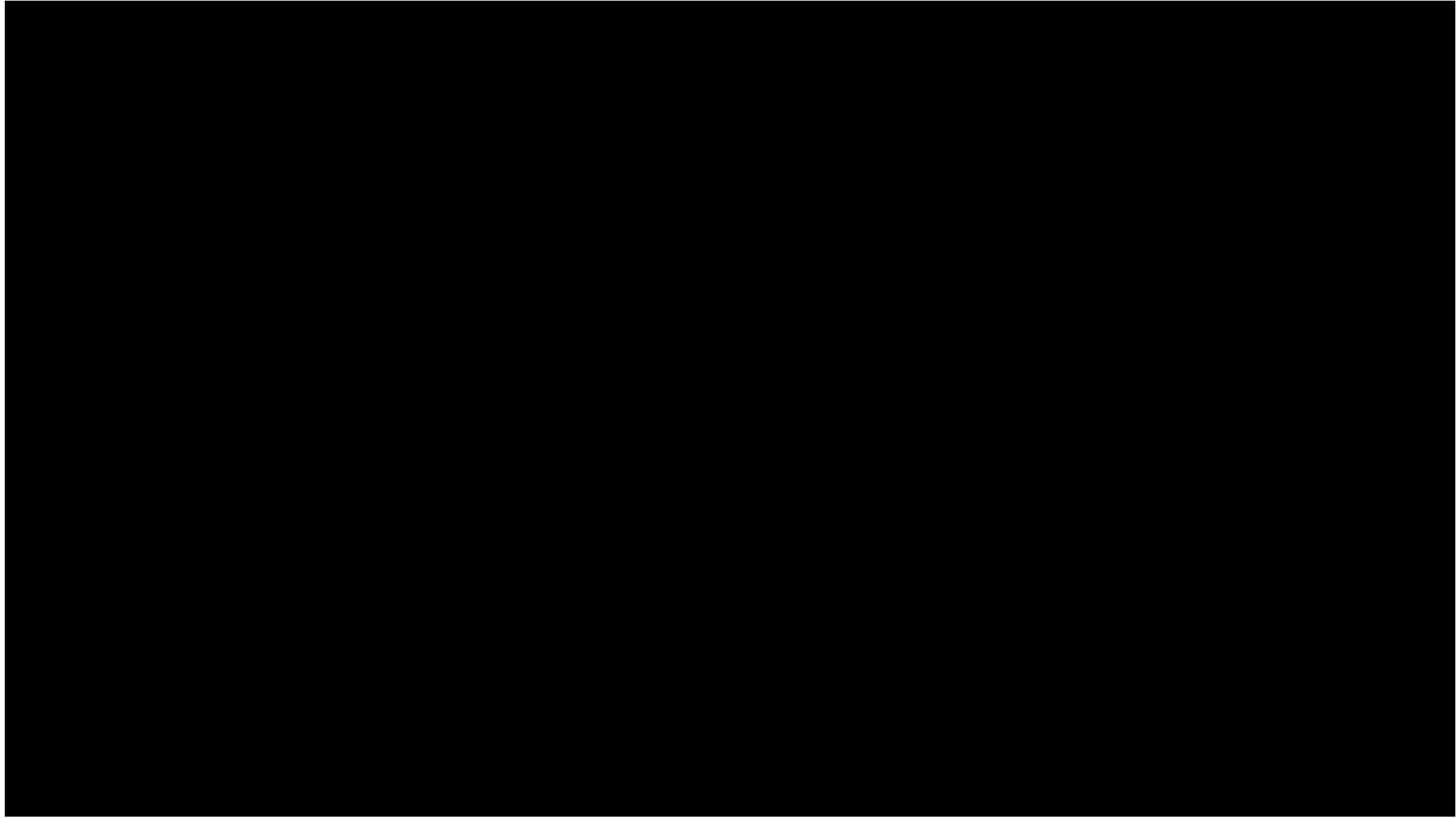




# Building Community Trust as ONE City:

## *Code Enforcement Success Story*

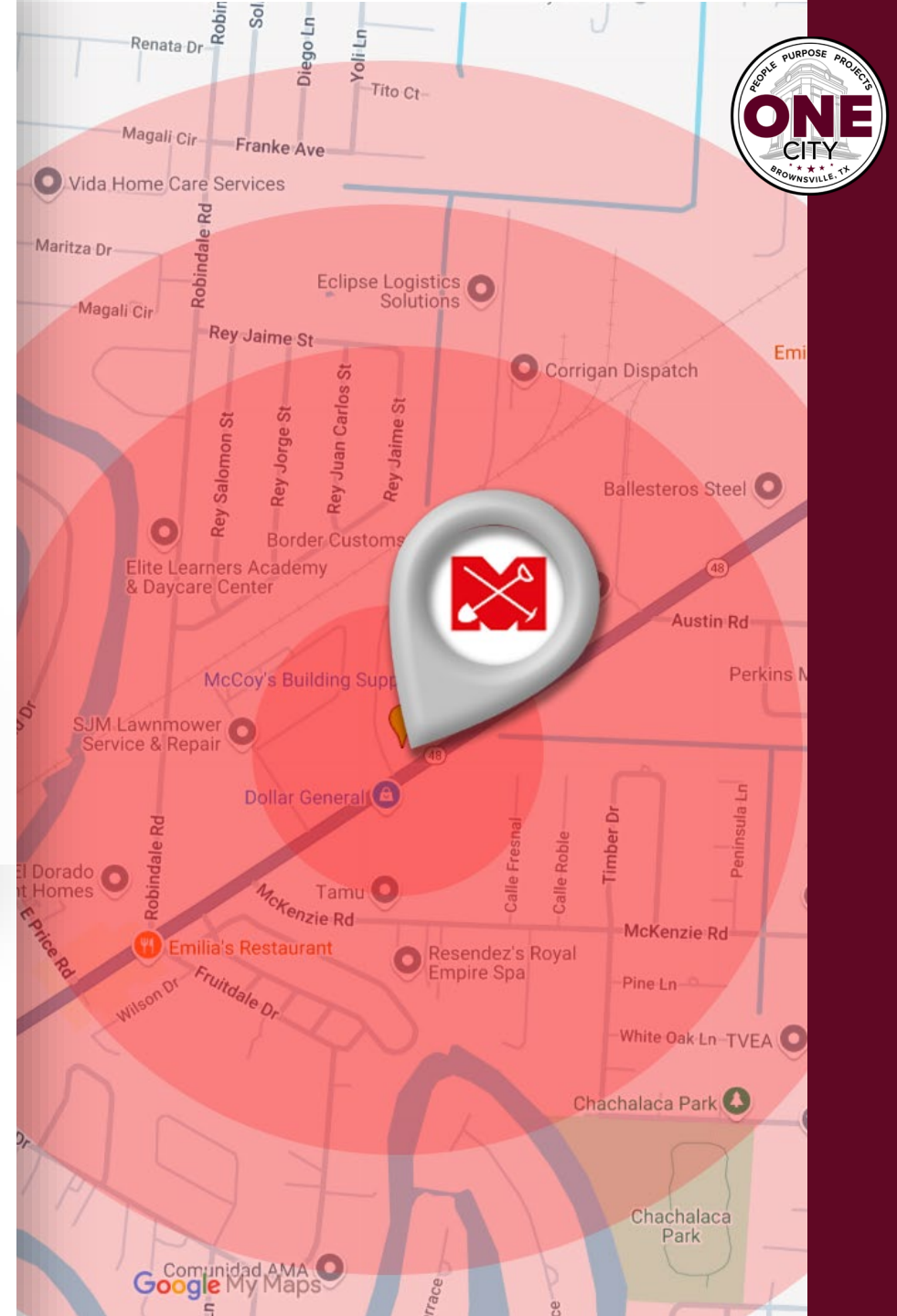






