

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, March 06, 2018**, at **5:30 P.M.** and at **6:00 P.M.** with the following members present:

ANTONIO MARTINEZ)	Mayor
		COMMISSIONERS
RICARDO LONGORIA, JR.)	District 1
JESSICA TETREAU)	District 2
JOEL MUNGUIA)	District 3
BEN NEECE)	District 4
MICHAEL L. LOPEZ		INTERIM CITY MANAGER
PETE GONZALEZ		DEPUTY CITY MANAGER
ARTURO RODRIGUEZ		INTERIM ASSISTANT CITY MANAGER
ALLISON BASTIAN		DEPUTY CITY ATTORNEY
GRISELDA ROSAS		CITY SECRETARY
ABSENT:		CESAR DE LEON – At-Large “A” ROSE GOWEN – At-Large “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 March 2, 2018.

EXECUTIVE SESSION: 5:30P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Joel Munguia and carried unanimously, the Executive Session convened at 5:43 p.m. to discuss the following items:

- A) Attorney consultation pursuant to Section §551.071(1) (A), Texas Government 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) Consultation with attorney pursuant to Texas Government Code Section §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.**

- C) **Discussion pursuant to Texas Government Code §551.072 to deliberate the exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:18 p.m. No action was taken in Executive Session.

Commissioner Jessica Tetreau arrived during the 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 ITEM DISCUSSED IN EXECUTIVE SESSION:

- A) **Consideration and appropriate ACTION to ratify and approve a settlement agreement for the resolution of the lawsuit styled and numbered, John Williamson vs City of Brownsville, et. al., Case No. 17-CV-00207 (S.D. Tex. – Brownsville Div.)**

Commissioner Ricardo Longoria, Jr., moved to **proceed** as advised by legal counsel as discussed in Executive Session. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez thanked everyone who contributed during the Charro Days festivities. Mayor Martinez also reminded the citizens to have a safe Spring Break and further reminded the citizens of the registration for the Bi-National 10k & 5k Run benefitting the TeletonUSA Foundation, to take place on Saturday, March 24, 2018 starting at 8:30 a.m.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Jessica Tetreau mentioned that Hurricane Season starts in June and the City of Brownsville has started to drench the canals and encouraged the citizens to keep the drainages clean.

3. PRESENTATIONS:

Employee of the Month
(Parks and Recreation Department)

Ms. Damaris McGlone, Parks and Recreation Director, recognized ***Mr. Tomas B. Gonzalez, Golf & Parks Superintendent***, as March’s Employee of the Month.

4. 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” and “b” were **approved**.

ITEM No. “a” and “b”

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 Antonio, TX	May 15-18, 2018
Norma H. Zamora	BMetro	San Antonio, TX	Mar. 21-25, 2018
Arturo Herrera	BMetro	San Antonio, TX	Mar. 23-25, 2018
Felipe Garza	BMetro	San Antonio, TX	Mar. 23-25, 2018
Oscar Alvarez	BMetro	San Antonio, TX	Mar. 23-25, 2018
Ana Benavides	Finance	Austin, TX	Mar. 07-09, 2018
Daniel Villarreal	Fire	Austin, TX	Mar. 18-23, 2018
Claudio J. Ortiz III	Fire	Austin, TX	Mar. 18-23, 2018
Amanda Ely	Fire	Austin, TX	Mar. 18-23, 2018
Frederick Barnes	Health	Houston, TX	Apr. 02-05, 2018
Miriam C. Suarez	Planning	Kansas City, MO	Mar. 25-29, 2018
Juan Velez	Planning	Des Moines, IA	July 17-23, 2018
Pedro Lezama	Police	Corpus Christi, TX	Mar. 07-09, 2018
Julio Briones	Police	Bryan, TX	Mar. 18-23, 2018
Federico Jaramillo	Police	Bryan, TX	Mar. 18-23, 2018
Hugo Martinez	Police	Bryan, TX	Mar. 18-23, 2018

b) APPROVAL on SECOND and FINAL READING on Ordinance Number 2018-1639, an ordinance of the City of Brownsville, Texas accepting the request to terminate the March 19, 2013 Tax Abatement agreement between the City of Brownsville and TENASKA Brownsville, LLC, and authorizing the execution of a termination agreement effecting said termination.

PUBLIC HEARINGS:

5. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1640, to authorize the City Manager to abandon and close a 16’ alley adjacent to Lots 1, 2, and 3 Block 1, Los Ebanos Addition.

Mr. Eddie Santillan, Right-of-Way Acquisition Specialist, gave a brief explanation of the proposed ordinance.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2018-1640, be **adopted** at first reading, to authorize the City Manager to abandon and close a 16’ alley adjacent to Lots 1, 2, and 3, Block 1, Los Ebanos Addition

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1641, to authorize the City Manager to abandon and close a portion of Jo Anne Lane Right-Of-Way adjacent to Lot 23, La Lomita Subdivision.

Mr. Eddie Santillan, Right-of-Way Acquisition Specialist, gave a brief explanation of the proposed ordinance.

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 2018-1641, be **adopted** at first reading, to authorize the City Manager to abandon and close a portion of Jo Anne Lane Right-Of-Way adjacent to Lot 23, La Lomita Subdivision. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1603-A, to amend Chapter 2, Article IV, Division 4, Section 2-367 regarding the Bicycle and Pedestrian Advisory Committee members' terms.

