



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 **Regular Meeting** on **October 17, 2023**, at **5:00 p.m.**, at the **City Commission Chambers**, located on the **Second Floor** of the **Brownsville City Hall-Old Federal Building**, located at **1001 East Elizabeth Street**, Brownsville, Cameron County, Texas, 78520.

Pursuant to Section 551.127, Texas Government Code, one or more Commissioners or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

Members of the Public, Employees, and the City Commission may join via the Webex Teleconference Meeting by logging on at:

<https://brownsvilletx.webex.com/brownsvilletx/j.php?MTID=m485fba9b6686c27d62b70468893ed8fd>

Password: commission (26664774 from video systems)

CALL TO ORDER

A) ROLL CALL

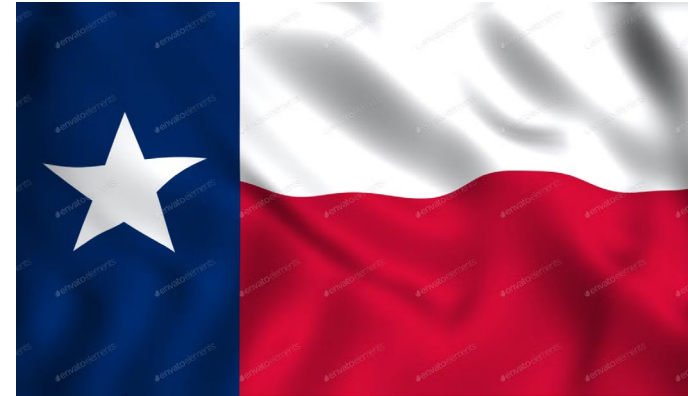
B) INVOCATION

Pledge of Allegiance to United States



I pledge allegiance to the flag
of the United States of
America and to the Republic
for which it stands, one Nation
under God, indivisible, with
liberty and justice for all.

Texas Pledge



Honor the Texas flag, I pledge
allegiance to thee, Texas, one
state under God, one and
indivisible.

PROCLAMATION(S)

Rio Grande Valley (RGV) Fishing Area and Waterway Cleanups

Commissioner L. C. Macias / Mayor J. Cowen, Jr.



PROCLAMATION

*A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
RECOGNIZING THE
RIO GRANDE VALLEY (RGV) FISHING AREA AND WATERWAY CLEANUPS*

WHEREAS, the Rio Grande Valley (RGV) Fishing Area and Waterway Cleanups, a Texas domestic nonprofit corporation, has conducted cleanups in and around the City of Brownsville since September 2018; and

WHEREAS, the RGV Fishing Area and Waterway Cleanups was the local coordinator for the Great American Cleanup on September 9 and 10, 2023; and

WHEREAS, the total amount of refuse collected at the Great American Cleanup exceeded the amount at all previous cleanups of this type in recent history; and

WHEREAS, RGV Fishing Area and Waterway Cleanups collected and disposed of 21,240 pounds of refuse at the Great American Cleanup with 138 volunteers participating.

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** the

RIO GRANDE VALLEY (RGV) FISHING AREA AND WATERWAY CLEANUPS

and encourage all citizens that participating in any cleanup encourages pride and appreciation for our community.

DONE, on this, 17th day of October 2023.

Breast Cancer Awareness Month

Commissioner B. L. Martinez / Commissioner T. Villarreal



PROCLAMATION

*A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
RECOGNIZING OCTOBER
AS BREAST CANCER AWARENESS MONTH*

WHEREAS, since 1985, October has been recognized as Breast Cancer Awareness Month, following the first campaign begun by the American Cancer Society in partnership with the pharmaceutical division of British Corporation ICI, and with the support of former First Lady Betty Ford, a breast cancer survivor; and

WHEREAS, Breast Cancer is the second most common cancer in women in the United States, accounting for approximately 30% of all new female cancers diagnosed each year, with 297,790 cases of invasive breast cancer expected to be diagnosed in women in the US in 2023; and

WHEREAS, there are more than 4 million breast cancer survivors in the United States today, including those who are still being treated and those who have completed treatment; and

WHEREAS, survival rates are high for localized breast cancer when detected early, and increased awareness, continually improving treatment options, and screening and early detection have contributed to a slow but continued decrease in breast cancer death rates from 1989 to now; and

WHEREAS, the health and welfare of our citizens is a top priority for the City, and supporting awareness and education efforts, healthy living, regular checkups, and an overall culture of prevention promotes the general welfare of the people of the City of Brownsville.

NOW THEREFORE, WE THE MEMBERS OF THE 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 OCTOBER AS**

BREAST CANCER AWARENESS MONTH

and further call upon the residents of Brownsville to do the same; dedicate yourselves to boosting access to care, to supporting patients and their families, and showing love for your loved ones and your fellow man by raising awareness about the life-saving importance of early detection in the fight against breast cancer.

DONE, on this, the 17th day of October 2023.

PUBLIC COMMENT PERIOD

Public Comment Period

Section 2-26. Meetings and agendas.

(f) Public *input during meetings.*

(1) *Conduct.*

- a. Conversations between or among audience members should be conducted outside the meeting room. Attendees should refrain from conversations while commission is in session.
- b. Cell phones. Attendees must refrain from the operation and use of cellular telephones, pagers, etc., or any mechanical devices that may disrupt city commission proceedings.
- c. Placards, banners, or signs are not be permitted in the commission chambers or in any other room in which the city commission conducts a meeting. Included in this prohibition are various hats, caps, visors, and t-shirts, which may represent sentiments as alluded to, regarding placards, banners and/or signs.
- d. Exhibits, displays, and visual aids used in connection with presentations to the city commission, are permitted.
- e. Only city commission members and city staff may approach the dais. If report, letter, etc., is to be presented to the commission, it should be given to the city secretary, (or staff) who will make the distribution. It is preferable that the item to be distributed be given to the city secretary prior to meeting time. A copy of the item should be made available for the city secretary's official record.
- f. All comments shall be made to the mayor and city commission as a whole, and not to individual commission members.

WORK SESSION(S)

Cultural and Tourism Grant Funding Round 3 – American Rescue Plan Act

Grants & Community Development Department



Cultural and Tourism Grant Fund - Round 3



Grants and Community Development

October 17, 2023

Department

Overview

- **The City of Brownsville has received \$65.3 million in American Rescue Act (ARPA) funding to combat the ongoing impacts of COVID-19 in the community.**
- **The City allocated \$2.62 million of ARPA funding to the Cultural and Tourism Grant (CTG) Fund and is managed by the Grants and Community Development Department in partnership with GrantWorks Inc.**
- **\$2.16 million was awarded to 12 organizations in two application cycles.**
 - **Round 1: 8 organizations = \$1.29 million**
 - **Round 2: 4 organizations = \$866,529.66**

The Small Business/Non-Profit Grant Program

- **A maximum award amount of \$10,000 will be available for direct aid to assist businesses and non-profits with Rent, Mortgage, Staff Retention, Supplies and Marketing.**
- **The application review process will prioritize businesses/non-profits located within the Qualified Census Tracts (QCT) and/or COVID-19 high infection zones within City limits. Prioritizes applicants that have not received other federal assistance.**
- **Managed through an online application portal provided by GrantWorks Inc.**
- **Received stakeholder input from Brownsville Community Improvement Corporation, the Brownsville Chamber of Commerce, Planning and Redevelopment Department, US Small Business Administration, and through a community business survey.**

Eligibility Criteria

Group 1

- **QCT or High Infection Rate area that have not received specific business/non-profit grant assistance from the federal, state or local government entity.**
- **Group 1 applications will be prioritized ahead of Group 2 and Group 3 applications.**
- **Copy of income tax or 990 return for 2021 demonstrating less than \$3m in gross revenue (Less than \$5m in restaurant operations).**
- **No documented loss needed.**

Group 2

- **QCT or High Infection Rate area that previously received specific business/non-profit grant assistance from the federal, state or local government entity.**
- **Group 2 applications will be processed when there are no pending applications for group 1.**
- **Copy of income tax or 990 return for 2021 demonstrating less than \$3m in gross revenue (Less than \$5m in restaurant operations).**
- **No document loss needed.**

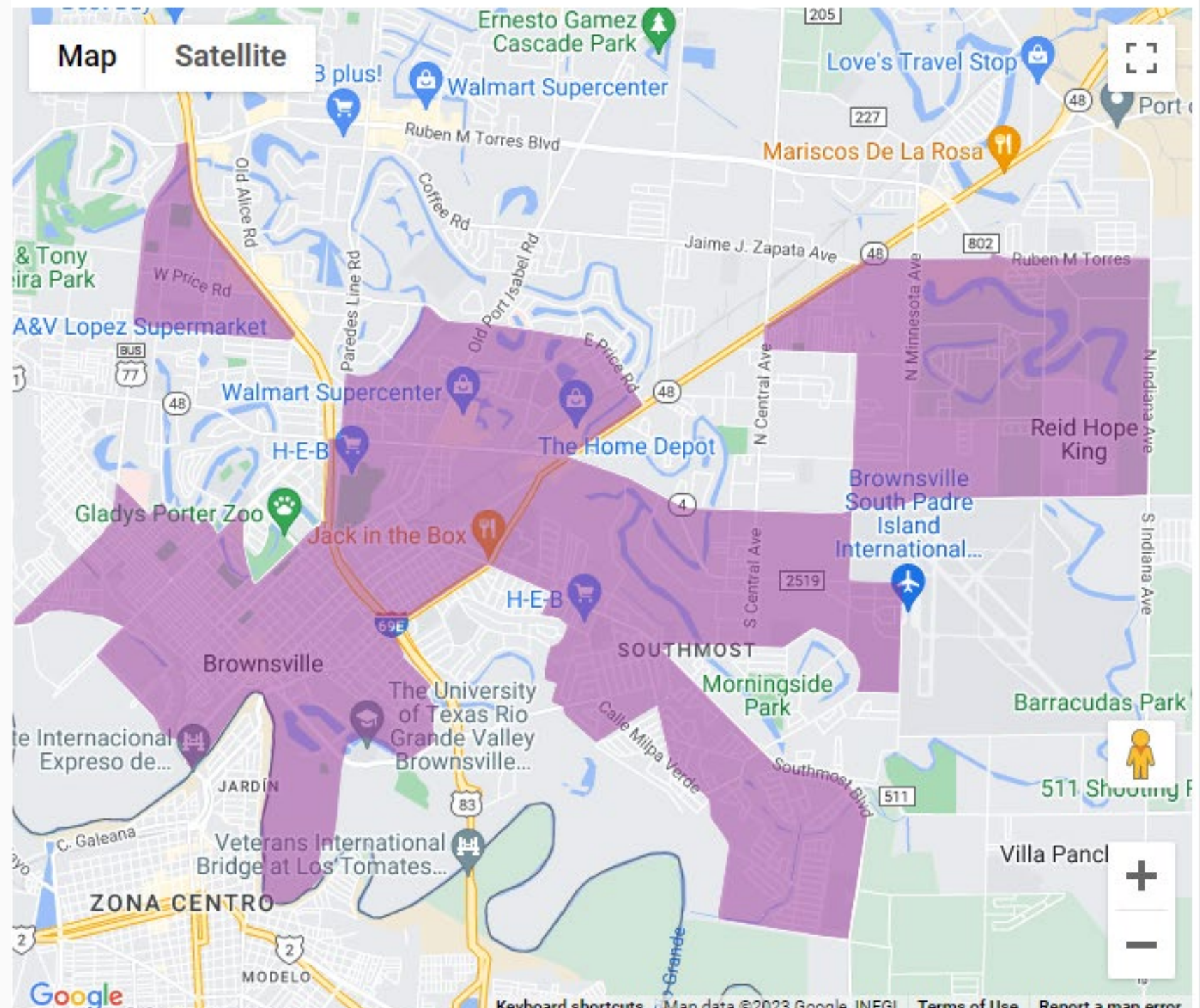
Group 3

- **All of Brownsville.**
- **Group 3 applications will only be processed if there are no applications pending review from Group 1 or Group 2.**
- **Copy of income tax or 990 return for 2021 demonstrating less than \$3m in gross revenue (Less than \$5m in restaurant operations).**
- **Provide audits, Profit/Loss statement or tax returns or other documentation to show a documented loss and/or increase in expenses related to COVID-19 between the years 2019, 2020 and 2021.**

2023 Qualified Census Tracts (QCTs)

In the ARPA Final Rule, Treasury notes that pre-existing disparities in health and economic outcomes magnified the impact of the COVID-19 public health emergency on certain households and communities.

