

**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, August 1, 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** with the following members present:

<https://brownsvilletx.webex.com/brownsvilletx/j.php?MTID=m1268044c71d9241af4d885366004b106>

JOHN COWEN, JR.

Mayor

COMMISSIONERS:

TINO VILLARREAL

At-Large “A”

ROSE GOWEN

At-Large “B”

BRYAN L. MARTINEZ

District 1

LINDA C. MACIAS

District 2

ROY DE LOS SANTOS

District 3

PEDRO CARDENAS

District 4

HELEN RAMIREZ

City Manager

FELIX SAUCEDA

Assistant City Manager/Police Chief

WILL TREVINO

City Attorney

JENNIFER AVENDAÑO

First Assistant City Attorney

YOLANDA G. GOMEZ

City Secretary

ABSENT:

Elizabeth Walker - Assistant City Manager

CALL TO ORDER

a) ROLL CALL

A quorum being present, Yolanda Galarza Gomez 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, July 28, 2023.

Mayor John Cowen Jr., called the meeting to order at 5:01 p.m.

Mayor John Cowen Jr., Commissioner Tino Villarreal, Commissioner Rose Gowen, Commissioner Bryan L. Martinez, Commissioner Roy De los Santos, and Commissioner Pedro Cardenas attended the meeting in person.

Commissioner Linda C. Macias attended the meeting in person at 5:07 pm.

b) INVOCATION

Pastor Brad Burkes 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 Felicity Fok and Zeviel Pineda (Mayor J. Cowen, Jr. / Commissioner R. Gowen)

The proclamation was read and presented by Commissioner Rose Gowen.

Recognizing Pan American Round Table (Commissioner L. C. Macias/ Mayor J. Cowen, Jr.)

The proclamation was read and presented by Commissioner Linda C. Macias.

Brownsville Cardinals Youth Flag Football Team (Commissioner R. De los Santos / Commissioner B. L. Martinez)

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

Proclamation recognizing Telecommunicators Ida Villarreal, Sarahi Benavides, Mary Blanco, and Officer Albert Buitureida (Mayor J. Cowen, Jr. / Commissioner L. C. Macias)

The proclamation was read and presented by Mayor John Cowen, Jr.

PUBLIC COMMENT PERIOD

C. Gonzalez was not present to address his concerns but did register his opinion on the public comment form that he submitted.

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

Jessica Martinez was not present to address her concerns but did register her opinion on the public comment form that she submitted.

Lemy Martinez expressed her concerns regarding the effects of noise and contamination (dust emissions) within her neighborhood and surrounding areas.

Esequiel Silva expressed concern regarding Ordinance Number 2023-736-Q and made suggestions to the Commission on how to move forward with it.

Ronald Kibler, representative from Lamar Advertising, briefly explained the improvement made for the benefit of the Ordinance Number 2022-235.102.

Bernie Garcia was not present to address his concerns but did register his opinion on the public comment form that he submitted.

WORK SESSION(S)

As a governmental body, the City Commission will not vote or take any formal action on any items discussed in the work session portion of the agenda.

- 1) Update and discussion on Boards and Commission Appointment and Eligibility Policies. (Office of the City Attorney)**

Will Trevino, City Attorney, briefly informed the Commission of the proposed amendments of the Boards and Commission Policies. Mr. Trevino presented the reasons why an ordinance is recommended including codifying rules. He further noted that one of the main changes on the policy is adopting the definitions. Each section has a modification to the description and specification for eligibility, duties, and attendants' requirements for each member.

Commissioner Roy De los Santos discussed the need to include language that is not restrictive regarding the application process as well as language that would allow citizens from the board to report. Commissioner De los Santos provided additional suggestions such as having more information on the applications that are received for the board members and applicants for their consideration to determine if they are a qualified citizen to serve on a board. Brief discussion ensued amongst Commission and City staff.

2) Hotel and Motel Tax Fund Applicants Presentation (Convention & Visitors Bureau)

Dafne Maldonado, Brownsville Convention and Visitors Bureau & Office of Space Commerce Director, and Malinalli Montesam, Tourism Coordinator, provided a listing of the applications received for the Hotel and Motel Tax Funding for Fiscal Year 2023-2024. Ms. Maldonado further presented the recommendations regarding the distribution of funds, as well as eligibility. Staff presented the next steps for funding disbursement.

