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, July 21, 2026**, 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=mb0f8d1240d8f166059ae34c036f78f88

The following City Commission members were present:

JOHN COWEN, JR. Mayor

COMMISSIONERS:

TINO VILLARREAL At-Large "A"

NURITH GALONSKY At-Large "B"

BRYAN L. MARTINEZ District 1

LINDA C. MACIAS District 2

GUSTAVO DE LEÓN District 3

PEDRO E. CARDENAS District 4

The following staff members were present:

ALAN GUARD City Manager

FELIX SAUCEDA Deputy City Manager/Chief of Police

WILL TREVINO City Attorney

JENNIFER AVENDANO First Assistant City Attorney

MARINA ZOLEZZI Interim Assistant City Manager

EFREN TRUJILLO Interim Chief of Staff

MAYRA A. RIOS City Secretary

The following staff members were absent:

DOROTEO GARCIA Deputy City Manager

CALL TO ORDER

A quorum being present, Mayra Rios, 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 pursuant to the Texas Open Meetings Act.

Mayor John Cowen, Jr., called the meeting to order at 5:00 p.m.

a) ROLL CALL

Mayor John Cowen, Jr., Commissioner Tino Villarreal, Commissioner Nurith Galonsky, Commissioner Bryan L. Martinez, Commissioner Linda C. Macias, Commissioner Gustavo De Leon, and Commissioner Pedro Cradenas.

b) INVOCATION

Pastor Brad Burkes delivered the invocation.

c) 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 member of the Troop 11 Avha Garcia, Mayor and City Commission.

PROCLAMATION(S)

Mayra Rios, City Secretary, announced that the agenda would be modified to proceed with the proclamations prior to entering the executive session.

1) Recognizing "Scout Allen Hobbs" (Mayor J. Cowen; Commissioner T. Villarreal)

Mayor John Cowen Jr. issued a proclamation recognizing Alan Hobbs for his exemplary leadership and community service in completing his Eagle Scout project, honoring a beloved educator with a butterfly garden memorial and contributing positively to the Kenmont Montessori School and the Brownsville community.

EXECUTIVE SESSION

Motion: Motion was made by Commissioner Tino Villarreal, seconded by Commissioner Bryan L. Martinez to convene into Executive Session at 5:07 p.m. The vote was cast 7 for, 0 against. The motion carried unanimously.

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 CCAD Property ID 30393. (Office of the City Attorney/ City Manager's Office)

All items scheduled for discussion in the Executive Session were addressed, and a certified agenda was maintained.

Commissioner Gustavo De Leon did not participate in the executive session due to a conflict of interest and abstained from any related discussion and action. The required conflict-of-interest form had been submitted to the Office of the City Secretary.

Upon the conclusion of the Executive Session, Mayor John Cowen Jr. reconvened the Regular Meeting at 5:19 pm.

PUBLIC COMMENT PERIOD

Jesus C. submitted a Public Comment Form but wished to register his comments directly to the Commission noting conserves on fully eliminating tolls on Brownsville’s international bridges, including reviewing impacts and alternative funding sources to ensure an open and transparent decision-making process.

Nora Marcos, 1905 W Maddisson st. Brownsville, Texas provided her name and address and, speaking on behalf of her father and mother, expressed concerns about alleged illegal dumping on estate land, referenced penalties under the Texas Solid Waste Disposal Act, and urged the City of Brownsville to prevent such practices.

Yolanda Speece, 305 W. Madison St., Brownsville, Texas, addressed the Commission regarding concerns related to the City of Brownsville's meeting procedures.

Jessie Gonzalez, 64 Encino St. Brownsville, Texas, voiced concerns about the proposed AI data center's water use, potential pollution, and heavy power consumption, urged commissioners to prioritize the community's interests, and offered to discuss the matter.

Diablo Velez, 1254 E. Tyler St., Brownsville, Texas, addressed the Commission to express concerns regarding local and federal government regulations.

Mirta Hernandez, 1248 E. Monroe St., Brownsville, Texas, noted she supports the reuse of the old buildings but expressed concerns about noise, parking, traffic, and security for nearby residents, and respectfully requested operating limits, effective noise controls, parking arrangements, professional security, and strong enforcement measures if the project proceeds.

PRESENTATION

1) **Recreation Centers: Building on Today's Success, Planning for Tomorrow (Parks and Recreation Department)**

Sean De Palma, Director of Parks and Recreation Department, presented an update to the Mayor and Commissioners regarding three recent community surveys conducted to assess public interest in recreation facilities, programming, and the possibility of a new recreation center. He explained that the surveys, an in-house Parks and Recreation Department survey, a citywide survey conducted by On Point, and a YMCA/Four Square feasibility study, collectively gathered more than 2,000 responses. The Parks and Recreation Department survey received 933 responses, showing that 95 percent supported a new recreation center and 40 percent preferred a location in North Brownsville near the Sports Park. Respondents expressed strong interest in family recreation, wellness programs, youth activities, and indoor recreation, aligning with the city's Parks, Health, and Recreation Masterplan. The On Point survey, which received 709 responses, showed that 52 percent supported a new recreation center, 13 percent preferred modest investment in existing facilities, and 67 percent opposed additional taxes to fund improvements. The YMCA/Four Square feasibility study collected roughly 800 responses and found limited support for building a new standalone recreation center. Instead, the study highlighted opportunities for expanded programming and partnerships, noting low YMCA brand awareness and community price sensitivity. Respondents showed strong interest in family recreation, STEM programming, and health and wellness services through partnership-based models.

