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, June 16, 2020, at 5:00 P.M., with the following members present via Zoom Teleconference Meeting by logging on at:
https://us02web.zoom.us/j/85932394419?pwd=bitnUSs3YkJ1WTZsbWswYopvTUUtZz09

TREY MENDEZ Mayor
JOHN F. COWEN, JR. COMMISSIONERS
ROSE GOWEN At Large “A”
NURITH GALONSKY PIZANA At-Large “B”
JESSICA TETREAU District 1
JOEL MUNGUIA District 2
BEN NEECE District 3
NOEL BERNAL District 4
HELEN RAMIREZ CITY MANAGER
ELIZABETH WALKER DEPUTY CITY MANAGER
BRYANT WALKER ASSISTANT CITY MANAGER
RENE DE COSS ASSISTANT CITY MANAGER
GRISELDA ROSAS CITY ATTORNEY
ABSENT INTERIM CITY SECRETARY
NONE

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 June 12, 2020.

b) INVOCATION:

Pastor Brad Burkes delivered the invocation.

c) PROCLAMATION(S)

Rodolfo & Josefinia Solis
(Mayor T. Mendez III/Commissioner N. Galonsky Pizana)
Mayor Juan “Trey” Mendez III

The proclamation was read and presented by Mayor Juan “Trey” Mendez III, virtually.
Brownsville Fashion Week
(Commissioners N. Galonsky Pizana/J. Cowen Jr.)
Commissioner Nurith Galonsky presented

The proclamation was read and presented by Commissioner Jessica Tetreau.

d) PRESENTATION(S):

Mitte Foundation and Cultural District Report.

Felipe Pena Executive Director with Children’s Museum and the Mitte Cultural District Chair, introduced Ms. Dyna Mitte, Associate Director of the Mitte Foundation, provided a brief background of Roy F. & Joann Cole Mitte Foundation noting that the intentions of the Mitte is helping to achieve their goals for Brownsville. Ms. Coleith Molstad, Mitte Foundation Executive Director gave a brief overview with a PowerPoint presentation of the Mitte Cultural District, noting that the endowment provides the sole source of revenue for operations and grant making which the foundation provides to Mitte Cultural District entities, contributes to joint-advertising costs and is aiding with Cultural District Designation. The following speakers briefly updated the Commission of the Mitte Cultural District surrounding areas:

Felipe Pena, III-Chairman-Mitte Cultural District
Dr. Patrick Burchfield-Gladys Porter Zoo Director – Grant Recipient
Reba Cardenas McNair – Dean Porter Park Renovation, Inc. & Mitte Cultural District Board Member
Beth Pace – At-Large Board Member, Dean Porter Park Renovation, Inc.
Cristina ‘Quiqui’ Tijerina-Board Chair Costumes of the Americas Museum-Grant Recipient
Dillon E. Vanderford, Jr.-Assistant Executive Director Sombrero Festival, Ltd.-Foundation Collaboration
Veronica Dimas-Rosenbaum-Executive Director Brownsville Wellness Coalition-Grant Recipient
Julie de la Garza-Board Chair Children’s Museum of Brownsville-Grant Recipient
Deyanira Ramirez-Executive Director Brownsville Museum of Fine Art-Grant Recipient
Roy De Los Santos, Jr.-Immediate Past-Chair, Mitte Cultural District, Executive Director & COO, Sombrero Festival, Ltd. Texas Commission on the Arts (TCA) Designation & 2016 Key Takeaways: Expanded District Boundaries, Economic Self-Sufficiency, and Increased Focus on Art & Music Programming
R.J. Mitte (Roy F. Mitte, III) Mitte Foundation President provided closing remarks.
PUBLIC COMMENT PERIOD

