

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 20, 2018**, at **5:35 P.M.** and at **6:00 P.M.** with the following members present:

- |                         |   |  |
|-------------------------|---|--|
| <b>ANTONIO MARTINEZ</b> | ) | <b>Mayor</b>   |
|                         |   | <b>COMMISSIONERS</b>   |
| <b>ROSE GOWEN</b>       | ) | <b>At-Large “B”</b>  |
| <b>JESSICA TETREAU</b>  | ) | <b>District 2</b>  |
| <b>JOEL MUNGUA</b>      | ) | <b>District 3</b>  |
| <b>BEN NEECE</b>        | ) | <b>District 4</b>  |
| <b>MICHAEL L. LOPEZ</b> |   | <b>INTERIM CITY MANAGER</b>  |
| <b>PETE GONZALEZ</b>    |   | <b>DEPUTY CITY MANAGER</b>   |
| <b>ALLISON BASTIAN</b>  |   | <b>DEPUTY CITY ATTORNEY</b>  |
| <b>GRISELDA ROSAS</b>   |   | <b>CITY SECRETARY</b>  |
| <b>ABSENT:</b>          |   | <b>CESAR DE LEON – At-Large “A”</b><br><b>RICARDO LONGORIA, JR. – District 1</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 16, 2018.

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**EXECUTIVE SESSION: 5:40 P.M.**

Upon motion by Commissioner Ben Neece seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 6:01 p.m. to discuss the following items:

- A) Attorney consultation pursuant to Section 551.071(1) (A), Texas Gov’t Code, to provide legal advice and counsel in connection with pending litigation styled and numbered, John Williamson vs City of Brownsville, et. al., Case No. 17-CV-00207 (S.D. Tex. – Brownsville Div.), and related legal matters.**
- B) Attorney consultation pursuant to Section 551.071(1) (A), Texas Gov’t Code, to provide legal advice and counsel in connection with pending litigation styled and numbered, Sessa Vorrey vs City of Brownsville, Case No. B-17-CV-0222 (S.D. Tex. – Brownsville Div.), and related legal matters.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:30 p.m. No action was taken in Executive Session.

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**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.

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**1. MAYOR’S ACTIVITY UPDATE:**

*Mayor Antonio Martinez* encouraged the citizens to enjoy the Charro Day festivities.

**2. COMMISSIONERS’ ACTIVITY UPDATE:**

*Commissioner Ben Neece* encouraged the citizens to enjoy the Charro Day festivities.

*Commissioner Rose Gowen* encouraged the citizens to make 2018 their healthiest year and register to participate in the Bi-National 10k & 5k Run, an International Run hosted by the City of Brownsville and the City of Matamoros, Tamaulipas, Mexico, on Saturday, March 24, 2018, starting at 8:30 a.m. All participants will receive a medal and t-shirt, registration can be done online at [www.teletonusa.org/Brun](http://www.teletonusa.org/Brun).

**3. PROCLAMATION:**

***Kids to Parks Day***  
(Commissioners B. Neece/R. Gowen/R. Longoria, Jr.)

The proclamation was presented and read by Commissioner Ben Neece.

**4. PRESENTATIONS:**

***Employee of the Month***  
(Emergency Management)

Ms. Odee Leal, Emergency Management Director, recognized ***Mr. Rene Tabarez, Jr., Customer Service Specialist I***, as February’s Employee of the Month.

***University of Texas Rio Grande Valley – South Texas Electric Car Competition 2018***  
(Airport Department)

Mr. Bryant Walker, Airport Director, introduced Mr. Javier Garcia, from the University Of Texas Rio Grande Valley, whom delivered a PowerPoint regarding the HESTEC Greepower USA-South Texas Electric Car Competition 2018. Mr. Garcia invited the Commission to the competition to be held on Friday, April 6, 2018 from 4:30 p.m. to 6:00 p.m. and Saturday, April 7, 2018 from 8:00 a.m. to 6:30 p.m. at the Brownsville/South Padre Island International Airport, 100 South Vermillion Rd., Suite B-Air Cargo Building #30.

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 Rose Gowen, seconded by Commissioner Joel Munguia and carried unanimously, Consent Agenda Items “a” through “f” were **approved**.

