

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, January 16, 2018**, at **5:35 P.M.** and at **6:00 P.M.** with the following members present:

- | | | |
|-------------------------|---|--|
| ANTONIO MARTINEZ |) | Mayor |
| | | COMMISSIONERS |
| CESAR DE LEON |) | At-Large “A” |
| ROSE GOWEN |) | At-Large “B” |
| JOEL MUNGUIA |) | District 3 |
| BEN NEECE |) | District 4 |
| PETE GONZALEZ | | DEPUTY CITY MANAGER |
| MICHAEL L. LOPEZ | | ASSISTANT CITY MANAGER |
| ALLISON BASTIAN | | DEPUTY CITY ATTORNEY |
| GRISELDA ROSAS | | CITY SECRETARY |
| ABSENT: | | RICARDO LONGORIA, JR. – District 1
JESSICA TETREAU – District 2 |

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 January 12, 2018.

EXECUTIVE SESSION: 5:35 P.M.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the Executive Session convened at 5:35 p.m. to discuss the following items:

- A) Consultation with attorney pursuant to Tex. Gov’t Code Sec. 551.071 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.**
- B) Consultation with attorney pursuant to Tex. Gov’t Code Sec. 551.072 to deliberate the purchase, exchange, lease, or value of real property with Union Pacific.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:00 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 and the Texas Pledge was led by Mayor Antonio Martinez.

INVOCATION:

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

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

A) No action required.

B) **ACTION on item as discussed in Executive Session.**

Commissioner Rose Gowen moved to **proceed** as advised by legal counsel as discussed in Executive Session. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez wished everyone a Happy New Year and apologized for the previous City Commission meeting which was not held.

At this time, Mayor Antonio Martinez suggested to the Commission that Public Comment Period be moved out of sequence, after Agenda Item #3-Proclamations.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Ben Neece thanked the Brownsville Police Department Burglary Task Force for a job well done on duty.

Commissioner Rose Gowen thanked the Winterhaven residents for making and donating quilts to the needy families in Brownsville. Commissioner Gowen announced that “The Challenge” registration and weigh-in would take place on Friday, January 19, 2018, from 5:00 p.m. to 8:00 p.m. at the Brownsville Southmost Public Library and at the Brownsville Central Public Library Main Branch and on Saturday, January 20, 2018, from 9:00 a.m. to 12:00 p.m. at the Linear Park E. 7th Street and Harrison.

3. PROCLAMATIONS:

Vera’s Backyard Bar-B-Q
(Commissioners C. de Leon/R. Longoria, Jr.)

The proclamation was presented and read by Commissioner Cesar de Leon.

Catholic’s School Week
(Commissioners R. Gowen/C. de Leon)

The proclamation was presented and read by Commissioner Rose Gowen.

4. PRESENTATIONS:

Children’s Museum of Brownsville Annex Project
(Commissioners R. Gowen/J. Munguia)

Mr. Felipe Pena III, Children’s Museum of Brownsville Executive Director, delivered a PowerPoint presentation regarding the expansion of the building.

Upon motion by Commissioner Ben Neece seconded by Commissioner Rose Gowen and carried unanimously, Agenda Item #9 was moved out of sequence.

9. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Ms. Monica Lozano signed up for Public Comment but was not present to address her concerns to the Commission.

Ms. Yolanda Speece expressed concern regarding City Government.

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 Cesar de Leon seconded by Commissioner Rose Gowen and carried unanimously, Consent Agenda Items “a” through “m” were **approved**.

ITEMS No. “a” through “m”

- a) Approval of the Minutes of the Regular Meeting of December 05, 2017.
- b) Approval of the Minutes of the Regular Meeting of December 12, 2017.
- c) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Bryant Walker	Aviation	New Orleans, LA	Mar. 11-15, 2018
Shawn Schroeder	Aviation	New Orleans, LA	Mar. 11-15, 2018
Bryant Walker	Aviation	Sanford, FL	Mar. 18-23, 2018
Ramiro Gonzalez	City Manager’s Office	New Orleans, LA	Apr. 20-24, 2018
Jorge Santillan	Finance	Friendswood, TX	Feb. 15-16, 2018
Lupe Granado III	Finance	St. Louis, MO	May 03-09, 2018
Julia Lash	Grants	Los Angeles, CA	Feb. 28-Mar. 03, 2018
Eric Castillo	Police	Bryan, TX	Jan. 21-26, 2018
Hugo Martinez	Police	Bryan, TX	Jan. 21-26, 2018
Imelda Valadez	Police	Frisco, TX	Feb. 05-08, 2018
Liliana De La Garza	Police	Frisco, TX	Feb. 05-08, 2018
Raul Rodriguez	Police	Washington, D.C.	Feb. 13-18, 2018
Roy Reyes	Public Works	Bryan, TX	Jan. 31-Feb. 02, 2018
Roy Reyes	Public Works	Bryan, TX	Jan. 17-19, 2018
Carol Vasquez	Public Works	San Antonio, TX	Jan. 24-26, 2018

