

**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 19, 2019** at **5:40 P.M.** and at **6:00 P.M.** with the following members present:

<b>ANTONIO MARTINEZ</b>	)	<b>Mayor</b>
<b>COMMISSIONERS</b>		
<b>CESAR DE LEON</b>	)	<b>At-Large “A”</b>
<b>ROSE GOWEN</b>	)	<b>At-Large “B”</b>
<b>RICARDO LONGORIA, JR.</b>	)	<b>District 1</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>NOEL BERNAL</b>		<b>CITY MANAGER</b>
<b>HELEN RAMIREZ</b>		<b>DEPUTY CITY MANAGER</b>
<b>MICHAEL LOPEZ</b>		<b>ASSISTANT CITY MANAGER</b>
<b>ARTURO RODRIGUEZ</b>		<b>ASSISTANT CITY MANAGER</b>
<b>RENE DE COSS</b>		<b>CITY ATTORNEY</b>
<b>GRISELDA ROSAS</b>		<b>CITY SECRETARY</b>
<b>ABSENT</b>		<b>NONE</b>

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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 15, 2019.

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

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 5:40 p.m. to discuss the following items:

- A) Discussion pursuant to Section §551.072, of the Texas Government, to deliberate the purchase, exchange, lease, or value of real property.**
- 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.**

Upon conclusion of Executive Session, Mayor Antonio Martinez convened the Regular Meeting at 6:15 p.m.. No action was taken in Executive Session.

*Commissioner Jessica Tetreau arrived during Executive Session.*

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**REGULAR MEETING: 6:00 P.M.**

**PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE \* TEXAS PLEDGE**

The Pledge of Allegiance was led by Mayor Antonio Martinez and the Texas Pledge was led by Commissioner Ricardo Longoria, Jr.

**INVOCATION:**

The invocation was led by Pastor Brad Burkes, from the Embassy of the Spirit Church, of Brownsville, Texas.

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**1. MAYOR’S ACTIVITY UPDATE:**

*Mayor Antonio Martinez* did not deliver a report

**2. COMMISSIONERS’ ACTIVITY UPDATE:**

*Commissioner Ben Neece* invited the public to the “Ride With the Commissioner” event that was rescheduled for Saturday, March 30, 2019.

**3. CITY MANAGER’S UPDATE:**

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

- As part of the airport project, starting Monday, March 25, 2019, Amelia Earhart Drive/Minnesota Ave. will become a one-way road. Construction will continue.
- On April 1, 2019. The City will be closed for Cesar Chavez Day. Also, the City will be hosting a celebration for the Census Day 2020 at Market Square.

**4. PROCLAMATIONS:**

*Jubilee Academy*  
(Commissioners J. Munguia/Mayor Martinez)

The proclamation was presented and read by Commissioner Joel Munguia.

**5. PRESENTATIONS:**

*Texas Department of Transportation (TxDOT)*  
*Boca Chica Median Project*  
(Engineering Department)

Mr. Javier Martinez and Homer Pazan, Project Managers from the Texas Department of Transportation, gave a power point presentation on the raised median project for Boca Chica Boulevard.

Commissioners Jessica Tetreau and Rose Gowen expressed their concerns in regards to traffic and other major boulevards in the city.

***Texas Monthly***  
(City Manager’s Office)

Ms. Courtney Spence, from of CSpence Group, and Mr. Tim Taliaferro, Chief Innovation Officer for “Texas Monthly”, gave a brief presentation about Texas Monthly being brought to Brownsville, Texas. A brief video of “Texas Monthly Live” was played for the Commission and public.

**6. CONSENT AGENDA ITEMS:**

**Consent Agenda Items listed were considered to be routine by the City Commission and was approved by one motion.**

At this time Commissioner Ben Neece moved Consent Agenda Item “d” out of sequence for action and to be amended as follow: *Sec. 38-69 – Subsequent Employment.*

*A person who is a former member of the City Commission shall not be employed by the City or another other entity, for a period of one year after termination of his official duties. Leaving sections 38-70 to 38-95 reserved for future expansions of the chapter.*

The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Upon motion by Commissioner Ricardo Longoria, Jr. seconded by Commissioner Jessica Tetreau and carried unanimously, Consent Agenda Items “a” through “c” and e through “g” were approved.