**ITEMS No. “a” through “f”**

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

| <u>Employee</u>       | <u>Department</u> | <u>Destination</u> | <u>Date</u>           |
|-----------------------|-------------------|--------------------|-----------------------|
| Jessica Y. Lino       | BOEM              | San Marcos, TX     | Mar. 04-07, 2018      |
| Marco A. Paniagua     | Fire              | San Antonio, TX    | Feb. 24-Mar. 03, 2018 |
| Gilbert I. Vasquez    | Fire              | San Antonio, TX    | Feb. 24-Mar. 03, 2018 |
| Isaac Briones         | Fire              | Anniston, AL       | Feb. 26-Mar. 03, 2018 |
| Joseph Prosise        | Fire              | Anniston, AL       | Feb. 26-Mar. 03, 2018 |
| Erick Hernandez       | Fire              | Anniston, AL       | Feb. 26-Mar. 03, 2018 |
| Efren Trujillo        | Grants            | San Antonio, TX    | Feb. 28-Mar. 1, 2018  |
| Mark Lund             | MPO               | Austin, TX         | Mar. 01-02, 2018      |
| Robert J. Lerma       | Municipal Court   | San Antonio, TX    | Mar. 26-28, 2018      |
| Miriam C. Suarez      | Planning          | San Antonio, TX    | Feb. 14-15, 2018      |
| Ana Hernandez         | Planning          | Horseshoe Bay, TX  | Mar. 05-10, 2018      |
| Randy Rivera          | Police            | Laredo, TX         | Feb. 18-21, 2018      |
| Arturo Rodriguez      | Public Health     | Dallas, TX         | Feb. 21-23, 2018      |
| Christopher Haggstrom | Public Health     | New Braunfels, TX  | Mar. 13-15, 2018      |

b) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2018-736-P**, amending Chapter 98-Traffic and Vehicles; Article V-Stopping, Standing and Parking; Section 98-162 - Impoundment of standing or parked vehicles by adding subsection (11) addressing vehicles lacking registration identification.

c) **APPROVAL** on **SECOND** on **FINAL READING** on **Ordinance Number 235-2017-076**, to rezone from Apartment “G” (AG) to Apartment “H” (AH) for Lot 3, Block 166-A, Stillman’s Extension to the City of Brownsville, Cameron County, Texas, located at 925 W. Elizabeth Street. (District 4)

d) **APPROVAL** on **SECOND** on **FINAL READING** on **Ordinance Number 235-2017-077-S**, to allow apartments, an Apartment (A) use, in Dwelling “G” (DG) for Lot 10, Block 6, Ridgeline Terrace, Section 1, located at 1491 Northridge Drive. (District 3)

e) **APPROVAL** on **SECOND** on **FINAL READING** on **Ordinance Number 235-2018-901**, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for an estimated 2.47 acres out of the rear portion of Block 37 of Acacia Lake Gardens Subdivision, located at 2865 Southmost Boulevard. (District 1)

f) Consideration and **ACTION** for the City of Brownsville to enter into a Memorandum of Understanding with the National Park Service (NPS) to provide mutual assistance in preventing, detecting, and suppressing structural fires and wildfires on lands within the Park’s boundaries, within the City of Brownsville and in the immediate surrounding area.

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***PUBLIC HEARINGS:***

- 6. Public Hearing and ACTION on Resolution Number 2018-021 of the City of Brownsville supporting a proposed affordable housing community known as Casitas Palo Alto, providing for City financial support, and authorizing such other actions necessary or convenient to carry out this resolution.**

Ms. Constanza Miner, Planning & Development Services Director, gave a brief explanation of the proposed resolution.

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

Commissioner Rose Gowen moved that Resolution Number 2018-021 of the City of Brownsville supporting a proposed affordable housing community known as Casitas Palo Alto, providing for City financial support, and authorizing such other actions necessary or convenient to carry out this resolution, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

- 7. Public Hearing and ACTION on Resolution Number 2018-022 of the City of Brownsville supporting a proposed affordable housing community known as Poinsettia Gardens Apartments, providing for City financial support, and authorizing such other actions necessary or convenient to carry out this resolution.**

Ms. Constanza Miner, Planning & Development Services Director, gave a brief explanation of the proposed resolution.

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

Commissioner Rose Gowen moved that Resolution Number 2018-022 of the City of Brownsville supporting a proposed affordable housing community known as Poinsettia Gardens Apartments, providing for City financial support, and authorizing such other actions necessary or convenient to carry out this resolution, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

- 8. Public Hearing and ACTION on Resolution Number 2018-023, of the City of Brownsville supporting two proposed affordable housing communities known as Ovation Senior Living Apartments and Capella Apartments, providing for City financial support and authorizing such other action necessary or convenient to carry out this resolution.**

Ms. Constanza Miner, Planning & Development Services Director, gave a brief explanation of the proposed resolution.

