



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 on **Tuesday, September 05, 2023**, at **5:00 P.M.** at the **City Commission Chambers**, located at **1001 East Elizabeth Street** and via **Webex Teleconference Meeting** by logging on at:

<https://brownsvilletx.webex.com/brownsvilletx/j.php?MTID=m43e9edd1d8764c44980ce02f05d8e122>

The following members were present:

JOHN COWEN, JR.

Mayor

COMMISSIONERS:

TINO VILLARREAL

At-Large "A"

ROSE GOWEN

At-Large "B" (Virtual)

BRYAN L. MARTINEZ

District 1

LINDA C. MACIAS

District 2

ROY DE LOS SANTOS

District 3

PEDRO CARDENAS

District 4

HELEN RAMIREZ

City Manager

ELIZABETH WALKER

Assistant City Manager (Virtual)

FELIX SAUCEDA

Assistant City Manager/Police Chief

WILL TREVINO

City Attorney

JENNIFER AVENDAÑO

First Assistant City Attorney

YOLANDA G. GOMEZ

City Secretary (Virtual)

CALL TO ORDER

a) ROLL CALL

A quorum being present, Griselda Rosas, Deputy City Secretary, read the call to order to consider the matters as posted and filed for the record in the Office of the City Secretary on Friday, September 1, 2023.

Mayor John Cowen Jr. called the meeting to order at 5:06 p.m.

Mayor John Cowen Jr., Commissioner Bryan L. Martinez, Commissioner Linda C. Macias, Commissioner Roy De los Santos, and Commissioner Pedro Cardenas attended the meeting in person.

Commissioner Tino Villarreal attended the meeting in person at 5:08 p.m.

Commissioner Rose Gowen attended the meeting virtually at 5:08 p.m.

b) INVOCATION

Father Nicolas Harding delivered the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAGS OF THE UNITED STATES OF AMERICA AND STATE OF TEXAS

The Pledge of Allegiance to the United States Flag and the Texas Flag was led by Mayor John Cowen, Jr., and the City Commission.

PROCLAMATION(S)

Recognizing Jesus Garcia, a Revival of Cultural Arts (ROCA) Scholar (Commissioner B. L. Martinez/Commissioner R. De los Santos)

The proclamation was read and presented by Commissioner Bryan L. Martinez.

Recognizing World Chronic Lymphocytic Leukemia (CLL) Day (Commissioner R. De los Santos/Commissioner B. L. Martinez)

The proclamation was read and presented by Commissioner Roy De los Santos.

PUBLIC COMMENT PERIOD

Yolanda Speece expressed concern regarding the City of Brownsville Police Department.

Ed Rivera, Chairman of the Airport Advisory Board, provided an update of the new governance platform for the airport.

Javier Villareal, Board Member of the Airport Advisory Board, shared the board is working with the City Manager on a smooth transition in the selection process of the next Director and invited the Commission to meet the regional director of the Federal Aviation Administration in Dallas.

CONSENT AGENDA ITEM(S) (Roll Call Vote and Special Motion Required)

Commissioner Pedro Cardenas requested to move Consent Agenda Item 13 out of sequence for discussion and action.

Commissioner Roy De los Santos requested to move Consent Agenda Item 14 out of sequence for discussion and action.

Commissioner Roy De los Santos moved to approve Consent Agenda Items 1 through 12, and 15 through 19, including moving that the property Tax rate be increased by the adoption of a Tax rate of \$0.607987, which is effectively a 10.7% increase in the Tax Rate. The motion was seconded by Commissioner Pedro Cardenas and carried as follows:

Ayes: Mayor Cowen, Jr., Commissioners Villarreal, Gowen, Martinez, Macias, De los Santos, and Cardenas

Nays: None

1) Approval of the Minutes:

a) Minutes of August 15, 2023, Regular City Commission Meeting

2) Consideration and ACTION to approve the 2024 City Commission Meeting Schedule. (Office of the City Secretary)