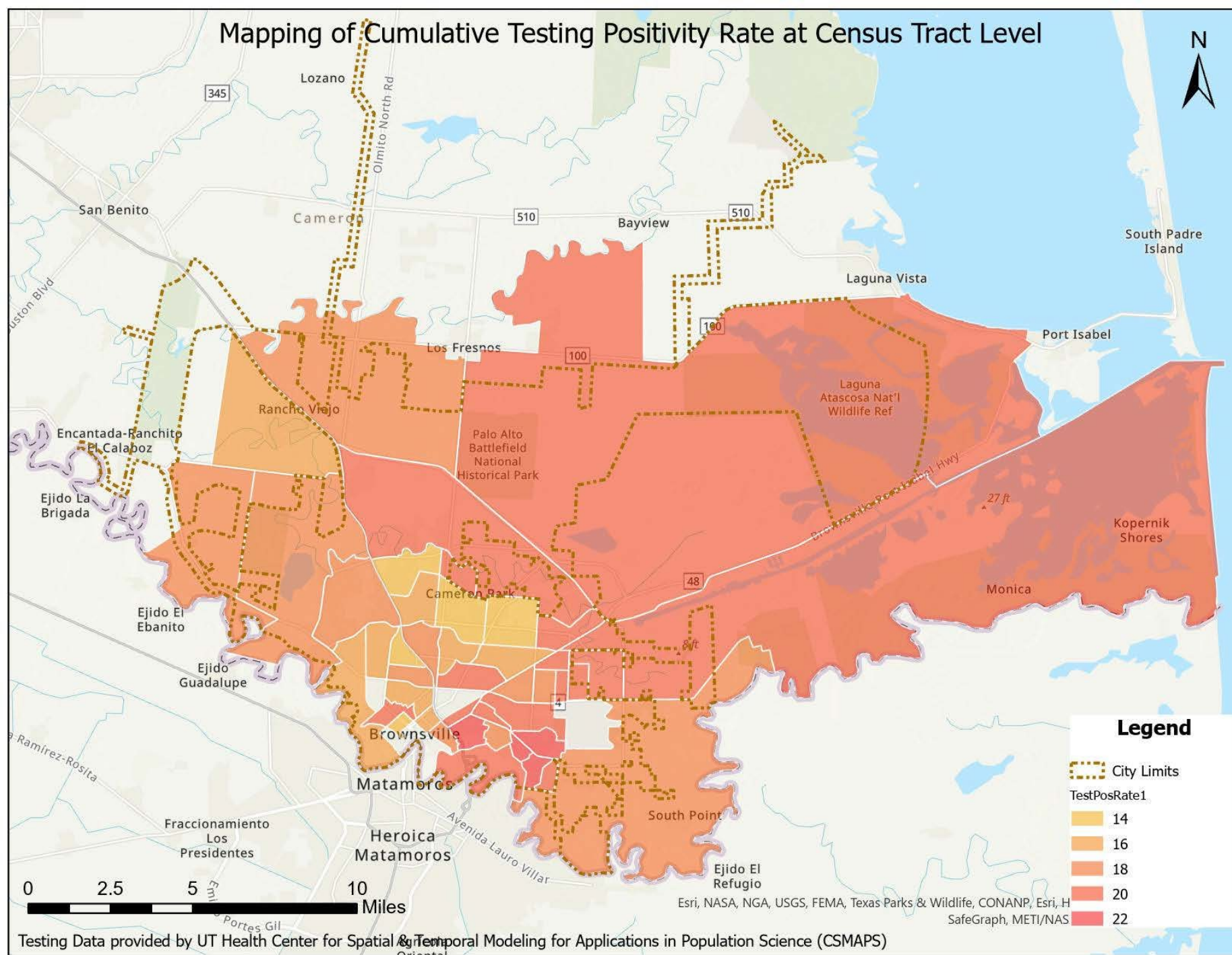
The ARPA Final Rules recommends using Qualified Census Tracts to identify beneficiaries in low-income areas.



... High Infection Rates Created Disproportionate Impacts

- **High Infection rate data shared by the City of Brownsville Health Department identified businesses operating in areas that were most directly impacted by COVID-19. The City may designate these areas as disproportionately impacted.**
 - **Businesses located in these communities may be deemed eligible for assistance without further analysis.**
-

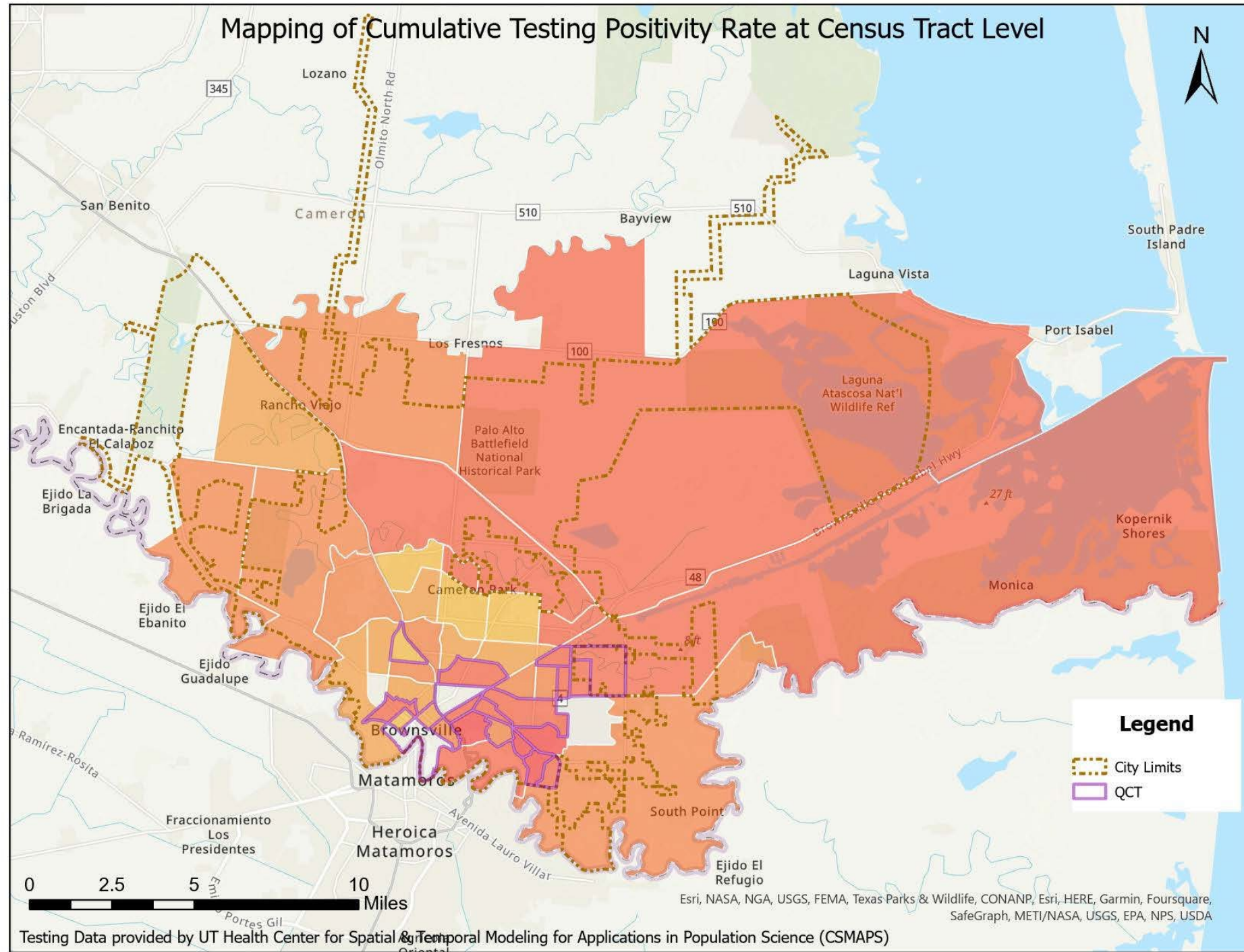
Mapping of Cumulative Testing Positivity Rate at Census Tract Level



COVID-19 Infectious Rate Map

QCT & Infectious Rate Map

[Interactive Map](#)



Small Business & Non-Profit Challenges Post COVID-19

- **Rent and Mortgage**
- **Retaining Staff**
- **Supply Chain**
- **Marketing**
- **Business Management**
 - **Time and Resources**
 - **Financial Literacy**



Recommended Next Steps

- **Consideration and action to designate Census Tracts with COVID-19 infection rate of 14% or higher as disproportionately impacted.**
- **Consideration and Action to approve Resolution 2023-121, the Cultural and Tourism Grant Fund Round 3 policy and COVID-19 map (Grants & Community Development Department).**
- **Outreach will be conducted through November and January, the application is expected to open in January and will remain open for one month.**



Thank you!

**For any questions, please
contact Olga Moya at
olga.moya@brownsvilletx.gov**



PRESENTATION(S)

City Managers Update – Introducing Alan Guard,
Deputy City Manager and Report on International
City/County Management Association (ICMA), Texas
Municipal League (TML) and YTexas Event.



City Manager's Update

OCTOBER 17, 2023

Welcome Alan Guard- Deputy City Manager



- Mr. Alan Guard is the new Deputy City Manager within the City Manager's Office.
- Alan brings a wealth of knowledge and more than 35-years of experience including local government experience as a Finance Director to this vital role that he assumed on October 2, 2023.
- Guard's experience spans working with cities with populations from as few as 5,000 to more than a million, covering communities in Texas, Iowa, and Oklahoma.
- His multifaceted role in city mgmt. has seen him manage capital projects, IT, HR, contract negotiations, strategic planning, and even stadium and convention center management.
- Guard and his wife, Molly, share a 36-year bond of matrimony and have two adult children.
- He is a proud alum of the University of Texas El Paso with a Bachelor of Arts degree in Political Science and holds a Master of Arts degree in Political Economy from the University of Texas - Dallas.