Commissioner Roy De los Santos expressed opinions about the process of the applicant's eligibility for distribution on the funds.

Mayor John Cowen requested to include information regarding as to how many visitors each organization has every year as part of the backup information that is provided to them.

Brief discussion ensued amongst the Commission and City staff.

CONSENT AGENDA ITEM(S)

Upon motion by Commissioner Rose Gowen and seconded by Commissioner Bryan L. Martinez and carried unanimously, Consent Agenda Items were approved.

Commissioner Roy De los Santos noted that he would like to move Consent Agenda Item #1a, out of sequence, for discussion and action.

Commissioner Rose Gowen amended her motion to approve Consent Agenda Items 2 through 14, and Consent Agenda Item 1a was moved out of sequence for discussion and action. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

1) Approval of the Minutes:

a) Minutes of July 11, 2023, Regular City Commission Meeting

Commissioner Roy De los Santos noted the correction that needed to be made for the minutes of July 11, 2023.

Brief discussion ensued amongst the Commission and City staff.

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Pedro Cardenas and carried unanimously, minutes for July 11, 2023, were approved with corrections.

- 2) Consideration and **ACTION** to approve a renewal of the current term contract for one (1) additional year for the Texas Alcohol and Drug Testing Services. TADTS provides drug and alcohol testing services for Pre-employment, random, post-accident, reasonable suspicion and promotional DOT & NON-DOT positions as budgeted. (Organizational Development and Human Resources Department)
- 3) Consideration and **ACTION** to approve a one (1) year renewal of a contract with Port Occupational and Medical Clinic for Department of Transportation & Non-Department of Transportation pre-employment and Civil Service promotional physicals, as budgeted. (Organizational Development and Human Resources Department)
- 4) Consideration and **ACTION** to approve the cooperative purchase of heavy equipment, in the amount of \$2,121,624.57, as part of the Fiscal Year 2023 Heavy Equipment Replacement Plan through the following competitive contracts: Romco Equipment Co (Buyboard Contract #685-22), Briggs Equipment Co (Buyboard Contract #685-22), Caldwell Country Chevrolet LLC, Inc (Buyboard Contract #601-19), Doggett Freightliner of South Texas, LLC (Buyboard Contract #601-19), Doggett Heavy Machinery Services, LLC (Sourcewell #032119-JDC), Crafcro, Inc (Sourcewell #080521-CFC), and TYMCO Inc (HGAC #SW04-20). Equipment is for Brownsville Airport, Internal Services, Parks, and Engineering & Public Works Departments, as budgeted. (Internal Services Department)
- 5) Consideration and **ACTION** to approve the proposal from ERO Architects for the Architecture and Engineering Services for the City of Brownsville New Sanitation Department Shop, Phase 1 in the amount of \$75,000.00, and Phase 2 in the amount of \$150,000.00 for a total amount of \$225,000.00. #ASC-41-0719 as budgeted (Engineering and Public Works Department)
- 6) Consideration and **ACTION** to approve the proposal from SCS Field Services for the Replacement of Landfill Gas Lateral Piping, Variable Frequency Drive, and Additional Non-Routine Services at the City of Brownsville Landfill in the amount of \$106,914.00. #LES-63-0703 as budgeted. (Engineering and Public Works Department)
- 7) Consideration and **ACTION** to approve Airport's Marketing and Advertising services contract, MAS-52-0819, by the allowable 25% increase of \$56,250 as budgeted. (Airport Department)
- 8) Consideration and **ACTION** to approve the replacement of aging point-of-sale at Central and Southmost Brownsville Libraries. The initial term is 3-years with automatic renewals in 1-year increments. Year 1: \$45,085; Year 2: \$43,852; and Year 3: \$43,852. The total amount for the 3-year contract is \$132,789 as budgeted. (Brownsville Library)
- 9) Consideration and **ACTION** to award authorization to replace and install LED lighting technology to American Electric Power Texas. (Engineering & Public Works Department)
- 10) Consideration and **ACTION** to award a three-year contract with two one-year options to Crawford, Murphy and Tilly, Inc (CMT) to provide Air Service Development Consulting Services for the Brownsville South Padre Island International Airport (BRO) for an average amount of \$99,461.36 as budgeted. (Airport Department)
- 11) Consideration and **ACTION** to purchase necessary furniture, fixtures, and equipment (FF&E) for the Communications and Marketing Department Renovation Project at 1312 Adams Street in the amount of \$162,477.34 as budgeted. (Communications and Marketing Department)
- 12) Consideration and **ACTION** to award a three-year contract with two one-year renewals to Baker & Taylor under contract number LMS-70-0523 to furnish library books and audio-visual material for public use, including, but not limited to, hardcover books, digital resources, e-books, e-audiobooks, and electronic information devices, as well as supporting services for staff, to the Brownsville Public Library System, in an annual amount not to exceed \$700,000 as budgeted. (Library Department)

13) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2023-013, to rezone from Residential Single-Family (R-1) to Residential Suburban (R-2) to allow a duplex subdivision on 2.048 acres of land in Block 39, Share 27, El Jardin Subdivision, Cameron County, Texas, located at 290 North Central Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)

14) Consideration and ACTION to award a subcontract agreement to Ambiotec Civil Engineering Group Inc., for the Professional Engineering and Surveying Services for the Drainage Improvement Project at Villa Los Pinos, Brownsville, Texas, in the amount of \$77,300.00. #DVP-127-0724, as budgeted. (Engineering & Public Works)

PUBLIC HEARING(S)

1) Public Hearing and ACTION on FIRST READING of Ordinance Number 2023-1724 adopting City Board Policies. (Office of the City Attorney)

Will Trevino, City Attorney, noted that at the previous City Commission meeting, concerns were addressed regarding outdated board and commission appointments and governance policies. The proposed ordinance serves to codify and update the policies based on the direction given by the City Commission.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Roy De los Santos and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 2023-1724, be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

2) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-014, to rezone from Agricultural (AG) to Residential Suburban (R-2) to allow a duplex subdivision on a 30.67-acre tract of land out of Block 4, Chicago Gardens Subdivision, Cameron County, Texas, located on South Minnesota Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that the proposed ordinance is to establish a duplex subdivision.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Bryan L. Martinez moved that Ordinance Number 235-2023-014, be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

3) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-015, to rezone from Agricultural (AG) to Residential Single-Family (R-1) to allow a single-family residence on a 0.333-acre tract of land, out of Lot 1, Block 1, Villa Nueva Subdivision, Cameron County, Texas, located at 2893 Old Military Road, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director noted that the proposed ordinance is to allow a single-family residence.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-015, be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Bryan L. Martinez stepped out and did not participate on Public Hearing #3

Commissioner Bryan L. Martinez returned after Public Hearing #3 had been voted on.

- 4) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-016, to rezone from Residential Single-Family (R-1) to Residential Suburban (R-2) to allow a duplex subdivision on 23.136 acres out of Block 148, El Jardin Subdivision, Espiritu Santo Grant, Cameron County, Texas, located on the intersection of Robindale Road and Morrison Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)**

Martin Vega, Planning & Redevelopment Assistant Director, noted that the applicant requests to rezone the subject property from Residential Single Family (R-1) to Residential Suburban (R-2) for the purpose of establishing a duplex subdivision.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Bryan L. Martinez and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-016, be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- 5) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-017, to rezone from Residential Estate (RE) to Residential Transition (R-3) to allow a multi-family development on a 7.62-acre tract out of Block 180, El Jardin Subdivision Shares 19 & 27, Espiritu Santo Grant, Cameron County, Texas, located 2400 Dr. Hugh Emerson Road, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment)**

Martin Vega, Planning & Redevelopment Assistant Director, noted that the applicant request is to rezone the subject property from Residential estate (RE) to Residential Transition (R-3) for the purpose of establishing a multi-family development.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Bryan L. Martinez and carried unanimously, the public hearing was closed.

Commissioner Bryan L. Martinez moved that Ordinance Number 235-2023-017, be adopted at first reading. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

- 6) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-905, to rezone from Residential Suburban (R-2) to Residential Single-Family (R-1) to allow a single-family subdivision for El Naranjal Subdivision, Sections 1 to 6, Cameron County, Texas, located on Boca Chica Boulevard, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)**

Martin Vega, Planning & Redevelopment Assistant Director, noted that the proposed zoning reclassification will amend the Zoning Map from Residential Suburban (R-2) Residential Single-Family (R-1). It is important to point out that these phases are existing residential single-family subdivisions that were zoned single-family prior to the adoption of the Unified Development Code (UDC December of 2020). With the adoption of the current code, this area was rezoned to Residential Suburban (R-2) due to an increased creation of lots that would be intended for duplex use.

