



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 **November 07, 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=mc77409b40129c227b132aac8fb6c5533>

Password: commission (26664774 from video systems)

CALL TO ORDER

A) ROLL CALL

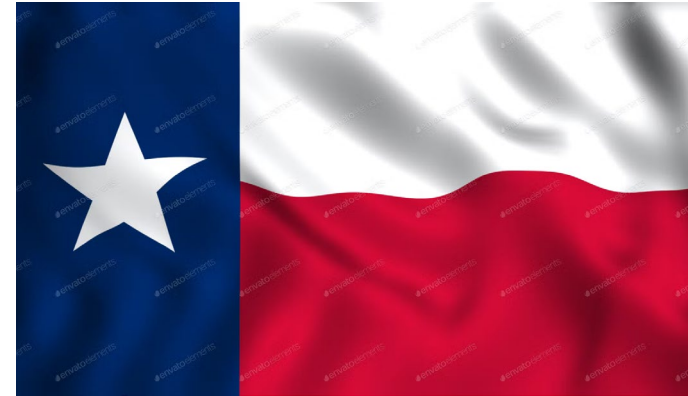
B) INVOCATION

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)

The International/Southmost Choice Neighborhood Ambassadors

Commissioner B.L. Martinez / Commissioner R. Gowen



PROCLAMATION

*A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
RECOGNIZING INTERNATIONAL/SOUTHMOST
CHOICE AMBASSADORS*

WHEREAS, the City of Brownsville is dedicated to revitalization of neighborhoods throughout our community, as a means of ensuring balance in quality of life and opportunity for residents wherever they live in our city; and

WHEREAS, in November 2021, the City of Brownsville in partnership with the Housing Authority of the City of Brownsville was awarded a \$450,000 Choice Neighborhoods Planning Grant from the U.S. Department of Housing and Urban Development (HUD) to revitalize the Victoria Gardens Housing Development and the surrounding International/Southmost community; and

WHEREAS, in order to ensure a comprehensive plan and vision which is representative of the people of the area, by engaging the very citizens who live in the area, the City determined that selecting Ambassadors from the area, dedicated to local engagement and inclusive community participation would best serve in creating the vision for the International/Southmost Choice Neighborhood Transformation Plan; and

WHEREAS, the City of Brownsville selected **Maria Reyes, Cecilia Espindola, Vanessa Vasquez, Griselda Servin, and Luz Monroy** in January of 2022 as the Ambassadors, key members of the planning team, and tasked them with engaging their neighbors and community members in the planning process through different activities, efforts, meetings, and events to ensure local community awareness of these efforts and to ensure their input; and

WHEREAS, the vision for the International/Southmost Choice Neighborhood Transformation Plan includes strategies for a resilient and prosperous community where Victoria Gardens residents are connected to the larger Brownsville community; residents and elementary schools to local universities; the International/Southmost neighborhood to Brownsville; and its history and culture to a positive future; and

WHEREAS, the International/Southmost Choice Ambassadors have made several contributions to their community by visiting with residents in their homes, conducting surveys, providing information regarding available resources within the HACB, and serving as a voice for the residents in their community.

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 & HONOR THE INTERNATIONAL/SOUTHMOST CHOICE AMBASSADORS, MARIA REYES, CECILIA ESPINDOLA, VANESSA VASQUEZ, GRISELDA SERVIN, AND LUZ MONROY** for their dedication to their neighbors and residents of their community, and further call upon the residents of Brownsville do the same in an effort to support revitalization efforts throughout the City of Brownsville for the benefit of all.

DONE, on this, the 7th day of November, 2023.

Housing Authority of the City of Brownsville 85th Anniversary

Commissioner B.L. Martinez / Mayor J. Cowen, Jr.



*A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
RECOGNIZING THE HOUSING AUTHORITY OF THE CITY OF BROWNSVILLE
85TH ANNIVERSARY*

WHEREAS, the U.S. Housing Act of 1937 was passed to provide decent, safe, and sanitary dwellings for families of low income and as a result, the Brownsville City Commission created the Housing Authority of the City of Brownsville (HACB) in 1938 appointing a five-member board to guide the agency and establish its housing policies; and

WHEREAS, in 1939, the Housing Authority of the City of Brownsville received funding from the U.S. Department of Housing and Urban Development for the construction of its first Low Income Public Housing Development named Buena Vida, and since opening said development the HACB has diversified its portfolio by providing affordable housing options via the HUD Housing Choice Voucher Program, HUD Rental Assistance Demonstration Program, the 9% Housing Tax Credit Program, and currently is overseeing the construction of Tangelo Quarters Phase II and the adaptive re-use of the El Jardin Hotel; and

WHEREAS, HACB recognizes that its role and responsibility to advocate for the most vulnerable families in our community goes beyond providing a housing unit and therefore it has developed a diverse menu of supportive services programs assisting all members of the household with the goal to improve their quality of life. Said programs include HUD Choice Neighborhood Planning Initiative, ConnectHomeUSA, HACB Scholarship Program, HCV Homeownership Program, HUD Family Self-Sufficiency Program; HUD ROSS Program; Book Rich Environment Program, Road to College Program, BiblioTech, and HUD EnVision Center, among other opportunities; and

WHEREAS, HACB has evolved as a housing authority by strategically utilizing its three non-profits--the Brownsville Housing Opportunity Corporation, the Brownsville Housing Management Corporation, and the Brownsville Housing Finance Corporation--by creating successful private-public partnerships which have led HACB to become its own Real Estate Tax Credit Developer, General Partner of several tax credit properties and most recently awarded a 4% bond allocation to further develop affordable housing in the community of Brownsville; and

WHEREAS, November 7, 2023, marks the 85th Anniversary of the Housing Authority of the City of Brownsville and recognizes this organization's value and contribution to our City as it currently employs 56 team members, serves over 3,900 families, owns and operates 22 properties and provides economical, educational and supportive opportunities to the Community of Brownsville.

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 HOUSING AUTHORITY OF THE CITY OF BROWNSVILLE
for their 85TH ANNIVERSARY**

and express gratitude for their continued dedication to our community.

DONE, on this, the 7th day of November, 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.

PRESENTATION(S)

Citywide Grant Updates

Grants & Community Development Department



FY 2022-2023

CITYWIDE GRANTS PRESENTATION

Grants and Community Development Department
November 07, 2023



Grants and Community Development Department

Community Development

Responsible for administering funds from the U.S. Housing of Urban Development.

- Community Development Block Grant (CDBG)
- Home Program
- Emergency Solutions Grant (ESG)

Grants Division

Work with City Departments to submit grant applications. Identify, secure, and manage grant funding.

