

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 in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Old Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Tuesday, February 05, 2019**, at **5:20 P.M.**, and at **6:00P.M.** with the following members present:

		COMMISSIONERS
CESAR DE LEON)	At-Large “A”
RICARDO LONGORIA, JR.)	District 1
JESSICA TETREAU)	District 2
JOEL MUNGUIA)	District 3
BEN NEECE)	District 4
NOEL BERNAL		CITY MANAGER
MICHAEL L. LOPEZ		ASSISTANT CITY MANAGER
ARTURO RODRIGUEZ		ASSISTANT CITY MANAGER
RENE DE COSS		CITY ATTORNEY
GRISELDA ROSAS		CITY SECRETARY
ABSENT:		ROSE GOWEN – At-Large “B”

A quorum being present, Mayor Antonio Martinez, asked Ms. Griselda Rosas, City Secretary, to read the call to consider the following matters as posted and filed for the record in The Office of the City Secretary on February 1, 2019.

EXECUTIVE SESSION: 5:20 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Joel Munguia and carried unanimously, the Executive Session convened at 4:26 p.m. to discuss the following items:

At this time Commissioner Jessica Tetreau did not step into Executive Session.

- A) **Consultation with attorney pursuant to Section §551.071(2) of the Texas Government Code, on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**
- B) **Consultation with attorney pursuant to Section §551.071(2) of the Texas Government Code, on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**
- C) **Consultation with attorney pursuant to Texas Government Code Section §551.071(2) regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**

- D) **Consultation with attorney pursuant to Texas Government Code Section §551.071(2) regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**

Upon conclusion of Executive Session, Mayor Antonio Martinez, convened the Regular Meeting at 6:20 p.m. No action was taken in Executive Session.

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The Pledge of Allegiance was led by Mayor Antonio Martinez and the Texas Pledge was led by Commissioner Ricardo Longoria, Jr.

INVOCATION:

The invocation was led by Pastor Brad Burkes, from Embassy of the Spirit, of Brownsville, Texas.

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

- A) **Consideration and ACTION to Award a Term Contract for Commercial and Industrial Solid Waste Collection Services for the City of Brownsville.**

Commissioner Ricardo Longoria, Jr., moved to instruct management as discussed in Executive Session. The motion was seconded by Commissioner Cesar de Leon and carried as follow:

Ayes: Commissioners Longoria, Jr., de Leon, Munguia, Neece

Nays: None

Abstained: Commissioner Tetreau as well as from Executive Session which she was not in attendance of the discussion of the item.

- B) **No ACTION.**

- C) **Consideration and Possible ACTION as discussed in Executive Session.**

No action taken.

- D) **No ACTION.**

1. *MAYOR'S ACTIVITY UPDATE:*

Mayor Antonio Martinez did not deliver a report.

2. COMMISSIONERS' ACTIVITY UPDATE:

Commissioner Jessica Tetreau briefly informed the community of the activity update in regards to potholes within her District.

Commissioner Ricardo Longoria, Jr., noted that he would deliver a report at the next scheduled meeting.

3. CITY MANAGER'S UPDATE:

Mr. Noel Bernal, City Manager, briefly updated the Commission with the following:

- Announced the appointment of Helen Ramirez, AICP to the position of Deputy City Manager for the City of Brownsville, effective March 4, 2019
- The City of Brownsville Staff will welcome, Boy and Girl Scouts for Scout Government Day on February 8, 2019
- Preparation of the TIRZ Workshop to be held this Saturday, February 9, 2019 from 8 to 11 a.m.

4. PROCLAMATIONS:

Historic Aviation Month

(Commissioners J. Tetreau/C. de Leon)

The proclamation was presented and read by Commissioner Jessica Tetreau.

5. CONSENT AGENDA ITEMS:

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

Upon motion by Commissioner Ricardo Longoria, Jr. seconded by Commissioner Jessica Tetreau and carried unanimously, Consent Agenda Items “a’ and “b” and “d” through “m’ were approved.

Consent Agenda Item C was removed from Consent Agenda Items.

ITEMS No. “a” through “m”

a) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Bryant Walker	Airport	Salt Lake City, UT	Mar. 31-Apr. 04, 2019
Jesus Posada	Fire	Richmond, TX	Feb. 04-06, 2019
Hiram Pena	Fire	Richmond, TX	Feb. 04-06, 2019
Damaris McGlone	Parks	El Paso, TX	Feb. 19-20, 2019
Ysais E. Presas	Health	San Antonio, TX	Mar. 08-12, 2019

b) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-051-S**, to allow a duplex, a Dwelling (D) use, in Professional Office “G’ (1CG) for Lot 3, Block 45, Original Townsite, located near the corner of Palm Boulevard and East Levee Street. (District 4)

