

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, June 05, 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” |
| 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 | | ASSISTANT CITY MANAGER |
| TIMOTHY SAMPECK | | ASSISTANT CITY ATTORNEY |
| GRISELDA ROSAS | | CITY SECRETARY |
| ABSENT: | | ROSE GOWEN - At-Large “B”
RICARDO LONGORIA, JR. - District 1 |

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 June 01, 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, welcomed the citizens who were in attendance, to the City Commission meeting.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Jessica Tetreau announced that a part-time veterinarian had been hired for the BARCC and further announced that the hours of adoption had been extended. Commissioner Tetreau introduced Mr. Noe Navarro and Mr. Juan Martinez, whom invited the public for a fashion show to be held on Saturday, June 9, 2018 at 7:00 p.m., at the Carlotta Petrina Museum, located at 1452 E. Madison Street.

3. **PROCLAMATIONS:** *University of Texas of Rio Grande Valley Economics Team*
(Mayor A. Martinez/Commissioner B. Neece)

The proclamation was read and presented by Commissioner Ben Neece.

Dyllan Lozano
(Commissioners R. Gowen/J. Munguia)

The proclamation was read and presented by Commissioner Joel Munguia.

4. **PRESENTATION:** *Zoning Presentation*
(Planning Department)

Ms. Francesca Linder, Zoning and Subdivision Administrator, delivered a PowerPoint presentation in regards to determining the zoning on land and/or property that can be used in the city.

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 Jessica Tetreau and carried unanimously, Consent Agenda Items “a” through “p” were **approved**.

ITEMS No. “a” through “p”

- a) Approval of the Minutes of the Regular Meeting of April 17, 2018
- b) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Ramiro Gonzalez	City Manager’s Office	Washington, DC	June 10-13, 2018
Luis Salinas	Finance	New Orleans, LA	July 16-18, 2018
Stephen Muse	Finance	Austin, TX	July 25-27, 2018
Cristian Juarez	Health	Los Angeles, CA	July 18-21, 2018
Nellie Zamora	Health	Los Angeles, CA	July 18-21, 2018
Joe Villarreal	Police	Houston, TX	June 11-15, 2018
Juan Hernandez	Police	Austin, TX	July 08-10, 2018

- c) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2018-1645**, declaring the existence of a public necessity for the acquisition, by agreement or the use of eminent domain to condemn property, of potential reversionary interests in property already owned by the City of Brownsville, Texas, for use in connection with the restoration of the Resaca Boulevard.

- d) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-012**, to rezone from Dwelling “A” (DA) to Apartment “G” (AG) for Lot 7, Block 21, Garden Parks Subdivision, and a 1.862 acre Tract out of Share 12, Espiritu Santo Grant, located near Center Drive. (District 4)
- e) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-013**, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 13, Block 16, Colonia Acacia, located at 3335 Short Street. (District 1)
- f) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-015**, to rezone from Apartment “H” (AH) to Professional Office “H” (1CH) for Lot 1, Block 1, Alvarez Subdivision, located 334 Morningside Road. (District 1)
- g) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-016**, to rezone from Dwelling “A” (DA) to Dwelling “H” (DH) for 2.375 acres out of a 4.00 acre Tract in Block 28, Acacia Lake Gardens Subdivision in Share 19, Espiritu Santo Grant, located at 265 Calle Milpa Verde. (District 1)
- h) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-017**, to rezone from Light Retail “V” (2CV) to Medium Commercial “V” (6CV) for 4 acres consisting of Tract 1, Tract 2, and Tract 3 of Lot 1, Block 1, M. Samano Partition, located near Paredes Line Road. (District 3)
- i) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-018**, to rezone from Apartment “H” (AH)/General Retail “J” (4CJ)/Light Industrial “J” (7CJ) to General Retail “J” (4CJ) for 0.41 acres for Lots 4, 5, and 6, Block 13, Paredes Tract Addition, located at 1800 East Van Buren Street. (District 1)
- j) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-019-S**, to allow Apartments, an Apartment (A) use, in General Retail “H” (4CH) for 0.7651 acres of Lot 4 El Jardin Resubdivision, Block 204 and 0.2267 acres of Abstract 2 Lopez High School Subdivision PT Lot 1, Block 1, located at 3228 South Dakota Avenue. (District 1) (Planning and Development Services Department)
- k) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-020-S**, to allow storage units, a Light Commercial (5C) use, in Professional Office “G” (1CG) for an estimated 1.518 acres out of the front portion of a 5.00 acre Tract of land out of a certain East 20.0 acres, Block 27, El Jardin Subdivision, Tract 33, Share 19, Espiritu Santo Grant, located at 4005 Jaime Zapata Avenue. (District 2)
- l) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-022**, to rezone from General Retail “G” (4CG) to Medium Commercial “G” (6CG) for a 59.33 acre Tract of Land, more or less, out of Blocks 3, 4, 17, 18, 31 and 32 out of Rincon Subdivision, Share 22, Espiritu Santo Grant, located near Farm to Market 511. (District 3)
- m) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2018-601-CU**, an ordinance allowing a conditional use permit for the sale of on-premises alcohol (Bar) for a 2.209 acre Tract in Block 41 and 42 Media Luna Subdivision, also described as, Lot 301, Country Club Estates-1 Convention Center, located at 301 McFadden Drive. (District 3)