Mr. De Palma stated that findings from all three surveys consistently indicated that residents prioritize maintaining and modernizing existing recreation facilities, expanding programming through partnerships, and continuing long-term planning using data-driven strategies. He emphasized that these priorities align with the department's strategic approach: maintain, modernize, expand, partner, and plan. He also noted that two of the surveys were administered in

both English and Spanish to ensure broad community representation. Mr. De Palma informed the Commission that $300,000 has already been earmarked through BCIC to initiate planning work such as conceptual renderings, scope development, and cost analysis for a potential recreation center. He asked for future consideration to utilize these funds, explaining that such preliminary work is essential for transparency and for strengthening the city's ability to seek grants, sponsorships, philanthropy, federal funds, and public-private partnership opportunities.
Commissioner Linda C. Macias raised questions regarding coordination with the Friends of Dean Porter Park. Mr. De Palma confirmed that the department collaborates with the organization and sits on its board, though their recent survey was conducted independently. He stated that trends identified by the Dean Porter Park group appear consistent with broader community feedback.

Mayor John Cowen Jr. emphasized the importance of minimizing taxpayer burden by prioritizing grants, sponsorships, and philanthropic contributions in any effort to pursue a new recreation center. Mr. De Palma agreed and reiterated that conceptual planning materials would greatly support the city's ability to secure outside funding.

CITY MANAGER'S UPDATE(S)

1) Pet of the Month Adoption Spotlight

Alan Guard, City Manager, addressed the Mayor and Commissioners to provide an update on efforts related to the Brownsville Animal Regulation and Care Center (BARC). He explained that he has been working with BARC to create opportunities that better educate the public about the services the center provides and to increase public awareness of adoption opportunities. Mr. Guard noted that many residents watch our City Commission meetings, making the meetings an effective platform for highlighting BARCC's work. He stated that beginning this month, BARC will bring one potential adoptee to the second commission meeting of each month and will also share a "fun fact" about the shelter or the city's animal population.
Joanna Medina, Assistant Director for the Department of Health, Animal Wellness, and Animal Services, introduced Jordan Wally, BARCC's Adoption Specialist, who presented the "Pets of the Month."

Ms. Wally explained that she has worked at the shelter for two and a half years and takes pride in learning each animal's personality to ensure placement not just in any home, but in a permanent and suitable one. She highlighted Honey, a dog who had been adopted as a puppy and later returned at six months due to her size; because the shelter often cannot determine specific breeds, staff estimate based on physical characteristics, and Honey spent 45 days at the shelter before ultimately finding success in the adoption program. She continued by reporting that Honey was later transferred to a rescue partner, noting that BARCC works with both in-state and out-of-state rescues to secure live outcomes. She also spotlighted Burrito, a dog injured after being struck by a vehicle who received foster care from a staff member and was adopted this week. She then described Zenny, a timid dog who spent about 70 days in the shelter and was frequently overlooked due to the challenges in photographing black-coated dogs, but who eventually found the right adopter. Finally, she presented Bridget, a dog who arrived pregnant and delivered a litter of puppies during her three-day stray hold; Bridget has been at the shelter for 60 days, and her puppies are now ready for adoption. Ms. Wally emphasized BARC's commitment to helping every animal find a home and encouraged the public to view adoptable pets online or visit in person, noting that each $25 adoption includes spay/neuter surgery, vaccinations, microchipping, rabies vaccination, and flea/tick prevention, allowing adopters to focus on welcoming their new pet while knowing they are saving a life.

2) City of Brownsville 2026 Summer Interns

Alan Guard, City Manager, addressed the Mayor and Commissioners to recognize the City of Brownsville's 2026 summer interns, noting that 19 students from various universities contributed meaningful work across multiple departments. Mr. Guard emphasized that the internship program focused on providing real, hands-on experiences rather than clerical tasks, with the hope that some participants may become future city employees and bring their skills back to serve Brownsville. Certificates were prepared for the interns, though not all were present due to academic and personal obligations. Mr. Guard expressed appreciation for their dedication, noting that some students would continue their service into the fall. He thanked the Commission for its support in facilitating the internship program and highlighted the value the interns brought to the city. He concluded by inviting those in attendance to enjoy cupcakes provided as a small gesture of gratitude before closing his update and transitioning to the next agenda item.

CONSENT AGENDA ITEM(S)

1) Consideration of approval of minutes from the City Commission Regular Meetings held on June 16, 2026 and July 7, 2026. (Office of the City Secretary)

2) Consideration and **ACTION** to approve **Resolution Number 2026-111**, authorizing Brownsville Metro to provide free fare for Customer Appreciation Day that will be held on July 23, 2026, and finding a public purpose. (Brownsville Metro)

3) Consideration and **ACTION** to approve a contract with Nueces Farm Center, Inc. in the Amount of $482,928.23 for Contract No. 273 26 ISD CP, for the Purchase and Delivery of an SP 33 Slip Form Paver and Related Equipment for Engineering & Public Works Department, as budgeted. (Internal Services Department)

4) Consideration and **ACTION** to approve the purchase of trash cans and benches for Downtown Core (DT-C) as defined in Unified Development Code, and other areas of downtown as needed, based on community input from the Downtown Renaissance Master Plan in the amount of $813,339.30 as budgeted. (Planning & Redevelopment Department)

5) Consideration and **ACTION** to award a Contract to Terracon Consultants, Inc. in the amount of $126,425 for materials testing and inspection services, Contract No.309-26-EPMO-CMA, for Bid Package No. 1 of the Public Safety Complex. (Enterprise Project Management Office)

6) Consideration and **ACTION** to approve the first one-year renewal of the Independent Contractor Agreement for Architect/Engineering Consulting Services (RFQ PES-63-0523) with Jviation, Inc for the Brownsville South Padre Island International Airport. (Airport Department).