# Milwhite, Inc

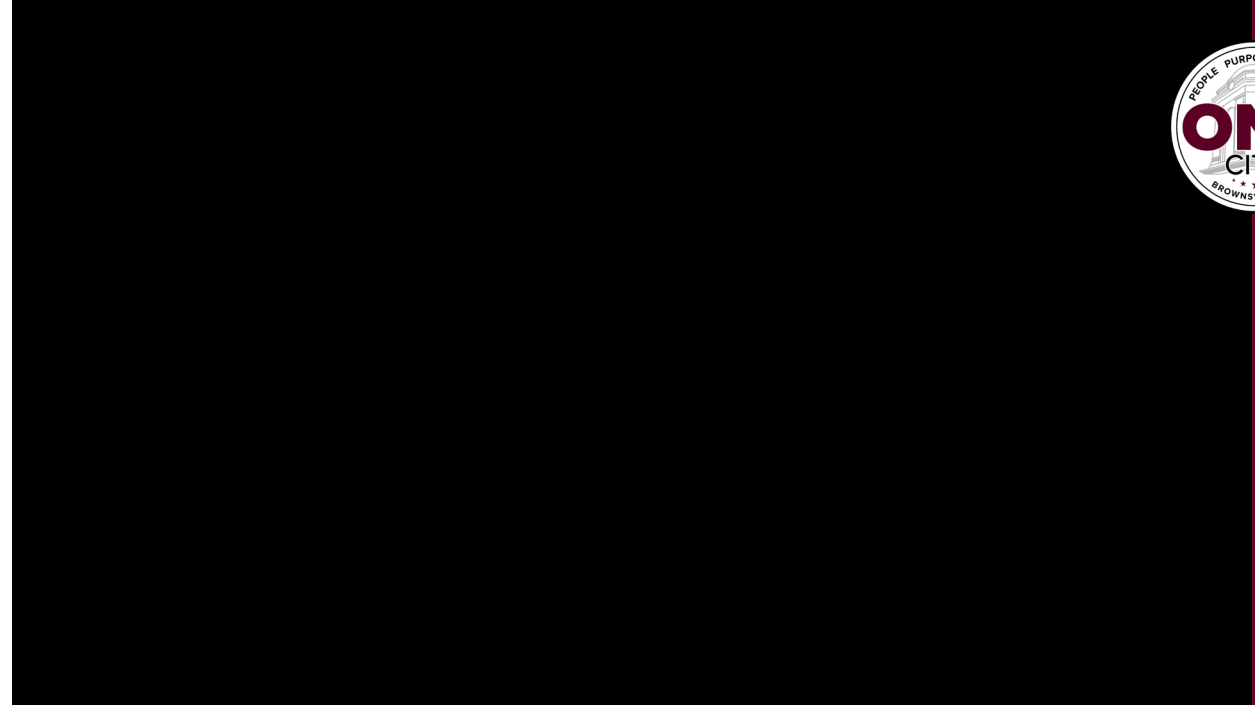
5487 S Padre Island Hwy, Brownsville, TX 78521

















