to rebuild or repair the premises as necessary to restore them to tenantable condition to the satisfaction of the Postal Service. The Postal Service will, except in emergencies, provide the Landlord with written notice stating a reasonable time period for completion of all necessary repairs. (A copy of any such notice shall be sent to the Landlord's mortgagee and any assignee of monies due or to become due under this Lease whose names and addresses have been furnished to the Postal Service by the Landlord. Failure to give such written notice to the Landlord or to the mortgagee or assignee shall not affect the Postal Service's rights to recover expended costs under this provision, provided that the costs expended by the Postal Service are reasonable in amount.) The Postal Service, acting through the Contracting Officer, may proportionately abate the rent for any period the premises, or any part thereof, are determined by the Postal Service to have been rendered untenable, or unfit for use and occupancy, by reason of such condition.

If the Landlord (or the mortgagee or assignee, on behalf of the Landlord) fails to prosecute the work with such diligence as will ensure its completion within the time specified in the notice (or any extension thereof as may be granted at the sole discretion of the Postal Service), or fails to complete the work within said time, the Postal Service shall have the right to perform the work (by contract or otherwise), and withhold the cost plus any administrative cost and/or interest, from rental payments due or to become due under this Lease. Alternatively, the Contracting Officer may, if the demised premises are determined to be untenable or unfit for use or occupancy, with reasonable discretion, cancel this Lease in its entirety, without liability.

The remedies provided in this section are non-exclusive and are in addition to any remedies available to the Postal Service under applicable law.

11. The Landlord must:
 - a. comply with applicable Occupational Safety and Health Standards, title 29 Code of Federal Regulations (CFR) (including but not limited to Parts 1910 and 1926), promulgated pursuant to the authority of the Occupational Safety and Health Act of 1970 (OSHA); and

- b. comply with any other applicable federal, state, or local regulation governing workplace safety to the extent they are not in conflict with a; and
- c. take all other proper precautions to protect the health and safety of:
 - (1) any laborer or mechanic employed by the Landlord in performance of this agreement; and
 - (2) Postal Service employees; and
 - (3) the public.

The Landlord must include this clause in all subcontracts hereunder and require its inclusion in all subcontracts of a lower tier. The term "Landlord" as used in this clause in any subcontract must be deemed to refer to the subcontractor.



Utilities, Services, & Equipment Rider

Facility Name/Location

BROWNSVILLE - DOWNTOWN STATION (481130-004)
1001 E ELIZABETH ST FL 1, BROWNSVILLE, TX 78520-9995

County: Cameron

Lease: Q90000464299

1. HEAT

Landlord must furnish heating system in good working order, together with all fuel required for proper operation of the system, in accordance with the Maintenance Rider, during the continuance of the Lease. Any investigative or remediation cost associated with a release of fuel from the system, including any fuel tank, shall be the responsibility of the Landlord, unless the release is caused by the act or negligence of the Postal Service or its agents.

2. AIR CONDITIONING

Landlord must furnish air-conditioning equipment in good working order, together with all power required for proper operation of the equipment, in accordance with the Maintenance Rider, during the continuance of the Lease.

3. ELECTRICITY

Landlord must furnish an electrical system in good working order, in accordance with the Maintenance Rider, and pay for all recurring electric bills, during the continuance of the Lease.

4. LIGHT

Landlord must provide light fixtures in good working order, in accordance with the Maintenance Rider, during the continuance of the lease. Landlord is not responsible for replacement of light bulbs.

5. WATER

Landlord must furnish a potable water system in good working order, in accordance with the Maintenance Rider, and pay for all recurring water bills, during the continuance of the Lease.

6. SEWER

Landlord must furnish a sewer system in good working order, in accordance with the Maintenance Rider, and pay for all recurring sewer bills, during the continuance of the Lease.

7. TRASH

The Landlord agrees to furnish and pay for all trash removal for the demised premises during the continuance of the Lease.

8. SNOW

The Landlord agrees to furnish and pay for the timely removal of snow and ice from the roof and the sidewalks, driveway, parking and maneuvering areas, and any other areas providing access to the postal facility for use by postal employees, contractors, or the public (including, but not limited to, stairs, handicap access ramps, carrier ramps, etc.) during the continuance of the Lease.