The following citizens signed up for Public Comment

1. Mark Kaswan, expressed concern not to release the Jefferson Davis Monument to the Confederate Daughters
2. Jasor Salinas, did not wish to address the Commission but would like for his opinion to be registered for the record noting not to release the Jefferson Davis Monument to the Confederate Daughters, and further noted that the monument be removed or destroyed.
3. Juan Trevino did not wish to address the Commission but would like his opinion to be registered for the record opposing to return the monument to the Daughters of the Confederacy, or removed.
4. Yolanda Speece, noted that the Jefferson Davis Monument should be given the proper context and should be replaced with more child and/or family friendly monuments.
5. Bruce Kidd, noted that the Jefferson Davis Memorial was not a racist symbol it represented southern pride for a leader.
6. Ruben Cordova, opposed to the removal of the Jefferson Davis monument.
7. Ana Chapa, did not wish to address the Commission but would like for his opinion to be registered for the record, opposed to return the monument to the Daughters of the Confederacy or to be removed and placed in the museum.
8. Sadie Hernandez, opposed to preserving the Jefferson Davis Monument.
9. Teresa Saldivar, opposed to preserving the Jefferson Davis Monument.
10. Juan Cantu, did not wish to address the Commission but would like his opinion to be registered for the record, noting that the monument did represent a threat to the community.
11. Claudia Serrano, did not wish to address the Commission but would like her opinion to be registered for the record, opposing to preserve the monument.
12. Ofelia Alonso, noted that the City owed its citizens full transparency on where the monument would be located and opposed on preserving it.
13. Victoria Guerrero, opposed to preserving the monument.
14. Theresa Gallegos, opposed in preserving the opposed in preserving the monument.
15. Jose Colon-Uvalles, opposed to preserving the Jefferson Davis Monument
16. Fernando Alonso, opposed to preserving the Jefferson Davis Monument

WORK SESSIONS

As a governmental body, the City Commission will not vote or take any formal action on any items discussed in the work session portion of the agenda.

1.) Presentation and update on Cameron County Regional Mobility Authority (CCRMA) Projects, including the West Rail Trail Project/West Blvd. Project.

Mr. Joel Garza, Multimodal Transportation-Mobility Director introduced Mr. Pete Sepulveda from Cameron County Regional Mobility Authority (CCRMA) gave a brief
presentation regarding the Cameron County Regional Mobility Authority Projects including the West Rail Trail Project/West Blvd. Project.

Brief discussion ensued amongst the Commission.

2.) Redistricting presentation by Rolando Rios regarding Brownsville 2020 City Commission Redistricting Precensus Analysis.

As per the request of City Staff, agenda item will be presented at the next scheduled City Commission meeting.

3.) 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

Lupe Granado, Finance Director briefly updated the Commission on the COVID-19 finances; total expenses to date is $6,479,526 with the majority spent on personnel overtime; with focus on the Police and Fire. Emergency Procurement comes in second with the majority spent on testing kits for the uninsured.

Dr. Arturo Rodriguez, Director of Public Health and Ms. Michelle Jones, Epidemiologist briefly updated the Commission on the COVID-19 collections and testing site as of June 12, 2020, noting the following:

- 3,668 tests administered/users are local employers
- 2,286 did not meet criteria
- 50% Insured, 50% Uninsured
- 263 positive, 2,907 negative results
- 501 results pending

Dr. Rodriguez along with Ms. Jones, further noted that additional COVID-19 drive thru lanes had been opened, provided details of impact to events due to the executive orders; and the Boots on the Ground Operations was on its 38th day, noting that the current concentration was on the north side of the city; and had 5-8 staff members participating in the operation.

Brief discussion ensued amongst the Commission.

CONSENT AGENDA ITEM(S)

Consent Agenda Items listed were considered to be routine by the City Commission and was approved by one motion.

Commissioner Nurith Galonsky Pizana moved to approve Consent Agenda Items 1, 2, 4, and moved Consent Agenda Item 3 out of sequence for discussion and action. The motion was seconded by Commissioner John Cowen, Jr. and carried unanimously.

1) Consideration and ACTION to award a term contract, RFP# RBW-28-0515, for body camera licensing, data storage, and maintenance for the City of Brownsville Police Department.
2) Consideration and ACTION on Resolution Number 2020-048 to sign the Advance Funding Agreement (AFA) between the U.S. Geological Survey (USGS) and City of Brownsville for Phase I development of Hydrologic Model of the Brownsville Resaca and Canal System in the amount of $32,500 as budgeted.