7) Consideration and **ACTION** to approve a lease of two (2) Ford F 250 Animal Control Units with Enterprise Fleet Management, with monthly lease payments of $1,596.23 for each vehicle, under Contract No. 308 26 ISD CMA, for a 60 month term for each unit, as budgeted. (Internal Services Department)

8) Consideration and **ACTION on Resolution Number 2026-109** authorizing preparation of an updated Service and Assessment Plan (SAP) for the Madeira Espiritu Santo Public Improvement District (PID) Number One; calling for and authorizing the publication of a Notice of Public Hearing regarding the updated SAP and levy of the PID assessments under Chapter 311, Texas Tax Code, and such other matters related thereto. (Planning & Redevelopment Department)

9) Consideration and **APPROVAL on SECOND and FINAL READING on Ordinance Number 2026-1809** designating a +/- 1,021.48 acre area located in Cameron County, Texas, as a tax increment reinvestment zone; describing the boundaries of the zone; creating a board of directors for the zone; providing for an effective date and a termination date for the zone; naming the zone the "Estrella Reinvestment Zone Number Six, City of Brownsville"; establishing a tax increment fund; and containing other findings and provisions related thereto. (City Manager's Office)

10) Consideration and **APPROVAL on SECOND and FINAL READING on Ordinance Number 2026-1810** designating a +/- 804.13 acre area located in Cameron County, Texas, as a tax increment reinvestment zone; describing the boundaries of the zone; creating a board of directors for the zone; providing for an effective date and a termination date for the zone; naming the zone the "Greater Brownsville Tech District Reinvestment Zone Number Five, City of Brownsville"; establishing a tax increment fund; and containing other findings and provisions related thereto. (City Manager's Office)

Motion: Motion was made by Commissioner Nurith Galonsky, seconded by Commissioner Linda Macias, to approve consent agenda items 1 through 10. The vote was cast 7 for, 0 against. The motion carried unanimously.

PUBLIC HEARING(S)

Commissioner Linda C. Macias requested to move the agenda out of order to take up Public Hearing Item Number 4.

4) **Public Hearing and ACTION on FIRST READING of Ordinance Number 2026-1811 accepting and approving an update to the Paseo De La Resaca Lighting and Landscaping Maintenance Public Improvement District (PID) Operations and Maintenance Service and Assessment Plan; accepting and approving the updated assessment roll for the PID; making a finding of special benefit to property within the PID; levying special assessments against such property and establishing a lien on such property; providing for the method of assessment and the payment of the assessments levied against the PID assessed property; providing penalties and interest on delinquent Assessments; in accordance with Chapter 372 of the Texas Local Government Code, as amended. (Paseo PID Board)**

Will Treviño, City Attorney, presented an update to the Mayor and City Commission regarding the PID assessment rate and requested assistance from Stephen Muse, Finance Director, to review the financial information. Mr. Trevino reported that the PID Board met in June and, after conducting its own financial analysis, recommended reducing the PID assessment rate from $0.15 per $100 valuation to $0.10, resulting in a projected tax levy of $524,390, which was deemed sufficient to cover maintenance obligations.

Mr. Muse provided additional context, explaining that the Board had requested a range of tax scenarios and that staff prepared projections using preliminary taxable values. He noted that at the current rate of $0.15, the fund balance would continue to grow significantly beyond what is necessary to meet operational costs. He outlined the PID's fiscal year 2026 budget, recent debt payments to the city, and projected year-end balances, confirming a healthy cash position.

Commissioner Linda C. Macias further explained the Board's recommendation, summarizing the procedural timeline: the PID Board's June 25 action, the July 7 resolution calling for a public hearing, the present first reading, and the anticipated second reading on August 4. She provided background on Precinct 72 and the lower portion of Precinct 5, noting that residents in these areas pay additional taxing units due to the creation of both a Public Infrastructure District and a

Municipal Utility District by the original developer. Commissioner Macias discussed her efforts since being elected in 2023 to reduce taxes within the district, highlighting reductions by the city and the MUD, as well as current PID revenues and expenses. She reported annual revenues between $700,000 and $800,000 and expenditures of $200,000 to $300,000 for services such as security, maintenance, and infrastructure repairs, as well as annual payments toward the seawall loan. She stated that the PID saves between $400,000 and $500,000 annually and that continuing to accumulate excess funds would be fiscally irresponsible, especially given additional reserves held by both the PID and MUD. She reiterated the collaborative effort undertaken with the PID Board and city staff and formally requested the reduction of the PID tax rate from $0.15 to $0.10. Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion was made by Commissioner Bryan L. Martinez, seconded by Commissioner Tino Villarreal, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by City Commissioner Pedro Cardenas, seconded by Commissioner Linda C. Macias, to approve first reading on Ordinance 2026-1811. The vote was cast 7 for, 0 against. The motion carried unanimously.

1) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2026-014-S, to request a Specific Use Permit (SUP) in a Downtown Edge (DE) zoning district to allow an event center for Lots 13 & 14, Block 120, Brownsville Original Townsite, Cameron County, Texas, located at 1247 East Madison Street, Brownsville, Texas 78520, as shown in Exhibit "A". (District 4) (Planning & Redevelopment Department)**

Samuel Nunez, Senior Planner of the Planning and Zoning Department, presented a request for a Special Use Permit (SUP) for a proposed Event Center located in the downtown Edge District at 1247 East Madison Street, situated on the north-west corner of East Madison Street and East 13th Street. He explained that all required public hearing notifications were issued to adjacent property owners, including mailed notices to 21 individuals within the 200-foot buffer area, physical signage posted at the site, and notices for both the Planning and Zoning Commission meeting and the City Commission meeting. No opposition letters were received. Mr. Nunez reviewed the surrounding zoning districts, noting that the area is predominantly composed of downtown form-based districts, Downtown Edge, Downtown Core, and Downtown General, with some Traditional Neighborhood Corridor and Traditional Neighborhood zoning to the north-east, and a mix of commercial, office, and nearby single-family residential uses. He stated that the request is consistent with the city's Comprehensive Plan and Future Land Use Map, and recommended approval of the SUP in alignment with the Planning and Zoning Commission's recommendation, which includes compliance with sound mitigation regulations in the Unified Development Code.

Mayor John Cowen Jr. opened the public hearing.

Diablo Velez, 1254 E. Tyler St., Brownsville, Texas, addressed the Commission to express concerns regarding the proposed event center at 1247 East Madison Street. He stated that noise was a significant issue in the area and raised questions about whether the property had received funding from historical conservation sources for rehabilitation, noting prior discussions regarding similar projects. He asked whether the building, if rehabilitated using historic funds, would be required to host cultural events or whether it could be used for loud musical activities. Mr. Velez also voiced concerns about the lack of available parking in the surrounding area. Planning staff responded that the project had been reviewed and approved by the Historic Preservation Commission, which issued a Certificate of Appropriateness for the site plan and operations. Staff explained that specific event types had not been provided and that the venue was approved as a general event center, with downtown parking requirements not enforced in that district. Staff further clarified that occupancy limits would be determined during the certificate of occupancy review based on submitted site plans. Regarding noise, staff noted that sound mitigation regulations, including decibel limits for both interior and exterior noise, would apply to ensure the venue does not create a nuisance for adjacent properties.

Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion was made by Commissioner Tino Villarreal, seconded by Commissioner Linda Macias, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Tino Villarreal, seconded by City Commissioner Pedro Cardenas, to approved first reading on Ordinance 235-2026-014-S. The vote was cast 7 for, 0 against. The motion carried unanimously.

2) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2026-015, to rezone from Agriculture (AG) to Residential Single-Family (R-1) for an approximate 105.29 acres and Commercial Corridor (CC) for an approximate 14.67 acres to allow a single-family residential development and commercial development on a tract containing 119.96 acres of land out of a 239.92 acre tract (called the West 239.48 acres), out of Tract 40, Paredes Partition Tract, Subdivision "E", in Share 19 of the Espiritu Santo Grant, Cameron County, Texas, located at 1 West Paredes Line Road , Brownsville, Texas 78566, as shown in Exhibit "A". (District 3) (Planning & Redevelopment Department)**

   Carlos Guerra, Senior Planner of the Planning and Redevelopment Department, presented a rezoning request for property located along Parades Line Road, currently zoned Agriculture, with a petition to rezone the rear portion to Residential Single-Family and the frontage to Commercial Corridor. He explained that the proposed development includes single-family residential uses in the back portion of the site and commercial development along the Parades Line frontage. In accordance with state law, staff issued public hearing notices, placed a physical sign on the property, and mailed eight notices to owners within a 200-foot radius; no opposition was received. Mr. Guerra noted that surrounding areas to the north and west lie outside city limits, while properties to the south and east are zoned Agriculture, leaving the site generally undeveloped in all directions. Although the request is not fully consistent with the future land use plan, which designates the area as part of the Water Management District with primarily community facility uses, Mr. Guerra noted that similar residential developments have previously been approved in the area and that the request would expand housing options and provide neighborhood-scale commercial uses. Staff recommended approval, and the Planning and Zoning Commission also supported the rezoning. Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion made by City Commissioner Bryan Martinez, seconded by City Commissioner Linda Macias, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by City Commissioner Bryan Martinez, seconded by Commissioner Tino Villarreal, to approved first reading on Ordinance 235-2026-015. The vote was cast 7 for, 0 against. The motion carried unanimously.

3) **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2026-016, to rezone from Residential Single-Family (R-1) and Traditional Neighborhood Corridor (TNC) to Traditional Neighborhood Corridor (TNC) to allow a multifamily development for 2.00 acres of land, more or less, comprised of Tract 1, being 0.37 acres of land; and Tract 2, being 1.63 acres of land, both Tracts out of Block 4, El Jardin Subdivision, Share 27 of the Espiritu Santo Grant, Cameron County, Texas, located at 970 South Central Avenue, Brownsville, Texas 78521, as shown in Exhibit "A". (District 1) (Planning & Redevelopment Department)**