2023 International City/County Management Association (ICMA) Annual Conference



- Participated as a panelist on 9/30/23 in Austin, TX and joined other cities/counties including El Paso and Calexico, CA
- Session titled “How U.S. Border Cities are Responding to Migrants, Refugees, and Asylum Seekers”
- Session covered lessons learned as well as best practices from several jurisdictions on the U.S./MX Border including Brownsville
- El Paso County expressed their appreciation to Brownsville for their mentorship and guidance regarding responding to Immigrant Influx

El Paso County's Response - Mentors



Thank you Brownsville!



One City In Action: TML and YTexas

- TML: The Mayor, Commissioner De los Santos, and Commissioner Martinez have been active participants of the Texas Municipal League (TML).
- Commissioner Martinez will be recognized at the TML Mid-Year Conference in March, 2024.
- YTexas: (Top right picture) Representatives from COB, GBIC, BCIC, Port of Brownsville and BPUB attended the YTexas 2023 Summit "Building a Stronger, More Connected Texas."
 - City and Partners collaborated in representing the RGV while speaking on various panels.
- YTexas: (Picture on the Right) Mayor Cowen participated in a Mayor Roundtable alongside the City of Arlington, City Of Edinburg, City of Round Rock, City of Frisco and City of Bryan.



CONSENT AGENDA ITEM(S):

The following 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.

Consent Agenda Items

- 1) Approval of the Minutes:
 - a) Minutes of October 03, 2023, Regular City Commission Meeting
- 2) Consideration and **ACTION** for the purchase and delivery of one (1) John Deere 5105M Utility Tractor and (1) John Deere FC15M Flex Wing from Deere & Company Tellus Equipment Solutions of Brownsville, Texas, through BuyBoard #706-23 in the amount of \$107,553.28, as budgeted. (Parks and Recreation Department)
- 3) Consideration and **ACTION** to approve **Resolution Number 2023-119** for the agreement between the Texas Department of Transportation and the City of Brownsville to authorize the street closure(s) for the Southmost Veterans Day Parade. (Multimodal Transportation Department)
- 4) Consideration and **ACTION** to execute a license agreement between the City of Brownsville and Penco RGV Enterprises, LLC., to allow a portion of a parking area to encroach within City property in exchange for construction of a 10' concrete bike trail. (Engineering and Public Works Department)
- 5) Consideration and **ACTION** to purchase two MTS Power Loads from Stryker Medical in the amount of \$92,793.02 as budgeted.(Fire Departmenten)
- 6) Consideration and **ACTION** to adopt **Resolution Number 2023-123** denying Texas Gas Service Company, A Division of One Gas, Inc. ("Company"), statement of intent to increase rates filing; authorizing the hiring of Lloyd Gosselink Rochelle & Townsend; and requiring Company to reimburse the City's reasonable rate case expenses. (City Attorney's Office/City Manager's Office)

PUBLIC HEARING(S)

PUBLIC HEARING #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 Department

October 17, 2023



City Commission Public Hearing

Road Capital Recovery Fee Program



Why consider a Capital Recovery Fee?

- **Taxpayers are currently** shouldering ***full burden*** for New roads and road Operation & Maintenance (O&M) of existing roads
- **One-time** fee; up-front knowledge
- *Implementing key road system improvements to serve growth*
- **Equitable** and structured approach based type and size of new development
- *Road Capital Improvement Program (CIP)*
Full Cost: \$565 Million
 - 10-year cost of growth: **\$197 Million**
 - Cost Impact to Taxpayer: **\$282 Million**
- **No Current traffic mitigation tool** for city.

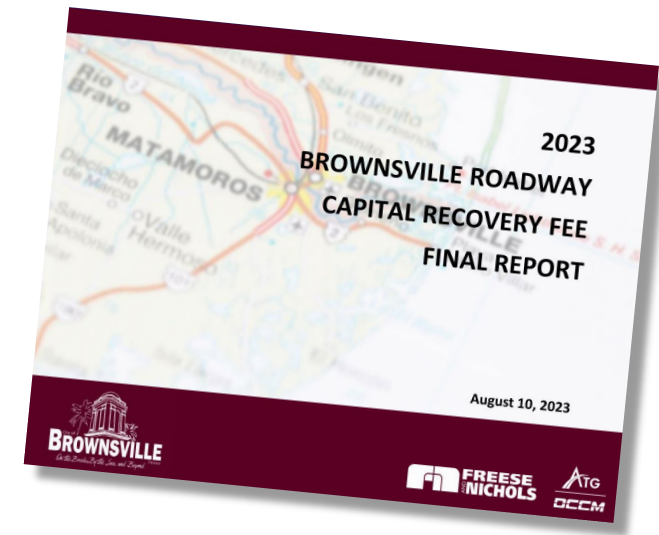


Philosophical Approach:

New Development should share in the cost to provide service

Development of Capital Recovery Fee (CRF) Program

- What is required by Chapter 395, Texas Local Government Code
 - Technical Elements
 - Administrative Requirements
 - Public Hearings & Noticing Requirements
- Capital Improvements Advisory Committee (CIAC)
 - Meetings-Aug. 2022 – Aug. 2023
 - Recommendation – Sept. 5, 2023
- Commissioner Briefings and Workshop
- Public Hearing – Opened
(Sept. 19, 2023, Continued)
- Public Engagement – Open House – October 4, 2023
- Staff recommendation - **Continue the Public Hearing and Public Engagement until January 16, 2024**



Impact Fees in Texas

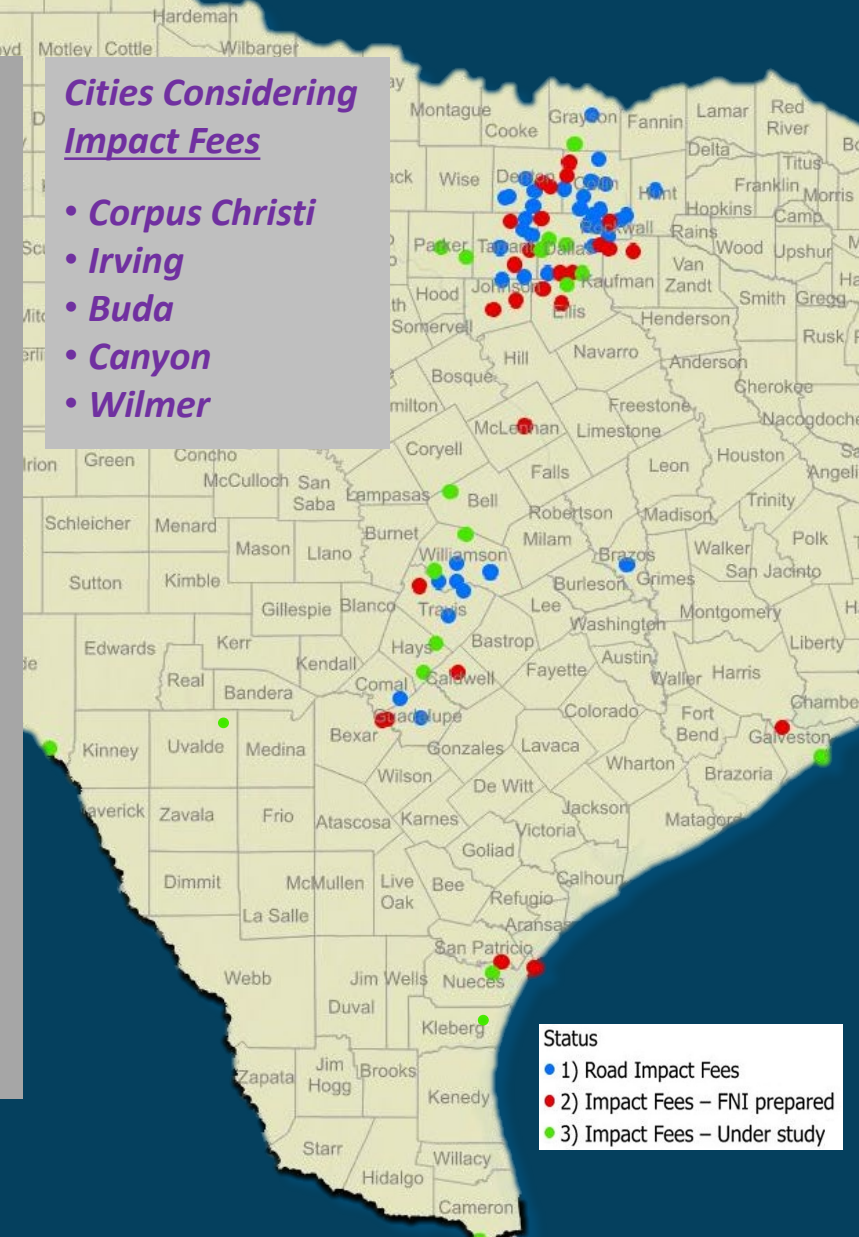
- Austin
- League City
- El Paso
- Waco
- College Station
- Midland
- Odessa
- Lubbock
- Fort Worth
- Mansfield
- Arlington
- Denton
- Frisco
- McKinney
- Allen
- Flower Mound
- Southlake
- Mesquite
- Garland

- Port Aransas
- Portland
- League City
- Mont Belview
- Schertz
- Cibolo
- New Braunfels
- Seguin
- Lockhart
- Hutto
- Taylor
- Leander
- Pflugerville
- Round Rock
- Georgetown
- Lago Vista
- Killeen
- Cedar Park
- Cleburne

- Weatherford
- Midlothian
- Waxahachie
- Lancaster
- DeSoto
- Burleson
- Coppell
- Corinth
- Terrell
- Fate
- Forney
- Rockwall
- Sunnyvale
- Greenville
- Celina
- Prosper
- Wylie
- Rowlett
- Heath
- Sherman

Cities Considering Impact Fees

- *Corpus Christi*
- *Irving*
- *Buda*
- *Canyon*
- *Wilmer*



Capital Improvement Advisory Committee Recommendation

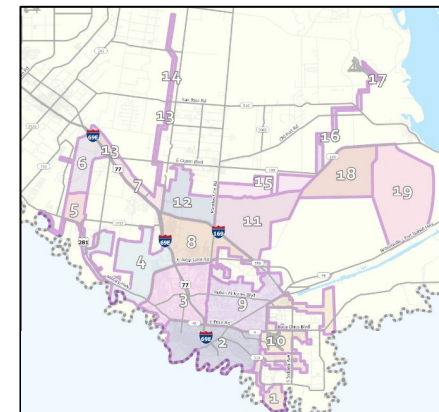
*Capital Recovery Program: **Yes***

Capital Recovery:

- **Implementation:**
 - **12-month delayed start**
 - Start Date: **October 2024** (from there, **1-year grace period**)
- **Collection Rate:**
 - Residential: \$806-2000/lot, based on service area, 5% annual increase
 - Non-Residential Fee: 25% of max, 5% annual increase
- **Exemptions:**
 - Residential development; 80% completed
 - Mixed-Use development w/work-force housing
 - Legacy Business
 - Historic Downtown Brownsville

CRF Program:

- Implementation
- Collection Rate
- Exemptions



CRF Public Hearing

What we heard and what we learned

- Recommend **Continuation of Public Hearing** to date specific - **January 16, 2024**
- **To allow additional outreach efforts with Developers & Overall Community**

Public Comments – Summaries

- “Homeowners will pay cost, not developers. Developers will not want to subdivide.”
- “Property taxes should maintain current roads. Developers won’t subdivide and stop city growth.”
- “Commercial building fee is excessive. This will kill construction and push developers to neighbor cities.”
- “This fee will push developers to neighbor cities. Fee is too high. Focus on growth not fees. Consumers will pay for this fee, not developers.”
- “Road costs based on unit costs from other parts of state.”