- Federal
- Local
- State
- Foundations

Mission Statement

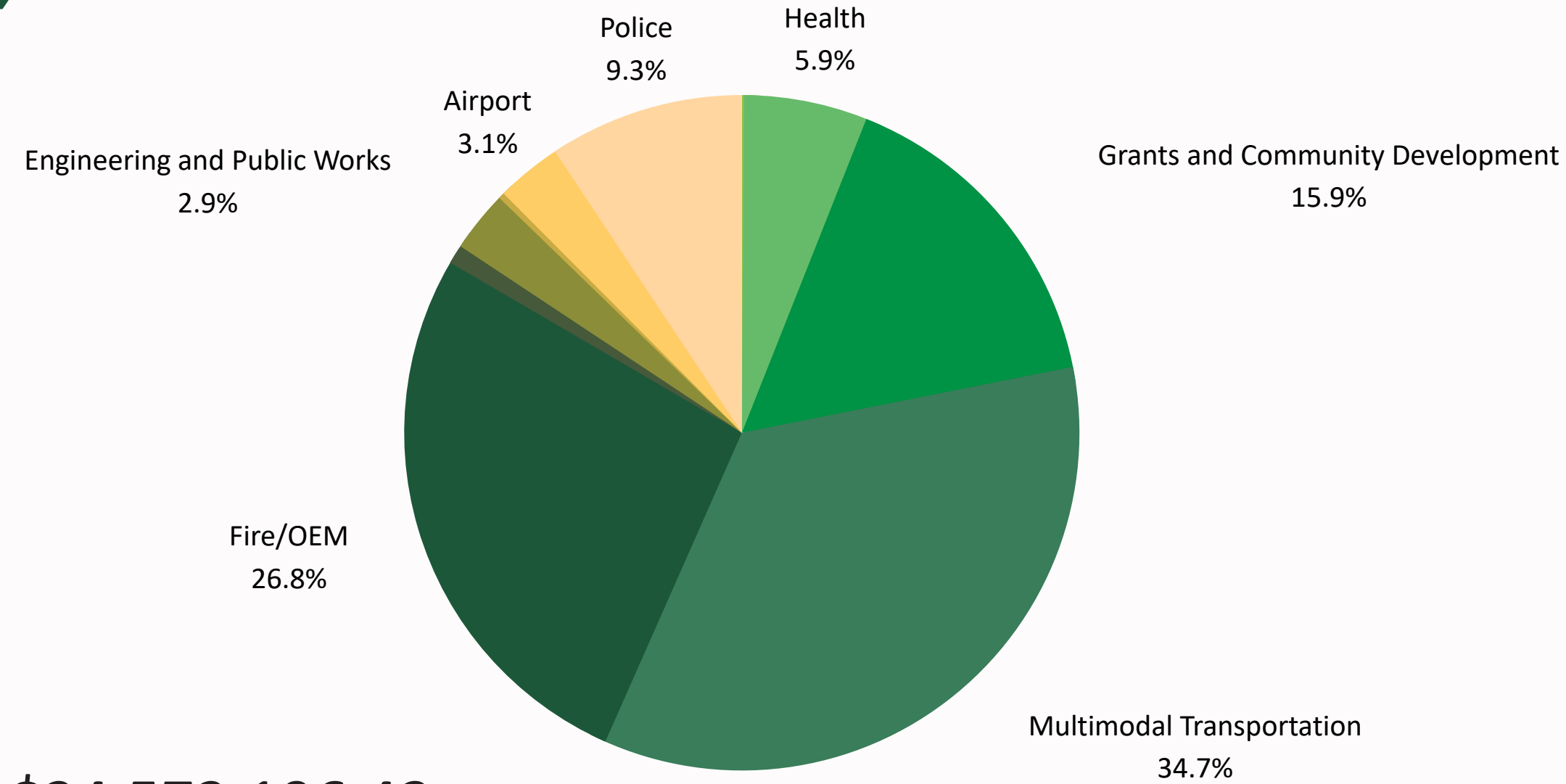
The Grants and Community Development Department communicates, collaborates, and manages innovative projects and funding opportunities that improve the quality of life for Brownsville.

Vision Statement

Our vision is to be an empowering leader that provides resources and support for the City of Brownsville in the field of grants and community development.



Citywide Grant Overview (2022-2023)