Brief discussion ensued amongst the Commission and City staff.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Bryan L. Martinez and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-905, be adopted at first reading. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

- 7) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-906, to rezone from Traditional Neighborhood (TN) and Traditional Neighborhood-Mixed Use (TN-MU) to Light Industrial (LI) to allow the expansion of an existing laboratory facility on Lots 1, 2, 10, 11, & 12, Block 71-A, Stillman Extension Subdivision, located at 305 West Levee Street, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)**

Martin Vega, Planning & Redevelopment Assistant Director, noted that the proposed zoning reclassification was petitioned by the property owner to re-establish the parcel's pre-UDC zoning, a Light Industrial designation.

Nick Seraphy provided a brief explanation of the facility and the purpose of the business.

Brief discussion ensued amongst the Commission and City staff.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Pedro Cardenas and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-906, be adopted at first reading. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

- 8) **Public Hearing and ACTION on FIRST READING on Ordinance Number 2023-1723, to amend the Code of Ordinances, by repealing and replacing, Article V. – Unsafe, Dilapidated Buildings and Structures, Division 2 – Building and Standards Commission, Section 18-238 – Appointment and Term, Subsection (a), to establish that the Building and Standards Commission shall be composed of seven (7) regular board members and four (4) alternate board members, all with the same powers and duties; and dealing with related matters, as shown in Exhibit "A". (Planning & Redevelopment Department)**

Omar Ochoa Planning & Redevelopment Assistant Director, noted that the proposed ordinance is to establish that the Building and Standards Commission shall be composed of seven (7) regular board members and four (4) alternate board members, all with the same powers and duties. Currently, the Building & Standards Commission is composed of five (5) regular and two (2) alternate board members.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Bryan L. Martinez and carried unanimously, the public hearing was closed.

Commissioner Roy De los Santos moved that Ordinance Number 2023-1723, be approved. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

- 9) **Public Hearing and ACTION on FIRST READING on Ordinance Number 2023-736-Q, an Ordinance of the City Commission of the City of Brownsville Repealing and Replacing Chapter 98 – Traffic and Vehicles, in its entirety, of the City of Brownsville's Code of Ordinances; and providing for a penalty clause not to exceed \$500; and providing for an effective date. (City Manager's Office)**

Roberto Baez, Enterprise Project Management Office (EPMO) Director, noted that the purpose of this ordinance is to repeal and update the current ordinance to reflect new operations, future opportunities and state laws that govern not only the Motor Vehicle Parking System Fund, parking stations, but all related matters such as citation fees, fund usage, and downtown signage. The new payment methods described include card, cash, coins, Apple/Google Pay, via text, and Flowbird App. It was described that the times allowed in parking zones are up to 4 hours with one parking station per street on main streets. The "New" Parking fee has already been approved by City

Commission as part of the Master Fee Schedule in Dec 2022. The fee went from \$0.25 to \$0.50 for 30 minutes and from \$0.50 to \$1 for one hour. Mr. Baez proposed a new citation fee to increase from \$5.00 to \$10.00 which will double if not paid within 10 calendar days with an additional \$10.00 for every 10 days of delinquency but no more than \$60.00. He further shared that three (3) unpaid parking tickets will trigger the booting process – which remains the same as the previous ordinance. The update in fees include: \$60 for parking permit (up to 2 lots as current ordinance reads); application is only for parking lots.

Brief discussion ensued amongst the Commission and City staff.

Commissioner Tino Villareal expressed concern regarding the parking availability for the citizens and businesses downtown after the distribution of parking permits.

Commissioner Rose Gowen suggested having a conversation with the business owners in the downtown area showing them the possible areas for a parking permit.

Commissioner Roy De los Santos suggested to have more enforcement on the parking spaces to make sure that every single parking space is not being taking advantage for those 15-minute parking spots.

Esequiel Silva expressed his concerns in regard to Ordinance 2023-736-Q and how the prices affect citizens and business owners, in the downtown area.

