



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 19, 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=m7bddd1d1e1d88725d8180ea8a71bc15a>

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

CALL TO ORDER

a) ROLL CALL

A quorum being present, Yolanda G. 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, September 15, 2023.

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

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

Commissioner Tino Villarreal attended the meeting in person at 5:24 p.m.

Commissioner Pedro Cardenas attended the meeting in person at 5:52 p.m.

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 Alfonso Vallejo (Commissioner B. L. Martinez / Mayor J. Cowen, Jr.)

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

Recognizing Valley Baptist Medical Center-Brownsville Centennial (Mayor J. Cowen, Jr. / Commissioner R. Gowen)

The proclamation was read and presented by Commissioner Rose Gowen.

PUBLIC COMMENT PERIOD

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

Lawrence Fernandez suggested some improvements for La Posada Park.

PRESENTATION(S)

Building Division Permit Update (Planning & Redevelopment Department)

Omar Ochoa, Planning & Redevelopment Assistant Director, provided an update on Accela software, the transition between permitting systems, and training provided for subcontractors with an additional session for the most active contractors. Mr. Ochoa reviewed the different types of permits that are provided and the process in creating a permit.

In response to requests by Commissioner Roy De los Santos, Helen Ramirez, City Manager, noted that staff would return in six months to provide the Commission with an update, noting any necessary corrections on the permission flow for residential projects, the number of reviews in each category and the length of time on average by category.

Presentation by the Brownsville Public Utilities Board providing an Annual Report on the progress of collaboration with the City of Brownsville as required by the City Charter. (Brownsville Public Utilities Board)

Mark Dombroski, Brownsville Public Utilities Board Assistant General Manager, provided an annual report updating the City Commission on the progress of collaboration with the City of Brownsville, as per the City Charter amendments. The presentation covered the elimination of duplication of services, intended to create administrative efficiency and ensure quality service at the lowest cost.

In response to Commissioner Rose Gowen, Constanza Miner, Brownsville Public Utilities Board Chief Administrative Officer, stated she would review and report the possibility to incorporate updates or more notifications of the City of Brownsville in the Public Utilities Board new utility bill structure.

CONSENT AGENDA ITEM(S)

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Rose Gowen, and carried unanimously, Consent Agenda Items 1 through 9 were approved.

- 1) Approval of the Minutes:
 - a. Minutes of September 05, 2023, Regular City Commission Meeting
- 2) Consideration and **ACTION** for the purchase of eight (8) APX 6000 Series Portable Radios from Motorola Solutions, Inc. through cooperative H-GAC Contract # RA05-21 for an amount not to exceed \$55,000 for the City of Brownsville Fire Department, as budgeted. (Fire Department)
- 3) Consideration and **ACTION** for the purchase of two (2) Remounted Ambulances from Frazer, LTD for an amount not to exceed \$427,117 for the Brownsville Fire Department, as budgeted. (Fire Department)
- 4) Consideration and **ACTION on Resolution Number 2023-116 to** adopt Advance Funding Agreement (AFA) amendments for 0921-06-342 Minnesota Rd. City of Brownsville. This changed this project's funding to be 100% federal. (Multimodal Transportation)
- 5) Consideration and **ACTION** to approve a cooperative purchase from SHI Government Solutions, Inc. for VMware server virtual licenses for one year in the amount of \$66,256.22, as budgeted. (Enterprise Applications Dept.)
- 6) Consideration and **ACTION** to approve ADK Consulting & Executive Search recruitment services for an Airport Director position and the Deputy Director additional staff placement fee for \$49,798. (Airport Department/City Manager's Office)
- 7) **APPROVAL on SECOND and FINAL 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) (Planning & Redevelopment Department)
- 8) Consideration and **ACTION** to purchase three (3) Vans from Sam Pack's Five Star Ford through cooperative BuyBoard Contract No. 601-19 in the amount of \$237,123.94 for the Brownsville Police Department. #PTV-141-0923, as budgeted. (Police Department)
- 9) Consideration and **ACTION**, if any, to approve Resolution Number 2023-114 to support the submission of the Canine Transport Van Grant Application through the Stanton Foundation. (Public Health and Wellness Department)