4) APPROVAL on SECOND and FINAL READING on Ordinance Number 2020-318-LL, amending the City of Brownsville Code of Ordinances, repealing and replacing in their entirety Chapter 106, Article II Sections 106-107, 106-108 and 106-38.

Consent Agenda 3

3) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2019-068-CO, to rezone from Dwelling "G" (DG) to Apartment "G" (AG-CO) for Lot 26, Block 1, St. Tropez Subdivision, Cameron County, Texas, located at 2521 Old Port Isabel Road, with a Conditional Overlay. (District 2)

   Commissioner Jessica Tetreau moved that Consent Agenda Item 3, be approved. The motion was seconded by Commissioner Rose Gowen and carried as follow:
   
   Ayes: Commissioners Tetreau, Cowen, Gowen, Munguia, Neece and Mayor Mencéz
   
   Nays: Commissioner Galonsky Pizana

ITEMS FOR INDIVIDUAL CONSIDERATION (S)

1) Consideration and ACTION to approve Resolution Number 2020-063, to remove and donate the Jefferson Davis Monument located at Washington Park.

   Commissioner Rose Gowen moved that Resolution Number 2020-063, to remove and donate the Jefferson Davis Monument located at Washington Park, be approved.

   At this time, Commissioner Ben Neece gave a brief background of the Jefferson Davis Monument, and noted that the City cannot donate the monument since the City does not own it. Commissioner Neece further noted that the monument had been a State marker back in 1976 or 1977, which was located on the State highway.

   Commissioner Neece recommended amending the motion that the Jefferson Davis Monument be removed immediately and authorizing the City Manager to hold the monument in a safe location and to determine the ownership, until the outcome of the monument is determined.

   Commissioner Rose Gowen moved to remove the monument, clean the plaque immediately, and have the City Manager decide ownership in the meantime it will be stored by the City, agreed and accepted the amended motion as recommended by Commissioner Ben Neece. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.
2) Consideration and ACTION on Resolution Number 2020-061 in support of a Cultural District Designation Application to the Texas Commission on the Arts.

Commission Ben Neece moved that Resolution Number 2020-061 in support of a Cultural District Designation Application to the Texas Commission on the Arts, be approved. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

3) Consideration and ACTION on the Seventh Amended Declaration of Local Disaster for Public Health Emergency.

Helen Ramirez, Deputy City Manager read the recommended changes to the Seventh Amended Declaration of Local State Disaster for Public Health Emergency.

Brief discussion ensued amongst the Commission.

Commissioner Nurith Galonsky Pizana moved that the Seventh Amended Declaration of Local State Disaster for Public Health Emergency, be approved. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

4) Consideration and ACTION to create an Equity Task Force.

Commissioner Nurith Galonsky Pizana noted that she had discussed the item with Commissioner Rose Gowen and Commissioner John Cowen, Jr., and the idea was to try to create more equity within the city. Commissioner Galonsky Pizana mentioned that Commissioner Cowen had been helpful in providing a reference point to what the City of Austin is doing with their strategic performance dashboard and it has different areas in which they evaluate whether or not there was equity. Commissioner Galonsky Pizana noted that there was only one Fire station to cover District 1 area and expressed concern for the Southmost Public Library, and would like recommendations as to how we need to deliver services equally throughout our city.

Brief discussion ensued amongst the Commission.

Commissioner Nurith Galonsky Pizana moved that the creation of the Equity Task Force, be approved. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

5) Consideration and ACTION to rescind awarded contract to R.E. Friedrichs Co. for the Brownsville Community Resource Center Senior Center Project.

Damaris McGlone, Parks and Recreation Director provided a brief explanation of the proposed agenda item noting that the contractor had withdrawn their bid and agreed to rescind the contract.

Brief discussion ensued amongst the Commission.