- d) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2017-073-S**, to allow apartments, an Apartment (A) use, in Dwelling “G” (DG) for a 1.489 acre tract of land out of Block 24 Chicago Gardens Subdivision also known as Brownsville Land and Improvement Company Holdings in Share 28 of the Espiritu Santo Grant located at 925 N. Iowa Avenue. (District 2)

- e) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2017-075**, to rezone from Dwelling “A” (DA) to Apartment “H” (AH) for 1.241 acres in the land commonly known as Brownsville Land & Improvement Company Subdivision, Lot 123 PT Lot 9, Block V, Guerra Park and Resaca; and 1.656 acres out of 2.726 acres in Brownsville Land & Improvement Company Subdivision, Lot 124 and adjacent 30.0’ of abandoned row, located near Wild Rose Lane. (District 3)
- f) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2017-903**, to rezone from Dwelling “W” and Dwelling “Z” (DW & DZ) to Dwelling “G” (DG) for Block 3, Lots 4 through 16 of Woods End Subdivision Phase I, located near Norma Pechero Lane. (District 3)
- g) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2017-235.88**, amending the existing boundaries within the O31 – Nonresidential Overlay District; and dealing with related matters. (District 2 & 3)
- h) **APPROVAL** on **THIRD** and **FINAL READING** on **Ordinance Number 2017-1633** annexing territory to the City of Brownsville and extending the boundary limits; and adopting a service plan.
- i) Consideration and **ACTION** to authorize the acceptance and expenditure of the Emergency Management Performance Grant (EMPG) Program for FY 2017 to the Brownsville Office of Emergency Management & Homeland Security in the amount of \$50,578.53.
- j) Consideration and **ACTION** to approve **Resolution Number 2018-004** supporting a change to the Authorized Official to the National Incident-Based Reporting System Grant #3252801, through the Office of the Governor, Criminal Justice Division.
- k) Consideration and **ACTION** to approve **Resolution Number 2018-003** supporting a change to the Authorized Official to the National Incident-Based Reporting System Grant #32002-01, through the Office of the Governor, Criminal Justice Division.
- l) Consideration and **ACTION** to approve **Resolution Number 2018-002** supporting a change to the Authorized Official to the FY 2018 Local Border Security Grant Program #2997903, through the Office of the Governor.
- m) Consideration and **ACTION** to adopt the REVISED Drug and Alcohol Policy of the City of Brownsville’s Transit Department Brownsville Metro as updated and required by the Department of Transportation 49 CFR Part 40.

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PUBLIC HEARINGS:

- 6. **Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-898-DD to re-adopt, Chapter 74, “Parks and Recreation”, Section 74-18, “Local Standards of Care” for an additional year as per ordinance guidelines.**

Ms. Damaris McGlone, Parks and Recreation Department, gave a brief explanation of the proposed ordinance.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 2018-898-DD, be **adopted** at first reading, to re-adopt, Chapter 74, “Parks and Recreation”, Section 74-18, “Local Standards of Care” for an additional year as per ordinance guidelines. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

4. PRESENTATION: *City’s General Fund Sales Tax Collections*
(Pete Gonzalez – Deputy City Manager)

Mr. Pete Gonzalez, Deputy City Manager, delivered a PowerPoint presentation regarding the General Fund Sales Tax Comparison between the first three months of Fiscal Year 2017 and 2018, plus other Sales Tax related information.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-079, to rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road. (District 2)

Ms. Francesca Linder, Planning and Zoning Plat Administrator, gave a brief explanation of the proposed rezoning ordinance.

Upon motion by Commissioner Ben Neece seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2017-079, be **adopted** at first reading, to rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road. (District 2) The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Cesar de Leon stepped out and did not vote on this item.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-079-S, to allow apartments, an Apartment (A) use, in General Retail “G” (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road. (District 2)

Ms. Francesca Linder, Planning and Zoning Plat Administrator, gave a brief explanation of the proposed rezoning ordinance.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Ben Neece and carried unanimously, the public hearing was **closed**.

Commissioner Cesar de Leon moved that Ordinance Number 235-2017-079-S, be **adopted** at first reading, to allow apartments, an Apartment (A) use, in General Retail “G” (4CG) for Lot 3, Las Palmas Condominiums, located near Price Road. (District 2) The motion was seconded by Commissioner Ben Neece and carried unanimously.

