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 21, 2020, at 5:00 P.M. with the following members present:

JOHN F. COWEN, JR.  
ROSE GOWEN  
NURITH GALONSKY PIZANA  
JESSICA TETREAU  
JOEL MUNGUIA  
BEN NEECE

NOEL BERNAL  
HELEN RAMIREZ  
ELIZABETH WALKER  
BRYANT WALKER  
ALFREDO PADILLA  
GRISELDA ROSAS  
ABSENT

COMMISSIONERS
Mayor Pro Tem  
At-Large “B”  
District 1  
District 2  
District 3  
District 4

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

JUAN “TREY” MENDEZ III – Mayor  
RENE DE COSS – City Attorney

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 January 17, 2020.

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

c) Pledge of Allegiance  
United States Pledge and Texas Pledge.
Mayor Pro Tem John Cowen, Jr., led the Pledge of Allegiance and the Texas Pledge.

d) Presentation(s)  
Grant-Healthy Texas Mothers and Babies  
Community Coalition  
(Public Health Department)

Dr. Arturo Rodriguez, DNP, MPH, CPM, Public Health and Wellness Director, briefly informed and updated the Commission on the completion of the first stage of the Maternal and Child Community Healthy Needs Assessment Grant and presented the most relevant findings from the Community Health Needs Assessment (CHNA).
PUBLIC COMMENT PERIOD

No one signed up for Public Comment Period.

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 Nurith Galonsky Pizana, seconded by Commissioner Rose Gowen and carried unanimously, Consent Agenda Items were approved.

a) Approval of the Minutes of the Regular Meeting of December 10, 2019.
b) To acknowledge the following travel expenses:

<table>
<thead>
<tr>
<th>Employee</th>
<th>Department</th>
<th>Destination</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryant Walker</td>
<td>Airport</td>
<td>Washington, DC</td>
<td>Jan. 28-31, 2020</td>
</tr>
<tr>
<td>Felipe Romero</td>
<td>Communications</td>
<td>Boerne, TX</td>
<td>Jan. 26-29, 2020</td>
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<td>Monica Tellam</td>
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<td>Boerne, TX</td>
<td>Jan. 26-29, 2020</td>
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<td>Felipe Romero</td>
<td>Communications</td>
<td>Chicago, IL</td>
<td>Feb. 07-10, 2020</td>
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<td>Monica Tellam</td>
<td>Communications</td>
<td>Chicago, IL</td>
<td>Feb. 07-10, 2020</td>
</tr>
<tr>
<td>Joanna Medina</td>
<td>Health</td>
<td>Austin, TX</td>
<td>Jan. 20-23, 2020</td>
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<tr>
<td>Sigifredo Zavala</td>
<td>Parks</td>
<td>Frisco, TX</td>
<td>Feb. 16-23, 2020</td>
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<td>Damaris McGone</td>
<td>Parks</td>
<td>Galveston, TX</td>
<td>Feb. 24-28, 2020</td>
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<td>Graciela Salazar</td>
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<td>Galveston, TX</td>
<td>Feb. 24-28, 2020</td>
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<tr>
<td>Gloria Gonzalez</td>
<td>Parks</td>
<td>Galveston, TX</td>
<td>Feb. 24-28, 2020</td>
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c) Consideration and **ACTION** to approve a Letter of Support for the Lopez Early College High School Band.

d) Consideration and **ACTION** to authorize the Brownsville Police Department to enter into a Memorandum of Understanding (MOU) between Bureau of Alcohol, Tobacco, Firearms and Explosives and the Brownsville Police Department.

e) Consideration and **ACTION** to award contract BID #POV-11-1219, for the purchase and delivery of vehicles for the Police Department, in the amount of $94,074.00, as budgeted.

f) Consideration and **ACTION** to approve the purchase of plotters for the amount not to exceed $39,000.00, as budgeted.

g) **APPROVAL** on SECOND and **FINAL READING** on **Ordinance Number 2019-1664**, annexing territory to the City of Brownsville, Cameron County, Texas and extending the boundaries of said City; and adopting a service plan.

h) **APPROVAL** on SECOND and **FINAL READING** on **Ordinance Number 2020-1569-A**, amending Chapter 102 “Utilities” and which provides for Electric, amending Sections 102-204 and 102-218 to provide for adjustments to Electrical Service Rates, Fees and Chargers for Municipal Street Lighting and Private Security Lighting; and providing a severability clause and effective date.
PUBLIC HEARINGS

1. Public Hearing and ACTION to approve Resolution Number 2020-005, authorizing publication and posting of Notice of Intention to issue Certificates of Obligation for the purpose of financing certain storm water improvements.