Commissioner Nurith Galonsky Pizana moved that the contract to R.E. Friedrichs Co. for the Brownsville Community Resource Center Senior Center Project, be rescinded. The motion was seconded by Commissioner Ben Neece and carried unanimously.
6) Consideration and ACTION to award contract for the Brownsville Community Resource Center Senior Center Project to the lowest responsive & responsible bidder, H2O Construction Services, Inc., in the Amount of $675,855.00.

   Commissioner Ben Neece moved that the contract for the Brownsville Community Resource Center Senior Center Project, be awarded, to the lowest responsive & responsible bidder, H2O Construction Services, Inc., in the amount of $675,855.00. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

7) Consideration and ACTION on renewal of term contract for Excavation, Loading and Hauling Services for the City of Brownsville, as budgeted. Contract #HDS-30-0418.

   Commissioner Nurith Galonsky Pizana moved that the contract renewal for Excavation, Loading and Hauling Services for the City of Brownsville, as budgeted. Contract #HDS-30-0418, be approved. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

8) Consideration and ACTION on Resolution Number 2020-057, authorizing, in accordance with section 26.04 (c-1) of the Texas Tax Code, that a city officer or employee calculate the voter approval tax rate for tax year 2020 in the manner provided for a special taxing unit at eight percent (8%).

   Lupe Granado, Financial Services Director, provided a brief explanation of the proposed agenda item noting that the Texas Senate Bill 2 (SB2) of the 86th Legislature lowered the property tax rate a taxing unit can adopt without voter approval.

   Brief discussion ensued amongst the Commission.

   Commissioner Rose Gowen moved that Resolution Number 2020-057, authorizing, in accordance with section 26.04 (c-1) of the Texas Tax Code, that a city officer or employee calculate the voter approval tax rate for tax year 2020 in the manner provided for a special taxing unit at eight percent (8%), be approved. The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

   Ayes: Commissioner Tetreau, Cowen, Jr., Gowen, Munguia, Neece and Mayor Mendez

   Nays: Commissioner Galonsky Pizana

BOARD APPOINTMENT(S)

1) Consideration and ACTION on Resolution Number 2020-044 to appoint or reappoint member(s) to the Parks and Recreation Advisory Board Committee.

   Resolution Number 2020-044 was approved as follow:
Commissioner Ben Neece moved that Joe Lee Rubio be reappointed to the Parks and Recreation Advisory Board Committee. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

2) Consideration and ACTION on Resolution Number 2020-046, to appoint a member to the Brownsville Public Library System Advisory Board.

Resolution Number 2020-046 was approved as follow:
Commissioner Nurith Galonsky Pizana moved to appoint Celia Flores Feist to the Brownsville Public Library System Advisory Board. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

3) Consideration and ACTION on Resolution Number 2020-052, to appoint or reappoint member(s) to the Board of Adjustment (BOA).

Resolution Number 2020-052 was approved as follow:
Commissioner Rose Gowen moved to appoint Roy De Los Santos to the Board of Adjustment (BOA). The motion was seconded by Commissioner John Cowen, Jr. and carried unanimously.

4) Consideration and ACTION on Resolution Number 2020-051, to appoint or reappoint member(s) to the Transit Advisory Committee (TAC).

Resolution Number 2020-051 was approved as follow:
Commissioner Nurith Galonsky Pizana moved to appoint Gregorio Rincones to the Transit Advisory Committee (TAC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

5) Consideration and ACTION on Resolution Number 2020-055, to appoint or reappoint member(s) to the Main Street Advisory Board.

Resolution Number 2020-055 was approved as follow:
Commissioner Ben Neece moved to appoint Wesley Reed to the Main Street Advisory Board. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

Mayor Trey Mendez III moved to re-appoint Angelina Macias and Commissioner Ben Neece to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Nurith Galonsky Pizana moved to appoint Vanessa Sandoval to the Main Street Advisory Board. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

Commissioner John Cowen moved to appoint Ian Buenrostro to the Main Street Advisory Board. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

Mayor Trey Mendez moved to appoint Daniela Loera to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.
6) **Consideration and ACTION on Resolution Number 2020-056, to appoint or reappoint member(s) to the Historic Preservation and Design Review Board (HPDRB).**

Resolution Number 2020-056 was approved as follow:

Commissioner Ben Neece moved to appoint **Larry Loff** to the Historic Preservation and Design Review Board. The motion was seconded by Commissioner Nurith Galonsky Pizana.