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. Consideration and ACTION to appoint an Interim City Manager.

Commissioner Ben Neece moved that *Mr. Michael L. Lopez, Assistant City Manager*, be appointed as **Interim City Manager**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

11. Consideration and ACTION to appoint or re-appoint two (2) members to the Planning & Zoning Commission.

Commissioner Cesar de Leon moved that *Mr. Abraham Galonsky*, be **appointed** to the Planning & Zoning Commission. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Rose Gowen moved that *Mr. Myles R. Garza*, be **re-appointed** to the Planning & Zoning Commission. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

12. Consideration and ACTION to adopt budget amendment Resolution Number 2018-005 to amend the Fiscal Year 2018 Budgets for the General Fund, Capital Projects Fund and Employee Benefit Fund.

Commissioner Cesar de Leon moved that budget amendment Resolution Number 2018-005 to amend the Fiscal Year 2018 Budgets for the General Fund, Capital Projects Fund and Employee Benefit Fund, be **adopted** and **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

13. Consideration and ACTION to approve the Young House Lease Agreement between the City of Brownsville and the Brownsville Community Improvement Corporation (BCIC).

Commissioner Rose Gowen moved that the Young House Lease Agreement between the City of Brownsville and the Brownsville Community Improvement Corporation (BCIC), be **approved**. The motion was seconded by Commissioner Ben Neece and carried unanimously.

14. Consideration and ACTION to adopt Resolution Number 2018-007, re-accepting, reviewing, amending and re-adopting all of the provisions listed in the documents, titled, “City of Brownsville, Texas Amended Investment Policy” and “City of Brownsville, Texas, Amended Investment Strategy Statement”.

Mr. Lupe Granado, Finance Director delivered a PowerPoint presentation regarding the Amended Investment Policy & Amended Investment Strategy Statement.

Commissioner Cesar de Leon moved that Resolution Number 2018-007, re-accepting, reviewing, amending and re-adopting all of the provisions listed in the documents, titled, “City of Brownsville, Texas Amended Investment Policy” and “City of Brownsville, Texas, Amended Investment Strategy

Statement”, be **adopted** and **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

15. Consideration and ACTION to accept agreement by and between the City of Brownsville and Dr. John Wells, as the Health Authority for the City of Brownsville Public Health Department.

Commissioner Ben Neece moved that the agreement by and between the City of Brownsville and Dr. John Wells, as the Health Authority for the City of Brownsville Public Health Department, be **accepted** and **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

16. Consideration and ACTION to authorize the donation of equipment to the City of H. Matamoros, Tamaulipas, Mexico.

Commissioner Rose Gowen moved that the donation of equipment to the City of H. Matamoros, Tamaulipas, Mexico, be **authorized** and **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

17. Presentation and Discussion in regards to the Jefferson Davis Highway Memorial Town Hall findings, from the Parks and Recreation Advisory Board Committee.

Ms. Damaris McGlone, Parks and Recreation Director, introduced Mr. Dillon Vanderford, Parks and Recreation Advisory Board Chair, whom delivered a PowerPoint presenting its findings after gathering public input and information in regards to the Jefferson Davis Monument located at Washington Park.

No action was taken.

18. Consideration and ACTION for Resolution Number 2018-006 of the City of Brownsville authorizing and approving the dissolution of the Brownsville Border Film Commission and transferring all rights and responsibilities to Main Street Brownsville.

Commissioner Ben Neece moved that Resolution Number 2018-006 of the City of Brownsville authorizing and approving the dissolution of the Brownsville Border Film Commission and transferring all rights and responsibilities to Main Street Brownsville, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

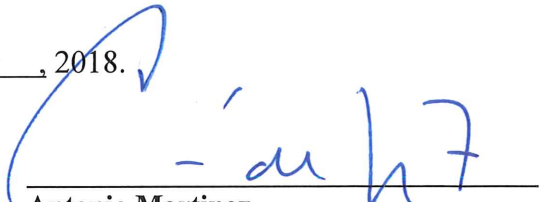
19. Consideration and ACTION on Resolution Number 2018-008 confirming contracting authority in Real Estate Conveyancing Transactions.

Commissioner Ben Neece moved that Resolution Number 2018-008 confirming contracting authority in Real Estate Conveyancing Transactions, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

ADJOURNMENT:

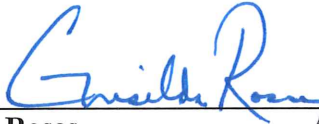
There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:15 p.m.

Approved this 6th day of February, 2018.



Antonio Martinez
Mayor

Attest:



Griselda Rosas
City Secretary



Respectfully submitted by:
Yolanda Galarza-Gomez, Administrative Specialist
Office of the City Secretary