# A Community's Call for **HELP**

Residents of Rey Jaime Street raised concerns over dust and health risks caused by nearby industrial activity.

- Advocates like Adlhemy Sanchez and Commissioner Linda Macias, District 2, amplified community concerns.
- Residents spoke directly at commission meetings.





# Swift Action, Unified Purpose

City of Brownsville mobilized a multi-departmental team, acting swiftly to address community health and safety.

- City Management Office
- City Attorney's Office
- Code Enforcement
- Public Health
- Community leaders and elected officials



# One City in Action

From elected officials to inspectors, planners, legal staff, and health experts—the city responded as One City.





# Community Meeting

- Held at Event Center
- Included TCEQ, Legal, Health, Planning
- Full transparency and public dialogue



# Legal and Compliance Strategy

- The City offered mediation and relocation incentives through the EDC.
- Milwhite, Inc. chose not to relocate and ignore the option.







# Thousands of Violations

- City issued nearly 2,000 municipal code violations, including building code and zoning, on top of multiple state environmental infractions.
- TCEQ confirmed 40+ environmental violations. Their involvement strengthened the City's case and accountability efforts.



# State of Texas Lawsuit

- Filed by TX Attorney General for TCEQ
- Based on Texas Clean Air Act violations
- Filed in 53rd District Court, Travis County
- Seeking penalties, injunctions, and legal costs

## Environmental Violations

- Fugitive dust emissions from barite/clay processing
- Over 20 formal complaints in 2023
- 14 of 28 air permit conditions violated
- Over 146,000 sq ft of material—2x permitted amount



# TCEQ Investigation Findings

- Feb 2023: 5 violations documented
- July 2023: 15 violations documented
- TCEQ investigator experienced health issues on site
- Dust visibly covered nearby properties and inspectors

## Refusal to Comply

- TCEQ issued Agreed Order for resolution
- Milwhite refused to sign; order withdrawn
- Continued non-compliance despite state warnings



# City of Brownsville Legal Action

- Filed in Cameron County District Court
- Days-long hearing on Petition for Temporary Injunction
- City filed five motions for entry of Temporary Injunction
- Judge delayed ruling March–May 2024

## City's Legal Argument

- City has authority to sue under Chapter 54 of Local Government Code
- Milwhite is in clear non-compliance of city ordinances
- Court must issue injunction to prevent harm
- Possible writ of mandamus considered



# The Turning Point

Legal efforts led to Milwhite agreeing to cease operations, sell their property, and include deed restrictions for future compliance.

## Legal Context

Four major legal proceedings:

- City's Chapter 54 lawsuit (code compliance) in Cameron County
- TCEQ Environmental Enforcement in Travis County
- Class Action Lawsuit by neighbors in Cameron County
- Lawsuit by insurance carrier in federal court







# Results

- Enforcement success with cease of operations and property sold
- Covenant in deed for compliance
- Future owner must adhere to City codes



# One City, One Team

The case brought together legal, code enforcement, health, planning, and city leadership—a team working with shared purpose.

## Lessons from Complexity

Navigating court challenges, multi-agency involvement, and public communication tested the city—but unity prevailed.





# Trust Earned, Not Given

- Residents now see the city as a partner, not just an enforcer. This is the promise of One City in action.
- Transparency, accountability, and responsiveness

## Thank You

- To our residents, advocates, and public servants—thank you for building a safer, stronger Brownsville.







## 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.

Ordinance 2019-1090-H



# MARCH 18TH, 2025

































# Building Community Trust as ONE City: Code Enforcement Success Story