Lupe Granado, Finance Director introduced Mr. Tom Spurgeon, Bond Counsel, whom briefly informed the Commission that there were two (2) requirements under the Certificate of Obligation (CO) Act relating to giving notice to the public of the City’s intention to issue Certificate of Obligations (CO) by: (i) publishing the Notice of Intention in a local newspaper, and (ii) posting it on the City’s website. Mr. Spurgeon further noted that the statutory requirements are contained in Section 271.049(a)(1) and (2), of the Texas Local Government Code.

Brief discussion ensued amongst the Commission.

Upon motion by Commissioner Rose Gowan seconded by Commissioner Joel Munguia and carried unanimously, the public hearing was closed.

Commissioner Nurith Galonsky Pizana moved that Resolution Number 2020-005, authorizing publication and posting of Notice of Intention to issue Certificates of Obligation for the purpose of financing certain storm water improvements, be approved. The motion was seconded by Commissioner Rose Gowan and carried unanimously.

2. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-040, to rezone from Light Retail “G” (2CG)/Dwelling “G” (DG) to Apartment “H” (AH) for 0.2496 Acre of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road. (District 2)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance, noting that the predominant land use in the surrounding area is a single family dwelling and additional uses, such as apartment and two-family dwellings (duplexes), are also present within proximity of the subject property to the East and South. Mr. Vega also mentioned that the proposed zoning designation change was originally presented at the August 8, 2019, Planning and Zoning Commission Meeting, where Mr. Armando Mendoza, neighbor, and owner of the property directly abutting the subject acreage along the West and South property lines, explained that he did not want the construction of apartments next to his property. Additionally, he stated that a portion of the land undergoing the zoning change, directly to the North of his property, belonged to him (20-foot easement fronting Old Port Isabel Road).
Brief discussion ensued amongst the Commission.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Jessica Tetreau moved that Ordinance Number 235-2019-040, be adopted at first reading, to rezone from Light Retail “G” (2CG)/Dwelling “G” (DG) to Apartment “H” (AH) for 0.2496 Acre of land out of the South 20.122 Acres of Block 19, El Jardin Subdivision, in Tract 33, Share 19, Espiritu Santo Grant, and a 0.017 Acre of land out of Lot 1, Block 1, Amending Plat of Canyon Valley Subdivision Re-plat, located at 2732 Old Port Isabel Road. (District 2) The motion was seconded by Commissioner Joel Munguia and carried unanimously.

3. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-067, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 2, Block 242, Brownsville Original Townsite, located at 744 East Ringgold Street. (District 4)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance stating that the proposed use of the property was to build a duplex and that the request was consistent with the Comprehensive Plan and Future Land Use Plan. He further noted that the Planning & Zoning Commission Recommended approval of rezoning from General Retail “F” (4CF) to General Retail “G” (4CG).

Upon motion by Commissioner Nurith Galonsky Pizana seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Rose Gowen moved that Ordinance Number 235-2019-067, be adopted at first reading, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 2, Block 242, Brownsville Original Townsite, located at 744 East Ringgold Street. (District 4) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

4. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-068, to rezone from Dwelling “G” (DG) to Apartment "G" (AG) for Lot 26, Block 1, St. Tropez Subdivision, located at 2521 Old Port Isabel Road. (District 2)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance stating that the use of the property was to build apartments. He further noted that the predominant land use in the surrounding area was single-family dwelling and additionally City staff cited that the rezoning of the subject property to an Apartment use district would serve as a transition buffer between Dwelling to the North and Commercial use districts to the South.
Brief discussion ensued amongst the Commission and City staff in regards to the request of allowing apartments and a buffer being placed on the property.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Joel Munguia and carried unanimously, the public hearing was closed.

Commissioner Jessica Tetreau seconded by Commissioner Rose Gowen and carried unanimously, the agenda item was tabled.

5. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-069, to rezone from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ) for 19.631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road. (District 3)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance noting that the use of the property would be for a Construction Company and Equipment Storage, in which the property was facing Old Alice Road. Mr. Vega further noted that staff recommended a six (6) foot vegetation buffer or screening fence with a minimum height of 6 feet along all property lines.

Javier Gonzalez, representative of G&T Paving was in favor of the proposed ordinance.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was closed.

Commissioner Ben Neece moved that Ordinance Number 235-2019-069, be adopted at first reading, to rezone from Dwelling “Z” (DZ) to Light Commercial “Z” (5CZ) for 19.631 acres of land out of a 66.70 acre tract consisting of part of Blocks 45 and 55, Palo Alto Groves Subdivision Number 1, Share 22, Espiritu Santo Grant, located near Old Alice Road. (District 3) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-070, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 5, Block 95, Brownsville Original Townsite, located at 1012 East Jefferson Street. (District 4)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance noting that the use of the property would be a duplex. Mr. Vega further noted that the request was consistent with the Comprehensive Plan and Future Land Use Plan.

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

Commissioner Ben Neece moved that Ordinance Number 235-2019-070, be adopted at first reading, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for
Lot 5, Block 95, Brownsville Original Townsite, located at 1012 East Jefferson Street. (District 4) The motion was seconded by Commissioner Rose Gowen and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-071, to rezone from General Retail “F” (4CF) to General Retail “I” (4CH) for Lots 8 through 21, Block 64, Tract I, Harden’s Addition to the City of Brownsville, located at 1230 South Expressway 77/83. (District 3)

Martin Vega, Senior Planner gave a brief explanation of the proposed rezoning ordinance for establishing a two-story mixed-use plaza, which would consist of commercial use in the first story, including a Vehicle Inspection Station and residential use on the second floor. Mr. Vega briefly informed the Commission that City staff raised some concerns related to potential noise complaints towards the proposed vehicle inspection station from abutting residences and further noted that the Planning and Zoning Commission imposed no conditions on the property.

Brief discussion ensued amongst the Commission in regards to the proposed ordinance.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Jessica Tetreau and carried unanimously, the public hearing was closed.

After a brief discussion, Commissioner Jessica Tetreau seconded by Commissioner Rose Gowen and carried unanimously, the agenda item was tabled.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-072, to rezone from Apartment “J” (AJ) to General Retail “J” (4CJ) for Lot 7, Block 82, Brownsville Original Townsite, located at 603 East Washington Street. (District 4)

Martin Vega, Senior Planner gave a brief explanation of the proposed ordinance noting that the purpose of the rezoning of the property is to establish a snack shop. Mr. Vega further noted that there was a verbal opposition of the neighboring property in regards to the parking and preservation of the historic aesthetic of the neighborhood.

Mr. Pete Salazar, owner of the property briefly explained to the Commission what the future establishment would entail.

Upon motion by Commissioner Ben Neece seconded by Commissioner Nurith Galonsky Pizaña and carried unanimously, the public hearing was closed.

Commissioner Ben Neece moved that Ordinance Number 235-2019-072, be adopted at first reading, to rezone from Apartment “J” (AJ) to General Retail “J” (4CJ) for Lot 7, Block 82, Brownsville Original Townsite, located at 603 East Washington Street. (District 4) The motion was seconded by Commissioner Nurith Galonsky Pizaña and carried unanimously.
ITEMS FOR INDIVIDUAL CONSIDERATION

9. Consideration and ACTION to award Change Order #6 to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport, in the amount of $305,044.00.

Commissioner Nurith Galonsky Pizana moved that Change Order #6 to SpawGlass Contractors, Inc., for the Terminal Project at Brownsville South Padre Island International Airport, in the amount of $305,044.00, be approved. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Jessica Tetreau stepped out and did not vote on Agenda Item #9.

10. Consideration and ACTION to award contract BID #BEP-01-1220, to SAMES for the construction of the Battlefield Extension, in the amount of $1,027,152.00.

Mr. Doroteo Garcia, Assistant City Engineer gave a brief explanation of the proposed agenda item noting that the project consisted of a 2-mile extension of the existing battlefield towards Los Fresnos, Texas, and the entirety of the project is being funded by a grant from the Legacy Foundation Grant.