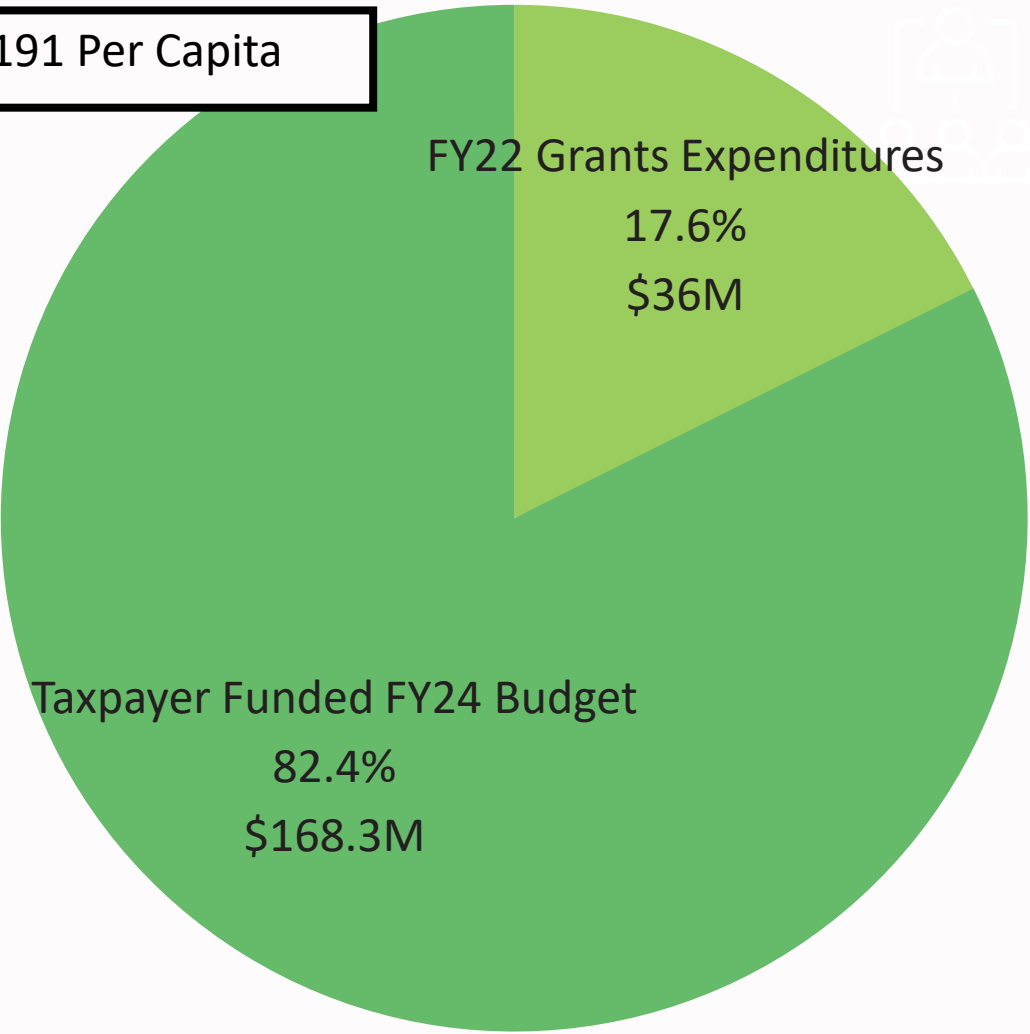
\$24,572,196.43

City Funding Comparison

\$4 of Tax Support = \$1 of Grant

Expenditures

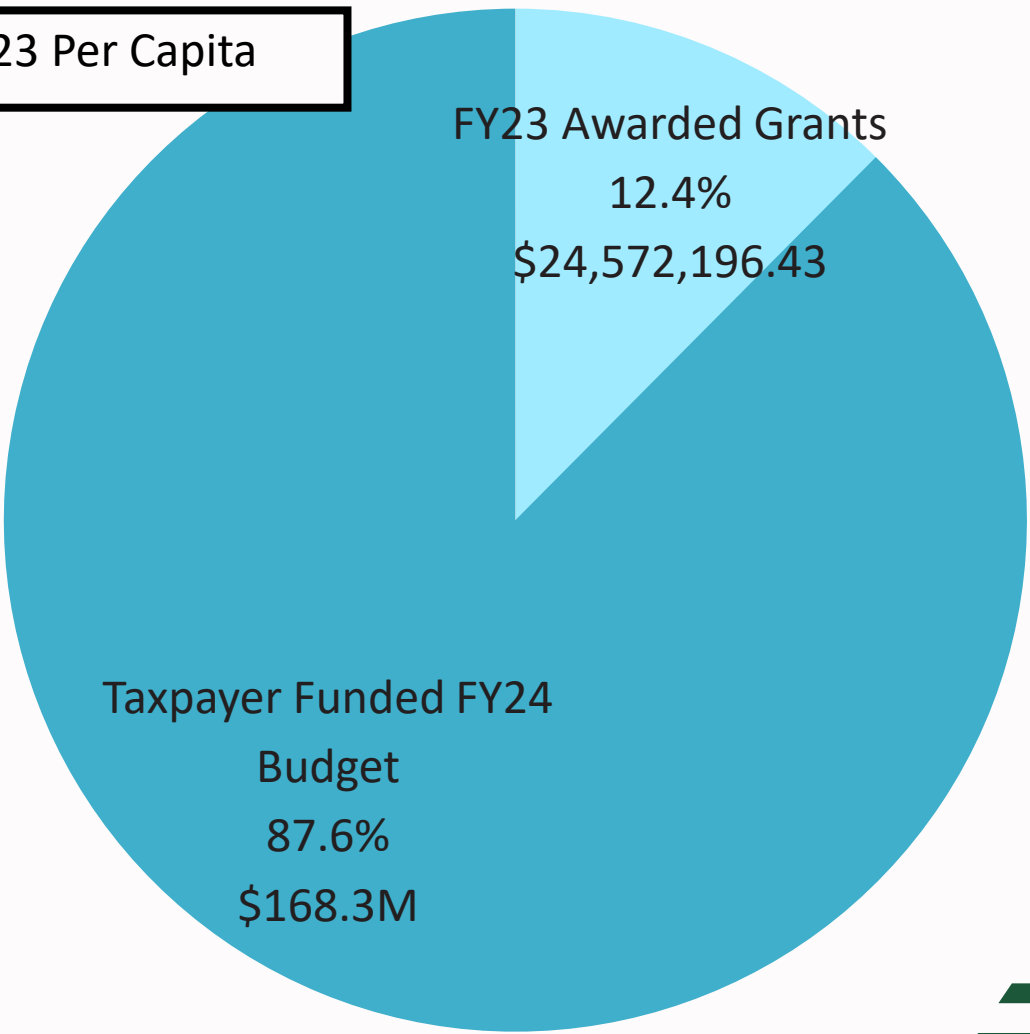
\$191 Per Capita



\$8 of Tax Support = \$1 of Grant

Funding

\$123 Per Capita



Grants Process

1

CITY DEPARTMENTS

Departments work with City Management and City Commission to set department goals for the upcoming fiscal year based on City Commission Pillars.

2

CREATE SEARCH CRITERIA

The Grants Division develops search criteria based on each Department's work plan. The criteria generates weekly search results, which are reviewed by the grants team to find matching opportunities.

3

APPLICATIONS

We collaborate with departments to form grant applications for all matching opportunities and utilize work plans to develop project sustainability and find strategic grant funding.

4

MANAGE GRANT FUNDING

We manage local, foundation, state, and federal grant funding in tandem with department project leads. We communicate with funders

5

SUSTAINABILITY

We assist departments with sustainability plans to ensure continued funding for each project, and research funding for multi-year projects.

6

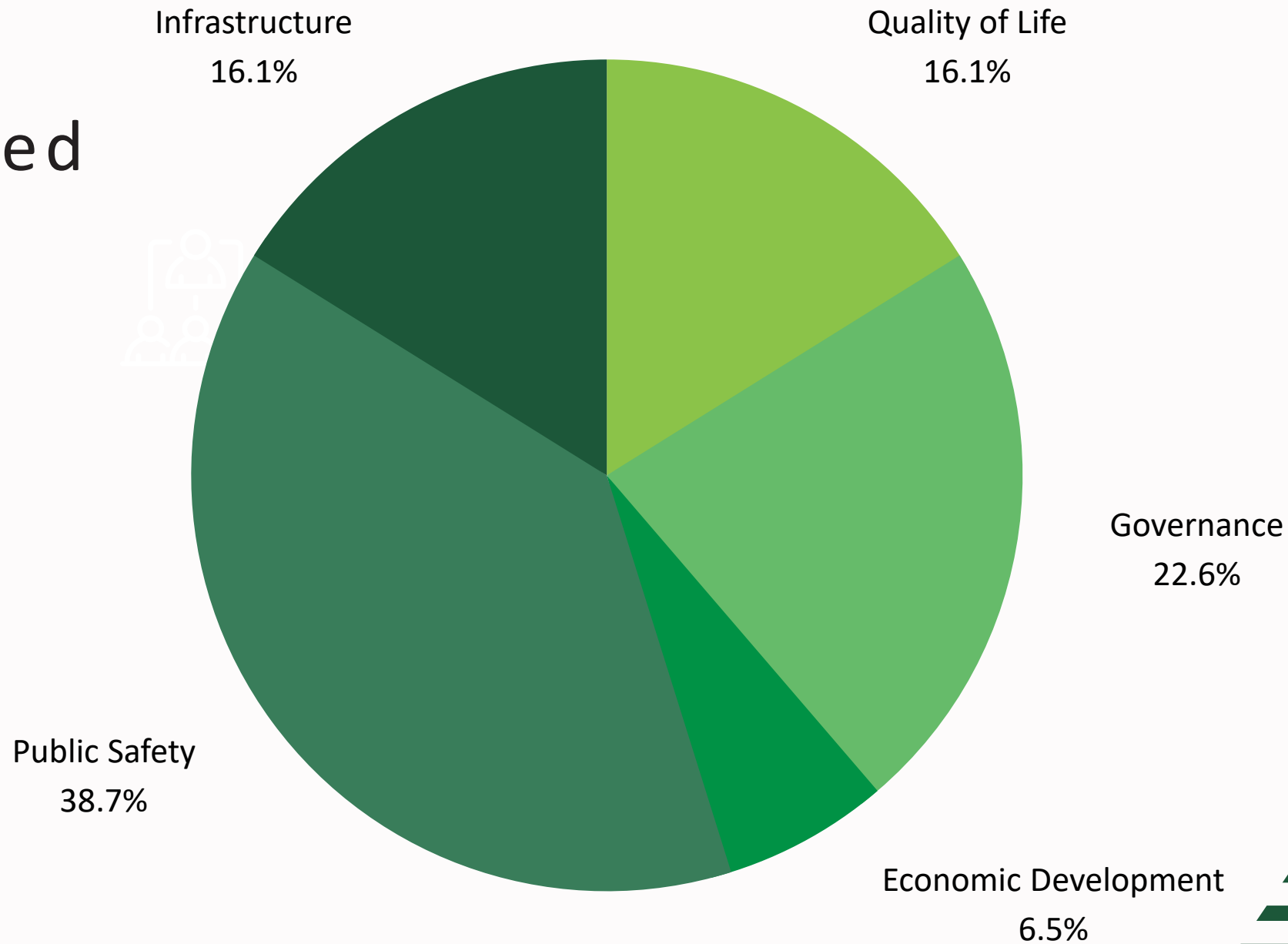
EVALUATE PROJECTS

We support departments in completing grant reports in a timely manner and evaluate projects to improve chances for future funding opportunities.