Commissioner Ben Neece moved to appoint **Luis Murillo** to the Historic Preservation and Design Review Board. The motion was seconded by Commissioner Jessica Tetreau.

Commissioner Rose Gowen moved to appoint **Philip Samponaro** to the Historic Preservation and Design Review Board. The motion was seconded by Commissioner Ben Neece.

7) **Consideration and ACTION on Resolution Number 2020-053, to appoint or reappoint member(s) to the Building and Standards Commission.**

Resolution Number 2020-053 was approved as follow:

Commissioner Jessica Tetreau moved to appoint **Fabriel Cisneros** to the Building and Standards Commission. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

Commissioner Ben Neece moved to appoint **Larry Hollman** to the Building and Standards Commission. The motion was seconded by Commissioner John Cowen, Jr., and carried unanimously.

Commissioner Ben Neece moved that the third appointment be tabled. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

8) **Consideration and ACTION on Resolution Number 2020-058 to appoint or reappoint member(s) to the Brownsville Convention and Visitors Bureau (CVB) Advisory Board.**

Resolution Number 2020-058 was approved as follow:

Commissioner Ben Neece moved to appoint **Danny Loff** to the Brownsville Convention and Visitors Bureau (CVB) Advisory Board. The motion was seconded by Commissioner Jessica Tetreau.

Mayor Trey Mendez moved to appoint **Edgar Navarro** to the Brownsville Convention and Visitors Bureau (CVB) Advisory Board. The motion was seconded by Commissioner Ben Neece and carried unanimously.

9) **Consideration and ACTION on Resolution Number 2020-059, to appoint or reappoint member(s) to the Brownsville Public Utilities Board (BPUB).**

Resolution Number 2020-059 was approved as follow:

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Joel Munguia, agenda item was tabled and carried as follow:

Ayes: Commissioners Tetreau and Munguia
Nays: Commissioners Galonsky Pizana, Cowen, Gowen, Neece and Mayor Mendez

Commissioner Jessica Tetreau moved to appoint Frank Wood to the Brownsville Public Utilities Board (BPUB). Motion failed due to lack of a second.

Commissioner Ben Neece moved to appoint Patricio Sampayo to the Brownsville Public Utilities Board (BPUB). The motion was seconded by Commissioner Nurith Galonsky Pizana and carried as follow:

Ayes: Commissioners Galonsky Pizana, Cowen, Gowen, Munguiía, Neece and Mayor Mendez
Nays: Commissioner Tetreau

10) Consideration and ACTION on Resolution Number 2020-060 to appoint a member(s) to the Charter Review Committee.

Resolution Number 2020-060 was approved as follow:

Commissioner Jessica Tetreau moved to appoint Evaristo Cardenas to the Charter Review Committee. The motion was seconded by Commissioner Ben Neece and carried unanimously.

EXECUTIVE SESSION

At this time Commissioner Jessica Tetreau abstained from attending the Executive Session and left the meeting.

Upon motion by Commissioner Nurith Galonsky Pizana seconded by Commissioner John Cowen and carried unanimously, the Executive Session convened at 8:24 p.m.

A) Attorney consultation pursuant to Section 551.071, Texas Gov't Code to receive legal advice regarding the City Commission's duties, privileges, rights, and responsibilities pertaining to the issuance award of a specific franchise license for residential waste management pursuant to the City's General Franchise Ordinance and applicable state law requirements and to address related legal issues.

Upon conclusion of Executive Session, Mayor Juan “Trey” Mendez III, convened the Regular meeting at 8:43 p.m. There was no action taken in Executive Session.

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

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

ADJOURNMENT

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 8:47 p.m.

Approved this 15th day of September, 2020.