Carlos Guerra, Senior Planner of the Planning and Redevelopment Department, presented a rezoning request to convert an entire parcel at the intersection of South Central Avenue and Waco Road from a mix of Residential Single-Family and Traditional Neighborhood Corridor zoning to Traditional Neighborhood Corridor zoning to allow for a multifamily residential development. Mr. Guerra explained that public notices were issued in accordance with state law, including mailed notifications to 24 surrounding property owners within a 200-foot radius and the placement of a public hearing sign at the site, and no written opposition was received. He described the surrounding zoning and land uses, noting the presence of Traditional Neighborhood Corridor zoning to the south and east, Residential Single-Family zoning to the north and west, and existing multifamily developments and various commercial uses nearby. Although the request does not fully align with the future land use plan, which designates the area as Transition East with low-density residential recommendations, Mr. Guerra stated that the proposed rezoning is consistent with existing multifamily patterns and would support additional housing opportunities. Staff recommended approval, and the Planning and Zoning Commission concurred. In response to commissioner questions, Mr. Guerra discussed the developer's plan to subdivide the parcel into four lots and construct approximately 16 duplex units in phases, with final traffic flow and egress requirements to be evaluated through the site plan and subdivision review processes. He also addressed concerns about spot zoning, noting that the request follows an established Traditional Neighborhood Corridor pattern and that the city's upcoming comprehensive plan update will address long-term land-use consistency.

Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion made by Commissioner Tino Villarreal, seconded by Commissioner Bryan Martinez, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Pedro Cardenas, seconded by Commissioner Tino Villarreal, to approved first reading on Ordinance 235-2026-016. The vote was cast 7 for, 0 against. The motion carried unanimously.

5) **Public Hearing and ACTION on FIRST READING on Ordinance Number 2026-1813, amending Chapter 54, Health and Sanitation, Article VI, Smoking in Public Places, to modify regulations related to smoking in public places to include e-cigarettes and other electronic nicotine delivery system devices, such as vapes, and regulations related to smoking in outside patios. (Office of the City Attorney)**

Will Treviño, City Attorney, presented proposed amendments to Chapter 54 of the City's Code of Ordinances regarding the prohibition of smoking in public places, explaining that the revisions were intended to clarify the inclusion of vaping and electronic smoking devices, establish regulatory conditions for cigar bars and hookah lounges, and refine provisions for outdoor smoking areas while maintaining the City's comprehensive smoking ban. He outlined new definitions added to the ordinance, including air barriers, air purification systems, cigar bars, hookah lounges, electronic cigarettes, and separate air ventilation systems, noting that cigar and hookah establishments would be restricted to patrons age 21 and older, required to obtain a health permit, operate in standalone buildings or with fully separated ventilation systems, remain alcohol-free unless operating under BYOB provisions, and comply with stringent air-quality controls. Mr. Trevino described corresponding inspection, permitting, and enforcement mechanisms, including annual health inspections, verification through state databases, and penalties for violations. Commissioners engaged in extensive discussion regarding the practicality of prohibiting alcohol sales, enforcement concerns, the potential use of sales-percentage thresholds similar to other Texas cities, and the high cost of ventilation and humidor systems that distinguish cigar lounges from traditional bars.

Dr. Arturo Rodriguez, Director of the Health and Wellness Department, advised caution regarding percentage-based regulations due to enforcement challenges, emphasizing the need for clear standards to differentiate smoking-permitted establishments from bars.

Commissioners expressed interest in exploring models used in other cities and suggested additional research to ensure the ordinance supports upscale cigar lounge experiences without weakening the City's smoking ban. The Mayor and Commission discussed whether to proceed with approval or table the item for further refinement.

Mr. Trevino noted that the Commission could either table the ordinance or approve it on first reading with amendments incorporated into the second reading.

The Commission then clarified the motion to approve the ordinance as amended, including provisions allowing alcohol sales in cigar lounges and hookah lounges, and requiring such establishments to meet enhanced air-quality standards and provide a humidor room. Mr. Trevino explained that, upon approval as amended, the draft would be circulated internally for comment and any additional refinements could be incorporated into the second reading without violating open-meeting requirements.

Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion made by Commissioner Tino Villarreal, seconded by Commissioner Linda Macias, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Tino Villarreal, seconded by Commissioner Pedro Cradenas, to approved first reading on Ordinance 2026-1813 as amended. The vote was cast 7 for, 0 against. The motion carried unanimously.

6) **Public Hearing and ACTION on the following proposed Charter amendments for the Special Election to be held on November 3, 2026. (Charter Review Committee/ Office of the City Secretary/ Office of the City Attorney) (Items fell to the floor):**

   a. **Amending Charter Art. V., Administrative Provisions, to modify Section 4. - Qualifications. (Adding tax delinquency or other liability due to City as a bar to holding office)**
   b. **Amending Charter Art. V., Administrative Provisions, Section 3. - Vacancies (Adding automatic triggers for forfeiting office)**
   c. **Amending Charter Art. V., Administrative Provisions, Section 3. - Vacancies (Adding discretionary triggers for forfeiting office)**

Will Trevino, City Attorney, presented the first reading and public hearing for ordering the charter amendment election, explaining that on July 7 the City Commission individually voted on proposed charter amendment propositions developed by the Charter Review Committee. He noted that three propositions previously failed for lack of a second but were brought back at the request of two commissioners, in accordance with Robert's Rules of Order. Mr. Trevino outlined updated language for the qualification provision, clarifying delinquency requirements and establishing a 30-day cure period, with an earlier deadline for candidates to ensure ballot eligibility. He then reviewed revisions concerning mandatory and discretionary grounds for forfeiting office, including residency definitions aligned with the Texas Election Code, clarified excused-absence rules, and a refinement of prohibited personal financial-interest language referencing existing charter conflict-of-interest provisions.

