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, March 03, 2020, at 5:00 P.M. with the following members present:

JUAN “TREY” MENDEZ III  Mayor

JOHN F. COWEN, JR.  COMMISSIONERS
ROSE GOWEN  At Large “A”
NURITH GALONSKY PIZANA  At-Large “B”
JESSICA TETREAU  District 1
JOEL MUNGUIA  District 2 arrived at 5:21 p.m.
BEN NEECE  District 3
NOEL BERNAL  District 4
HELEN RAMIREZ  CITY MANAGER
BRYANT WALKER  DEPUTY CITY MANAGER
RENE DE COSS  ASSISTANT CITY MANAGER
GRISELDA ROSAS  CITY ATTORNEY
ABSENT  INTERIM CITY SECRETARY

ELIZABETH WALKER – ASSISTANT CITY MANAGER

CALL TO ORDER
a) Roll Call

A quorum being present, Mrs. 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 February 28, 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 Juan “Trey” Mendez, III led the Pledge of Allegiance and the Texas Pledge.

d) Proclamations  Historic Brownsville Aviation Month

(Commissioners J. Munguia/J. Tetreau)

Commissioner Joel Munguia presented and read the proclamation.
Public Comment Period

Ms. Reba McNair, Mr. Patrick Burchfield & Ms. Susane Shephart representing the Glady’s Porter Zoo Board, thanked the City of Brownsville Staff and the Commission for giving the zoo the opportunity to have a master plan and including an economy development model. The representatives expressed the importance the zoo is to the community. They also emphasized that by promoting the zoo, it would create a one-of-a-kind family experience. Furthermore, they noted the number of visitors the zoo brings in each year and its economic impact to the City of Brownsville.

Work Sessions

A) Historic Preservation Plan Update. (Planning & Redevelopment Department)

Rick Vasquez, Planning and Redevelopment Director presented a brief explanation of the proposed plan. Mr. Vasquez pointed out that Brownsville, Texas has the largest historic architectural resources in the Valley and Brownsville is considered the second oldest founded city in Cameron County. Mr. Vasquez also informed the Commission that the Tax Incentive Program was established in 1985 with its main purpose being in the maintenance, repair and rehabilitation services of historical buildings or properties. Mr. Vasquez explained the qualifications and the process of a property and building and in the plan, he proposed the inclusion of 95 properties.

Brief discussion ensued amongst the Commissioner and City Staff, in which the Commission had several questions and concerns of the process.

B) Restoring Dignity BC Workshop Presentation. (City Manager’s Office)

Luis Murillo, representative of the Building Community (BC) presented a brief explanation of the Brownsville City Design Studio Restoring Dignity for the Homeless Research Initiative, proposing plan to aid homeless citizens. The BC plan included short and long-term goals pertaining to sanitation and hygiene, medical and housing.

Brief discussion ensued amongst the Commission and requested a proposed timeframe on implementing the plan.

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 John F. Cowen, Jr., seconded by Commissioner Nurith Galonsky Pizana and carried unanimously, Consent Agenda Items were approved.
a) To acknowledge the following travel expenses:

<table>
<thead>
<tr>
<th>Employee</th>
<th>Department</th>
<th>Destination</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>Antonio Zubiea</td>
<td>Multimodal</td>
<td>San Antonio, TX</td>
<td>Mar. 25-27, 2020</td>
</tr>
<tr>
<td>Claudio J. Ortiz III</td>
<td>Fire</td>
<td>Austin, TX</td>
<td>Mar. 22-27, 2020</td>
</tr>
<tr>
<td>Amanda Ely</td>
<td>Fire</td>
<td>Austin, TX</td>
<td>Mar. 22-27, 2020</td>
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b) Consideration and ACTION to authorize the City of Brownsville to establish a Memorandum of Understanding (MOU) between the City of Harlingen, and City of San Benito, Texas; the MOU will allow to coordinate efforts and resources in the establishment of the 5-year Regional Consolidated Plan and Strategy as required by the U.S. Department of Housing and Urban Development (HUD).

c) Consideration and ACTION to renew a term contract for the purchase, installation, repairs and replacement of fencing, BID #IRF-22-0419, as budgeted.

d) Consideration and ACTION to authorize the Brownsville Police Department to enter into a Memorandum of Understanding between the Brownsville Police Department and the United States Secret Service for federal, state, and local crime-fighting efforts.

e) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-001, to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for one acre, net, out of the Northwest corner of Lot 1, Block 110, El Jardin Resubdivision in Shares 23, 28, 29, 30 and 25, Espiritu Santo Grant, located at 1456 North Minnesota Avenue. (District 2)

f) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-002, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 7, Block 3, Ebony Heights Subdivision, located at 1768 Marquette Avenue. (District 3)

g) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-003, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 9, Block 9, Alamo Heights Subdivision Section II, an addition to the City of Brownsville, located at 1128 Crockett Avenue. (District 2)

h) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-004, to rezone from Dwelling “Z” (DZ)/Medium Commercial “G” (6CG)/Medium Commercial “V” (6CV) to Dwelling “G” (DG) for a 61.0 acre tract of land comprised of all of Lots 3, 4, 5, 6, 7, 8-A, 8-B, Block 2, of the Manuel Samano Partition, save and except, a 0.312 acre tract, a 0.196 acre tract, a 1.209 acre tract, and a 0.242 acre tract of land, located near Gardenwoods Avenue. (District 3)

i) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-601-CU, an ordinance allowing a conditional use permit for a wet store for Lot 97, Block 4, Section I of Lomas Del Bosque Subdivision, located at 4200 Jaime J. Zapata Avenue. (District 2)
j) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2020-901, to rezone from Dwelling “Z” (DZ) to Light Commercial “G” (5CG) for Lots 2, 3, and 4, Block 302, El Jardin Re-Subdivision, located near the intersection of Southmost Road and South Indiana Avenue. (District 1)

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consideration and ACTION to approve the Historic Preservation Plan schedule A. (Planning and Redevelopment Department)

   Mr. Rick Vasquez, Planning and Redevelopment Director noted that the presentation had taken place under Work Session A.

   Commissioner Joel Munguia moved that the Historic Preservation Plan schedule A, be approved. The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

   Ayes: Commissioners Tetreau, Cowen, Jr., Gowen, Munguia, and Mayor Mendez
   Nays: None
   Abstained: Commissioners Galonsky Pizana and Neece

2. Consideration and ACTION to approve the Historic Preservation Plan schedule B. (Planning and Redevelopment Department)

   Mr. Rick Vasquez, Planning and Redevelopment Director noted that the presentation had taken place under Work Session A.

   Commissioner Rose Gowen moved that the Historic Preservation Plan schedule B, be approved. The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

   Ayes: Commissioners Tetreau, Cowen, Jr., Gowen, and Munguia
   Nays: None
   Abstained: Mayor Mendez, Commissioners Galonsky Pizana and Neece

3. Consideration and ACTION to approve the Historic Preservation Plan schedule C. (Planning and Redevelopment Department)

   Mr. Rick Vasquez, Planning and Redevelopment Director noted that the presentation had taken place under Work Session A.

   Commissioner John F. Cowen moved that the Historic Preservation Plan schedule C, be approved. The motion was seconded by Commissioner Joel Munguia and carried as follow:

   Ayes: Commissioners Tetreau, Cowen, Jr., Gowen, and Munguia
Nays: None
Abstained: Commissioners Gowen, Neece and Galonsky Pizana

4. **Consideration and ACTION on a Memorandum of Understanding (MOU) between the City of Brownsville (COB) and the Gladys Porter Zoo for Otterbahn Exhibit, in the amount of $250,000.00.**

    Ramiro Gonzalez, Director of Government and Community Affairs briefly explained the use of the funds, noting that the funds would be extracted from the CIP budget.

    Commissioner Jessica Tetreau moved that Memorandum of Understanding (MOU) between the City of Brownsville (COB) and the Gladys Porter Zoo for Otterbahn Exhibit, in the amount of $250,000.00, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

5. **Consideration and ACTION to award a contract for Gladys Porter Zoo Master Plan to PJA Architects, in the amount of $217,485.00.**

    Jose Perez, Contract and Procurement Manager, briefly explained the proposed agenda item, noting that the plan was to identify and priorities future needs for the Gladys Porter Zoo.

    Commissioner Jessica Tetreau moved that the contract for Gladys Porter Zoo Master Plan, be **approved** and **awarded** to PJA Architects, in the amount of $217,485.00. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

6. **Consideration and ACTION to award a contract to Megamorphosis Design for Cannery Public Market, in the amount of $52,875.00.**

    Ramiro Gonzalez, Director of Government and Community Affairs briefly informed the Commission of the proposed agenda item, noting that City Staff had been in contact with the United States Department of Agriculture (USDA) Wholesale Market Design Division to agree on a final interior layout plan that will work for all parties.