Grants Submitted FY 2022-2023

\$15,758,965.25

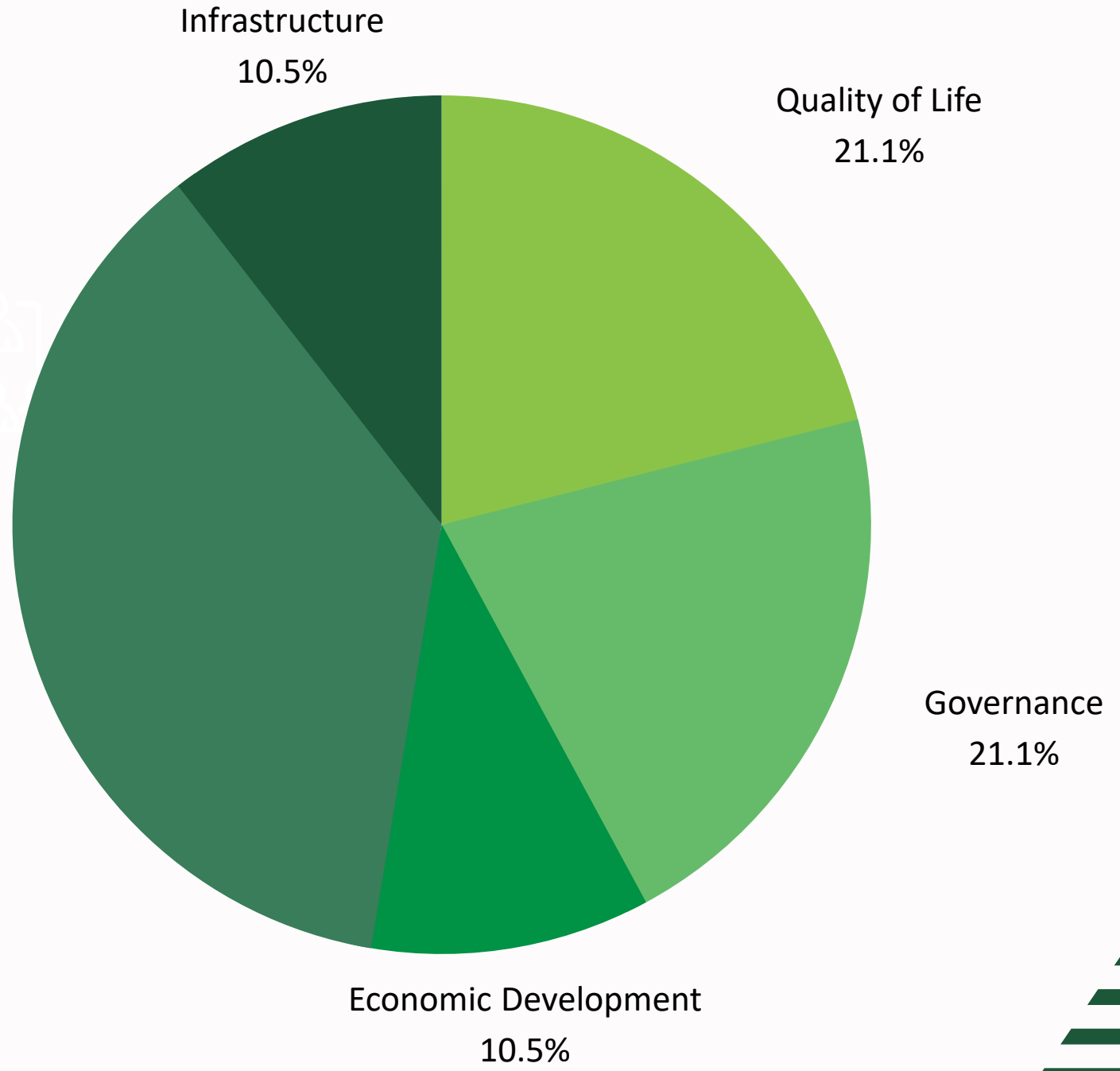




Grants Awarded FY 2022-2023



\$7,399,070.14



MULTI-YEAR COMPARISON

Fiscal Year	ROI	Per Capita
2019	\$6.32	\$10.41
2020	\$3.24	\$5.19
2021	\$32.14	\$48.44
2022	\$7.01	\$11.93
2023	\$17.63	\$38.89

Grant Award History Amount = \$87,391,003.60

Awarded Grants

USDOT Thriving Communities Program (TCP)

The TCP provides technical assistance and support to assist community partners in planning and developing a pipeline of comprehensive transportation, housing, and community revitalization activities.

Partners: HACB, TSC

FEMA Shelter and Services Program

The Shelter and Services Program provides funds to support the safe, orderly, and humane release of noncitizen migrants from short-term holding facilities.

Award: \$5.1 million

TPWD CO-OP Program Grant

The Community Outdoor Outreach Program (CO-OP) grant provides funding for programming that engages under-served populations.

Award: \$69,592

CONTACT US

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Grants and Community Development

1150 E. Adams Street
El Tapiz Building - 3rd Floor
Brownsville, TX 78520



Brownsville Animal Regulation and Care Center (BARCC)

Public Health Department

Brownsville Animal Regulation and Care Center

Annual Update



BARCC

EVERY PET DESERVES A HOME

BROWNSVILLE ANIMAL
REGULATION AND CARE CENTER

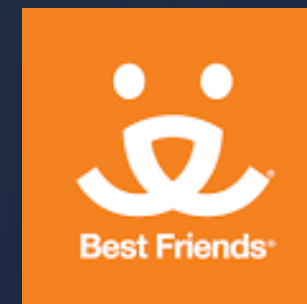
Shelter Clinic Update

- Donated surgical equipment
- Ability to perform spay and neuter surgery
- Increasing the standard of care
- Ability to treat our shelter HW+ dogs
- Possibility of getting CBC and Chemistry machines



Collaborating with Best Friends Update/Roadmap

- 1) Community Cat Program
- 2) Sanitation & Disease Control
- 3) Daily Rounds & Pathway Planning
- 4) Onboarding & Training
- 5) Intake Strategies
- 6) Adoption & Foster
- 7) Return to Owner
- 8) Volunteer Program
- 9) Dog Lifesaving
- 10) Cat Lifesaving
- 11) Multicultural Marketing
- 12) Euthanasia Process & Decision Making
- 13) Hill's ShelterLuv Food Program
- 14) Additional Staff Support
- 15) Financing Commitment to Lifesaving



REPORTS

Euthanasia : Sept 2022 – Aug 2023

	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug	Total
Cats	143	161	183	98	80	44	92	90	18	30	9	11	
Dogs	276	243	255	284	199	188	201	237	27	60	21	41	
Other	7	10	9	1	5	2	4	0	5	0	1	0	
Livestock	0	0	0	0	0	0	0	8	0	0	0	0	
Total	426	414	447	383	284	238	297	335	50	90	22	52	3038

Save Rate: Sept. 2022 – Aug. 2023
(Live Intakes – Non-Live Outcomes)/(Live Intakes)

Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug
22.5%	26%	14%	23%	27.7%	35%	42%	37%	85.7%	34%	73%	78.2%



BARCC
 EVERY PET DESERVES A HOME
 BROWNSVILLE ANIMAL
 REGULATION AND CARE CENTER

Pipeline Dreams



**Commercial Laundry Equipment
Fleet Vehicle Replacement
Roof and HVAC Overhaul
Security Cameras and Alarm System
Mobile Adoption Unit
Remote Food Pantry
Monthly Vaccine Clinics
Spay and Neuter Clinics
Additional Staff
Shelter Expansion**



BARCC

EVERY PET DESERVES A HOME

BROWNSVILLE ANIMAL
REGULATION AND CARE CENTER



PROCLAMATION
*A PROCLAMATION OF THE CITY COMMISSION
OF BROWNSVILLE, TEXAS,
PROCLAIMING
THE WEEK OF NOVEMBER 3-9, 2023
AS NATIONAL ANIMAL SHELTER APPRECIATION WEEK*

WHEREAS, The observance of National Animal Shelter Appreciation Week acknowledges the hard-working people who work tirelessly to help and save animals. These individuals support the efforts of the shelters whose primary function is to find a home for stray animals and help to reunite lost pets with their owners; and

WHEREAS, National Animal Shelter Appreciation Week recognizes the shelters providing care that bridges the gap to adoption for approximately 70 million abandoned and stray animals in the United States, of which, up to 8 million of these animals end up in shelters in the United States annually; and

WHEREAS, Since its establishment in 2005, the Brownsville Animal Regulation and Care Center staff have devoted their time and resources to saving the lives of countless animals in our community; and

WHEREAS, The City of Brownsville Animal Regulation and Center answers calls for assistance to capture potentially dangerous animals, rescue animals in distress, investigate reports of animal cruelty and neglect, provide education for pet guardians about responsible pet care; as well as provide nutrition, medical care, enrichment and a second chance at life to every animal that comes through their doors; and

WHEREAS, The Brownsville Animal Regulation and Care Center encourages all members of the community to celebrate this week by choosing to save a life through pet adoption; and

NOW THEREFORE, WE THE MEMBERS OF THE CITY COMMISSION of the City of Brownsville, Texas, by virtue of the authority vested by the Charter of said City, and on behalf of all our citizens, do hereby **PROCLAIM** the week of **NOVEMBER 3-9, 2023,** as

NATIONAL ANIMAL SHELTER APPRECIATION WEEK

and the Brownsville Animal Regulation and Care Center encourages all members of the community to celebrate this week by choosing to save a life through pet adoption.