***ITEMS No. “a” through “g”***

- a) Approval of the Minutes of the Regular Meeting of February 19, 2019.
- b) Approval of the Minutes of the Regular Meeting of March 05, 2019.
- c) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Norma Arroyo	Airport	Scottsdale, AZ	June 09-12, 2019
Joshua Estevez	BMetro	Newark, NJ	Apr. 01-04, 2019
Odee A. Leal	BOEM	San Antonio, TX	Apr. 14-18, 2019
David Licon, Jr.	Engineering	Galveston, TX	Mar. 25-27, 2019
Ricardo Najera	Fire	Omaha, NE	Apr. 01-02, 2019
Gabriel H. Garza	Fire	Omaha, NE	Apr. 01-02, 2019
Felix Espinosa	Parks	Dallas, TX	Mar. 29-Apr. 1, 2019
Felix Espinosa	Parks	Houston, TX	Apr. 03-05, 2019

- d) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2019-1653**, to amend the Code of Ordinances, repealing and replacing in its entirety Chapter 38 Titled "Code of Ethics".
- e) Consideration and **ACTION** on Interlocal Cooperation contract between City of Brownsville and Texas Department of Public Safety (DPS) for the development of the Joint Tactical Training Facility.

- f) Consideration and **ACTION** to pay for expenses above the threshold that incurred for Ralph Andersen & Associates, for the amount of \$9,478.67.
- g) Consideration and **ACTION** on **Resolution Number 2019-023**, supporting a proposed affordable housing community known as Casitas Lantana to be located at 3954 Dana Avenue, Brownsville, Cameron County, Texas; and authorizing such other actions necessary or convenient to carry out this resolution.

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***PUBLIC HEARINGS:***

- 7. **Public Hearing and ACTION on FIRST READING on Ordinance Number 2019-1654, to authorize the City Manager to abandon and close a portion of a 20’ alley adjacent to Lots 25 and 26, Brownsville Land and Improvement Company Subdivision.**

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

Upon motion by Commissioner Ricardo Longoria, Jr. and seconded by Commissioner Rose Gowen, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 2019-1654, be **adopted** at first reading, to authorize the City Manager to abandon and close a portion of a 20’ alley adjacent to Lots 25 and 26, Brownsville Land and Improvement Company Subdivision. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- 8. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-004, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 19, Block 1, Alamo Heights Subdivision, located at 1125 Bowie Drive.**

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

Citizens of the surrounding area of the dwelling were opposed to the proposed ordinance.

Citizen Danaley Reyna was in favor of the proposed ordinance.

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

Commissioner Jessica Tetreau moved that the proposed ordinance be **denied**. The motion was seconded by Commissioner Joel Munguia and carried as follow:

Ayes: Commissioners Jessica Tetreau, Joel Munguia, Ben Neece.

Nays: Commissioners Ricardo Longoria, Jr., Rose Gowen.

- 9. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-005, to rezone from Dwelling “G” (DG) to Light Commercial “G” (5CG) for Lot 4, Block 1, Portway Acres, First Section, located at 6640 Padre Island Highway.**

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

Upon motion by Commissioner Ricardo Longoria, Jr. and seconded by Commissioner Rose Gowen, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-005, be **adopted** at first reading, to rezone from Dwelling “G” (DG) to Light Commercial “G” (5CG) for Lot 4, Block 1, Portway Acres, First Section, located at 6640 Padre Island Highway. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

*Commissioner Jessica Tetreau stepped out.*

**10. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-006, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 55, Palomar Section 3, City of Brownsville, located at 385 Lewis Street.**

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

Upon motion by Commissioner Rose Gowen and seconded by Commissioner Ricardo Longoria, Jr., the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2019-006, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 55, Palomar Section 3, City of Brownsville, located at 385 Lewis Street. The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

*Commissioner Jessica Tetreau did not vote.*

**11. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-007-S, to allow a used car lot, a Light Commercial (5C) use, in General Retail “H” (4CH) for Lot 30, Block 9, East Brownsville, an addition to the City of Brownsville, located at 1757 Southmost Boulevard.**

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

Upon motion by Commissioner Ricardo Longoria, Jr. and seconded by Commissioner Rose Gowen, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-007-S, be **adopted** at first reading, to allow a used car lot, a Light Commercial (5C) use, in General Retail “H” (4CH) for Lot 30, Block 9, East Brownsville, an addition to the City of Brownsville, located at 1757 Southmost Boulevard. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**12. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-008, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 9, Block 142, Original Townsite, located at 925 East Monroe Street.**