Commissioner Rose Gowen moved that award a contract BID #BEP-01-1220, to SAMES for the construction of the Battlefield Extension, in the amount of $1,027,152.00, be approved. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

11. Consideration and ACTION to approve a Memorandum of Understanding (MOU) between the City of Brownsville and the Brownsville Public Utilities Board, regarding an Exploratory Energy Conservation Program.

Ms. Elizabeth Walker, Assistant City Manager briefly informed the Commission that the City of Brownsville and Brownsville Public Utilities Board were jointly exploring energy conservation projects. Ms. Walker further noted that the program would consist of three groups of projects such as Streetlights, Space lighting and HVAC, and Rebate Programs which would be pursued over time, as dictated by resource availability.

Commissioner Ben Neece moved that the Memorandum of Understanding (MOU) between the City of Brownsville and the Brownsville Public Utilities Board, regarding an Exploratory Energy Conservation Program, be approved. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.
12. Consideration and ACTION to approve Resolution Number 2020-006 requesting the Texas Department of Transportation to place the East Loop on the State Highway System.

Mr. Pete Sepulveda, Cameron County Regional Mobility Authority Director gave a brief explanation of the proposed item noting that the East Loop Project would create a new transportation corridor connecting the Veterans International Bridge at Los Tomates with the Port of Brownsville and reduce congestion to improve safety on International Boulevard.

Commissioner Ben Neece moved that Resolution Number 2020-006 requesting the Texas Department of Transportation to place the East Loop on the State Highway System, be **approved**. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

13. Consideration and ACTION on Resolution Number 2020-003, to repeal and replace Resolution Number 2019-091, authorizing the execution of an advanced funding agreement between the City of Brownsville and the Texas Department of Transportation for Hazard Elimination/Safety Project Off-System.

Commissioner Jessica Tetreau moved that Resolution Number 2020-003, to repeal and replace Resolution Number 2019-091, authorizing the execution of an advanced funding agreement between the City of Brownsville and the Texas Department of Transportation for Hazard Elimination/Safety Project Off-System, be **approved**. The motion was seconded by Commissioner Ben Neece and carried unanimously.

14. Consideration and ACTION to award a term contract BID #HMA-07-1219, for the purchase, delivery and pickup of Hot Mix Asphalt Materials for the City of Brownsville.

Mr. Doroteo Garcia, Assistant City Engineer gave a brief explanation of the proposed item noting that the material will be utilized to complete pothole patching spot repairs and paving of in-house asphalt pavement.

Commissioner Jessica Tetreau moved that a term contract BID #HMA-07-1219, for the purchase, delivery and pickup of Hot Mix Asphalt Materials for the City of Brownsville, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**BOARD APPOINTMENT(S)**

15. Consideration and ACTION to appoint member(s) to the Environmental and Conservation Task Force.
Mr. Noel Bernal, City Manager moved to appoint **Dr. Arturo Rodriguez, Public Health Director** and **Carol Vasquez, Public Works Environmental Coordinator Stormwater Manager** as Staff Liaisons for the Environmental and Conservation Task Force.

Commissioner Rose Gowen moved to appoint **Jude Benavides** to the Environmental and Conservation Task Force. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**Bridget Collis** nominated by Commissioner Ben Neece  
**Christopher Gabler** nominated by Commissioner Nurith Galonsky Pizana  
**Viro Cardenas** nominated by Commissioner Jessica Tetreau  
**Sandra Morfitt** nominated by Mayor Pro-Tem John Cowen, Jr.  
Mayor Juan “Trey” Mendez III, advised Commissioner Rose Gowen of his nomination in which she advised the Commission that his nomination was **Bill Burgos**  
**Monica Davila** nominated by Commissioner Joel Munguia

16. **Consideration and ACTION on Resolution Number 2020-008 to appoint a member(s) to the Downtown Tax Increment Reinvestment Zone No. 3 (TIRZ), City of Brownsville Board of Directors. TABLED 01/07/2020**

Resolution Number 2020-008 was approved as follow:

Commissioner Jessica Tetreau moved that **Frank Wood** be appointed to the Downtown Tax Increment Reinvestment Zone No. 3 (TIRZ), City of Brownsville Board of Directors. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**ADJOURNMENT**

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 6:46 p.m.

Approved this **21st** day of **April**, 2020.

Juan “Trey” Mendez III  
Mayor

Attest:  
**Griselda Rosas**  
Interim City Secretary

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

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