CRF Public Hearing

How we want to reach out:

Planned engagement:

- Focused In-Person Meetings
- FAQ Sheets
- Sample Calculations

Discussion Items:

- Current cost of Operating and Maintaining infrastructure and future cost of growth
- Overview of technical study
- CRF policy considerations
- Process and fee calculation
- Addressing multi-phased development
- Credits for contributions and Exemptions
- Much more





Public Hearing: Questions/Answer Session

Action Recommendation:
Continuation of Public Hearing
to January 16, 2024

PUBLIC HEARING #2

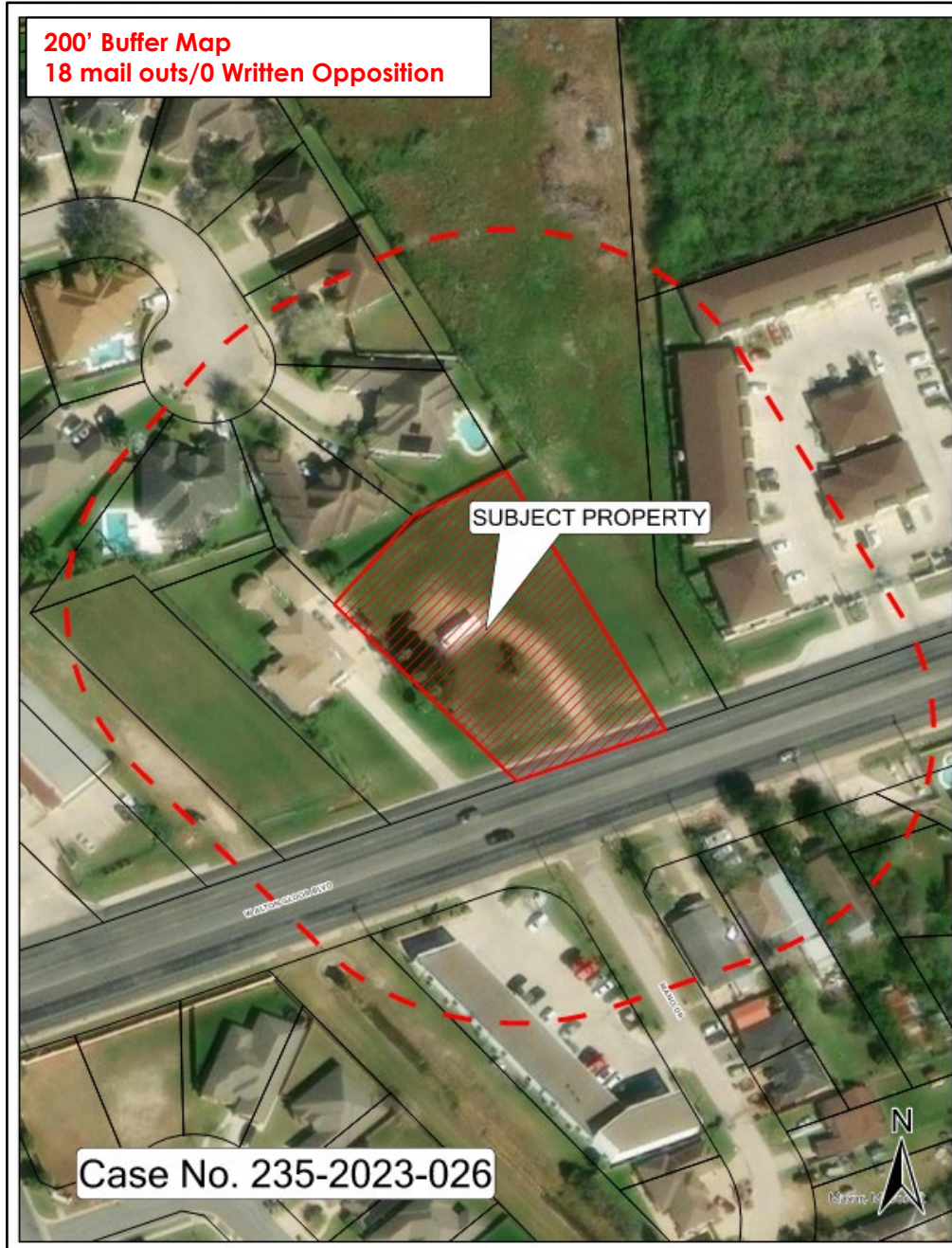
Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-026**, to rezone from Residential Transition (R-3) to Commercial Corridor (CC) to allow a commercial plaza for 0.7487 acres of Lot 3, Block 1, Diamond Point II Subdivision, Cameron County, Texas, located at 3201 West Alton Gloor Boulevard, Brownsville, Texas 78526, as shown in Exhibit "A". (District 4)

Planning & Redevelopment Department

Case 235-2023-026

- ▶ Request to rezone to **Commercial Corridor (CC)**
- ▶ **Current Zoning:** Residential Transition (R-3)
- ▶ **Proposed Use:** Commercial Plaza
- ▶ Property is fronting **West Alton Gloor Boulevard**

200' Buffer Map
18 mail outs/0 Written Opposition



Case No. 235-2023-026



City of Brownsville Zoning Map

Zoning Districts

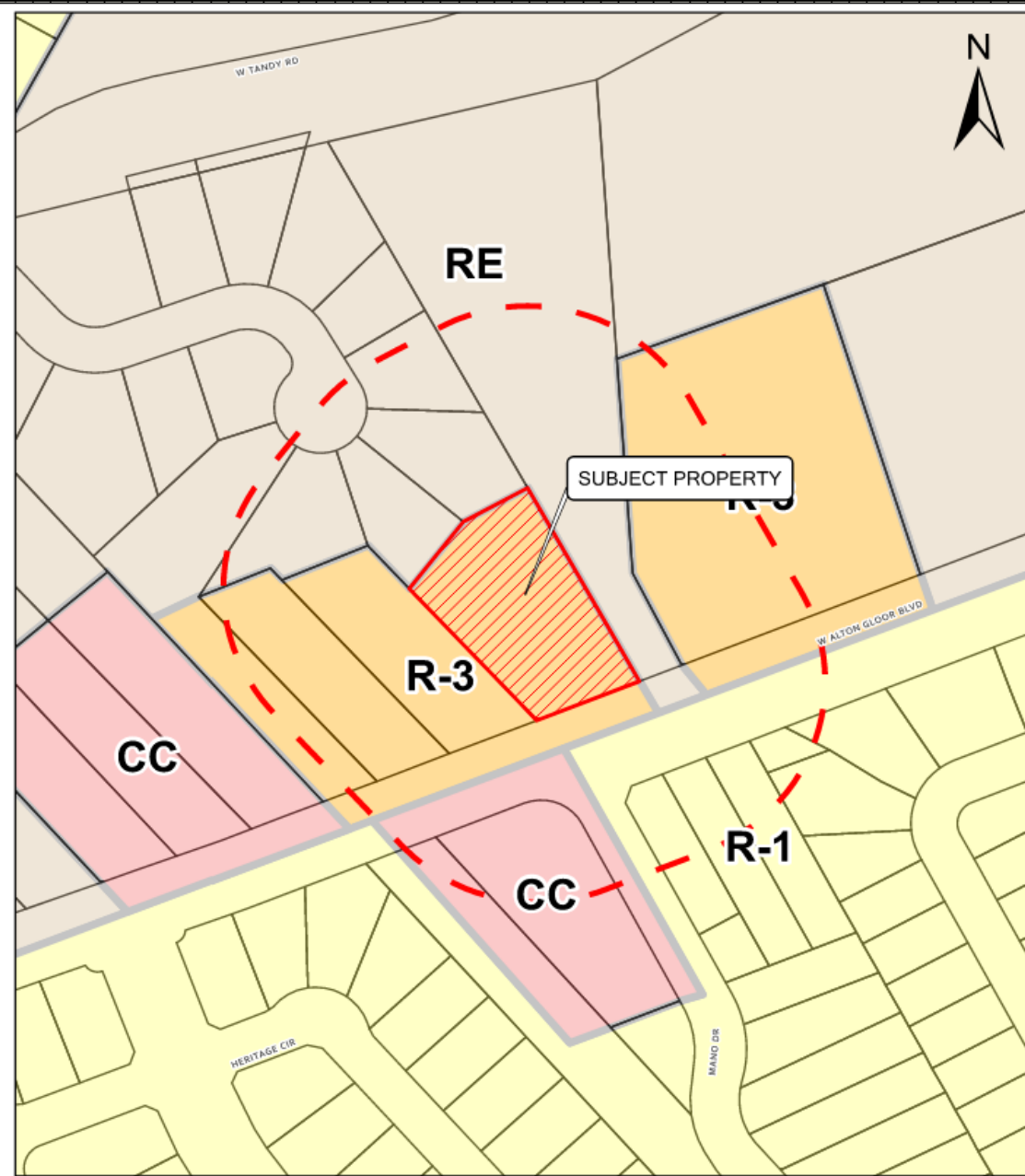
-  AG - Agricultural
-  RE - Residential Estate
-  R-1 - Residential Single Family
-  R-2 - Residential Suburban
-  R-3 - Residential Transition
-  TN - Traditional Neighborhood
-  TN-MU - Traditional Neighborhood Mixed Use
-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Light Industrial
-  HI - Heavy Industrial

EXHIBIT "A"

Rezoning request:
Case # 235-2023-026

Current Zoning:
R-3, Residential Transition
Proposed Zoning:
CC, Commercial Corridor

Brownsville Electoral District #4



Planning & Zoning Commission Recommendation

- ▶ The request is **not consistent** with the **Comprehensive Plan** and **Future Land Use Plan**.
- ▶ **P&Z** recommends **approval** to rezone from **Residential Transition (R-3)** to **Commercial Corridor (CC)**.