DONE, on this, the 7th day of November, 2023.

City Manager Update

City Managers Office

Mayor Cowen Appointed as RGVMPO's Vice-Chair

Brownsville mayor tapped as MPO policy board's vice chair

By [Steve Clark](#) · November 3, 2023

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Brownsville Mayor John Cowen Jr. has been named vice chairman of the policy board of the Rio Grande Valley Metropolitan Planning Organization, the federally mandated body overseeing municipal transportation planning in Cameron and Hidalgo counties.

Cowen was named to the position at the MPO's Oct. 25 board meeting, with Hidalgo County Commissioner for Precinct 1 David Fuentes, coming in as chairman to succeed Cameron County Judge Eddie Trevino Jr. in that role. Cowen, who joined the MPO board after being sworn in as mayor in May, will transition to MPO chairman after two years.



John Cowen Jr.

RGVMPO plays a pivotal role in shaping the future of the region's infrastructure and connectivity. Currently, the RGVMPO Policy Board oversees the region's long-range plan, the Metropolitan Transportation Plan (MTP) that contributes over \$480 Million from State and Federal Funds to the RGV.

As per the bylaws, once the 2-year term is up, the Vice-Chair will assume the Chairmanship of the RGVMPO, making Mayor Cowen Chairman of the RGVMPO Board in October 2025.



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 17, 2023, Regular City Commission Meeting

2) APPROVAL on SECOND and FINAL 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)

3) APPROVAL on SECOND and FINAL 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)

4) APPROVAL on SECOND and FINAL 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)

5) APPROVAL on SECOND and FINAL 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)

6) APPROVAL on SECOND and FINAL 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)

7) APPROVAL on SECOND and FINAL READING on Ordinance Number 2023-1724 adopting City Board Policies. (Office of the City Attorney)

8) Consideration and ACTION to approve an Interlocal Agreement with the City of Harlingen for Fire Inspection Services. (City Manager's Office)

9) Consideration and ACTION to adopt Resolution Number 2023-117, reviewing, amending and readopting all of the provisions listed in the documents titled, "City of Brownsville, Texas Amended Investment Policy" and "City of Brownsville, Texas, Amended Investment Strategy Statement". (Financial Services)

10) Consideration and ACTION to approve the proposal from SCS Engineers to assist in the preparation of a Request for Proposal (RFP) in implementing a landfill gas-to-energy (LFGE) project using gas produced by the City of Brownsville Landfill in the amount of \$62,500. #LES-63-0703 (Engineering and Public Works Department)

11) Consideration and ACTION to authorize the United States Department of the Interior U.S. Geological Survey Amendment of Joint Funding Agreement for Water Sources Investigation. The purpose of this amendment is to extend the period of performance.(Engineering and Public Works Department)

12) Consideration and ACTION to approve Resolution Number 2023-125 for the agreement between the Texas Department of Transportation (TxDOT) and the City of Brownsville to authorize the street closure(s) for the Christmas Parade. (Engineering & Public Works Department)

13) Consideration and ACTION to employ Vector Airport Systems, LLC.'s PLANEPASS Automated Aircraft Fee Billing and Collections Solution through a 3-year agreement at a cost of 25% of landing fees collected. (Airport Department)

14) Consideration and ACTION to approve Resolution Number 2023-129 to purchase a Fire Engine and Rear Mount Platform Truck with associated equipment for the Brownsville Fire Department to be paid with the issuance of future Certificates of Obligation. (Fire Department)

15) Consideration and ACTION to award the purchase and delivery of two (2) remounted ambulances to the Brownsville Fire Department in the amount of \$474,875 as budgeted in the fiscal year 2023 Capital Improvement Program (CIP). Contract #029-24-FIR-SA (Fire Department)

16) Consideration and ACTION to approve Resolution Number 2023-130 to purchase a Spartan/SVI Heavy Rescue Fire Apparatus for the Brownsville Fire Department to be paid with the issuance of future Certificates of Obligation. (Fire Department)

17) Consideration and ACTION to pay Tyler Technologies for annual maintenance and support fees. (Municipal Court Department)

18) Consideration and ACTION to approve Free Fare for citizens to honor all Veterans and to transport any and all citizens wishing to attend the Veterans Job Fair and free fare for everyone wishing to attend the H-E-B Feast of Sharing Event. (Multimodal Transportation)

19) Consideration, and ACTION, if any, on the Second and Final Reading of Ordinance Number 2023-1716 related to Paul Seales/Port Isabel/Laguna Vista v. Brownsville. (Office of the City Attorney)

20) Consideration and ACTION to approve a renewal of the Professional Services Agreement for Healthcare Consulting Services with Higginbotham and authorize the agreement. (Organizational Development and Human Resources Department)

PUBLIC HEARING(S)

PUBLIC HEARING #1

Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2023-1701-A**, amending Chapter 102 Utilities, Article III Rates and Charges, Section 102-81, of the Code of Ordinances to cancel scheduled adjustments to the Resaca Fee; setting a Public Hearing thereon; and providing a severability clause and effective date.



Resaca Fee Reduction Request

CITY OF BROWNSVILLE
CITY COMMISSION MEETING
NOVEMBER 07, 2023

Resaca Restoration Program Benefits



- Increase water capacity
 - Storm drainage
 - Potable storage
- Improve water quality
- Economic development
- Recreation/ecotourism
 - Critical freshwater source
 - Central and Pacific flyways
- Environmental Benefits
 - Restores critical aquatic and riparian habitat
 - Restores habitat for federal and state listed species

Resaca Restoration Program Funding

- Maintaining the Resaca Fee at \$6.25 in FY 2024 is forecasted to generate \$4.14M in revenue

Program Needs	FY 2024 Projections
Non-federal share of RESTORE Grant ⁽¹⁾	\$1.49M
Reserve for USACE Project requirements ⁽²⁾	\$2.24M
General Fund Transfer	\$0.41M
Total uses of funds in FY 2024	\$4.14M

(1) BPUB received funding for the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast (RESTORE) Grant from the Texas Commission on Environmental Quality.

(2) BPUB is awaiting federal appropriations for the U.S. Army Corps of Engineers (USACE) Resaca Ecosystem Restoration Project and notice to proceed, requiring 35% matching funds.