- n) **APPROVAL** on **SECOND** on **FINAL READING** on **Ordinance Number 235-2018-903-CO**, to rezone from Dwelling “X” (DX) to Dwelling “A” (DA-CO) for Block 1 and Block 2, Lazy Acres Estates Replat, located near Lazy Acres Road. (District 1)
- o) Consideration and **ACTION** to award a contract for the purchase of body armor through the State of Texas Rifle Resistant Body Armor Grant Program.
- p) Consideration and **ACTION** to authorize the purchase of pistol ammunition for the Police Department.

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PUBLIC HEARINGS:

- 6. **Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1234-B to amend, Chapter 344, "Vegetation" Article II Section 344-26 "Established"; Section 344-27 "Composition and Terms of Office"; Section 344-29, "Organization and Staff"; and Section 344-31 "Duties".**

Ms. Damaris McGlone, Parks and Recreation Director, introduced Ms. Carol DeMoss, Chair, Mr. Oscar Zertuche, Board Member and Ms. Chloe Dotson, Vice-Chair of the Brownsville Beautification Committee (BBC), whom a gave a brief explanation of the proposed changes to the ordinance.

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

Commissioner Jessica Tetreau moved that Ordinance Number 2018-1234-B to amend, be **adopted** at first reading, Chapter 344, "Vegetation" Article II Section 344-26 "Established"; Section 344-27 "Composition and Terms of Office"; Section 344-29, "Organization and Staff"; and Section 344-31 "Duties". The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

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- 7. ***PUBLIC COMMENT PERIOD: PLEASE NOTE:***

No one signed up for Public Comment Period.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 8. **Consideration and ACTION to appoint or re-appoint members to the Civil Service Commission.**

Commissioner Jessica Tetreau moved that **Mr. William Kingsbury**, be **appointed** to the Civil Service Commission. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Jessica Tetreau moved that **Mr. Ben Nuñez**, be **appointed** to the Civil Service Commission. The motion was seconded by Commissioner Ben Neece and carried unanimously.

Commissioner Joel Munguia moved that **Mr. Jorge Green**, be **appointed** to the Civil Service Commission. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

9. Consideration and ACTION to revise the Disadvantaged Business Enterprise (DBE) Program and the Updated DBE Goals adopted under Resolution Number 2018-010 as required by the Federal Transit Administration FY 2018 Triennial Review.

Commissioner Ben Neece moved that the revise of the Disadvantaged Business Enterprise (DBE) Program and the Updated DBE Goals adopted under Resolution Number 2018-010 as required by the Federal Transit Administration FY 2018 Triennial Review, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

10. Consideration and ACTION to award a contract for the Gazelle Avenue Street Paving and Drainage Project.

Commissioner Jessica Tetreau moved that a contract for the Gazelle Avenue Street Paving and Drainage Project, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

11. Consideration and ACTION to authorize the submittal for Economically Disadvantaged Counties (EDC) Program Application.

Commissioner Jessica Tetreau moved that the submittal for Economically Disadvantaged Counties (EDC) Program Application, be **authorized** and **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

12. Consideration and ACTION to acknowledge the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2017.

Commissioner Jessica Tetreau moved that the City's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2017, be **acknowledged**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

13. Consideration and ACTION to adopt Reimbursement Resolution Number 2018-034 expressing official intent to reimburse with tax-exempt obligation proceeds costs associated with certain capital improvements.

Commissioner Cesar de Leon moved that Reimbursement Resolution Number 2018-034 expressing official intent to reimburse with tax-exempt obligation proceeds costs associated with certain capital improvements, be **adopted** and **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

14. Consideration and ACTION to award a term contract for Employee Assistance Program under Interlocal Agreement with Public Employee Benefits Alliance "PEBA".

Commissioner Jessica Tetreau moved that a term contract for Employee Assistance Program under Interlocal Agreement with Public Employee Benefits Alliance "PEBA", be **approved**. The motion was seconded by Commissioner Ben Neece and carried unanimously.

15. **Consideration and ACTION on Resolution Number 2018-035, to support the creation of a Vision Zero Action Plan.**

Commissioner Jessica Tetreau moved that Resolution Number 2018-035, to support the creation of a Vision Zero Action Plan, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

16. **Consideration and ACTION to approve a Memorandum of Understanding between the Port of Brownsville and the Brownsville Police Department in regards to Critical Incident Response and application request for Port Security Grants Program for the purchase of a portable x-ray system.**

Commissioner Jessica Tetreau moved that a Memorandum of Understanding between the Port of Brownsville and the Brownsville Police Department in regards to Critical Incident Response and application request for Port Security Grants Program for the purchase of a portable x-ray system, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

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 19th 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