Ms. Eva Garcia, Planner II, gave a brief explanation of the proposed ordinance.

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 2018-1603-A, be **adopted** at first reading, to amend Chapter 2, Article IV, Division 4, Section 2-367 regarding the Bicycle and Pedestrian Advisory Committee members' terms. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-081-S, to allow a wireless communication facility, a General Retail (4C) use, in General Retail "H" (4CH) for Lots 4, 5, and 6 of Block 46-A, Stillman Extension Brownsville, located near the corner of West Elizabeth Street and West 3rd Street. (District 4)

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

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

Commissioner Ben Neece moved that Ordinance Number 235-2017-081-S, be **adopted** at first reading, to allow a wireless communication facility, a General Retail (4C) use, in General Retail "H" (4CH) for Lots 4, 5, and 6 of Block 46-A, Stillman Extension Brownsville, located near the corner of West Elizabeth Street and West 3rd Street. (District 4) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-001, to rezone from Light Retail “G” (2CG) to General Retail “G” (4CG) for the East 90.5 feet of Lot 3, Block 21, Adrean Acres Subdivision, located at 4416 Boca Chica Boulevard. (District 1)

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

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2018-001, be **adopted** at first reading, to rezone from Light Retail “G” (2CG) to General Retail “G” (4CG) for the East 90.5 feet of Lot 3, Block 21, Adrean Acres Subdivision, located at 4416 Boca Chica Boulevard. (District 1) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

10. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-004-CO, to rezone from General Retail “G” (4CG) to Medium Commercial “G” (6CG-CO) for Lots 4, 5, 6, 7, and 8, 777 Commercial Subdivision, located at 7077 North Expressway 77, Olmito, Texas, 78575. (District 3)

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

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 235-2018-004-CO, be **adopted** at first reading, to rezone from General Retail “G” (4CG) to Medium Commercial “G” (6CG-CO) for Lots 4, 5, 6, 7, and 8, 777 Commercial Subdivision, located at 7077 North Expressway 77, Olmito, Texas, 78575. (District 3) The motion was seconded by Commissioner Joel Munguia and carried unanimously.

11. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-005, to rezone from Dwelling “A” (DA) to Apartment “H” (AH) for 24.393 acres consisting of 2 Tracts: Tract 1 being 4.223 acres out of Tract 20, Share 19, Espiritu Santo Grant, Cameron County, Texas; Tract 2 being 20.170 acres out of Tracts 17 & 20, Share 19, Espiritu Santo Grant, located at 341 Oak Street. (District 1)

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

Ms. Carla Mancha, Housing Authority CEO, gave a brief explanation for the purpose of rezoning the location, noting that affordable housings are to be built and asked the Commission for their approval.

Mr. Henry Martinez, neighbor, spoke in favor of the proposed ordinance.

Commissioner Ricardo Longoria, Jr., asked if proper drainage was to be installed and if the Housing Authority would like to partner with the City of Brownsville so a park could be placed within the area for the community use.

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 235-2018-005, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Apartment “H” (AH) for 24.393 acres consisting of 2 Tracts: Tract 1 being 4.223 acres out of Tract 20, Share 19, Espiritu Santo Grant, Cameron County, Texas; Tract 2 being 20.170 acres out of Tracts 17 & 20, Share 19, Espiritu Santo Grant, located at 341 Oak Street. (District 1) The motion was seconded by Commissioner Joel Munguia and carried unanimously.

12. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-006-S, to allow a Type A Home Assisted Living Facility, a General retail (4C) use, in Dwelling “G” (DG) for Lot 1, Block 1, Mario Moreno Subdivision, a subdivision to the City of Brownsville, located at 3275 Old Port Isabel Road. (District 2)

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

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2018-006-S, be **adopted** at first reading, to allow a Type A Home Assisted Living Facility, a General retail (4C) use, in Dwelling “G” (DG) for Lot 1, Block 1, Mario Moreno Subdivision, a subdivision to the City of Brownsville, located at 3275 Old Port Isabel Road. (District 2) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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13. PUBLIC COMMENT PERIOD: PLEASE NOTE:

No one signed up for Public Comment Period.

ITEMS FOR INDIVIDUAL CONSIDERATION:

14. Consideration and ACTION for the City of Brownsville to enter into contract with Dr. John Wells as the Brownsville Fire Department Medical Director.

Commissioner Ricardo Longoria, Jr., moved that the City of Brownsville to enter into contract with Dr. John Wells as the Brownsville Fire Department Medical Director, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

15. **Consideration and ACTION pursuant to Section 42-132, of the City of Brownsville Code of Ordinances regarding the appeal of InterCity Ambulance from the denial of a license for ambulance or transport service.**

Commissioner Jessica Tetreau moved that Section 42-132, of the City of Brownsville Code of Ordinances regarding the appeal of InterCity Ambulance from the denial of a license for ambulance or transport service, be **denied**. The motion was seconded by Commissioner Ben Neece 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 20th day of March, 2018

Antonio Martinez
Mayor

Attest:

Griselda Rosas
City Secretary



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