

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, April 17, 2018**, at **6:00 P.M.** with the following members present:

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| ANTONIO MARTINEZ |) | Mayor |
| | | 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 |
| MICHAEL L. LOPEZ | | INTERIM CITY MANAGER |
| PETE GONZALEZ | | DEPUTY CITY MANAGER |
| TIMOTHY SAMPECK | | ASSISTANT CITY ATTORNEY |
| GRISELDA ROSAS | | CITY SECRETARY |
| ABSENT: | | ARTURO RODRIGUEZ – Interim Assistant City Manager |

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 April 13, 2018.

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.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez did not deliver a report.

2. COMMISSIONERS' ACTIVITY UPDATE:

Commissioner Ben Neece invited and encouraged the community to attend the Earth Fest to be held on Saturday, April 21, 2018, from 3:00 p.m. to 9:00 p.m. at the Linear Park and he also mentioned that a Reggae Challenge would be held at the Broken Sprocket on Saturday, April 21, 2018, starting at 12:00 p.m.

Commissioner Rose Gowen announced that The Challenge-RGV 2018 Finale Weigh-in would be held on Friday, April 20, 2018, at the Central Public Library Branch from 5:00 p.m. to 8:00 p.m., and on Saturday, April 21, 2018, at the Farmer's Market at the Southern Pacific Linear Park from 9:00 a.m. to 12:00 p.m. Commissioner Gowen further announced that Cyclobia would take place on Friday, April 27, 2018, from 6:30 p.m. to 9:30 p.m. at Downtown Brownsville. Commissioner Gowen also reminded the community that the Parks and Recreation Department would be hosting a Paint & Plant on Friday, April 20, 2018, at the Recreation Center, 1338 E. 8th Street from 10:00 a.m. to 12:00 p.m.

Commissioner Jessica Tetreau announced that a position had been opened for a full-time Veterinarian for the City of Brownsville BARCC. Commissioner Tetreau further announced that an American clean-up was held on Saturday, April 14, 2018, in District 2.

3. PROCLAMATION: *Autism Awareness Month*
(Commissioner R. Gowen/Mayor A. Martinez)

The proclamation was read and presented by Commissioner Rose Gowen.

4. PRESENTATIONS: *Brownsville Metro's Bus Stop Program*
(BMetro Department)

Mr. Robert J. Garza, BMetro Assistant Director and staff delivered a PowerPoint Presentation regarding the Brownsville Metro's Bus Stop Program.

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 Cesar de Leon seconded by Commissioner Rose Gowen, Consent Agenda Items "a" through "i" were **approved**, and carried as follows:

Ayes: Commissioners Longoria, Jr., de Leon, Gowen, Munguia, Neece and Mayor Martinez

Nays: None

Abstained: Commissioner Tetreau

ITEMS No. "a" through "i"

- a) Approval of the Minutes of the Regular Meeting of March 06, 2018.
- b) Approval of the Minutes of the Regular Meeting of March 20, 2018.
- c) Approval of the Minutes of the Regular Meeting of April 03, 2018.
- d) To acknowledge the following individuals to incur travel expense:

Employee	Department	Destination	Date
Simon Ortiz, Jr.	BMetro	Fort Lauderdale, FL	May 07-10, 2018
Colton Hernandez	Parks	Arlington, TX	Apr. 25-26, 2018

- e) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2018-1100.58**, to re-adopt the Historic Preservation Plan for 2018.
- f) To acknowledge Republic Services residential solid waste and brush/bulky 2.18% rate increase as authorized by original agreement dated March 17, 2010, and addendum dated April 3, 2018.
- g) Consideration and **ACTION** to award a contract for Traffic Signal Design Services for four (4) traffic signals located at Minnesota at Houston, Minnesota at Travis, FM 802 at Coffee Port Rd., and Billy Mitchell Blvd. at Jose Colunga Jr. Street.
- h) Consideration and **ACTION** on Reimbursement Agreement and Memorandum of Understanding for Brownsville Los Fresnos Battlefield Trail Extension Project.
- i) Consideration and **ACTION** on Cost Share Agreement between US Fish and Wildlife Service and City of Brownsville.

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PUBLIC HEARINGS:

6. Public Hearing and ACTION on Resolution Number 2018-031, to deny the proposed Distribution Cost Recovery Factor (DCRF) rate increase by AEP, and dealing with related matters.

Mr. Tim Sampeck, Assistant City Attorney, gave a brief explanation of the proposed resolution.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Cesar de Leon moved that Resolution Number 2018-031, to deny the proposed Distribution Cost Recovery Factor (DCRF) rate increase by AEP, and dealing with related matters, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-002, to rezone from Dwelling “Z” (DZ) to Apartment “G” (AG) for a 13.15 acre tract of land, more or less, out of Lots 41, 42, and 43, Palo Alto Groves Subdivision No. 1, in Share 22 of the Espiritu Santo Grant, located near Old Alice Road, Olmito Texas.

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

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2018-002, be **adopted** at first reading, to rezone from Dwelling “Z” (DZ) to Apartment “G” (AG) for a 13.15 acre tract of land, more or less, out of Lots 41, 42, and 43, Palo Alto Groves Subdivision No. 1, in Share 22 of the Espiritu

Santo Grant, located near Old Alice Road, Olmito Texas. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

Commissioner Ricardo Longoria, Jr. arrived at 6:36 p.m.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-008, to rezone from Light Retail “F” (2CF) to General Retail “G” (4CG) for Lot 4, Block 1, Walker Addition Resubdivision, located at 2705 East Price Road.

