MINUTES of a Special Meeting of the City Commission of the City of Brownsville, Texas, held on Tuesday, April 28, 2020, at 5:00 P.M., with the following members present via Webex Teleconference Meeting by logging on at: https://brownsville.webex.com/brownsville/j.php?MTID=m226eab3c610c7413e4292ef88f9b5dcb Meeting Number: 960 107 666

TREY MENDEZ

Mayor

JOHN F. COWEN, JR.
ROSE GOWEN
NURITH GALONSKY PIZANA
BEN NEECE

COMMISSIONERS
At Large “A”
At-Large “B”
District 1
District 4

NOEL BERNAL
HELEN RAMIREZ
BRYANT WALKER
RENÉ COSS
GRISELDA ROSAS

CITY MANAGER
DEPUTY CITY MANAGER
ASSISTANT CITY MANAGER
CITY ATTORNEY
INTERIM CITY SECRETARY

ABSENT

JESSICA TETREAU – District 2
JOEL MUNGUIA – District 3
ELIZABETH WALKER – Assistant City Manager

CALL TO ORDER
a) Roll Call

A quorum being present, Ms. Griselda Rosas, Interim City Secretary, read the call to order to consider the matters as posted and filed for the record in The Office of the City Secretary on April 24, 2020.

b) Invocation

Pastor Brad Burkes from Embassy of the Spirit Church led the invocation.

PUBLIC COMMENT PERIOD

No one signed up for Public Comment.
1. Discussion regarding the City of Brownsville response to the urgent public necessity concerning COVID-19, otherwise known as Coronavirus, including but not limited to:
   a. Continuity Plan Update: City staffing, facilities and services, including actions and continuity of such operations;
   b. Financial Update: Emergency Procurement; and
   c. Drive-thru collections/testing site update

Dr. Arturo Rodriguez, Public Health Director and Ms. Michelle Jones, Epidemiologist briefly updated the Commission of the following:
- as of April 27, 2020, 1,446 tests were administered with 1,781 not meeting the criteria, 55% were insured and 45% were uninsured
- eighty six people were positive and 1,317 were negative and 43 results pending, in which the criteria has recently expanded to include more symptoms
- as of day 19, (April 20, 2020) the test has transitioned from sputum to swab testing for a more accurate result; averaging about five cases per day
- no deaths have been reported and the majority of the cases fall under “Linked to Previous Case”; the importance is that it illustrated the city as slightly staying ahead of the curve by finding the cases early enough to where the “Community” base source infection is not the primary ranking number at this point

Dr. Arturo Rodriguez also emphasized the number of questionnaires received from April 24, 2020 being 22 submissions vs. March 27, 2020 with 326 submissions. Dr. Rodriguez further explained the decrease by stating the citizens were being informed adequately in the use of the drive thru and outreach programs implemented are reaching the intended goal and more testing facilities were in operation than in the beginning and some providers were even referring them to the testing sight.

Lupe Granado, Finance Director briefly updated the Commission on the COVID-19 expense report noting the following:
- Starting with the FY20 Budget Impact, the total expense to date are in the amount of $3,132,308.00 with Personnel (Police and Fire) incurring the majority of the expenses due to overtime followed by Supplies and Contract costs
- The Emergency Procurement with $137,527.00, the total expense to date with Testing Kits (for the uninsured) incurring the majority of the expenses, followed by Operation Cost (medical staff) and PPE Masks.
- As of April 12, 2020, FEMA may possibly reimburse the city 75% ($2,349,231.00).

Mr. Granado noted that the department had only received half of the masks originally ordered and have cancelled the remaining quantity due to lack of supplies and reordered with a different vendor for the remaining amount; and purchasing was ordering a large amount (about 20,000 masks). He further noted that the city currently had in stock a healthy supply of about 3,000 masks.
Brief discussion ensued amongst the Commission.

Mr. Noel Bernal, City Manager briefly updated the Commission on the City of Brownsville Organization and noted the following:

- had been scheduling small groups with the Commission to start prepping for next scheduled meeting, for any revision to the current declaration and planning for the recovery phase internally with City staff
- does not foresee reopening facilities until the earlier part of May 2020 and it would be mainly to accommodate businesses
- would be focusing on rethinking traditional practices that we have had in place within the organization and adapting new ones
- Teleworking as an incentive, flexible work arrangements and taking more proactive efforts within the organization
- reported a sales tax impact we might be expecting. As per his research, the sales tax impact would be about a 20% drop

Mr. Bernal further noted that the suggestions were based on information gathered by Emergency Management, Public Health, and the Commission. He did inform that the economy will open up with limited access, this would insulate and protect the city from any steep losses, and on the other hand, if the city opens too early, there might be a second wave sometime in the fall. Mr. Bernal mentioned the impact would not be known for the month of March until May when there is a two-month lag would only be for half the month. A more accurate number would be in June when the report would see the entire month of April’s impact.