PUBLIC HEARING(S)

- 1) **Public Hearing and ACTION on 2023 Brownsville Roadway Capital Recovery Fee and signed recommendation letter from the Capital Improvement Advisory Committee (CIAC) on specifications regarding Land Use Assumptions, Capital Improvement plans for roads and calculated cost per service area and maximum collection rate per service unit. (Multimodal Transportation)**

Joel Garza, Multimodal Director, noted that staff recommends leaving the public hearing period open until October 17, 2023, in anticipation of possible adoption of a City Ordinance for the Brownsville Roadway Capital Recovery Fee.

Eddie Haas, Consultant for Freese and Nichols Inc., noted that the Capital Improvement Advisory Committee (CIAC) signed a recommendation letter emphasizing the importance of community involvement and expert advice in decision-making, covering key aspects like Land Use Assumptions, Capital Improvement plans, cost estimates for various service areas, and maximum collection rates per service unit. This public hearing fosters open dialogue, ensuring that transportation infrastructure policies align with community needs and benefit from expert insights while promoting transparency and equitable decision-making.

Dennis Sanchez of Madeira Properties expressed concern on behalf of real estate property developers since payment is being proposed by this fee for the development of roadways.

Commissioner Roy De los Santos moved to leave the Public Hearing open until October 17, 2023, at 5:00 p.m. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

2) Public Hearing and ACTION on FIRST READING on Ordinance Number 2023-898-II, an Ordinance amending Chapter 74 “Parks and Recreation”, of the City Code of Ordinances by readopting Section 74-18 “Local Standards of Care for the City Parks and Recreation Department's Childrens Recreation Programs" and dealing with related matters. (Parks & Recreation Department)

Damaris McGlone, Parks & Recreation Director, noted that the ordinance is for the Parks and Recreation Department's children's recreation program, as required annually by state law, to define common use terms, program administration, program rules, monitoring, required supervision, requirements, facility operation and physical environment, and physical health and medication standards. The department's children's recreation programs may not be advertised as child-care facilities.

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 2023-898-II be adopted at first reading. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

3) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-020, to rezone from Residential Transition (R-3) and Light Industrial (LI) to Commercial Corridor (CC) to allow a commercial plaza and multi-family development for Lots 2 and 3, Block 2, Dana Eight-O-Two Subdivision, Section 2, Cameron County, Texas, located at 3271 Ruben M. Torres, Brownsville, Texas 78526, as shown in Exhibit "A". (District 2) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that that the applicant requested to rezone the subject property from Residential Transition (R-3) and Light Industrial (LI) to Commercial Corridor (CC) for the purpose of establishing a multi-family development and a commercial plaza.

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

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-023-020 be adopted at first reading. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

4) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-021-S, to request a Specific Use Permit to allow a freight terminal in Agricultural (AG) zoning designation for 6.8 acres out of Lot 4, Block “A”, Barreda Gardens Subdivision, Cameron

County, Texas, located at 554 Runnels Road, Olmito, Texas 78575, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that the current zoning designation of the property (Agricultural) primarily permits residential and ranch/farm-related uses; however, a freight terminal did not fall under the category of uses. A specific use permit would prevent spot zoning and would add a layer of protection for adjacent properties. Mr. Vega further noted that it was the staff's opinion that the proposed Specific Use Permit would not be adequate in the area. If approved, staff proposed that the development be subject to conditions.

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 235-2023-021-S be adopted at first reading. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

After a brief discussion, Commissioner Roy De los Santos moved to amend his motion to adopt Ordinance Number 235-2023-021-S, at first reading, with the conditions as recommended by the Planning & Redevelopment staff. The motion was seconded by Commissioner Pedro Cardenas and carried unanimously.

5) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-022-S, to request a Specific Use Permit to allow a used car lot in a Traditional Neighborhood-Corridor (TN-C) zoning designation for Lots 6, 7, 22, & 23, Block 64, Harden's Addition to the City of Brownsville, Cameron County, Texas, located at 1236 South Expressway, Brownsville, Texas 78520, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that the property owner is requesting a Specific Use Permit to allow a used car lot in a Traditional Neighborhood-Corridor.

Commissioner Linda C. Macias expressed her concern about the high traffic volume within the area.

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Bryan L. Martinez, the public hearing was closed as follows:

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

Nays: Commissioner Macias

Commissioner Roy De los Santos moved that Ordinance Number 235-2023-022-S be adopted at first reading. The motion was seconded by Commissioner Bryan L. Martinez and carried as follows:

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

Nays: Commissioners Gowen and Macias.

6) Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2023-023, to rezone from Agricultural (AG) to Residential Transition (R-3) and Commercial Corridor (CC) to allow a multi-family development and commercial plaza for 18.62 acres out of El Jardin Resubdivision, Lots 17 to 32, Block 116, Share 29, Espiritu Santo Grant, Cameron County, Texas, located on FM 511, Brownsville, Texas 78526, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that the applicants request to rezone the subject property from Agricultural (AG) to Residential Transition (R-3) for approximately 12.46 acres and Commercial Corridor (CC) for approximately 4.607 acres for the purpose of establishing a mixed-use development comprised of townhomes, multi-family, and commercial/retail uses.

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 235-2023-023 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 235-2023-025, to rezone from Residential Suburban (R-2) to Commercial Corridor (CC) to allow a general retail store for Lots 1, 2, & 3, Block 1, Palmetto Grove Subdivision, Cameron County, Texas, located at 7954 Southmost Road, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)

Martin Vega, Planning & Redevelopment Assistant Director, noted that the applicant requests to rezone the subject property from a Residential Suburban (R-2) to a Commercial Corridor (CC) for the purpose of establishing a general retail store.

Commissioner Bryan L. Martinez noted that currently there is a bus stop at the location, one of the last stops and one of the furthest in the Southmost area, and requested any help from the company to rebuild the bus shelter. Mr. Vega will convey the request to the applicant and further noted that the city does require pedestrian connections.

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 235-2023-025 to be adopted at first reading. The motion was seconded by Commissioner Roy De los Santos and carried unanimously.

Commissioner Tino Villarreal stepped away during the discussion of the agenda item and did not vote on Public Hearing Item # 7.

8) Public Hearing and ACTION on FIRST READING of Ordinance Number 2023-1731 to approve a budget amendment for Fiscal Year 2023. (Financial Services Department)

Miguel Cavazos, Budget Officer, noted that the request for a budget amendment would transfer from the restrictive funds to the capital project fund. An additional transfer of \$200,000 from the general fund would subsidize the motor vehicle parking system operation expenses.

In response to Mayor John Cowen, Robert Baez, EMPO Director, provided a brief update regarding the parking system and the delay in getting the system fully operational. In response to Pastor Brad Burkes, Mr. Baez clarified if the citizen did not pay the ticket after the third notification, the vehicle would be booted.

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 2023-1731 be adopted at first reading. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

1) Consideration and possible ACTION regarding the review of La Posada Task Force information and recommendations for the future development of the park, including the proposed dissolution of the task force as outlined in Resolution Number 2023-020-D, and authorizing such other actions necessary or convenient to carry out this resolution. (Parks and Recreation Department)

Damaris McGlone, Parks & Recreation Director, noted that on February 07, 2023, the City Commission created the La Posada Park Task Force with specific tasks. She further noted that initially when being planned the project would need to be a phased funded plan. The La Posada Park Task Force, at their last meeting, recommended dissolving the Task Force as it has provided the Parks and Recreation Department with the recommendations on their subject matter expertise to proceed with plans for future park development.