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

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Cesar de Leon moved that Ordinance Number 235-2018-008, be **adopted** at first reading, to rezone from Light Retail “F” (2CF) to General Retail “G” (4CG) for Lot 4, Block 1, Walker Addition Resubdivision, located at 2705 East Price Road. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-009, to rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for the North 1.25 acres of Lot 3, Block FF, Brownsville Land and Improvement Company Subdivision, located at 2735 North Coria Street.

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-009, be **adopted** at first reading, to rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for the North 1.25 acres of Lot 3, Block FF, Brownsville Land and Improvement Company Subdivision, located at 2735 North Coria Street. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

10. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-010-S, to allow a Used Car Lot, a Light Commercial (5C) use, in General Retail “G” (4CG) for Lot 23, Block 2, Villa Vera Subdivision, located at 3925 Southmost Boulevard.

Ms. Francesca Linder, Zoning and Plat 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 235-2018-010-S, be **adopted** at first reading, to allow a Used Car Lot, a Light Commercial (5C) use, in General Retail “G”

(4CG) for Lot 23, Block 2, Villa Vera Subdivision, located at 3925 Southmost Boulevard. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

11. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-011-S, to allow a Professional Office, a Professional Office (1C) use, in Dwelling “A” (DA) for all of Lot 7 and Lot 8, Block 114-A, Stillman Extension, located at 654 West Saint Charles Street.

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

Brief discussion ensued amongst the Commission in regards to the proposed ordinance.

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

Commissioner Rose Gowen moved that Ordinance Number 235-2018-011-S, be **adopted** at first reading, including the addendum as discussed, to allow a Professional Office, a Professional Office (1C) use, in Dwelling “A” (DA) for all of Lot 7 and Lot 8, Block 114-A, Stillman Extension, located at 654 West Saint Charles Street. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

12. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-902-CO, to rezone from Dwelling “Z” (DZ) to Dwelling “G” (DG-CO) for Block 1 and Block 2, Rio Bravo Subdivision Section 8, located near Sacramento River Drive.

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

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2018-902-CO, be **adopted** at first reading, to rezone from Dwelling “Z” (DZ) to Dwelling “G” (DG-CO) for Block 1 and Block 2, Rio Bravo Subdivision Section 8, located near Sacramento River Drive. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

13. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-235.89, to amend the existing boundaries within the O31-Nonresidential Overlay District and dealing with related matters.

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

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2018-235.89, be **adopted** at first reading, to amend the existing boundaries within the O31-Nonresidential Overlay District and dealing with related matters. The motion was seconded by Commissioner Rose Gowen and carried as follows:

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

Nays: Commissioner Neece

14. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-235.90, to amend the existing boundaries within the O51-A-Commercial Quality Overlay District and dealing with related matters.

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

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

Commissioner Rose Gowen moved that Ordinance Number 2018-235.90, be **adopted** at first reading, to amend the existing boundaries within the O51-A-Commercial Quality Overlay District and dealing with related matters. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

15. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1387-C, amending the Code of Ordinances of the City of Brownsville by adding Article III-Network Node Regulations to Chapter 338-Telecommunications to provide a framework for the deployment of network nodes and node support poles in the public right-of-way by network providers in accordance with Senate Bill 1004 and the Texas Local Government Code Chapter 284; and dealing with related matters.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2018-1387-C, be **adopted** at first reading, amending the Code of Ordinances of the City of Brownsville by adding Article III-Network Node Regulations to Chapter 338-Telecommunications to provide a framework for the deployment of network nodes and node support poles in the public right-of-way by network providers in accordance with Senate Bill 1004 and the Texas Local Government Code Chapter 284; and dealing with related matters. The motion was seconded by Commissioner Ben Neece and carried unanimously.

16. Public Hearing and ACTION to approve the City of Brownsville-Brownsville Metro revised ADA Policies and Procedures Manual Complementary Para-Transit Service Plan.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that the City of Brownsville-Brownsville Metro revised ADA Policies and Procedures Manual Complementary Para-Transit Service Plan, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner Jessica Tetreau stepped out and did not vote.

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17. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Mr. Francisco Ruiz expressed a concern in regards to a remodeling permit that he had requested and has not been able to obtain.

Mr. David Delgado asked that the City consider adopting the Sandy Hook Promise Programs to help prevent gun violence in our community and more information could be found on www.sandyhookpromise.org.

Ms. Melissa Knerr expressed concern in regards to the Jefferson Davis marker located at the Washington Park.

Mr. Eric Knerr expressed concern in regards to the reliability/accuracy of the group that made a presentation regarding the Jefferson Davis Monument, during the City Commission meeting of May 20, 2018.

Mr. Joseph Hasse expressed a concern regarding the half a day bus route to the ITEC Building.

ITEMS FOR INDIVIDUAL CONSIDERATION:

18. Consideration and ACTION on an Interlocal Participation Agreement with Public Employee Benefits Alliance.

Commissioner Cesar de Leon moved that an Interlocal Participation Agreement with Public Employee Benefits Alliance, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

19. Consideration and ACTION to award a contract for inmate communications services for the Brownsville Police Department.

Commissioner Cesar de Leon moved that a contract for inmate communications services for the Brownsville Police Department, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

20. Consideration and ACTION to purchase support vehicles for the Brownsville Police Department.

Commissioner Jessica Tetreau moved that the purchase and delivery of vehicles for the Police Department, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:58 p.m.

Approved this 5th day of June, 2018

Antonio Martinez
Mayor

Attest:

Griselda Rosas
City Secretary



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