3) Consideration and ACTION to approve the holiday schedule for Fiscal Year 2024. (Organizational Development & Human Resources Department)

- 4) **APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2023-018-S**, to request a Specific Use Permit to allow a used car lot in Traditional Neighborhood-Corridor for Lot 3, Block 66, Enrique Subdivision, Cameron County, Texas, located at 1416 Filmore Street, Brownsville, Texas 78520, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)
- 5) Consideration and **ACTION** to approve the Safe Streets and Roads for All (SS4A) MOU between the City of Brownsville and the RGVMPO, including a local match of \$7,500, for the City's inclusion in the Regional Comprehensive Safety Action Plan. (Multimodal Transportation Department)
- 6) Consideration and **ACTION** for the award of a three-year contract with Garver, LLC and Jviation, A Woolpert Company, for Professional Architect/Engineering Consulting Services for the Brownsville South Padre Island International Airport. RFQ # PES-63-0523. (Department of Aviation)
- 7) Consideration and **ACTION** to approve the second one-year extension of term contract FMS-59-0919 with Model Laundry, LLC for floormats and dustmop services city-wide. (Internal Services Department)
- 8) Consideration and **ACTION on Resolution Number 2023-112** in supporting the submission of the FY 2024 Operation Lone Star Grant Program Application #4915801 through the Office of the Governor, Public Safety Office and accept the terms and conditions of said grant for the City of Brownsville Police Department, as budgeted. (Brownsville Police Department)
- 9) Consideration and **ACTION** to execute an Interlocal Agreement between the City of Brownsville and Cameron County regarding the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant Program Application #GRANT13939013 in the amount of \$79,621.00, as budgeted. (Brownsville Police Department)
- 10) Consideration and **ACTION** to approve the cooperative purchase of an Articulated Dump Truck from Doggett Heavy Machinery Services, LLC, in the amount of \$421,517.00, as part of the Fiscal Year 2023 Heavy Equipment Replacement Plan, as budgeted. (Internal Services Department).
- 11) Consideration and **ACTION to RESCIND** an award of a contract, BSI-74-0523, with EnGo Planet in the amount of \$335,703.60 for the 30 Bus Shelter Improvement Project. (Multimodal Transportation Department)
- 12) Consideration and **ACTION** to enter into a cooperative contract with Galls, LLC for the Purchase of Uniforms for the Brownsville Police Department in an amount not to exceed \$85,000 annually, as budgeted. #UPA-88-0623. (Brownsville Police Department)
- 15) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2023-1729** to approve a budget amendment for Fiscal Year 2023. (Multimodal Transportation Department/Finance Department)
- 16) **APPROVAL on SECOND and FINAL READING on Ordinance Number 2023-1725** of the City of Brownsville, Texas, to adopt the Fiscal Year 2024 Annual Budget. (Financial Services Department)
- 17) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2023-1726** to ratify the Fiscal Year 2024 budget that will raise more total property taxes than last year's budget. (Financial Services Department)

18) APPROVAL on SECOND and FINAL READING of Ordinance Number 2023-1728 levying ad valorem taxes for the Tax Year 2023 for the use and support of the Municipal Government of the City of Brownsville, Texas, for the Fiscal Year 2024, providing interest and sinking fund for the Fiscal Year 2024 City of Brownsville, Texas, General Obligation Bonds. (Financial Services Department)

19) Consideration and ACTION to award a cooperative contract to SpawGlass Contractors Inc. for the cleanup and ceiling demolition of the Capital Theater in the amount of \$125,492.00, as budgeted. (Internal Services Department)

Consent Agenda Items 13 and 14 were moved out of sequence for discussion and action.

13) Consideration and ACTION to approve the FIRST RENEWAL for the Contract Agreement with ATELIER 956 LLC for Video Streaming Services (VSS-76-0722) for the City of Brownsville in the amount of \$6,900 per month, as budgeted. (Communications & Marketing Department)

Commissioner Roy De los Santos moved to approve the first renewal with ATELIER 956 LLC in the amount of \$6,900 per month as budgeted. The motion was seconded by Commissioner Bryan L. Martinez and carried as follows:

Ayes: Mayor Cowen, Jr., Commissioners Villarreal, Gowen, Martinez, Macias, and De los Santos.