Mayor and Commissioners had discussion about interpretation of absences, remote participation, excused-absence procedures, and preserving fairness and transparency to avoid future political misuse.

Mr. Trevino explained how attendance could be clarified through charter language or by relying on established policies for boards and commissions.
Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion made by Commissioner Nurith Galonsky, seconded by Commissioner Linda Macias, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Nurith Galonsky, seconded by Commissioner Linda Macias, to approve all three propositions A, B, and C as a group. The vote was cast 7 for, 0 against. The motion carried unanimously.

7) **Public Hearing and ACTION on FIRST READING on Ordinance Number 2026-1812, ordering and calling a Charter Election on proposed amendments, during the General Election on November 3, 2026, on the following amendments (Charter Review Committee/ Office of the City Secretary/ Office of the City Attorney):**

   a. **Amending Charter Art. V., Administrative Provisions, Section 13 – Compensation (Address Mayor and City Commissioner's compensation)**
   b. **Amending Charter Art. V., Administrative Provisions, to add 21-B. - Office of the City Secretary (Creating the Office of the City Secretary)**
   c. **Amending Charter Art. V., Administrative Provisions, to add 21-C. - Office of the City Auditor (Creating the Office of the City Auditor)**
   d. **Amending Charter Art. V., Administrative Provisions, Section 28A. Audit and oversight committee (Increasing the membership on the committee)**
   e. **Amending Charter Art. V., Administrative Provisions, Section 28A. Audit and oversight committee (general clean-up)**
   f. **Amending Charter Art. V., Administrative Provisions, to add Section 35, Municipal Campaign Finance (Requiring Commission to set campaign finance regulations by ordinance)**
   g. **Amending Charter Art. V., Administrative Provisions, to add Section 35, Code of Ethics; Ethics Advisory Commission (Requiring Commission to create an Ethics Board and adopt rules for ethics by ordinance)**
   h. **Amending Charter Art. VII., General Provisions, to add Section 3-A, - The Initiative (Adding initiative petition procedures for citizens)**
   i. **Amending Charter Art. VII., General Provisions, to add Section 3-B, - Referendum (Adding referendum procedures for citizens)**
   j. **Amending the Charter Art. V., Administrative Provisions, to add Section 22-B, Merit Hiring (Adding Merit principle hiring to City Charter)**
   k. **Amending the Charter Art. I through VII, except Art. VI, Utilities Board, to revise or eliminate provisions that have been superseded by state law and to update or eliminate**

archaic language.

Will Treviño, City Attorney, addressed the Mayor and City Commission, noting that since the Commission previously approved amendments under the prior agenda item, any motion on the current item should reflect approval "as amended" so that the newly added language is incorporated. He summarized that at the July 7 meeting, the Commission reviewed and voted on the proposed charter amendment propositions recommended by the Charter Review Committee for placement on the November 3, 2026 ballot.

Mr. Trevino offered to revisit the full presentation or answer questions, and commissioners requested that Propositions B through K be considered first, followed by Proposition A.

Mr. Treviño explained that state law requires a single subject per proposition and that multiple amendments were necessary to modernize the charter, eliminate conflicting language, and align with national best practices. He emphasized that placing multiple propositions on the ballot allows voters to decide how the charter should be updated.

Brief discussion among the City Commission and City staff.

Mayor John Cowen Jr. opened the public hearing.

There were no speakers.

Motion: Motion made by Commissioner Bryan Martinez, seconded by Commissioner Pedro Cardenas, to close the public hearing. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Pedro Cardenas, seconded by Commissioner Nurith Galonsky, to approve first reading of Ordinance 2026-1812 propositions 7B through 7K. The vote was cast 7 for, 0 against. The motion carried unanimously.

Motion: Motion made by Commissioner Tino Villarreal, seconded by Commissioner Pedro Cardenas, to add propositions 6A through 6C from the prior public hearing to the first reading on Ordinance 2026-1812. The vote was cast 7 for, 0 against. The motion carried unanimously.

Mayor John Cowen opened discussion on the charter amendment related to compensation for the Mayor and City Commission, noting that Brownsville's growing size and increasing constituent needs justify evaluating appropriate compensation for future officeholders. He emphasized that any salary changes should take effect only after current members complete their terms to avoid any perception of self-benefit. Commissioner Pedro Cardenas supported the amendment under the condition that no current commissioner or the mayor would receive the raise, reiterating that adequately compensating future commissioners would help ensure the city attracts qualified and diverse candidates. Commissioner Tino Villarreal echoed this sentiment, stressing that serving in office demands significant time, public scrutiny, and personal sacrifice, and that compensation is necessary to ensure everyday residents, not just those with financial means, can pursue public service. He urged that the amendment be designed for future officeholders only.

Commissioner Bryan L. Martinez agreed, stating that competitive compensation is essential for maintaining a strong and representative commission while reaffirming that current members should not benefit.

Commissioner Gustavo De Leon restated his opposition to receiving any raise personally but supported establishing fair compensation for future commissioners and the mayor, emphasizing integrity and the importance of allowing voters to decide.

Commissioner Nurith Galonsky added that although she had concerns about salary increases while some city employees remain below median pay, the Charter Review Committee recognized that long-term growth and increased responsibilities justify compensation for future officeholders, and that voters should have the option to decide.