Commissioner Pedro Cardenas noted that the Brownsville Community Improvement Corporation (BCIC) has the ability to fund these kinds of projects, and suggested that the department request from them matching funds. In response to Commissioner Roy De los Santos, Damaris McGlone noted that with the dissolution of the task force, the Parks and Recreation Department would be responsible for the project.

Commissioner Rose Gowen commended the task force for their dedication and paying attention to what the community wanted in the area. Commissioner Bryan L. Martinez requested that in the meantime, while the plan is still in discussion, to continue with the regular maintenance of the area in order to preserve it as much as possible.

In response to Mayor John Cowen, Jr., Helen Ramirez, City Manager noted that staff would look into the surplus funds and other funding sources.

Commissioner Roy De los Santos moved to adopt Resolution Number 2023-020-D. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

2) Consideration and ACTION to approve the Greater Brownsville Incentives Corporation (GBIC) Fiscal Year 2024 budget. (GBIC)

Bret A. Gardella, GBIC Executive Director, provided a presentation regarding the Greater Brownsville Incentives Corporation (GBIC) Fiscal Year 2024 budget. Mr. Gardella provided an overall budget and commitments, expected revenues and expenditures, and new proposed job positions.

Mr. Gardella, in response to Commissioners Gowen, noted that financing for special projects such as the COVID-19 memorial tree groves, was available through miscellaneous categories. He further noted a second way that GBIC can assist, would be by changing GBIC from 501c6 Corporation to 501c3, which would allow them to accept donations within the community. Furthermore, it will provide the opportunity to apply for government funding that GBIC is currently not qualified to receive.

Commissioner Rose Gowen pointed out that quality of life and economic development are equally supported and valued. She challenged Mr. Gardella to think about an event to explore the overlapping boundaries of economic development and quality of life.

The Mayor and Commissioners commended Mr. Gardella and his staff for his collaboration in working with all community partners, particularly Youth Build, as well as emerging industries.

Commissioner Roy De los Santos moved that the Greater Brownsville Incentives Corporation (GBIC) Fiscal Year 2024 budget be adopted. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

BOARD APPOINTMENT(S)

- 1) Consideration and ACTION, if any, to approve Resolution Number 2023-104 to appoint, reappoint, and/or remove member(s) of the Transit Advisory Committee. (Multimodal Transportation Department) (Tabled from August 15, 2023)**

Upon motion by Commissioner Roy De los Santos, seconded by Commissioner Bryan L. Martinez and carried unanimously, the agenda item was removed from the table.

Resolution Number 2023-104 was approved as follows:

Commissioner Linda C. Macias moved to appoint **Jose Saldivar Martinez** to the Transit Advisory Committee. The motion was seconded by Commissioner Bryan L. Martinez and carried unanimously.

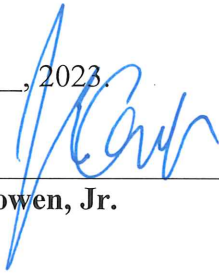
Commissioner Tino Villarreal moved to appoint **Graham Sevier** to the Transit Advisory Committee. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Mayor John Cowen, Jr., and Commissioner Rose Gowen, Commissioner Bryan L. Martinez, Commissioner Roy De los Santos and Commissioner Pedro Cardenas held their appointments for the next scheduled meeting.

ADJOURNMENT

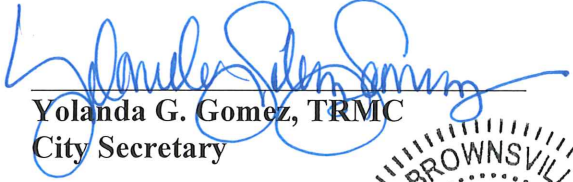
There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:32 p.m.

Approved this 3rd day of October, 2023.



John Cowen, Jr.
Mayor

Attest:



Yolanda G. Gomez, TRMC
City Secretary



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