

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 22, 2019** at **4:20 P.M., 5:30 P.M.,** and at **6:00P.M.,** with the following members present:

		COMMISSIONERS
CESAR DE LEON)	At-Large “A”
ROSE GOWEN)	At-Large “B”
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:		ANTONIO MARTINEZ - Mayor

A quorum being present, Mayor Pro Tem Rose Gowen, 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 18, 2019.

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EXECUTIVE SESSION: 4:25 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:

- 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) Discussion pursuant to Section §551.072, of the Texas Government Code, regarding properties struck off from, to Cameron County for itself and other taxing jurisdictions from a tax resale held on November 6, 2018.**

- D) **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.**
- E) **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.**

Upon conclusion of Executive Session Mayor Pro Tem Rose Gowen, convened the Work Session and Regular Meeting at 5:50 p.m. No action was taken in Executive Session.

Commissioner Jessica Tetreau did not step into Executive Session.

WORK SESSION: 5:30 P.M. (Open to the Public) City Manager’s Conference Room

- A) Discussion regarding the Brownsville Code of Ethics.
- B) Discussion regarding the Whistleblower Policy.
- C) Short Term Rentals in Brownsville and Hotel Occupancy Taxes funds workshop.
- D) Discussion regarding Project Space X Observatory.

At this time, the Commission walked into the City Manager’s Conference Room to discuss the Brownsville Code of Ethics, Whistleblower Policy, Short Term Rentals, and the Project Space X Observatory.

No action was taken.

During the Work Session, the Commission and public moved from the City Manager’s Conference Room to the Chambers.

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

Commissioner Ricardo Longoria, Jr. led the Pledge of Allegiance and the Texas Pledge.

INVOCATION:

The invocation was led by Pastor Bill Moore, from Livingway Church, of Brownsville, Texas.

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

- A) No ACTION.
- B) **Consideration and ACTION on Resolution Number 2019-009 regarding Metropolitan Planning Organization (MPO) redesignation.**

Commissioner Joel Munguia moved that Resolution Number 2019-009, regarding Metropolitan Planning Organization (MPO) redesignation, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

Ayes: Commissioners Longoria, Jr., Tetreau, de Leon, Gowen, and Gowen

Nays: Commissioner Neece

C) Discussion and POSSIBLE ACTION on Resolution Numbers 2019-003 through Resolution Number 2019-007, approving or rejecting the bid/offer(s) received on the Tax Resale Properties on November 6, 2018.

2018-003 – Lot 23, Block 5, Milpa Verde Subdivision, Section III, a subdivision in Cameron County, Texas, as described in Volume 1413, Page 385, Deed Records of Cameron County, Texas. (Acct. No. 05-0170-0050-0230-00)

2018-004 – Lot 53, N. S. Liddell Subdivision, Section VI, an addition to the City of Brownsville, Cameron County, Texas, as described in Volume 1097, Page 632, Deed Records of Cameron County, Texas. (Acct. No. 05-1640-0060-0530-00)

2018-005 – Lot 1, Block 2, Tropical Village, an addition to the City of Brownsville, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 19, (Acct. No. 07-0530-0020-0010-00)

2019-006 – Tract 5: Reserve Area “D”, Tradition Estates, Section II, an addition to Cameron County, Texas, according to the map of plat thereof, recorded in Cabinet 1, Slot 2095B, Map Records of Cameron County, Texas. (Acct. No. 78-9644-4000-0000-00)

2018-007 – 6.52 acres, more or less, being Tract 67, Bay View Park, an addition to Cameron County, Texas, Page 404-B, Map Records of Cameron County, Texas. (Acct. No. 73-7850-0000-0670-00)

Commissioner Jessica Tetreau moved that **Resolution Numbers 2019-003 through Resolution Number 2019-007**, approving or rejecting the bid/offer(s) received on the Tax Resale Properties on November 6, 2018, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

D) No ACTION.

E) No ACTION.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez was absent.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Mayor Pro Tem Rose Gowen briefly informed the community of the beginning of the Challenge which close to 1,400 people registered. Commissioner Gowen further informed the community that the First Ride with the Commissioner was held on January 12, 2019, a very successful event and also

informed the community of the Senior Aging Event 2nd annual summit to be held on January 31, 2019 and February 1, 2019 at the Brownsville Event Center from 9 am to 3 pm. and further informed

3. CITY MANAGER'S UPDATE:

Mr. Noel Bernal, City Manager, reported the following:

- Partial Road closure on Billy Mitchell Blvd effective January 22, 2019
- Access to the Brownsville South Padre Island International Airport will be available through Les Mauldin Road
- Commended the Planning and Development Services Department for their effort

4. PRESENTATIONS:

Grants Annual Report
(Grants Department)

Ms. Marina Zolezzi, Grants Director, introduced Ms. Nayelli Trejo, Grant Analyst, who delivered a PowerPoint presentation in regards to the 2018 Annual Grants Report.

Airport Quarterly Report
(Airport Department)

Mr. Bryant Walker, Airport Director, delivered a PowerPoint presentation regarding the Quarterly Report.

Keep Brownsville Beautiful
(Parks and Recreation Department)

Ms. Eva Garcia, introduced the Keep Brownsville Beautiful Advisory Board, whom delivered a PowerPoint presentation in regards to project updates.

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' through "c' were **approved**.