Current Approved Resaca Fee

- City Ordinance 2022-1701 provides for a Resaca charge
- Fee is assessed on retail water customers
- Approved Resaca Fees*

Effective Date	Monthly Fee
Jun 1, 2022	\$4.50
Jan 1, 2023	\$6.25
Jan 1, 2024	\$10.00
Jan 1, 2026	\$12.00

**Code of Ordinances Section 102-81 – Resaca Fee*



Resaca Fee Reduction Request

- The Board of Directors approved Resolution 2023-0911 (CIC-3) on September 11, 2023, requesting the City Commission to maintain the Resaca Fee at \$6.25 per retail water account

Effective Date	Approved Monthly Fee	Proposed Monthly Fee
Jun 1, 2022	\$4.50	\$4.50
Jan 1, 2023	\$6.25	\$6.25
Jan 1, 2024	\$10.00	\$6.25
Jan 1, 2026	\$12.00	\$6.25

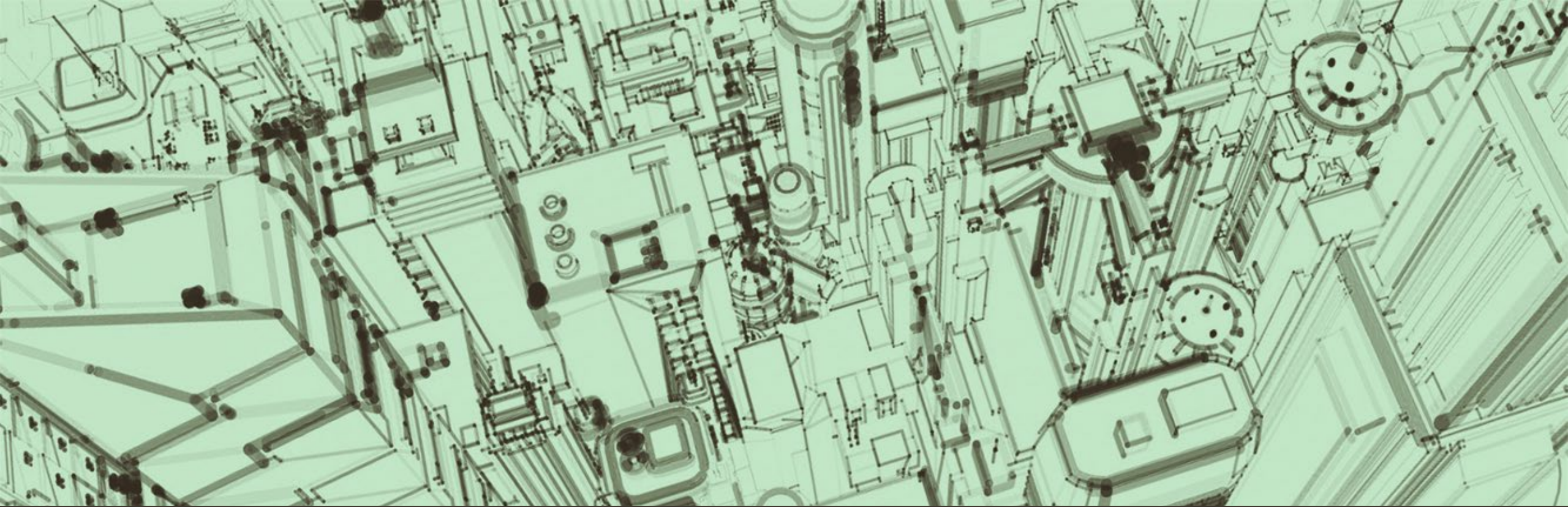
- Current Resaca Fee generates adequate funding for program needs in 2024.
- Future program requirements and fee impacts are being evaluated.

**ITEMS FOR
INDIVIDUAL
CONSIDERATION(S)**

ACTION ITEM #1

Consideration and **ACTION** on **Resolution Number 2023-126**, authorizing the replacement of Computershare Trust Company, N.A., as paying Agent/Registrar for the City of Brownsville's outstanding debt Obligations and the appointment of a successor paying Agent/Registrar for such debt obligations.

Financial Services Department



Paying Agent/Registrar

City of Brownsville Texas



Paying Agent – Role

- A paying agent accepts payments from the issuer (the City) of a security and then distributes these funds to holders of the security. Although paying agents work with all securities, including stocks, they are widely used with debt instruments, like bonds. Paying agents are usually a corporate trust department of a bank or trust company that are designated to make dividend, coupon, and principal payments to a security holder on behalf of the issuer.
- Registrar. The registrar keeps records of the holders of registered securities. Often, this role is performed by the same party that is performing the custodian or paying agent roles. Other parties, called transfer agents, may assist with this process in other jurisdictions.
- An escrow agent is any person engaged in the business of receiving escrows for deposit or delivery either in person or on the internet. For a bond refunding when there is an escrow established, they will service the debt with interest and principal payments for the life of the escrow.

Current Paying Agent/Registrar – ComputerShare Inc.

- The City of Brownsville currently pays ComputerShare \$750/\$1,000 per series or about \$26,500 per year.

Replacement Strategy

- The City of Brownsville engaged Estrada Hinojosa & Company, Inc, The City's Financial Advisor, to help start an informal request for proposals for this services.
- We received 7 proposals, and the proposals were evaluated by our financial advisor.
 - All 7 proposals meet our criteria and provided required info. The differentiator of the decision boiled down to fees. Financial advisor provided a bid tabulation to show fee comparison and it has been determined that UMB Bank is the best option for the City of Brownsville.

City of Brownsville PA/Escrow Agent RFP Fee Summary					
Firm	Acceptance Fee	Paying Agent Fee (Annual - per deal)	Escrow Agent Fee (Annual - per account)	Bond Call / Redemption Processing (per series)	Filing Agent Fee (8038CP per Series)
Bank of New York	Waived	\$750.00	\$750.00	Did not provide	N/A
BOK	Waived	\$400.00	\$750.00	\$300.00	\$500.00
ComputuerShare	\$500.00	\$500.00	\$500.00	\$500.00	N/A
Regions	\$250.00	\$750.00	\$1,250.00	Did not provide	N/A
UMB	Waived	\$350.00	\$250.00	\$300.00	N/A
US Bank	Waived	\$400.00	Did not provide	\$300.00	N/A
Wilmington Trust	Waived	\$500.00	\$500.00	Did not provide	N/A

UMB Background

- UMB Corporate Trust and Escrow Services is also a nationally ranked and recognized provider of corporate trust services. They have been consistently ranked as the 3rd largest provider nationally of municipal bond paying agency services, in terms of transactions, over the last several years. UMB administers over \$33 billion in debt with over 15,500 debt and escrow transactions.

Savings

- The City of Brownsville will save about 50%-65% or \$17,000 annually by changing to a lower cost paying agent.
- The City of Brownsville is expected to save over \$85,000 for the next 5 years.

ACTION ITEM #2

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

Grants and Community Development

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



Grants and Community Development

November 7, 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**
- **\$460,117.12 of CTG-ARPA funds remain to distribute and with feedback from City Commission, the Small Business/Non-Profit Grant Program was developed.**