- c) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-057**, to rezone from Dwelling “A” (DA) to Apartment “H” (AH) for Lot 24, Block 2, Alamo Heights Subdivision, located at 6185 Bowie Drive. (District 2)
- d) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-058**, to rezone from Dwelling “Z” (DZ) to General Retail “F” (4CF) for a 2.011-acre tract out of a 30.223-acre tract out of a 568.836 acre tract in Share 14, Espiritu Santo Grant, located near the corner of FM 1732 and Summerhill Boulevard. (District 4)
- e) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-059**, to rezone from Dwelling “Z” (DZ) to Dwelling “F” (DF) for a 28.212 acre tract out of a 30.223 acre tract out of a 568.836 acre tract in Share 14, Espiritu Santo Grant, located near the corner of FM 1732 and Summerhill Boulevard. (District 4)
- f) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-060**, to rezone from Dwelling “A” (DA) to General Retail “H” (4CH) for Lot 7, Block “B”, a resubdivision of Ebony Acres Subdivision, located at 1733 Boca Chica Boulevard. (District 3)
- g) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-061**, to rezone from Dwelling “A” (DA) to Dwelling “E” (DE) for the West ½ of Lot 3, Block 326, La Entrada Subdivision, an addition to the City of Brownsville, located at 924 D Street. (District 4)
- h) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-062**, to rezone from Dwelling “A” (DA) to Apartment “A” (AA) for 0.52 acres in Block 43, El Jardin Subdivision, Share 27, Espiritu Santo Grant, located at 410 North Central Avenue. (District 2)
- i) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-063**, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 13, Block 15, Ebony Heights Addition, located at 1663 Yale Avenue. (District 3)
- j) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-910**, to rezone from Dwelling “Z” (DZ) to Dwelling “Z’ (DZ-CO) for Rio Bravo Section 10, located near Mississippi River Boulevard. (District 4)
- k) Consideration and **ACTION** to approve an award contract of Services Agreement between the City of Brownsville, and the University of Texas Health Science Center at Houston in the amount of \$60,000.00, to amend and accept a services agreement from October 1, 2018 to September 30, 2019.
- l) Consideration and **ACTION** to award a contract for the street paving improvements at Plaza El Mago Drive Project, in the amount of \$84,837.00, as budgeted.
- m) Consideration and **ACTION** to award a term contract renewal for Software Maintenance and Technical Support for Public Safety Information System for the Brownsville Police Department and the Brownsville Fire Department, in the amount of \$132,353.90, as budgeted.

PUBLIC HEARINGS:

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-034, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 18, Block 3, Riverside Park addition, located at 108 West Broadway Drive. (District 4)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoning ordinance noting that the ordinance was denied from the Planning & Zoning Commission.

Mr. Dennis Sanchez, representing the owner of the property, gave a brief explanation of the proposed rezoning of the ordinance.

Pastor Brad Burkes, expressed concern in regards to the rezoning of the ordinance.

Concerned citizen opposed to the proposed ordinance, noting that the house was too close to her property.

Brief discussion ensued amongst the Commission.

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the public hearing was closed.

Commissioner Cesar de Leon moved that Ordinance Number 235-2018-034, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 18, Block 3, Riverside Park addition, located at 108 West Broadway Drive. (District 4) The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried as follow:

Ayes: Commissioners de Leon, Longoria, Jr., Tetreau, Munguia, and Mayor Martinez

Nays: Commissioner Neece

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 2019-1652, to amend the Code of Ordinances, Chapter 348-Zoning, Article IX-Historic Preservation and Urban Design, Section 348-1500 by re-adopting the Historic Preservation Plan; and dealing with related matters.

Ms. Myrna Leal, Planner I, gave a brief explanation and delivered a PowerPoint presentation of the proposed ordinance.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Jessica Tetreau and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2019-1652, be **adopted** at first reading, to amend the Code of Ordinances, Chapter 348-Zoning, Article IX-Historic Preservation and Urban Design, Section 348-1500 by re-adopting the Historic Preservation Plan; and dealing with related matters. The motion was seconded by Commissioner Cesar de Leon and carried as follow:

Ayes: Commissioners Longoria, Jr., Tetreau, de Leon, Neece

Nays: None

Abstained: Mayor Martinez

8. PUBLIC COMMENT PERIOD: PLEASE NOTE:

No one signed up for Public Comment Period.

ITEM FOR INDIVIDUAL CONSIDERATION:

- 9. Consideration and ACTION on Resolution Number 2019-008, to urge State Senator Eddie Lucio, Jr. and State Representative Alex Dominguez to sponsor House Bill 514 that State Representative Gina Hinojosa has filed that would restore the ability of Local Governments to pass single-use bag ordinances.

Agenda Item was removed as per City Staff.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:03 p.m.

Approved this 19th day of February, 2019.

Antonio Martinez
Mayor

Attest:

Griselda Rosas
City Secretary



Respectfully submitted by:
Yolanda Galarza, Administrative Supervisor
Office of the City Secretary