Nays: None

Abstain: Commissioner Pedro Cardenas

14) Consideration and ACTION on Resolution Number 2023-113 to amend the By-Laws for the Transit Advisory Committee. (Multimodal Transportation Department)

Commissioner Roy De los Santos noted that Resolution 2023-113 should be reworded to reflect that a majority of the voting members will constitute a quorum for conducting business.

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Bryan L. Martinez and carried unanimously, Resolution 2023-113 was approved with changes.

PUBLIC HEARING(S)

1) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-019, to rezone from Residential Estate (RE) to Commercial Corridor (CC) to allow the expansion of an existing medical office for Lot 12, Jose Almaraz Subdivision, Cameron County, Texas, located at 3125 West Alton Gloor Boulevard, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Tabled 08-15-2023) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that this item was tabled at the previous city commission meeting on August 15, 2023. The applicant requested to rezone the subject property from Residential Estate (RE) to Commercial Corridor (CC) for the purpose of expanding an already existing medical office. There were concerns regarding storm drainage. The City Commission tabled the item to allow staff to review the drainage issues and/or mitigation plan with the applicant.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-019 be removed from the table. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

In response to Commissioner Rose Gowen, Martin Vega noted that a checkup in the near future from the Engineering Department would take place and there would be brainstorming to see what can be done in the area because Tandy Road does not have connections to sewer.

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Linda C. Macias and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-019 be adopted on first reading. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

In response to Commissioner Tino Villarreal, Helen Ramirez, City Manager, noted that the Engineering Department had met with the residents and explained the process.

2) Public Hearing and ACTION to authorize the City of Brownsville Police Department to apply for the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant Program Application #GRANT13939013 in the amount of \$79,621.00, as budgeted. (Brownsville Police Department)

Commander James Paschall from the Police Department noted that the funding from this grant will be divided among the City of Brownsville and Cameron County, with each receiving \$61,820.00 and \$17,801.00 respectively. The City of Brownsville intends to purchase technical equipment, such as computers, monitors, televisions, and a scanner.

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Linda C. Macias and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved to authorize the City of Brownsville Police Department to apply for the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

1) Consideration and ACTION for acceptance of the Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) Category 1 Project 40024 – Brownsville to Port Isabel Hydrologic Unit Code (HUC) 10 Watershed Study, as presented, with allowance for any unsubstantial edits requested by TWDB during the finalization process. (Engineering & Public Works Department.)

Ryan Londeen, from Halff Associates, explained the Brownsville to Port Isabel HUC-10 Watershed Study, sponsored by the City of Brownsville and funded by the Texas Water Development Board as a Flood Infrastructure Fund Category 1 study. These Category 1 studies are focused on determining and describing problems related to flooding, developing solutions to flooding problems, and estimating the benefits and costs of the solution.

Commissioner Roy De los Santos moved to accept the Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) Category 1 Project 40024 – Brownsville to Port Isabel Hydrologic Unit Code (HUC) 10 Watershed Study, as presented, with allowance for any unsubstantial edits requested by TWDB during the finalization process. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

2) Consideration and ACTION to authorize the City Manager to negotiate and execute documents to purchase real property located at 1526 and 1534 E. Jackson St. for Phase II of the Jackson Street Neighborhood Stabilization Project in the amount of \$150,000, as budgeted. (Planning and Redevelopment Services)

Juan Velez, Historic Preservation Officer, noted that the property owner initially planned to demolish the structures and construct a law office and parking lot. Instead the City of Brownsville (COB) will acquire and secure the two properties. Once stabilized, the Planning Department will develop a renovation and restoration scope of work for the properties.