PUBLIC HEARING #3

Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-027**, to rezone from Commercial Corridor (CC) to Regional Center (RC) to allow a plasma center for Lot 3, Block 1, Re-plat of Lots 1, 3 and 5, Strawberry Square Subdivision, Cameron County, Texas, located at 2921 Boca Chica Boulevard, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2)

Planning & Redevelopment Department

Case 235-2023-027

- ▶ Request to rezone to **Regional Center (RC)**
- ▶ **Current Zoning:** Commercial Corridor (CC)
- ▶ **Proposed Use:** Plasma Center
- ▶ Property is fronting Boca Chica Boulevard

200' Buffer Map
18 mail outs/0 Written Opposition

SUBJECT PROPERTY

Case No. 235-2023-027



City of Brownsville Zoning Map

Zoning Districts

-  AG - Agricultural
-  RE - Residential Estate
-  R-1 - Residential Single Family
-  R-2 - Residential Suburban
-  R-3 - Residential Transition
-  TN - Traditional Neighborhood
-  TN-MU - Traditional Neighborhood Mixed Use
-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Light Industrial
-  HI - Heavy Industrial
-  Brownsville City Limits

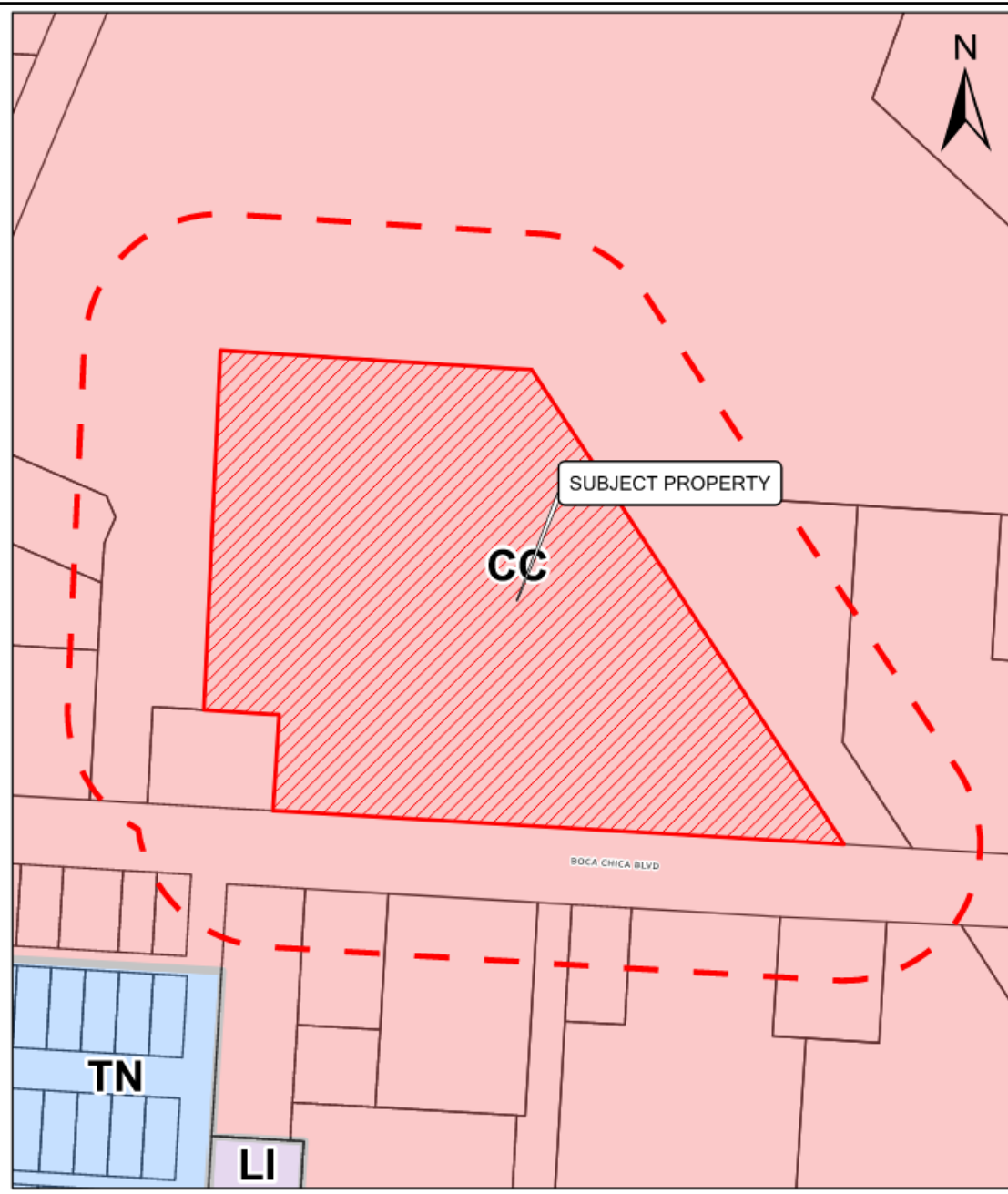
EXHIBIT "A"

Rezoning request:
Case # 235-2023-027

Current Zoning:
CC, Commercial Corridor

Proposed Zoning:
RC, Regional Center

Brownsville Electoral District #2



Planning & Zoning Commission Recommendation

- ▶ The request is **not consistent** with the Comprehensive Plan and Future Land Use Plan.
- ▶ **P&Z** recommends **approval** to rezone from **Commercial Corridor (CC)** to **Regional Center (RC)**.

PUBLIC HEARING #4

Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-028**, to rezone from Residential Transition (R-3) to Commercial Corridor (CC) to allow a commercial plaza for 2.01 acres out of Lot 32, containing 18.34 acres, more or less, of the El Jardin Subdivision of the Brownell Tract Subdivision, Share 28, Espiritu Santo Grant, Cameron County, Texas, located on North Minnesota Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 2)

Planning & Redevelopment Department

Case 235-2023-028

- ▶ Request to rezone to **Commercial Corridor (CC)**
- ▶ **Current Zoning:** Residential Transition (R-3)
- ▶ Proposed Use: Commercial Plaza
- ▶ Property is fronting North Minnesota Avenue

200' Buffer Map
12 mail outs/0 Written Opposition



Case No. 235-2023-028



City of Brownsville Zoning Map

Zoning Districts

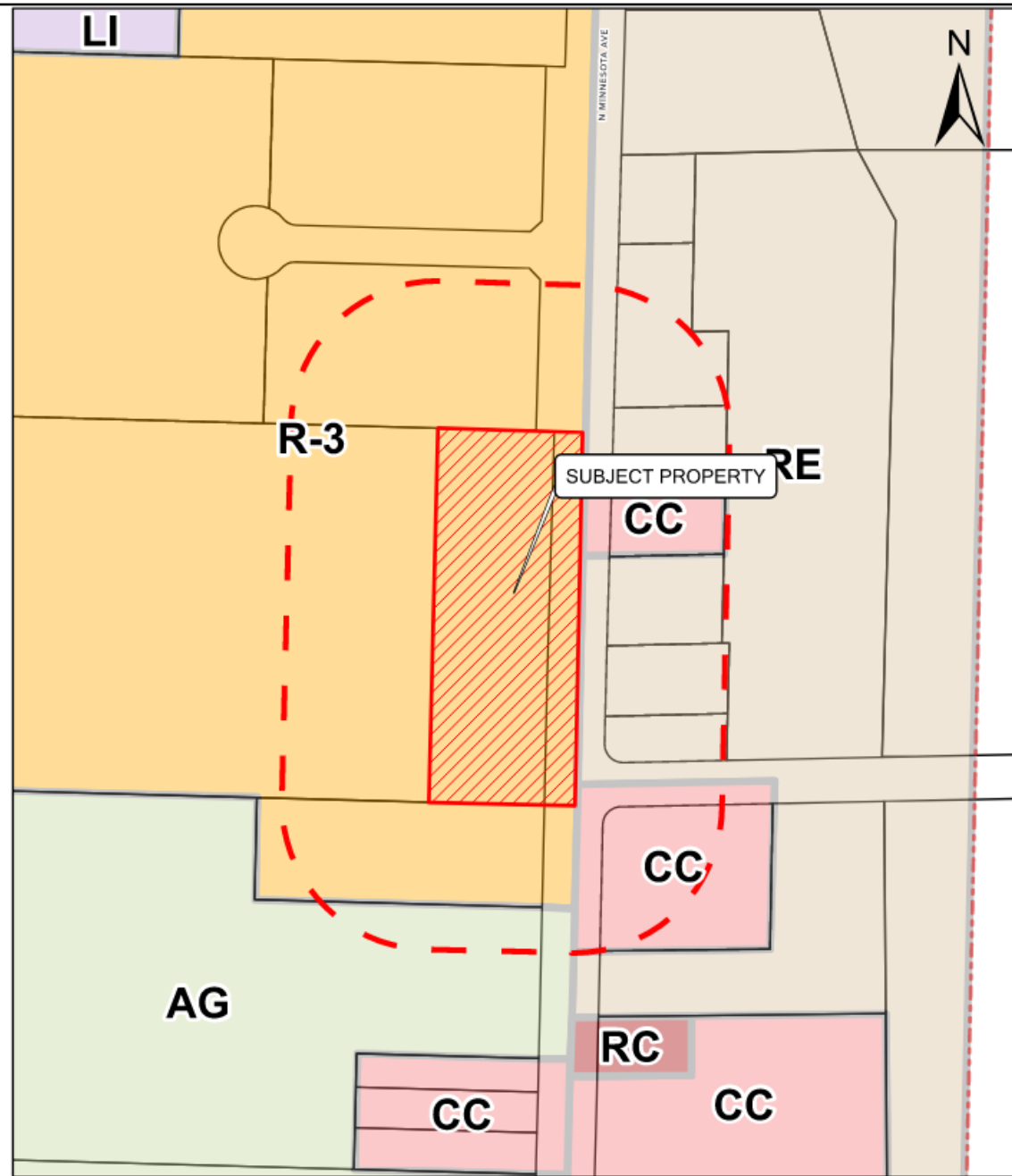
-  AG - Agricultural
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-  R-2 - Residential Suburban
-  R-3 - Residential Transition
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-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Lighht Industrial
-  HI - Heavy Industrial
-  Brownsville City Limits

EXHIBIT "A"

Rezoning request:
Case # 235-2023-028

Current Zoning:
R-3, Residential Transition
Proposed Zoning:
CC, Commercial Corridor

Brownsville Electoral District #2



Planning & Zoning Commission Recommendation

- ▶ The request is **consistent** with the Comprehensive Plan and Future Land Use Plan.
- ▶ **P&Z** recommends **approval** to rezone from **Residential Transition (R-3)** to **Commercial Corridor (CC)**.