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Rose Gowen the public hearing was closed and carried as follows:

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

Nay: Commissioner Villarreal

Commissioner Roy De los Santos moved that Ordinance Number 2023-736-Q, be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried as follows:

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

Nay: Commissioner Villarreal

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

1) APPROVAL on SECOND and FINAL READING on Ordinance Number 2022-235.102, to amend the Unified Development Code (UDC), Sec. 5.3 - Signs, and dealing with related matters, as shown in Exhibit "A". (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that staff would like to point out that the original version of the proposed amendment to the sign ordinance was presented on November 3, 2022. At this meeting, the Planning Department staff were given direction to include additional changes. Therefore, staff is now presenting an updated version of the proposed amendment by incorporating a new sign type (billboards) within the “permitted sign” section. Additionally, this amendment would adjust the height limitations for the various types of signs outlined in the UDC and will expand the list of zoning districts in which these are allowed. On June 11, 2023, the Commission requested additional sign spacing analysis.

Brief discussion ensued amongst the Commission and City staff.

Commissioner Roy De los Santos proposed that any application or petition for a new sign will need go to Planning and Zoning Commission for approval before obtaining City Commission final approval. Commissioner De los Santos did not agree removing three signs for one. Commissioner De los Santos further added that digital advertising be allowed and that a certain number of impressions should be reserved for the city for public service announcements (PSA). Also, digital billboards be required to provided 1,000 hours at year to the city for public service announcements (PSA).

Commissioner Rose Gowen noted that there should be a procedure for petitioning for a sign, but she disagreed that it should be brought to the commission on an individual basis since it would risk politicizing the decision to allow one sign over another. It would be ideal that there should be some guidelines and rules for accepting a sign application.

After a brief discussion amongst the Commission and City staff.

Commissioner Rose Gowen moved that the ordinance be approved as presented without the one mile and two mile extensions and that efforts proceed with Lamar or another sign company helping to take down the dilapidated signs as needed or determined, and opening the option of an application process as a pilot for the next six months or case-by-case review of any signs outside the proposed ordinance and public service announcements on digitals. The motion was seconded by Commissioner Roy De los Santos and carried as follow:

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

Nay: Commissioner Villarreal

Commissioner Bryan L. Martinez stepped out and did not participate on Agenda Item # 2

2) Consideration and ACTION on Resolution Number 2023-108 to set a Public Hearing date for Capital Recovery Fees. (Multimodal Transportation Department)

Joel Garza, Mobility Director noted that the proposed resolution is to establish a public hearing date. This hearing, scheduled for September 19, 2023, at 5 pm, will focus on the potential adoption of capital recovery fees for roadway facilities. The resolution also sets an effective date for the implementation of these fees.

Commissioner Roy De los Santos moved that Resolution Number 2023-108, be approved. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

Commissioner Bryan L. Martinez did not vote on Agenda Item #2. Commissioner Pedro Cardenas stepped out and did not vote on Agenda Item # 3.

3) Consideration and ACTION on Resolution Number 2023-107, to approve the presentation of the City of Brownsville's Allocation of the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funding by the U.S. Department of Housing and Urban Development (HUD) for the 2023-2024 One Year Action Plan. (Grants & Community Development Department)

Nalleli Trejo, Grant Program Manager noted that the City of Brownsville, as a U.S. Department of Housing & Urban Development (HUD) Entitlement Community, received an allocation for the 2023-2024 regular funding cycle for the Community Development Block Program, HOME Investment Partnerships, and Emergency Solutions Grant Programs. The Grants & Community Development Department has drafted a One-Year Annual Action Plan, delineating the projects proposed within the funding scope, based on public participation and project area eligibility.

Commissioner Roy De los Santos moved that Resolution Number 2023-107, be approved. The motion was seconded by Commissioner Linda C. Macias and carried as follows:

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

Abstain: Commissioner Cardenas

Commissioners Bryan L. Martinez and Pedro Cardenas returned to the meeting, after action was taken on the agenda item.

4) Consideration and ACTION to acknowledge the Cameron Appraisal District Chief Appraiser's Certification of the City of Brownsville's 2023 tax roll. (Financial Services Department)

Michael Delmore, Chief Financial Officer, briefly explained the estimated value of properties under protest and the values of properties not under protest that are not listed in the certified appraisal roll.