Felix Saucedo, Police Chief briefly informed the Commission that the department has been mainly concentrating on informing the public and making sure everyone is complying with protocol. He further noted that out of the 3,500 contacts, 300 have been actual citations and for safety reasons, the department has been practicing safety protocols and there has been zero cases within the department.

PUBLIC HEARING (S)

2. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-011-S, to allow a wireless communication facility, a General Retail (4C) use in Light industrial “J” (7C) for a 1.67 acre tract of land in Lot 1, R.A. Lieck Estate, Partition Share 22, Espiritu Santo Grant, located near the corner of Fish Hatchery Road and Expressway 77. (District 4)

Mr. Martín Vega, Senior Planner briefly explained the proposed ordinance, noting that the request was to allow a wireless communication facility. At this time, Mr. Vega briefly provided a background on the proposed ordinance. He further noted that as per the established process for adopting, approving, and enacting an amendment to the official zoning atlas and as per the aforementioned court order, a Specific Use Permit to allow a wireless communication facility must be issued expeditiously.
Ms. Iris Perales, Ms. Rosalinda Perales, Carmen Almaraz and Ms. Graciela Villarreal, strongly opposed to the construction of the tower, and expressed concern in regards to safety and health due to weather and radiation issues.

Brief discussion ensued amongst the Commission and City Staff.

Upon motion by Commissioner John F. Cowen seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Ben Neece moved that Ordinance Number 235-2019-011-S, be adopted at first reading, to allow a wireless communication facility, a General Retail (4C) use in Light industrial “J” (7CJ) for a 1.67 acre tract of land in Lot 1, R.A. Lieck Estate, Partition Share 22, Espiritu Santo Grant, located near the corner of Fish Hatchery Road and Expressway 77. (District 4) The motion was seconded by Commissioner Rose Gowen and carried unanimously.

ITEM(S) FOR INDIVIDUAL CONSIDERATION

3. Consideration and ACTION to approve Interlocal Agreement between the City of Harlingen and the City of Brownsville to assist in the detection and mitigation efforts in response to the current worldwide COVID-19 pandemic by cooperating in the Drive-Thru Testing Site.

Dr. Aruro Rodriguez, Public Health Director briefly informed the Commission on the proposed agenda item, noting that the registration and questionnaire was currently being submitted thru btxcare.com, which in turn gives more exposure to our BTX campaign. Dr. Rodriguez further noted that the Sports Park drive thru had the capacity to facilitate the increase vehicle flow for up to six lanes (currently we have only used two lanes) and in regards to supplies, working with the contractor to meet demand.

Commissioner Rose Gowen moved that the Interlocal Agreement between the City of Harlingen and the City of Brownsville to assist in the detection and mitigation efforts in response to the current worldwide COVID-19 pandemic by cooperating in the Drive-Thru Testing Site, be approved. The motion was seconded by Commissioner John F. Cowen and carried unanimously.

4. Consideration and ACTION on a License Agreement with the Mitte Foundation for Linear Park Improvements.

Ramiro Gonzalez, Government and Community Affairs Director briefly informed the Commission of the improvements being considered for the park, which includes landscaping and sidewalks. He further informed that the two major improvements would be building the public restroom and installing public art sculptures and the cost would be at 50/50 with the Mitte Foundation.

Commissioner Rose Gowen moved that a License Agreement with the Mitte Foundation for Linear Park Improvements, be approved. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.
5. Consideration and ACTION to accept a Grant under the Coronavirus Air, Relief, and Economic Security Act (Public Law 116-136), in the amount of $1,857,797.00 from the Federal Aviation Administration for the Brownsville South Padre Island International Airport.

Mr. Shawn Schroeder, Assistant Airport Director, briefly explained the proposed agenda item.

Commissioner Ben Neece moved that a Grant under the Coronavirus Air, Relief, and Economic Security Act (Public Law 116-136), in the amount of $1,857,797.00 from the Federal Aviation Administration for the Brownsville South Padre Island International Airport, be accepted and approved. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

6. Consideration and ACTION to vacate the prior City Commission action taken at the meeting of April 21, 2020, purporting to award the Anacua Street and Naranjo Road Pavement, Sidewalk, Driveway and Drainage Improvement Project to G & T Paving LLC, and award the project to the lowest responsive and responsible bidder Total Commitment Construction, in the amount $2,810,332.75, and authorize the Mayor to execute the construction contract.

Lupe Granado, Finance Director briefly explained the proposed agenda item. Mr. Granado noted that in accordance with Texas Government Code Section 271, it allows municipalities to award a bid that is within 5% of the lowest responsive bidder and it states that this can only be invoked if the construction project is less than $100,000.00. Brief discussion ensued amongst the Commission.

Commissioner Ben Neece moved to rescind his previous motion of awarding the contract to G & T Paving and award the project to the lowest responsive and responsible bidder to Total Commitment Construction. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 6:07 p.m.

Approved this __4th____ day of __August_____, 2020.

Trey Mendez
Mayor

Attest:

Griselda Rosas
Interim City Secretary

Respectfully submitted by:
Yolanda Galárrza-Administrative Supervisor
Office of the City Secretary

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