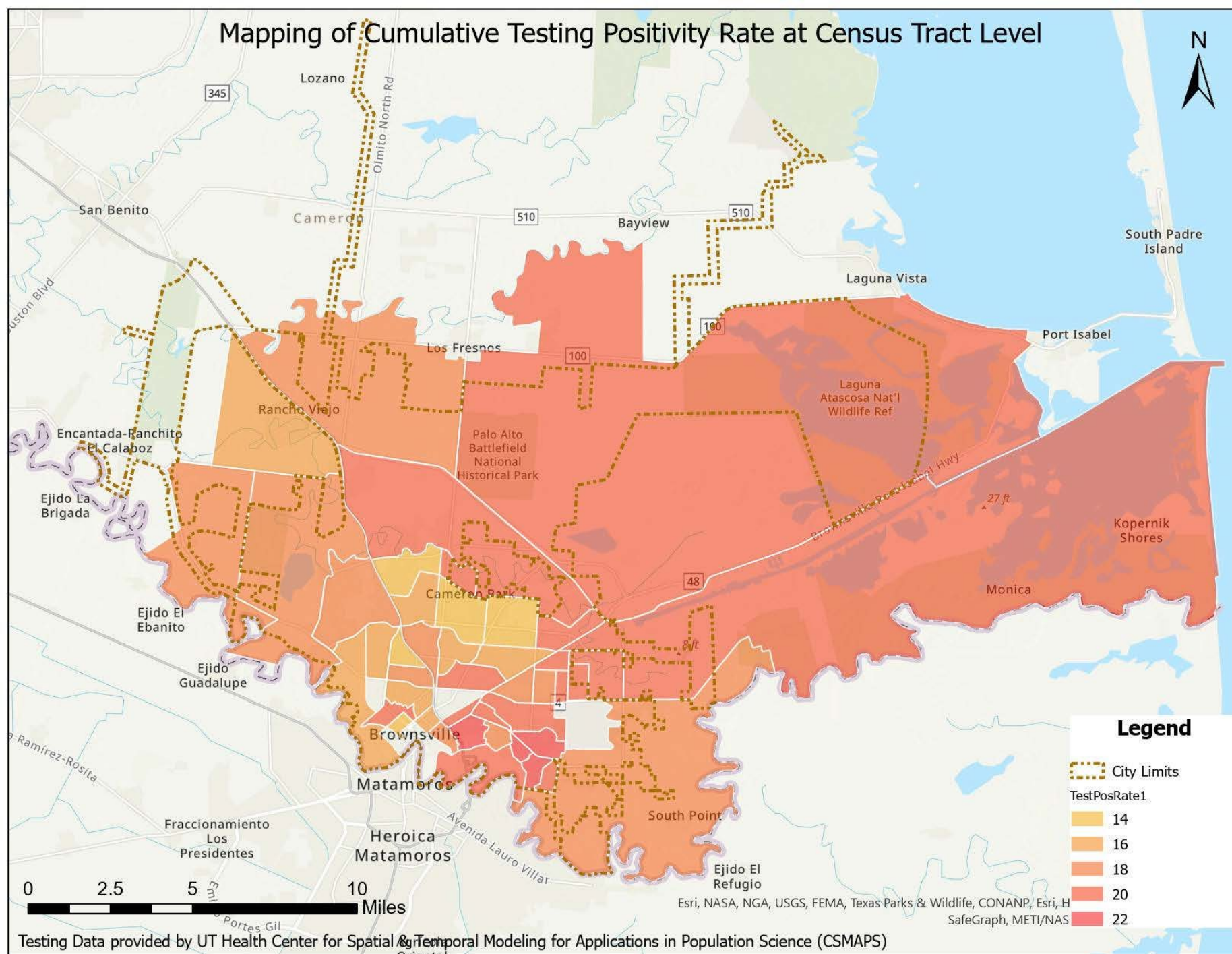
The Small Business/Non-Profit Grant Program

- **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.**
- **Small businesses and non-profits must have been established by March 2019 to be eligible for funding.**
- **Received stakeholder input from the City Commission, Brownsville Community Improvement Corporation, the Brownsville Chamber of Commerce, Planning and Redevelopment Department, US Small Business Administration, and through a community business survey.**

●●● 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

Small Business/Non-Profit Eligibility Criteria

Group 1

- **QCT/High Infection Rate area, and the rest of Brownsville area that have not received specific business/non-profit grant assistance from the federal, state or local government entity.**
 - **Copy of income tax or 990 return demonstrating less than \$1.5m in gross revenue (less than \$3m in restaurant operations).**
 - **No documented loss needed.**
- **All of Brownsville that do not fall within the QCT/High Infection Rate area that have not received financial assistance.**
 - **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.**
- **Group 1 applications will be prioritized ahead of Group 2 and Group 3 applications.**

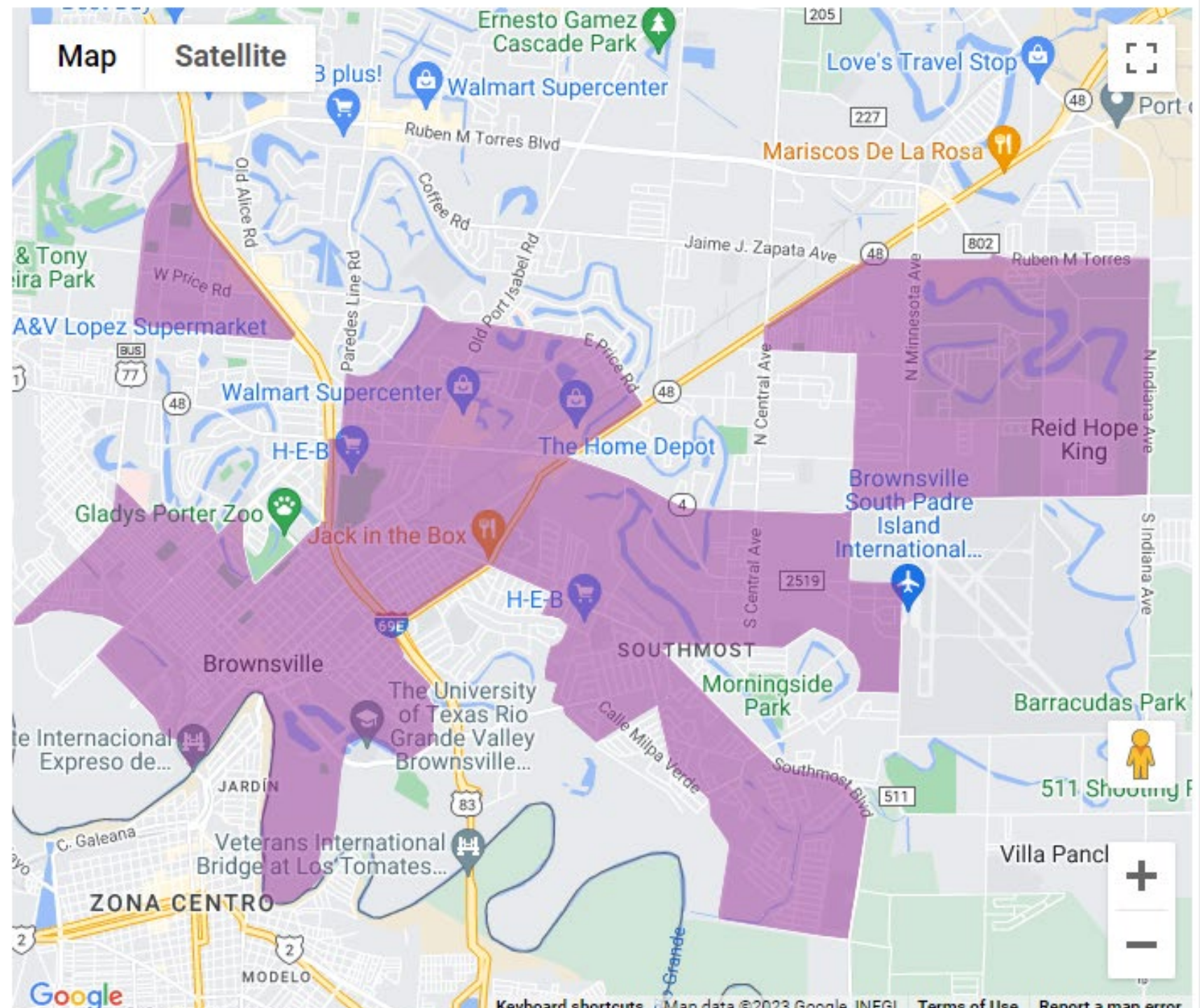
Group 2

- **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 \$1.5m in gross revenue (less than \$3m in restaurant operations).**
- **No documented loss needed.**