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

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

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-008, be **adopted** at first reading, to rezone from General Retail “F” (4CF) to General Retail “G” (4CG) for Lot 9, Block 142, Original Townsite, located at 925 East Monroe Street. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

**13. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-008-S, to allow a duplex, a Dwelling (D) use, in General Retail “G” (4CG) for Lot 9, Block 142, Original Townsite, located at 925 East Monroe Street.**

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

Citizen Jose Sanchez expressed his concerns regarding about the effects on home owners due to the proposed ordinance

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

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-008-S, be **adopted** at first reading, to allow a duplex, a Dwelling (D) use, in General Retail “G” (4CG) for Lot 9, Block 142, Original Townsite, located at 925 East Monroe Street. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

**14. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-901-CO, to rezone from Dwelling “F” (DF) to Dwelling “G” (DG-CO) for Sanchez Vela Subdivision, located near Old Military Road.**

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

Citizen Jose Sanchez voiced his concerns and questions about the proposed ordinance.

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

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-901-CO, be **adopted** at the first reading, to rezone from Dwelling “F” (DF) to Dwelling “G” (DG-CO) for Sanchez Vela Subdivision, located near Old Military Road. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

15. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2019-902-CO: To rezone from Dwelling “A” (DA)/Medium Retail “G” (3CG)/General Retail “G” (4CG) to Dwelling “G” (DG-CO) for The Preserve at Forest North Subdivision, save and except, Block 7, located near Paredes Line Road.**

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

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

Commissioner Ricardo Longoria, Jr. moved that Ordinance Number 235-2019-902-CO, be **adopted** at first reading, to rezone from Dwelling “A” (DA)/Medium Retail “G” (3CG)/General Retail “G” (4CG) to Dwelling “G” (DG-CO) for The Preserve at Forest North Subdivision, save and except, Block 7, located near Paredes Line Road. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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

Mr. Fernando Champion expressed concern regarding public safety and street maintenance.

***ITEMS FOR INDIVIDUAL CONSIDERATION:***

17. **Consideration and ACTION to appoint one (1) regular member and two (2) alternates to the Building and Standards Commission.**

Commissioner Jessica Tetreau moved to appoint *Ms. Olga Gonzalez* to the Building and Standards Commission. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Ricardo Longoria, Jr. moved to appoint *Mr. David Diaz* and *Carlos Martinez* as ***alternate members*** of the Building and Standards Commission. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

18. **Consideration and ACTION on Resolution Number 2019-024, to approve and sign the Texas Water Development Board Clean Water State Revolving Fund.**

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2019-024, regarding the Texas Water Development Board Clean Water State Revolving Fund, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

19. **Consideration and ACTION on Resolution Number 2019-025, to approve and sign the Texas Water Development Board Clean Water State Revolving Fund.**

Commissioner Ricardo Longoria, Jr. moved that Resolution Number 2019-025 regarding the Texas Water Development Board Clean Water State Revolving Fund, **be approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**20. Consideration and ACTION on Resolution Number 2019-026, to approve and sign the Texas Water Development Board Clean Water State Revolving Fund.**

Commissioner Ricardo Longoria, Jr. moved that Resolution Number 2019-026 regarding the Texas Water Development Board Clean Water State Revolving Fund, **be approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

**21. Consideration and ACTION on Resolution Number 2019-027, amending the Fiscal Year 2019 Budget for the General Fund and Brownsville Golf Center Fund.**

At this time, Ms. Griselda Rosas read the resolution as Ordinance Number 2019-027.

Commissioner Rose Gowen moved that Ordinance Number 2019-027, amending the Fiscal Year 2019 Budget for the General Fund and Brownsville Golf Center Fund, **be approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

**22. Consideration and ACTION to authorize the placing of an order for the purchase of FIVE 35ft hybrid diesel buses under the already established pricing agreement with Gillig LLC, in the amount of \$3,485,090.03, funded by the TIGER grant.**

Commissioner Rose Gowen moved that the placing of an order for the purchase of FIVE 35ft hybrid diesel buses under the already established pricing agreement with Gillig LLC, in the amount of \$3,485,090.03, funded by the TIGER grant, **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 7:36 p.m.

Approved this 16th day of April, 2019.

**Antonio Martinez**  
Mayor

Attest:

**Griselda Rosas**  
City Secretary



Respectfully submitted by:  
Sonya Gutierrez, Fiscal Clerk  
Office of the City Secretary