ITEMS No. "a" through "c"

- a) Approval of the Minutes of the Regular Meeting of January 08, 2019.
- b) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Shawn Schroeder	Airport	Boston, MA	June 15-20, 2019
Bryant Walker	Airport	Boston, MA	June 15-20, 2019
Bryant Walker	Airport	Dallas, TX	Feb. 11-13, 2019
Norma H. Zamora	BMetro	Austin, TX	Feb. 05-07, 2019
Norma H. Zamora	BMetro	El Paso, TX	Mar. 03-06, 2019
Yolanda Galarza	City Secretary	Frisco, TX	Jan. 23-25, 2019
Sonya Gutierrez	City Secretary	Frisco, TX	Jan. 23-25, 2019
Ricardo Najera	Fire	Houston, TX	Jan. 24, 2019
Gabriel H. Garza	Fire	Houston, TX	Jan. 24, 2019

Daniel Salinas	Parks	El Paso, TX	Feb. 17-22, 2019
Eduardo Rodriguez	Parks	El Paso, TX	Feb. 17-22, 2019
Michelle Otero	Parks	El Paso, TX	Feb. 19-22, 2019
Sigifredo Zavala	Parks	Frisco, TX	Feb. 24-Mar. 02, 2019
Constanza Miner	Planning	San Francisco, CA	April 12-16, 2019
Ana Hernandez	Planning	San Francisco, CA	April 12-16, 2019
Randy Rivera	Police	Laredo, TX	Feb. 17-22, 2019
Raul Rodriguez	Police	Washington, D.C.	Feb. 12-16, 2019
Juan J. Trevino	Police	Austin, TX	Jan. 27-Feb. 1, 2019
Joe D. Flores	Police	Austin, TX	Jan. 27-Feb. 1, 2019

c) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2018-898-EE**, to re-adopt, Chapter 74 “Parks and Recreation”, Section 74-18, “Local Standards of Care” for an additional year as per ordinance guidelines.

Commissioner Joel Munguia left the meeting at 7:03 pm.

Commissioner Cesar de Leon left the meeting at 7:12 pm.

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PUBLIC HEARINGS:

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-051-S, to allow a duplex, a Dwelling (D) use, in Professional Office “G” (ICG) for Lot 3, Block 45, Original Townsite, located near the corner of Palm Boulevard and East Levee Street. (District 4)

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-051-S, be **adopted** at first reading, to allow a duplex, a Dwelling (D) use, in Professional Office “G” (ICG) for Lot 3, Block 45, Original Townsite, located near the corner of Palm Boulevard and East Levee Street. (District 4) The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

7. Public Hearing and ACTION on FIRST 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)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoning ordinance noting that the property was a 1.566 of an acre, currently zoned Dwelling “A” and the Planning and Zoning Commission supported the rezoning to Dwelling “G”, not to Apartment “H”, for the reason of different requirements in order to meet the apartment standards, the applicant would like for it to be a duplex instead.

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 235-2018-057, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” for Lot 24, Block 2, Alamo Heights Subdivision, located at 6185 Bowie Drive. (District 2) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

8. Public Hearing and ACTION on FIRST 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)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoning 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 235-2018-058, be **adopted** at first reading, 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) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

9. Public Hearing and ACTION on FIRST 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)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoning 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 235-2018-059, be **adopted** at first reading, 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) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

10. Public Hearing and ACTION on FIRST 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)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoned ordinance.

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-060, be **adopted** at first reading, 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) The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

11. Public Hearing and ACTION on FIRST 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)

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-061, be **adopted** at first reading, 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) The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

12. Public Hearing and ACTION on FIRST 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)

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-062, be **adopted** at first reading, 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) The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

13. Public Hearing and ACTION on FIRST 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)

Ms. Francesca Linder, Zoning and Subdivision Administrator, gave a brief explanation of the proposed rezoning 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 235-2018-063, be **adopted** at first reading, 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) The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

Ayes: Commissioners Gowen, Longoria, Jr., Tetreau, and Neece

Nays: None

14. Public Hearing and ACTION on FIRST 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)

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-910, be **adopted** at first reading, to rezone from Dwelling “Z” (DZ) to Dwelling “Z’ (DZ-CO) for Rio Bravo Section 10, located near Mississippi River Boulevard. (District 4) The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

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15. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Ms. Rose Timmer had signed up for Public Comment, but was not present at the meeting.

ITEMS FOR INDIVIDUAL CONSIDERATION:

16. Consideration and ACTION to appoint two (2) members to the Building and Standards Commission.

Commissioner Jessica Tetreau moved that *Jaime Ibarra*, be **appointed** to the Building and Standards Commission. The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

Commissioner Ben Neece moved that *Julianna Sosa*, be **appointed** to the Building and Standards Commission. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

17. Consideration and ACTION to appoint one (1) member to the Brownsville Beautification Committee.

Commissioner Jessica Tetreau moved that *Laura Dominguez*, be **appointed** to the Brownsville Beautification Committee. The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

18. Consideration and ACTION to appoint one (1) member and one (1) City Staff member to the Main Street Advisory Board.

Commissioner Ricardo Longoria, Jr. moved that *Luis Foncerrada*, be **appointed** to the Main Street Advisory Board. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Ricardo Longoria, Jr. moved that *Efren Trujillo*, be **appointed** as City Staff member to the Main Street Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

19. Consideration and ACTION to adopt Resolution Number 2019-002, 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”.

Commissioner Ricardo Longoria, Jr. moved that Resolution Number 2019-002, 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 Jessica Tetreau and carried unanimously.

ADJOURNMENT:

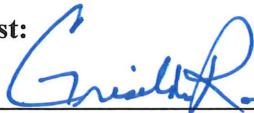
There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:36 p.m.

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