Commissioner Roy De los Santos moved to acknowledge the Cameron Appraisal District Chief Appraiser's Certification of the City of Brownsville's 2023 tax roll. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

5) Consideration and ACTION to acknowledge the collector's certification of the estimated ad valorem tax debt collection rate for tax year 2023, and the excess debt tax collections for tax year 2022. (Financial Services Department)

Michael Delmore, Chief Financial Officer briefly informed the Commission of the Collector's certification of the estimated ad valorem tax 2023 and the excess debt tax collections 2022.

Commissioner Roy De los Santos moved to acknowledge the Collector's certification of the estimated ad valorem tax debt collection rate for tax year 2023, and the excess debt tax collections for tax year 2022. The motion was seconded by Commissioner Bryan L. Martinez and carried as unanimously.

6) Consideration and ACTION to acknowledge the Finance Director's calculation of the City's No-New-Revenue and Voter-Approval tax rates for the tax year 2023 or fiscal year 2024. (Financial Services Department)

Michael Delmore, Chief Financial Officer noted that the city must calculate the no-new-revenue and voter-approval tax rates according to the Property Tax Code Chapter 26, Section 4.

Commissioner Roy De los Santos moved to acknowledge the Finance Director's calculation of the City's No-New-Revenue and Voter-Approval tax rates for the tax year 2023 or fiscal year 2024. The motion was seconded by Commissioner Linda C. Macias and carried as unanimously.

7) Consideration and ACTION to discuss a possible ad valorem tax rate increase and to authorize a public hearing on August 15, 2023, to discuss the proposed ad valorem tax rate that will exceed the No-New-Revenue tax rate. (Financial Services Department)

Michael Delmore, Chief Financial Officer noted that the proposed agenda item is to request approval for a public hearing on August 15, 2023. This expressly authorizes the governing body to vote on the proposed tax rate at the property tax public hearing.

Commissioner Roy De los Santos moved that a Public Hearing on August 15, 2023, to discuss the proposed ad valorem tax rate that will exceed the No-New-Revenue tax rate, be approved. The motion was seconded by Commissioner Bryan L. Martinez and carried as follows:

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

BOARD APPOINTMENT(S)

1) Consideration and ACTION on Resolution Number 2023-088, appointing members to the Audit & Oversight Committee. (Commissioner R. De los Santos/Commissioner B. L. Martinez)

Resolution Number 2023-088 was approved as follows:

Commissioner Roy De los Santos moved to appoint himself to the Audit & Oversight Committee. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

Commissioner Bryan L. Martinez moved to appoint **Gerardo Garcia** to Audit & Oversight Committee. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

2) Consideration and ACTION, if any, to approve Resolution Number 2023-095-A to appoint, reappoint, and/or remove member(s) on the Animal Regulation and Care Advisory Committee. (Public Health and Wellness Department)

Resolution Number 2023-095-A was approved as follows:

Commissioner Linda C. Macias moved to appoint **Sandra Garza** to the Animal Regulation and Care Advisory Committee. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Rose Gowen reserved her appointment for the next scheduled meeting.

Commissioner Bryan L. Martinez reserved his appointment for the next scheduled meeting.

Commissioner Tino Villareal reserved his appointment for the next scheduled meeting.

3) Consideration and ACTION on Resolution Number 2023-054-A, to appoint one member to the Ethics Advisory Commission. (Office of the City Secretary)

Resolution Number 2023-054-A was approved as follows:

Commissioner Roy De los Santos moved to appoint **Hugh Emerson** to the Ethics Advisory Commission. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

4) Consideration and ACTION on Resolution Number 2023-084, to appoint four Alternate Members to the Building and Standards Commission. (Planning & Redevelopment Department)

Resolution Number 2023-084 was approved as follows:

Commissioner Tino Villarreal moved to appoint **Hector Guerra** as a regular member of the Building and Standards Commission. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

Commissioner Pedro Cardenas moved to appoint **Claudia Lozano** as an alternate member of the Building and Standards Commission. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Roy De los Santos moved to appoint **Juan Pequeno** and **Blanca Campbell** as an alternate member of the Building and Standards Commission. The motion was seconded by Commissioner Linda C. Macias and carried unanimously.

Brief discussion ensued amongst the Commission and City staff regarding the appointment of the board members if they will serve as regular or alternate members.