Group 3

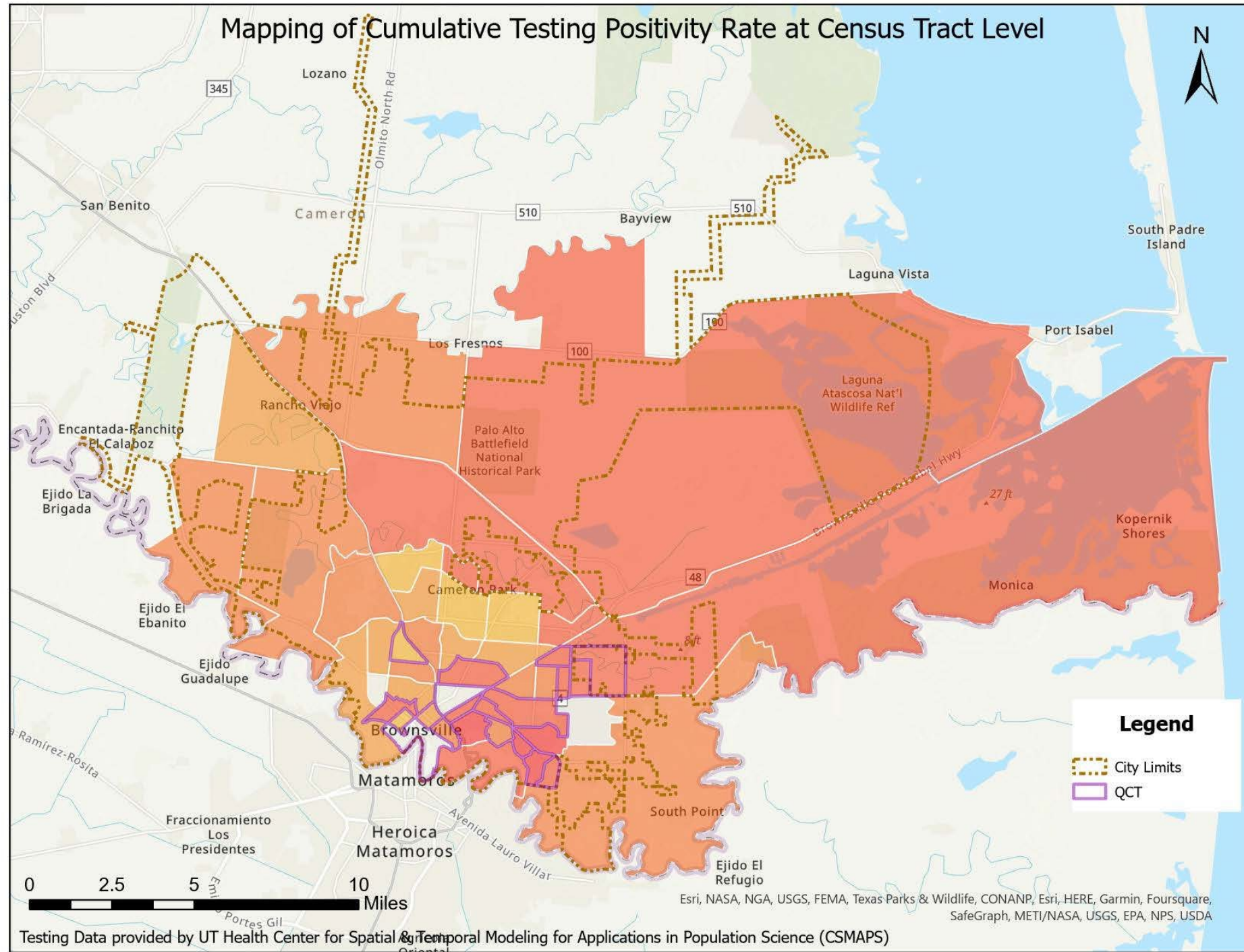
- **All of Brownsville.**
- **Group 3 applications will only be processed if there are no applications pending review from Group 1 or Group 2.**
- **Copy of income tax or 990 return demonstrating less than \$1.5m in gross revenue (less than \$3m in restaurant operations).**
- **Provide audits, Profit/Loss 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)



QCT & Infectious Rate Map

[Interactive Map](#)



Next Steps

- **Community Outreach/Marketing- (November-December)**
 - **Block Walking/Marketing**
- **Application- (January-February)**
 - **Host informational workshops (Both English & Spanish).**



Thank you!

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



ACTION ITEM #3

Consideration and **ACTION** to acknowledge the Letter of Notification to Commissioner Roy De los Santos in response to Ethics Advisory Commission Recommendation in Decision EAC#2022-09-02.

Office of the City Attorney

Item(s) for Individual Consideration

- ▶ Item 3. Consideration and ACTION to acknowledge the Letter of Notification to Commissioner Roy De los Santos in response to Ethics Advisory Commission Recommendation in Decision EAC#2022-09-02 (Office of the City Attorney).



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** on **Resolution Number 2023-127** to appoint a member to the Capital Improvement Advisory Committee (CIAC).

Multimodal Transportation Department

Capital Improvement Advisory Committee

PURPOSE

The CIAC serves in an advisory capacity, and shall have only the authority granted to it by those provisions of state law or city ordinance which mention the CIAC by name. The CIAC is to:

- A. Advise and assist the city government in adopting land use assumptions;
- B. Review the capital improvements plan and file written comments;
- C. Monitor and evaluate implementation of the capital improvements plan;
- D. Submit reports in March and September of each year with respect to progress of the capital improvement plan and report to the city government any perceived inequities in implementing the plan or imposing the impact fees; and
- E. Advise the city government of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

WHEN THEY MEET

As needed

WHO THEY ARE

Consists of seven (7) appointed citizens.

Not less **than 40 percent** of the membership of the CIAC must be representatives of the real estate, development, or building industries who are not employees or officials of a political subdivision or government entity.

Real Estate, Development, or Building Industries- 3 members

ETJ Representative- 1 member

Member	District	Appointment Date	Appointment
Craig Grove		12/6/2022	Mayor Mendez
Rick Canales Attorney	3	7/19/2022	Comm. Cowen, Jr.
Juan Pequeno Attorney	3	5/17/2022	Comm. Gowen
Mariana Chavez	3	7/19/2022	Comm. Galonsky Pizana
Edward Saldivar	2	9/20/2022	Comm. Tetreau
Victor Alvarez-ETJ Rep.	3	07/19/2022	Comm. De Los Santos
Vacant			Comm. Cardenas

Capital Improvement Advisory Committee:

- Alejandro Najera resigned September 2023. Re-Appointment needed by **Commissioner Cardenas**.
- CIAC needs **1** member from the **real estate, development, or building industry**.
 - Will now need 1 member from the development community.

Capital Improvement Advisory Committee: Applicants

Applicant's Name	District
N/A	

ACTION ITEM #2

Consideration and **ACTION**, if any, to approve **Resolution Number 2023-104B** 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	District	Appointed	Term Expiration	Appointed By
Sandra Gomez	Mayor	10/17/2023	10/17/2025	Mayor Cowen
Graham Sevier	At Large A	9/19/2023	9/19/2025	Commissioner Villarreal
VACANT	At Large B			Comm. Gowen
Gregorio Rincones	1	6/16/2020	05/16/2024	Commissioner Galonsky Pizana
Jose S. Martinez	2	9/19/2023	9/19/2025	Commissioner Macias
Martha Galvan	3	10/17/2023	10/17/2025	Commissioner De los Santos
Christina Villarreal	4	10/17/2023	10/17/2025	Commissioner Cardenas

Applicant's Name	District
Viola Currier	1
Juliana Diaz	2

Applicant's Name	District

EXECUTIVE SESSION(S)

EXECUTIVE #1

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

EXECUTIVE #2

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: *H20 v. City of Brownsville*.

Office of the City Attorney

EXECUTIVE #3

Closed session pursuant to Tex. Gov't. Code Sections 551.071 (Consultation with Attorney), 551.072 (Real Property Deliberation), and 551.087 (Economic Development Deliberation) related to Project Fresh.

Office of the City Attorney/City Manager's Office

EXECUTIVE #4

Closed session pursuant to Tex. Gov't. Code Sections 551.071 (Consultation with Attorney), 551.072 (Real Property Deliberation), and 551.087 (Economic Development Deliberation) related to Project Emerald.

Office of the City Attorney/City Manager's Office

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

ACTION ITEM #1

Consideration and **ACTION**, if any, related to EISG
v. City of Brownsville.

Office of the City Attorney

ACTION ITEM #2

Consideration and **ACTION**, if any, related to H2O
v. City of Brownsville.

Office of the City Attorney

ACTION ITEM #3

Consideration and **ACTION**, if any, related to Project Fresh.

Office of the City Attorney/City Manager's Office

ACTION ITEM #4

Consideration and **ACTION**, if any, related to Project Emerald.

Office of the City Attorney/City Manager's Office

ADJOURNMENT