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

Commissioner Jessica Tetreau moved that Resolution Number 2018-023, of the City of Brownsville supporting two proposed affordable housing communities known as Ovation Senior Living Apartments and Capella Apartments, providing for City financial support and authorizing such other action necessary or convenient to carry out this resolution, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**9. Public Hearing and ACTION on Resolution Number 2018-026, affirming that the proposed development known as “Poinsettia Gardens at Boca Chica” is consistent with the City of Brownsville’s obligation to affirmatively further fair housing.**

Ms. Constanza Miner, Planning & Development Services Director, gave a brief explanation of the proposed resolution.

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

Commissioner Rose Gowen moved that Resolution Number 2018-026, affirming that the proposed development known as “Poinsettia Gardens at Boca Chica” is consistent with the City of Brownsville’s obligation to affirmatively further fair housing, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**10. Public Hearing and ACTION on Ordinance Number 2018-1639, terminating the March 2013 Tax Abatement agreement with Tenaska Brownsville, LLC.**

Ms. Allison Bastian, Deputy City Attorney, noted that the proposed ordinance was to terminate the Tax Abatement Agreement with Tenaska Brownsville, LLC.

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

Commissioner Rose Gowen moved that Ordinance Number 2018-1639, be **adopted** at first reading terminating the March 2013 Tax Abatement agreement with Tenaska Brownsville, LLC. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

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**11. PUBLIC COMMENT PERIOD: PLEASE NOTE:**

No one signed for Public Comment Period.

***ITEMS FOR INDIVIDUAL CONSIDERATION:***

**12. Consideration and ACTION on Resolution Number 2018-020, supporting the submission of the Grant Application for the State Homeland Security Program: Regular Projects (SHSP-R) Grant Application #3604901 to the Office of the Governor.**

Commissioner Rose Gowen moved that Resolution Number 2018-020, supporting the submission of the Grant Application for the State Homeland Security Program: Regular Projects

(SHSP-R) Grant Application #3604901 to the Office of the Governor, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**13. Consideration and ACTION on Resolution Number 2018-019, supporting submission of Grant Application #3582801 for the 2018 State Homeland Security Program: Law Enforcement Terrorism Prevention Activities (SHSP-LETPA), through the Office of the Governor.**

Commissioner Jessica Tetreau moved that Resolution Number 2018-019, supporting submission of Grant Application #3582801 for the 2018 State Homeland Security Program: Law Enforcement Terrorism Prevention Activities (SHSP-LETPA), through the Office of the Governor, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**14. Consideration and ACTION on Resolution Number 2018-025, supporting submission of Grant Application #3605701 for the 2018 State Homeland Security Program: Law Enforcement Terrorism Prevention Activities (SHSP-LETPA), through the Office of the Governor.**

Commissioner Jessica Tetreau moved that Resolution Number 2018-025, supporting submission of Grant Application #3605701 for the 2018 State Homeland Security Program: Law Enforcement Terrorism Prevention Activities (SHSP-LETPA), through the Office of the Governor, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**15. Consideration and ACTION on Resolution Number 2018-024 supporting the creation of the Brownsville Comprehensive Housing Plan.**

Commissioner Rose Gowen moved that Resolution Number 2018-024 supporting the creation of the Brownsville Comprehensive Housing Plan, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

**16. Consideration and ACTION to purchase Mobile Air System, in the amount of \$110,834.00.**

Commissioner Rose Gowen moved that the purchase Mobile Air System, in the amount of \$110,834.00, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**17. Consideration and ACTION to approve a contract for the recruitment services for the City Attorney.**

Commissioner Jessica Tetreau moved that a contract for the recruitment services for the City Attorney, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**18. Consideration and ACTION to approve a term contract for Palm Trimming Services for the City of Brownsville.**

Commissioner Rose Gowen moved that a term contract for Palm Trimming Services for the City of Brownsville, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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**ADJOURNMENT:**

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:00 p.m.

Approved this 20<sup>th</sup> day of March, 2018.

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**Antonio Martinez**  
**Mayor**

Attest:

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**Griselda Rosas**  
**City Secretary**



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