PUBLIC HEARING #5

Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-029**, to rezone from Residential Estate (RE) to Residential Transition (R-3) to allow a multi-family development for a 2.389-acre tract out of Lots 122, 121, and part of Boulevard Lot 120, a portion of abandoned Guerra Boulevard, and a portion of the Resaca de la Guerra, Brownsville Land and Improvement Company Subdivision, Cameron County, Texas, located at 221 Wild Rose Lane, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4)

Planning & Redevelopment Department

Case 235-2023-029

- ▶ Request to rezone to **Residential Transition (R-3)**
- ▶ **Current Zoning:** Residential Estate (RE)
- ▶ **Proposed Use:** Multifamily Development
- ▶ Property is fronting Wild Rose Lane

200' Buffer Map
13 mail outs/0 written opposition





City of Brownsville Zoning Map

Zoning Districts

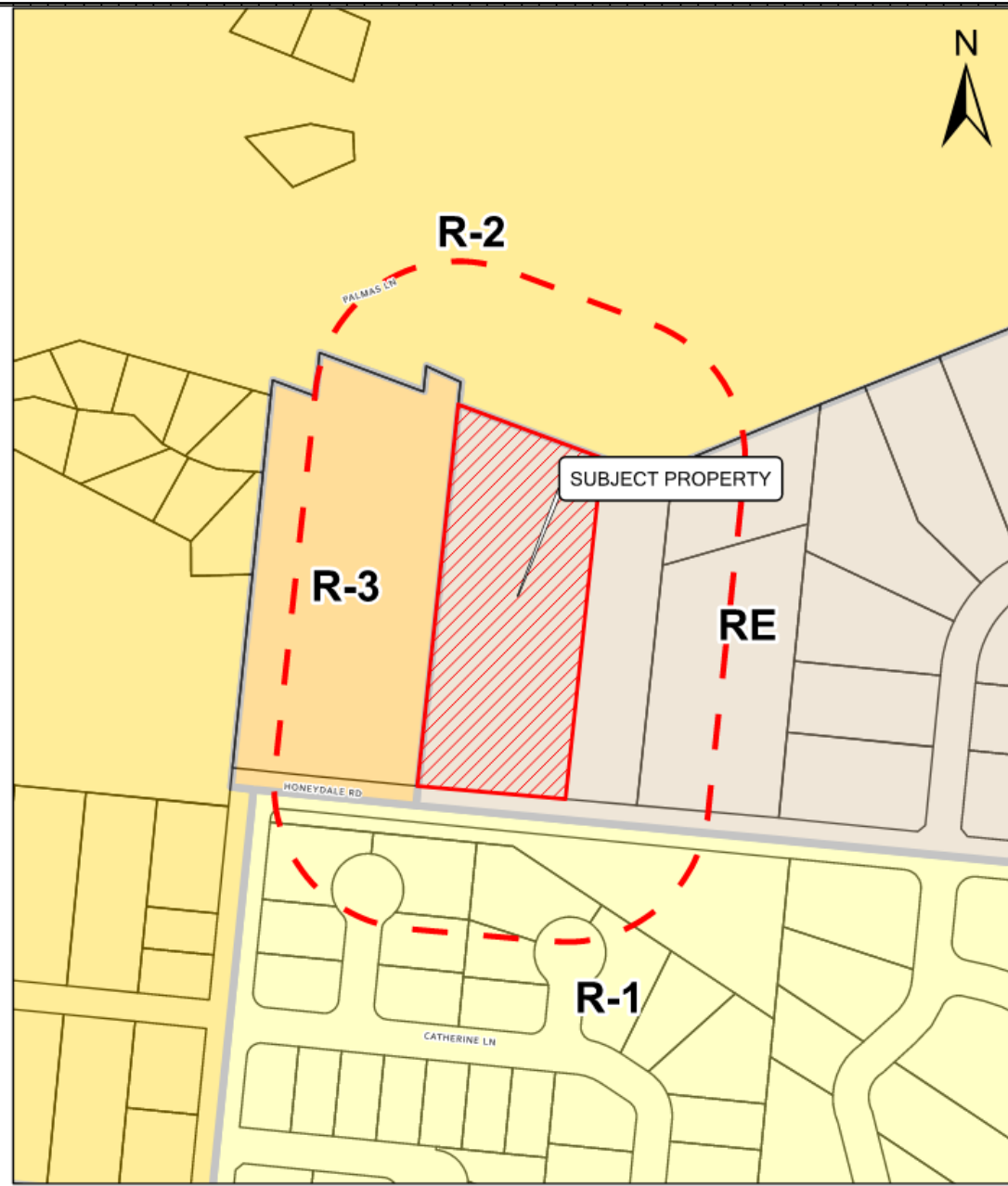
-  AG - Agricultural
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-  R-1 - Residential Single Family
-  R-2 - Residential Suburban
-  R-3 - Residential Transition
-  TN - Traditional Neighborhood
-  TN-MU - Traditional Neighborhood Mixed Use
-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Light Industrial
-  HI - Heavy Industrial
-  Brownsville City Limits

EXHIBIT "A"

Rezoning request:
Case # 235-2023-029

Current Zoning:
RE, Residential Estate
Proposed Zoning:
R-3, Residential Transition

Brownsville Electoral District #4



Planning & Zoning Commission Recommendation

- ▶ The request is **consistent** with the **Comprehensive Plan** and **Future Land Use Plan**.
- ▶ **P&Z** recommends **approval** to rezone from **Residential Estate (RE)** to **Residential Transition (R-3)**.

PUBLIC HEARING #6

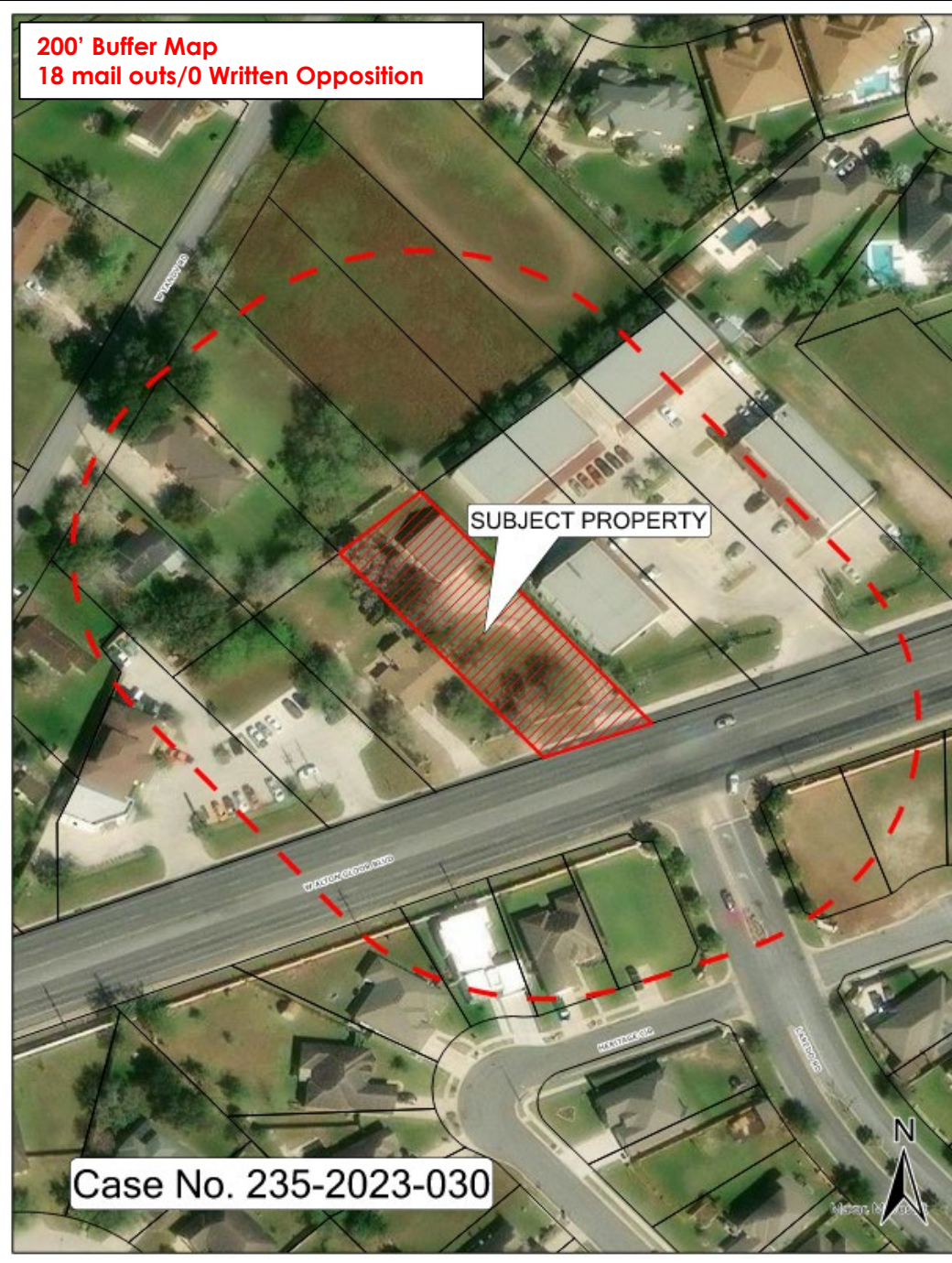
Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-030**, to rezone Residential Estate (RE) to Commercial Corridor (CC) to allow an administrative office for an electric business, Lot 10, Jose Almaraz Subdivision, Cameron County, Texas, located at 1420 West Alton Gloor Boulevard, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4)

Planning & Redevelopment Department

Case 235-2023-030

- ▶ Request to rezone to **Commercial Corridor (CC)**
- ▶ **Current Zoning:** Residential Estate (RE)
- ▶ **Proposed Use:** Administrative Office
- ▶ Property is fronting West Alton Gloor Boulevard

200' Buffer Map
18 mail outs/0 Written Opposition



Case No. 235-2023-030



City of Brownsville Zoning Map

Zoning Districts

-  AG - Agricultural
-  RE - Residential Estate
-  R-1 - Residential Single Family
-  R-2 - Residential Suburban
-  R-3 - Residential Transition
-  TN - Traditional Neighborhood
-  TN-MU - Traditional Neighborhood Mixed Use
-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Light Industrial
-  HI - Heavy Industrial
-  Brownsville City Limits