Commissioner Bryan L. Martinez moved to authorize the City Manager to negotiate and execute documents to purchase real property located at 1526 and 1534 E. Jackson St. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

3) Consideration and ACTION to approve the Brownsville Community Improvement Corporation (BCIC) Fiscal Year 2024 budget. (BCIC)

Cori Pena, President & CEO of BCIC, provided a presentation regarding the proposed BCIC budget for 2024 Fiscal Year.

Commissioner Rose Gowen stated that BCIC was founded to improve the quality-of-life projects; however, she noted there were at least six economic development projects listed in the BCIC presentation for the fiscal year 2024. In the upcoming Fiscal Year, Commissioner Gowen hopes to see quality-of-life projects prioritized over economic development initiatives. Commissioner Gowen stated 30% was a high amount for administrative expenses and requested more funds allocated to improving quality-of-life and a true, honest representation of administrative costs.

In response to Commissioner Tino Villarreal, Helen Ramirez, City Manager, stated that while the Sports Park does have a limited staff, it is overseen by the Parks and Recreation Department and the city is actively recruiting for a Sports Park Manager. Cori Pena noted that an agreement is in place with the City of Brownsville and BCIC for maintenance and operations. Mayor John Cowen, Jr., noted as the city inherited the Sports Park as a kind of an albatross project the city and BCIC will need to work together how to support the park system in the most effective way.

Commissioner Roy De los Santos shared when he thinks about quality of life, he envisions the creation of additional parks, trails, and improvements to the public spaces; he recommends any adjustments to the budget after the completion of the strategic plan by BCIC.

Commissioner Roy De los Santos moved to approve the Brownsville Community Improvement Corporation budget for the Fiscal Year 2024. The motion was seconded by Commissioner Bryan L. Martinez and failed as follows:

Ayes: Commissioners Martinez and De Los Santos.

Nays: Mayor Cowen, Commissioners Gowen, Villarreal, Macias and Cardenas.

Commissioner Linda C. Macias moved to approve the budget amended with an additional \$1 million to quality-of-life from unrestricted funds. The motion was seconded by Commissioner Rose Gowen and carried as follows:

Ayes: Mayor Cowen, Commissioners Gowen, Villarreal, Macias and Cardenas.

Nays: Commissioners Martinez and De Los Santos.

Commissioner Roy De los Santos and Commissioner Gowen requested to meet with Legal Counsel after the meeting to discuss concerns regarding the agenda item.

BOARD APPOINTMENT(S)

1) Consideration and ACTION on Resolution Number 2023-079-A to reappoint, appoint, or remove members to the Brownsville Beautification Committee. (Parks and Recreation Department)

Resolution Number 2023-079 was approved as follows:

Commissioner Roy De los Santos moved to reappoint *Elizabeth Shull* to the Brownsville Beautification Committee. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

EXECUTIVE SESSION

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 6:38 p.m. to discuss the following items:

- 1) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.087 (Economic Deliberation) regarding Project Domino. (Office of the City Attorney/Office of the City Manager)
- 2) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.087 (Economic Deliberation) regarding Project Explore. (Office of the City Attorney/Office of the City Manager)

Commissioner Pedro Cardenas left the meeting before the Executive Session ended.

All items listed in Executive Session were discussed during the Executive Session and a certified agenda was kept.

Upon conclusion of Executive Session, Mayor John Cowen, Jr. convened the Regular meeting at 7:27 p.m. There was no action taken in the Executive Session.

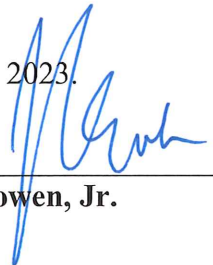
POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

There was no action on any Executive Session item.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:27 p.m.

Approved this 19 day of September, 2023.



John Cowen, Jr.
Mayor

Attest:



Yolanda Galarza-Gomez, TRMC
City Secretary



Respectfully submitted by:
Blanca E. Gonzalez, Administrative Specialist
Office of the City Secretary