After a brief discussion amongst the Commission and City staff, Mayor John Cowen, Jr., withdrew his motion on the appointment of Dillon Vanderford as alternate member and Marcos Cardoza as a regular member.

Mayor John Cowen, Jr., moved to appoint **Dillon Vanderford** as a regular member and **Marcos Cardoza** as an alternate member to the Building and Standards Commission. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

5) Consideration and ACTION on Resolution Number 2023-083, to appoint one (1) Regular and four (4) Alternate Members to the Board of Adjustment. (Planning & Redevelopment Department)

Resolution Number 2023-083 was approved as follows:

Commissioner Tino Villarreal moved to appoint **Hector Guerra** as a regular member of the Board of Adjustment Commission. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

Commissioner Pedro Cardenas moved to appoint **Claudia Lozano** as an alternate member to the Board of Adjustment Commission. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

Commissioner Bryan L. Martinez moved to appoint **Blanca Campbell** as an alternate member to the Board of Adjustment Commission. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

Commissioner Pedro Cardenas moved to appoint **Juan Pequeno** as an alternate member to the Board of Adjustment Commission. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

Commissioner Linda C. Macias moved to appoint **Joseph Modesto** as an alternate member to the Board of Adjustment Commission. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

6) Consideration and ACTION on Resolution Number 2023-104 to appoint 3 new members and reappointment of 3 current members to the Transit Advisory Committee. (Multimodal Transportation Department)

Upon motion by Commissioner Roy De los Santos seconded by Commissioner Bryan L. Martinez and carried unanimously, Resolution Number 2023-104 was tabled.

7) Consideration and ACTION on Resolution Number 2023-096 to appoint 1 new member to the Bicycle Pedestrian Advisory Committee. (Multimodal Transportation Department)

Resolution Number 2023-096 was approved as follows:

Commissioner Linda C. Macias moved to appoint **Celia Galindo** to the Bicycle Pedestrian Advisory Committee. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

8) Consideration and ACTION on Resolution Number 2023-102, to appoint one (1) member of the Commission to the Paseo De La Resaca Landscaping and Lightning Board. (Office of the City Secretary)

Resolution Number 2023-102 was approved as follows:

Commissioner Rose Gowen moved to appoint **Commissioner Linda C. Macias** to the Paseo De La Resaca Landscaping and Lightning Board as her replacement. The motion was seconded by Commissioner Roy De los Santos 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 9:16 p.m. to discuss the following items:

- 1) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney, including Contemplated or Pending Litigation and/or Settlement Offer) and 551.072 (Deliberation Regarding Property) related to Cause No. 2014-CCL-00700; City of Brownsville, Texas v. 85 Jacaranda Limited Partnership a/k/a 85 Jacaranda Partnership. (Office of the City Attorney)
- 2) Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Property) related to a certain 1.207 acre, more or less, tract of land located in Block "A", Chicago Gardens Subdivision, out of a 32.4 acre tract in Block "A", and a 13.5 acre tract in Block "B". (Office of the City Attorney)

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 9:46 pm. There was no action taken in the Executive Session.

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

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

- 1) Consideration and ACTION, if any, related to Cause No. 2014-CCL-00700; City of Brownsville, Texas v. 85 Jacaranda Limited Partnership a/k/a 85 Jacaranda Partnership. (Office of the City Attorney)

No action taken.

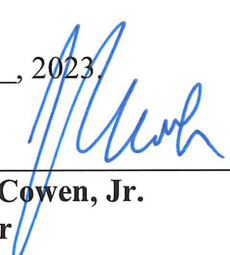
- 2) Consideration and ACTION, if any, related to a certain 1.207 acre, more or less, tract of land located in Block "A", Chicago Gardens Subdivision, out of a 32.4 acre tract in Block "A", and a 13.5 acre tract in Block "B". (Office of the City Attorney)

No action taken.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 9:47 p.m.

Approved this 15 day of August, 2023.

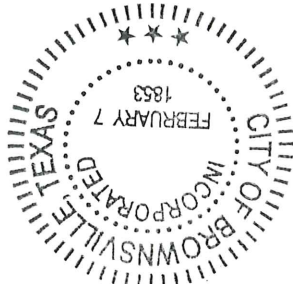


John Cowen, Jr.
Mayor

Attest:



Yolanda Galarza Gomez, TRMC
City Secretary



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