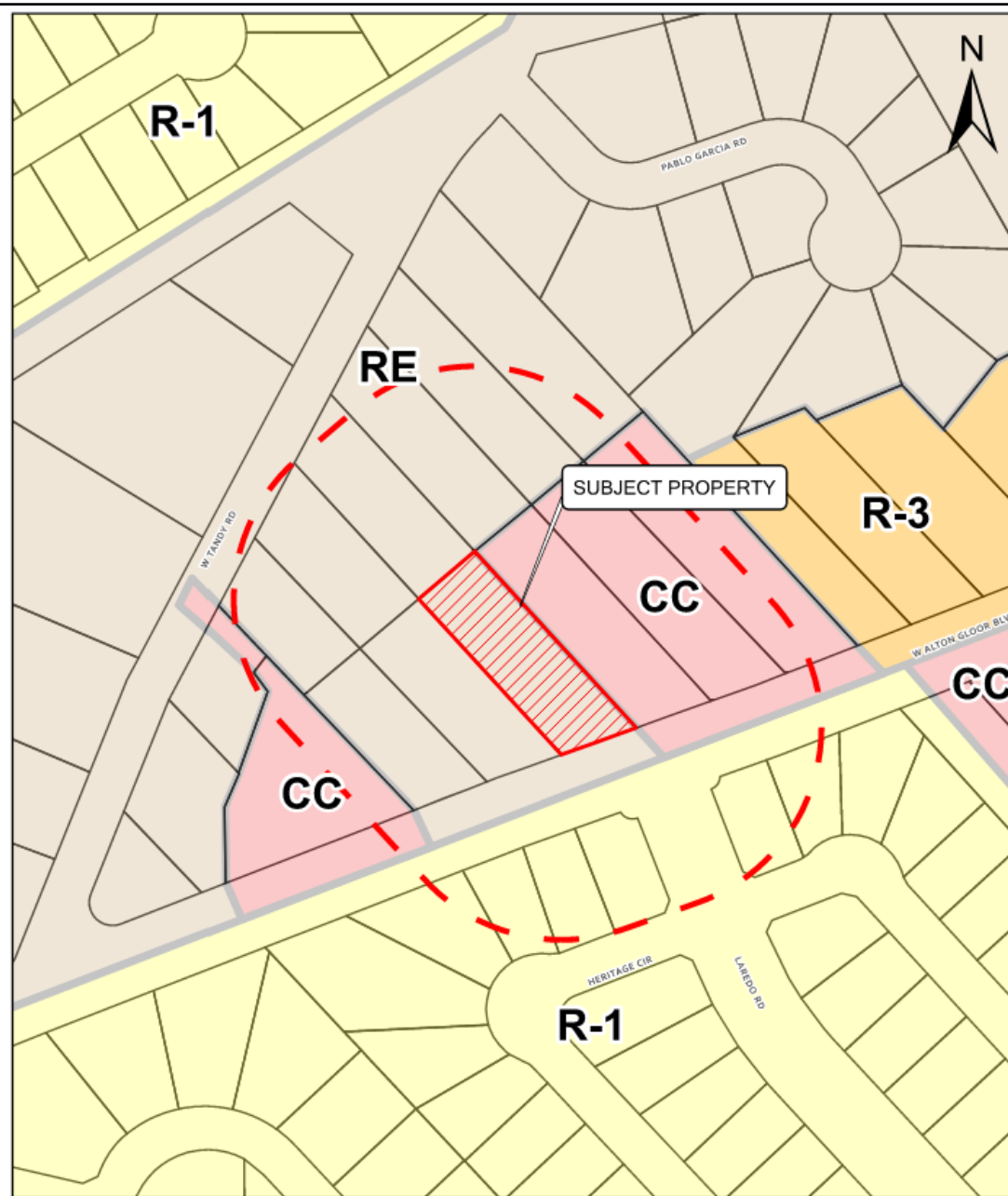
EXHIBIT "A"

Rezoning request:
Case # 235-2023-030

Current Zoning:
RE, Residential Estate

Proposed Zoning:
CC, Commercial Corridor

Brownsville Electoral District #4



Planning & Zoning Commission Recommendation

- ▶ The request is **consistent** with the **Comprehensive Plan** and **Future Land Use Plan**.
- ▶ **P&Z** recommends **approval** to rezone from **Residential Estate (RE)** to **Commercial Corridor (CC)**.

PUBLIC HEARING #7

Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2023-031**, to rezone from Agriculture (AG) to Residential Single-Family (R-1) to allow a Single-Family Development for a 21.64-acre tract, more or less, out of a 568.83-acre tract, Espiritu Santo Grant, Share 14, Cameron County, Texas, located at Summerhill Boulevard, Olmito, Texas 78575, as shown in Exhibit "A". (District 4)

Planning & Redevelopment Department

Case 235-2023-031

- ▶ Request to rezone to **Residential Single-Family (R-1)**
- ▶ **Current Zoning:** Agriculture (AG)
- ▶ **Proposed Use:** Single-Family Development
- ▶ Property is fronting Summerhill Boulevard





City of Brownsville Zoning Map

Zoning Districts

-  AG - Agricultural
-  RE - Residential Estate
-  R-1 - Residential Single Family
-  R-2 - Residential Suburban
-  R-3 - Residential Transition
-  TN - Traditional Neighborhood
-  TN-MU - Traditional Neighborhood Mixed Use
-  TN-C - Traditional Neighborhood Corridor
-  DE - Downtown Edge
-  DG - Downtown General
-  DC - Downtown Core
-  CC - Corridor Commercial
-  RC - Reginal Center
-  LI - Light Industrial
-  HI - Heavy Industrial
-  Brownsville City Limits

EXHIBIT "A"

Rezoning request:
Case # 235-2023-031

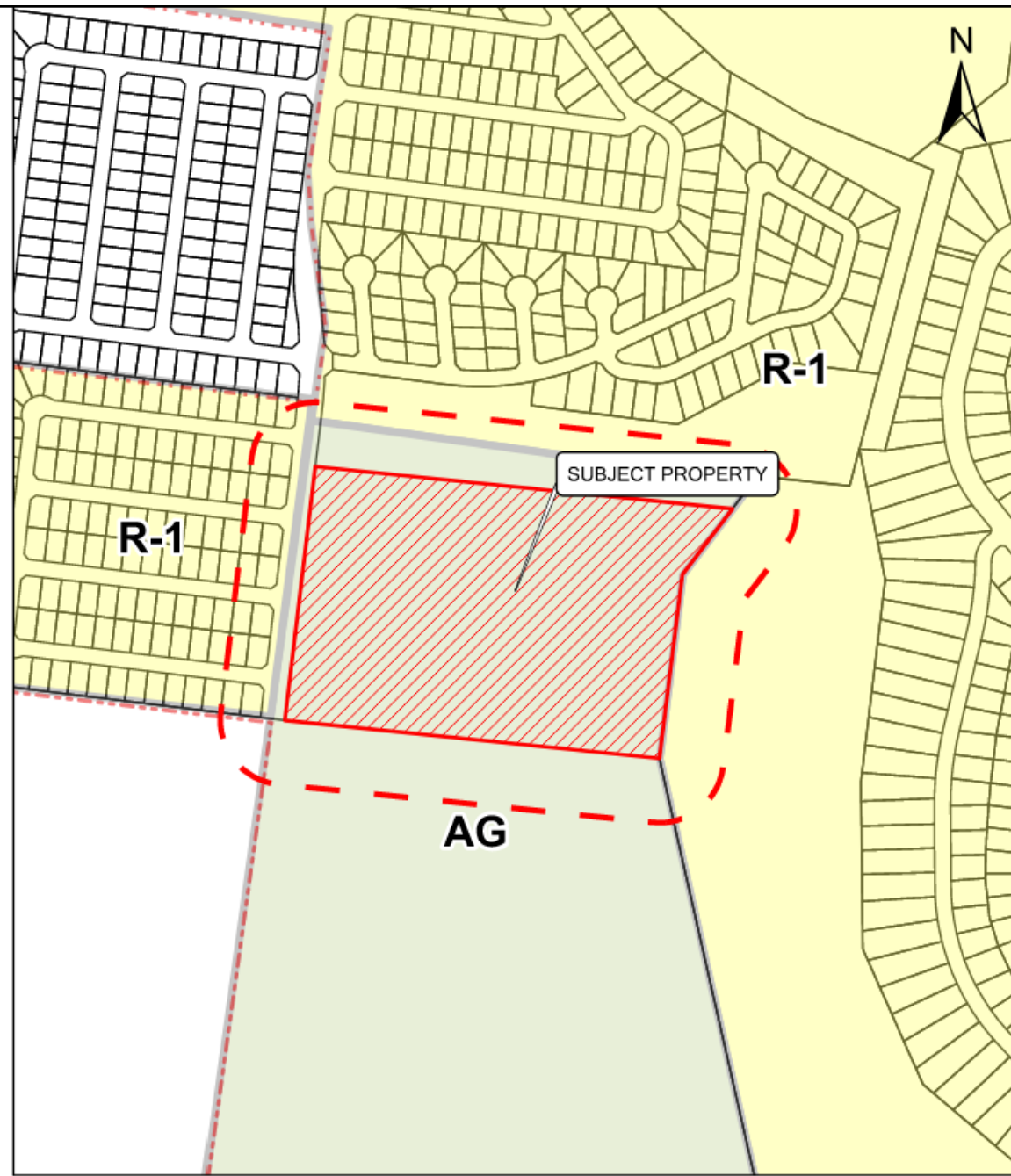
Current Zoning:

AG, Agricultural

Proposed Zoning:

R-1, Residential Single Family

Brownsville Electoral District #4



Planning & Zoning Commission Recommendation

- ▶ The request is **consistent** with the **Comprehensive Plan** and **Future Land Use Plan**.
- ▶ **P&Z** recommends **approval** to rezone from **Agriculture (AG)** to **Residential Single-Family (R-1)**.

**ITEMS FOR
INDIVIDUAL
CONSIDERATION(S)**

ACTION ITEM #1

Consideration and **ACTION** to approve **Resolution Number 2023-121**, the Cultural and Tourism Grant Fund Round 3 policy and COVID19 map.