After discussion, commissioners collectively affirmed that the amendment should be structured to ensure no current mayor or commissioner receives the proposed increase. A motion was made and seconded to approve placing the compensation amendment on the ballot with that stipulation, and the Commission voted in favor. The meeting then continued to the next item concerning authorization of an HVAC upgrade contract for the Brownsville Animal Regulation and Care Facility.

Motion: Motion made by Commissioner Nurith Galosnky , seconded by Commissioner Tino Villarreal, to approve proposition 7A with the stipulation that no current mayor or commissioner receives the proposed increase. The vote was cast 7 for, 0 against. The motion carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION(S)

1) **Consideration and ACTION to authorize a Contract with Ziwa Corporation in the amount of $3,909,970 for Contract No.196-26-ISD-RFP, for the HVAC Upgrades at the Brownsville Animal Regulation and Care Facility, as budgeted. (Internal Services Department)**

   Juan Pablo Villarreal, Internal Services Director, presented an item requesting approval for HVAC renovations at the city's animal shelter. He explained that the project includes both HVAC upgrades and modernization of the facility's air filtration and ventilation systems, which are needed to improve comfort for the animals, staff, and visitors. Villarreal noted that despite ongoing cleaning efforts, the current ventilation system does not meet the shelter's needs. After a competitive sealed proposal process, Ziwa Corporation was ranked the highest proposer, and the city successfully negotiated a final project cost of $3.9 million.

   Motion: Motion was made by City Commissioner Bryan Martinez, seconded by City Commissioner Linda Macias, to authorize a Contract with Ziwa Corporation in the amount of $3,909,970 for Contract No.196-26-ISD-RFP, for the HVAC Upgrades at the Brownsville Animal Regulation and Care Facility, as budgeted. The vote was cast 7 for, 0 against. The motion carried unanimously.

2) **Consideration and ACTION to approve Resolution Number 2026-073 authorizing the Local Park Grant Program Resolution Authorizing an Application through the signature of a local government official for Texas Parks & Wildlife Grant use for La Posada Park and accepting**

the terms and conditions of said grant for the City of Brownsville (Parks and Recreation Department).

Sean De Palma, Director of the Parks and Recreation Department, informed the mayor and commissioners that the department is once again applying for a $750,000 grant for La Posada, paired with the previously earmarked 50-50 match funded through BCIC. He noted that Parks and Recreation, along with EPMO and the Grants Department, has worked diligently to strengthen the application's competitiveness. Last year, the project improved its ranking from over 100 to 53, missing funding by only three spots. De Palma expressed confidence that the team's adjustments this year will position the project for a successful award. He also reported that an environmental study has been added to support both the grant application and future phases of the overall project. Additionally, the department has secured $500,000 in supplemental funding from various sources, potentially bringing the total project budget to $2 million if the grant is awarded.

Motion: Motion was made by Commissioner Tino Villarreal, seconded by Commissioner Nurith Galonsky, to approve Resolution Number 2026-073. The vote was 7 for, 0 against. The motion carried unanimously.

3) **Consideration and ACTION to approve Resolution Number 2026-110 creating the Brownsville Sports Commission to evaluate the current use, future programming opportunities, and long-term sustainability of professional and amateur sports programs within the City, and to provide recommendations to the City Commission; Adopting the Bylaws for said Commission; and authorizing City staff to take all necessary administrative actions related thereto. (City Manager's Office)**

Nathan Burkhart, Director of the Convention and Visitors Bureau and the Office of Space Commerce, presented a request for approval of the bylaws and resolution establishing the Brownsville Sports Commission. He explained that the commission would function as an advisory board focused on sports tourism, similar in structure to other city advisory boards. Burkhart highlighted ongoing collaborations with USL and recent investments at the sports park, including the new tennis center supported by the city and BCSC. The proposed board would consist of eight members, including one ex-officio member designated by either the city manager or city commission, with the remaining seven serving as voting members. He clarified that board appointments and organizational representation would be addressed at a later date. Commissioner Tino Villarreal expressed strong support, emphasizing the importance of attracting premier sports opportunities to Brownsville so families no longer need to travel to other cities for tournaments.

Motion: Motion was made by Commissioner Tino Villarreal, seconded by City Commissioner Bryan Martinez, to approve Resolution Number 2026-110. The vote was cast 7 for, 0 against. The motion carried unanimously.

4) **Consideration and APPROVAL on SECOND and FINAL READING on Ordinance Number 2026-1808 amending Chapter 102 of the City of Brownsville Code of Ordinance to adjust the Resaca Fee. (Brownsville Public Utilities Board)**

Allison Rodriguez, Associate General Counsel for the Brownsville Public Utilities Board, addressed the mayor and commissioners a recap of the June 16 presentation in which BPUB representatives outlined the history and purpose of the Resaca Fee and submitted Resolution 2026-004 recommending either the reduction or elimination of the fee. At that meeting, the city commission approved the first reading of Ordinance 2026-1808 to eliminate the fee. Ms.

Rodriguez reported that the BPUB board revisited the matter on July 13 and passed Resolution 2026-005, formally recommending the fee's elimination and repealing the prior resolution. She noted that the updated ordinance aligns with the commission's June 16 action and includes a provision allowing sufficient time for staff to implement the fee's removal by applying it beginning with the billing month immediately following its effective date.