    Commissioner Jessica Tetreau moved that a contract, be **approved** and **awarded** to Megamorphosis Design for Cannery Public Market, in the amount of $52,875.00. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

7. **Consideration and ACTION to award a term contract for Marketing and Consulting Services for targeted projects involving marketing campaigns for the City of Brownsville for two years with the option to renew for one additional year with CSpence Group based in San Francisco, California, for a contract #MCS-60-0919, in the amount not to exceed $260,000.00.**

    As per City Staff request, the agenda item will be presented at the next scheduled City Commission meeting.
8. Consideration and ACTION to award a contract for street rehabilitation for Calle Espacio, Calle Galaxia, W. Los Ebanos Blvd and El Mar Dr. under Term Contract for Rotation List for Engineering and Surveying Services, Contract #QES-25-0417 with Half Associates, Inc., Brownsville, Texas, for Task Order #61 for a lump sum of $205,500.00.

Doroteo Garcia, Assistant City Engineer briefly informed the Commission, noting that the contract for Engineering, Surveying and other miscellaneous services would provide professional engineering and related services necessary for street rehabilitation.

Commissioner Ben Neece moved that a contract for street rehabilitation for Calle Espacio, Calle Galaxia, W. Los Ebanos Blvd and El Mar Dr. under Term Contract for Rotation List for Engineering and Surveying Services, Contract #QES-25-0417, be approved and awarded to Half Associates, Inc., Brownsville, Texas, for Task Order #61 for a lump sum of $205,500.00. The motion was seconded by Commissioner Nurith Galonsky Pizana and carried unanimously.

9. Consideration and ACTION to award a contract for Pavement Condition Index Data Acquisition and Report and Tree Inventory Survey under “HGAC” Houston-Galveston Area Council Cooperative Contract #HP10-17 with Data Transfer Solutions from Orlando, Florida for a total of $397,810.00.

Doroteo Garcia, Assistant City Engineer briefly informed the Commission, noting that the contract for professional services is for the Pavement Condition Index (PCI) data acquisition and report.

Commissioner Rose Gowen moved that a contract for Pavement Condition Index Data Acquisition, Report, and Tree Inventory Survey under “HGAC” Houston-Galveston Area Council Cooperative Contract #HP10-17 with Data Transfer Solutions from Orlando, Florida for a total of $397,810.00, be approved. The motion was seconded by Commissioner John F. Cowen and carried unanimously.

PUBLIC HEARINGS


Mr. Rick Vasquez, Planning and Redevelopment Director noted that the presentation had taken place under Work Session A.

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

Commissioner Jessica Tetreau moved that Ordinance Number 2020-1652-A, be adopted at first reading, to repeal and replace Section 348-1500 of the Historic Preservation Plan and adopt the 2020 Historic Preservation Plan. The motion was seconded by Commissioner Joel Munguia and carried as follow:

Ayes: Commissioners Tetreau, Cowen, Gowen, Munguia and Mayor Mendez
Nays: Commissioner Galonsky Pizana
Abstained: Commissioner Neece

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EXECUTIVE SESSION

Commissioner Nurith Galonsky Pizana noted that she had a conflict of interest in Executive Session B, and had executed a conflict of interest affidavit and would not be participating in Executive Session B.

Upon motion by Commissioner Rose Gowen, seconded by Commissioner Jessica Tetreau and carried unanimously, the Executive Session convened at 6:44 p.m. to discuss the following item:

A) Texas Government Code Section 551.087, Economic Development to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect, to wit:

1. “Project Founder”. (City Manager’s Office)

Commissioner Nurith Galonsky Pizana left the meeting at 6:59 p.m.

B) Consultation with attorney pursuant to Section 551.071(1) (a) of the Texas Government Code, on a matter related to the pending litigation in case styled New Cingular PCS, LLC v. The City of Brownsville, Civil Action No. 1:19-cv-00091 (Southern District of Texas, Brownsville Division). (City Attorney’s Office)

Upon conclusion of Executive Session, Mayor Trey Mendez, convened the Regular meeting at 7:06 p.m.

POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

There was no action taken in Executive Session.

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 ___7th___ day of _____July____, 2020.

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