Grants & Community Development Department



Cultural and Tourism Grant Fund - Round 3 Resolution 2023-121



Grants and Community Development

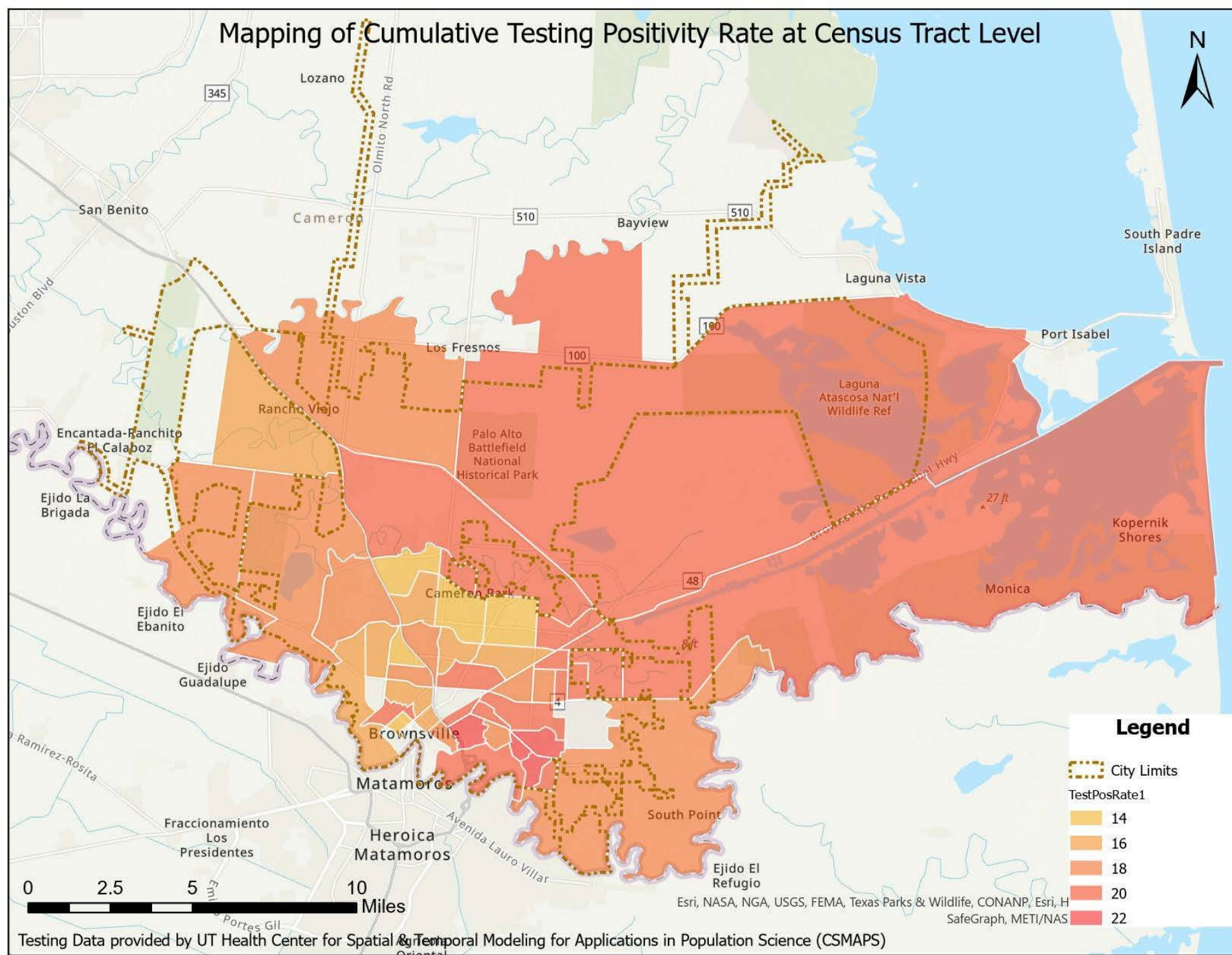
October 17, 2023

Department

... High Infection Rates Created Disproportionate Impacts

- **High Infection rate data shared by the City of Brownsville Health Department identified businesses operating in areas that were most directly impacted by COVID-19. The City may designate these areas as disproportionately impacted.**
 - **Businesses located in these communities may be deemed eligible for assistance without further analysis**
-

Mapping of Cumulative Testing Positivity Rate at Census Tract Level



COVID-19 Infectious Rate Map



Thank you!

**For any questions, please
contact Olga Moya at
olga.moya@brownsvilletx.gov**



ACTION ITEM #2

Consideration and **ACTION** on **Resolution Number 2023-120**, adopting procedures for review of Billboard applications.
(Tabled on October 3, 2023)

Planning & Redevelopment Department

Item(s) for Individual Consideration



Item 4. Consideration and ACTION on Resolution Number 2023-120, adopting procedures for review of Billboard applications. (Tabled on October 3, 2023)(Planning & Redevelopment Department)

SIX-MONTH PILOT FOR PROCESSING
BILLBOARD APPLICATIONS

Changeable Copy

- ▶ Provides waiver
 - ▶ For good and enough cause;
 - ▶ Failure to grant would result in exceptional hardship to the property owner; and
 - ▶ Will not result in additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances
- ▶ Adjudicating body
 - ▶ Planning and Zoning Commission
 - ▶ City Commission
 - ▶ Planning and Zoning Commission votes unanimously to recommend the denial of a request for a waiver, City Commission may only approve the waiver by a two-thirds (2/3rds) majority

Billboards

1. Application submitted to Planning and Redevelopment
2. Permit fee is paid
3. Director, or designee, reviews for completeness within ten (10) business days of receiving an application for a Sign Permit,
 1. If the Planning Director finds that the application is incomplete, the Planning Director will send to the applicant a notice of the specific issues or deficiencies that prevent the Planning Director from considering the application complete, with citations to applicable portions of the UDC. The application will remain pending for 45 business days.
 2. If the applicant does not submit all requested information within 45 business days of the original submittal date of the application, the application is void, and a new application and fee are required.
 3. If the Planning Director finds that the application with the supplemented documentation is now complete, the Planning Director will set the application before the Planning and Zoning Commission for a public hearing and a recommendation for approval by the City Commission

Billboards

4. Within 45 days of the application for a Sign Permit being deemed completed by the Planning Director, the Planning and Zoning Commission shall have at least one (1) public hearing to consider the application.
 1. Written notice of the public hearing shall be sent to the applicant, or to the property owner's authorized representative.
 2. The notice will be mailed within not less than ten (10) days before such hearing is held.
 3. Before making its decision, the Planning and Zoning Commission must allow the applicant to present evidence in favor of the request.
 4. In making its decision, the Planning and Zoning Commission may impose any conditions necessary to secure the public interest and welfare, and to uphold the spirit and intent of the UDC.
 5. The Planning and Zoning Commission may grant, deny, or grant with conditions the Sign Permit. Findings of the reason for the decision must be submitted in writing by the Chair to the City Commission no more than 7 calendar days from the meet at which the Planning and Zoning Commission took up the application

Billboards

5. Within 45 days of the Planning and Zoning Commission hearing, the item shall be placed before the City Commission by the Planning Director.
 1. Notice of a hearing before the City Commission shall be done by written notice sent to the applicant, or to the owner's authorized representative.
 2. The notices will be mailed within not less than ten (10) days before such hearing is held.
 3. The City Commission may uphold, reverse, or modify the Planning and Zoning Commission's decision.
6. Once the City Commission has approved a Sign Permit, the applicant must erect or install the sign within 180 calendar days in accordance with the approved permit. If construction has not begun within 180 calendar days, the permit is void, and a new permit application and fee is required.
7. The Planning Director may inspect the sign at any time during construction with 24-hour prior notice to the property owner on file. At least one inspection is required before the Permit can be issued.

ACTION ITEM #3

Consideration and possible **ACTION** to adopt **Resolution Number 2023-124** to adopt a policy requiring that no later than February 1, 2024, all boards which require financial reporting of their members under Chapter 38 be required to broadcast their meetings live and make the recordings of those meetings available to the public as quickly as the technology which is used for the live broadcast will allow.

Item(s) for Individual Consideration

- ▶ Item 3. Consideration and possible ACTION to adopt Resolution Number 2023-124 to adopt a policy requiring that no later than February 1, 2024, all boards that require financial reporting of their members under Chapter 38 be required to broadcast their meetings live and make the recordings of those meetings available to the public as quickly as the technology which is used for the live broadcast will allow. (Commissioner R. De los Santos/Commissioner B. L. Martinez)



Sec. 38-156. – Financial disclosure report

The resolution requires that no later than February 1, 2024, all boards that require financial reporting of their members under Chapter 38 be required to broadcast their meetings live **by the same technology or by technology more advanced than that currently used by the City Commission**, and make the recordings of those meetings available to the public as quickly as the technology is used for the live broadcast will allow:

- ▶ Greater Brownsville Incentive Corporation
- ▶ Brownsville Community Improvement Corporation
- ▶ Brownsville Planning and Zoning Commission
- ▶ Brownsville Zoning Board of Adjustment
- ▶ Brownsville Public Utility Board
- ▶ Brownsville Building and Standards Commission

ACTION ITEM #4

Consideration and **ACTION** on the Ethics Commission Decision
EAC#2022-09-02.

Item(s) for Individual Consideration

- ▶ Item 4. Consideration and ACTION on the Ethics Advisory Commission Recommendation in Decision EAC#2022-09-02



BEFORE THE CITY OF BROWNSVILLE
ETHICS ADVISORY COMMISSION

In the Matter of the Sworn Complaint filed §
against ROY DE LOS SANTOS. § Evidentiary Hearing date:
§ March 23, 2023
§
EAC#2022-09-02 §

DECISION

On March 23, 2023, the City of Brownsville Ethics Advisory Commission held an evidentiary hearing on the “Sworn Complaint” filed against ROY DE LOS SANTOS, City Commissioner, alleging a violation of the City of Brownsville Code of Ethics. The Preliminary Panel of the Ethics Advisory Commission construed the Sworn Complaint to allege violations of City of Brownsville Code of Ordinances (hereafter the “Code”) §§ 38-31(a), 38-35(a) and (b), 38-36.

After considering the evidence presented and the testimony of the witnesses, pursuant to Code §38-192 (b), the Ethics Advisory Commission finds clear and convincing evidence that ROY DE LOS SANTOS violated Code §38-35 because he participated in the drafting of a “Memorandum of Understanding” between the City of Brownsville, the Mitte Cultural District, and the Mitte Foundation while he simultaneously held the office of City Commissioner and was a paid member of the Mitte Foundation’s Board of Directors.

Pursuant to §§38-194(a)(4) and (b)(1), the Ethic Advisory Commission recommends that the City Commission issue ROY DE LOS SANTOS a “Letter of Notification” advising him to refrain from the same or similar conduct while simultaneously holding the office of City Commissioner and being a paid member of the Mitte Foundation’s Board of Directors.

DONE this the 7th day of July, 2023 in Brownsville, Texas.



David Willis
Chairperson of the City of Brownsville
Ethics Advisory Commission

Decision
EAC#2022-
09-02

BOARD APPOINTMENT(S)

ACTION ITEM #1

Consideration and **ACTION**, if any, to approve **Resolution Number 2023-104A** to appoint, reappoint, and/or remove member(s) of the Transit Advisory Committee.

Multimodal Transportation Department

Transit Advisory Committee

PURPOSE

To identify, assist, and advise the City with all activities concerning bicycle and pedestrians, which includes, but not limited to, reviewing and making recommendations on issues related to bike and pedestrian safety, education, projects, programs, signage, and plans.

WHEN THEY MEET

The third (3rd) Wednesday of each month at 5:30 PM via
Zoom logging in at:

<https://us06web.zoom.us/j/87672493492?pwd=MUc5ZDNad2tlZVFsalF2aWpBQWZhUT09>

Meeting ID: 876 7249 3492

Passcode: 569472

Or by phone

+1 346 248 7799

Meeting ID: 876 7249 3492

Passcode: 569472

WHO THEY ARE

Consist of six (7) appointed citizens

Member	Appointed	Term Expiration	Appointed By	District
VACANT				Mayor
Graham Sevier	9/19/2023	9/19/2025	Commissioner Villarreal	At Large A
VACANT				At Large B
Gregorio Rincones	6/16/2020	05/16/2024	Commissioner Galonsky	1
Jose S. Martinez	9/19/2023	9/19/2025	Commissioner Macias	2
VACANT				3
VACANT				4

Applicant's Name	District
Viola Currier	1
Sandra Gomez	1
Christina Villarreal	1
Martha Galvan	3

Applicant's Name	District

EXECUTIVE SESSION(S)

EXECUTIVE #1

Closed session pursuant to Tex. Gov't Code Sections 551.071
(Consultation with Attorney) regarding Project Ecosystem.

Office of the City Attorney

EXECUTIVE #2

Closed session pursuant to Tex. Gov't Code Sections 551.071
(Consultation with Attorney) regarding policy on employee
investigations.

Office of the City Attorney

EXECUTIVE #3

Closed session pursuant to Tex. Gov't Code Section 551.071
(Consultation with Attorney, including Contemplated or Pending
Litigation and/or Settlement Offer) related to *EISG v. City of
Brownsville*.

Office of the City Attorney

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

ADJOURNMENT