Motion: Motion was made by Commissioner Nurith Galonsky, seconded by City Commissioner Linda Macias, to approve on Second and Final Reading on Ordinance 2026-1808. The vote was cast 6 for, 0 against [De Leon absent]. The motion carried unanimously.

BOARD APPOINTMENT(S)

1) **Consideration and ACTION on Resolution Number 2026-083C to appoint or reappoint members to the Paseo De La Resaca Lighting and Landscaping Maintenance District Service Plan Board (PASEO). (Office of the City Secretary)**

   Motion: Motion was made by Commissioner Pedro Cardenas, on behalf of Commissioner Gustavo De Leon, seconded by Commissioner Linda Macias, to appoint Joseph Modesto to the Paseo de la Resaca Public Improvement District Board. The vote was cast 6 for, 0 against [De Leon absent]. The motion carried unanimously.

2) **Consideration and ACTION on Resolution Number 2026-100 to appoint or reappoint members to the Transit Advisory Committee (TAC). (Brownsville Metro Department)**

   Motion: Motion was made by Commissioner District 2 Linda Macias, seconded by Commissioner District 1 Bryan Martinez, to appoint Marcos Vega to the Transit Advisory Committee. The vote was 6 for, 0 against [De Leon absent]. The motion carried unanimously.

EXECUTIVE SESSION

Motion: Motion made by Commissioner Tino Villarreal, seconded by City Commissioner Bryan Martinez to convene into Executive Session at 7:52 p.m. The vote was 6 for, 0 against [De Leon absent]. The motion carried unanimously.

1) **Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney, including Contemplated or Pending Litigation) related to: Calvin and Wildrose Construction. (Office of the City Attorney/ City Manager's Office)**

2) **Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney, including Contemplated or Pending Litigation) related to: Midtown Entertainment District enforcement. (Office of the City Attorney/ City Manager's Office)**

3) **Closed session pursuant to Tex. Gov't. Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation regarding real property), and 551.087 (Deliberation regarding Economic Development Negotiations) regarding land use regulations involving certain businesses under the UDC. (Office of the City Attorney/ City Manager's Office)**

4) **Closed session pursuant to Tex. Gov't. Code Sections 551.071 (Consultation with Attorney) regarding the roles and responsibilities of Boards and Commissions, including budget**

transparency. (Office of the City Attorney/ City Manager's Office)

5) **Closed session pursuant to Tex. Gov't. Code Section 551.071 (Consultation with Attorney) regarding roles and duties of City Commissioners and City Officials. (Office of the City Attorney/ City Manager's Office)**

All items scheduled for discussion in the Executive Session were addressed, and a certified agenda was maintained.

Upon the conclusion of the Executive Session, Mayor John Cowen Jr. reconvened the Regular Meeting at 9:27 pm.

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

1) **Consideration and ACTION, if any, related to Midtown Entertainment District enforcement. (Office of the City Attorney/ City Manager's Office)**

Motion: Motion was made by City Commissioner District 1 Bryan Martinez, seconded by Commissioner District at Large A Tino Villarreal, to proceed as discussed in executive session. The vote was Yes 5, No 0, Absent 2 [Macias and De Leon absent]. The motion carried unanimously.

2) **Public Hearing and ACTION, if any, on FIRST READING on Ordinance Number 2026-1814, amending Chapter 2, Administration, Article II, City Commission, Section 2-26, Meetings and agendas, in order to adopt rules and procedures for executive session, including preserving confidentiality of topics discussed in executive session. (Office of the City Attorney/ City Manager's Office)**

Motion: Motion was made by City Commissioner District 1 Bryan Martinez, seconded by Commissioner District at Large A Tino Villarreal, to Table Item to the next City Commission Meeting. The vote was Yes 5, No 0, Absent 2 [Macias and De Leon absent]. The motion carried unanimously.

3) **Consideration and ACTION, if any, related to CCAD Property ID 30393. (Office of the City Attorney/ City Manager's Office)**

No Action.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 09:28 PM.

Approved 18th day of August , 2026.

John Cowen Jr.

John Cowen, Jr.
Mayor

ATTEST:

Mayra A. Rios

Mayra A. Rios,
City Secretary

CITY OF BROWNSVILLE TEXAS
INCORPORATED
FEBRUARY 7
1853

Respectfully submitted by: Blanca E. Gonzalez, Administrative Assistant, MPA, TRMC

CERTIFICATE *of* SIGNATURE

REF. NUMBER
CIIXD-WWUMM-E9TWW-2CAAV

DOCUMENT COMPLETED BY ALL PARTIES ON
24 AUG 2026 13:27:43
UTC

SIGNER	TIMESTAMP	SIGNATURE
JOHN COWEN JR. EMAIL JOHN.COWEN@BROWNSVILLETX.GOV	SENT 19 AUG 2026 21:35:54 VIEWED 24 AUG 2026 11:36:59 SIGNED 24 AUG 2026 11:37:32	John Cowen Jr. IP ADDRESS 38.179.52.33 LOCATION BROWNSVILLE, UNITED STATES
RECIPIENT VERIFICATION	EMAIL VERIFIED 24 AUG 2026 11:36:59	
MAYRA RIOS EMAIL MAYRA.RIOS@BROWNSVILLETX.GOV SHARED VIA LINK	SENT 19 AUG 2026 21:35:54 VIEWED 24 AUG 2026 13:22:48 SIGNED 24 AUG 2026 13:27:43	Mayra A. Rios IP ADDRESS 216.194.176.172 LOCATION BROWNSVILLE, UNITED STATES