

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, August 21, 2018**, at **5:45 P.M.** and at **6:00 P.M.** with the following members present:

- | | | |
|------------------------------|---|---|
| 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 |
| ARTURO RODRIGUEZ | | ASSISTANT CITY MANAGER |
| HEATHER SCOTT | | GUERRA, LEEDS, SABO & HERNANDEZ,
P.L.L.C.
LEGAL SERVICES |
| GRISELDA ROSAS | | CITY SECRETARY |
| ABSENT: | | NONE |

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 August 17, 2018.

EXECUTIVE SESSION: 5:45 P.M.

- A) Closed executive session under Section 551.071(2), Texas Gov’t Code, for legal advice and counsel related to the determination of municipal and extraterritorial jurisdiction boundaries between the City of Brownsville and the Town of Rancho Viejo.**

Agenda Item was removed as per City Staff.

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 Moises Molina.

ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

A) ACTION on executive session regarding the municipal and extraterritorial boundaries between the City of Brownsville and the Town of Rancho Viejo.

Agenda Item was removed as per City Staff.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez, welcomed everyone back to school and wished them a very successful school year. Mayor Martinez informed the public that the distribution of sand bags would be taking place on Friday, August 24, 2018, from 10:00 a.m. to 7:00 p.m. and on Saturday, August 25, 2018, from 10:00 a.m. to 3:00 p.m. at the G.B.I.C. Circle

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Ben Neece announced that the Ribbon Cutting for the new Downtown Police Substation at the Market Square will take place on Wednesday, August 29, 2018, at 5:30 p.m.

Commissioner Jessica Tetreau reminded and encouraged everyone to be prepare for the hurricane season and to visit the G.B.I.C. Circle site to pick up their sandbags, and also briefed the community of the drainage improvement done in District 2.

Commissioner Ricardo Longoria, Jr., thanked Public Works Department for the refurbishing and the reinstallation of the Impala Pumps number 3.

3. CITY MANAGER’S UPDATE:

Mr. Michael L. Lopez, Interim City Manager, briefly informed the Commission of the following:

- met with the GBIC Executive Director for the collaboration of the workforce and the City and also working on the bylaws and the service agreement as directed for GBIC
- will be meeting with the Gladys Porter Zoo regarding some of their finances and needs
- the Hotel Occupancy Tax due diligence study continues
- reaching out to BPUB, Cameron County Irrigation District and other partners for continued collaboration on drainage and storm water
- 546-HELP system was upgraded and encouraged the public to use it

4. PROCLAMATION:

Lucy Lopez
Miss Teen H2O USA 2018
(Commissioners J. Munguia/R. Longoria, Jr.)

The proclamation was presented and read by Commissioner Joel Munguia.

5. PRESENTATIONS:

Employee of the Month
(Santana Torres – Public Works)

Mr. Santana Torres, Public Works Director, recognized *Mr. Fernando Ramirez, Public Works Supervisor*, as August’s Employee of the Month.

VIDA
(City Manager's Office)

Ms. Priscilla Alvarez, VIDA Executive Director, gave a brief explanation of the Valley Initiative for Development and Advancement (VIDA) Program. Ms. Alvarez further mentioned if anyone would like any information in regards to the program they can be reached at 956-903-1900 and the website is www.vida.org.

6. 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 Ricardo Longoria, Jr., and carried unanimously, Consent Agenda Item 6d was **tabled**.

- d) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2018-028**, to rezone from Dwelling "Z" (DZ) to Dwelling "G" (DG) for a 143.5 acre Tract of Land, more or less, out of a portion of Lots 42, 43, 44, 51, 52, 53, 54, 55, 61, 62, 63, 64, and 65, Palo Alto Groves Subdivision No. 1, in Share 22 of the Espiritu Santo Grant, located near Old Alice Road. (District 3)

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Cesar de Leon and carried unanimously, Consent Agenda Items "a" through "c" and "e" through "p" were **approved**.

ITEMS No. "a" through "p"

- a)** Approval of the Minutes of the Regular Meeting of July 30, 2018.
b) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
David Licon	Engineering	New Orleans, LA	September 16-20, 2018
Eva Garcia	Parks	New Orleans, LA	September 16-20, 2018
Julia D. Lash	Grants	Austin, TX	September 25-28, 2018
Mary A. Perez	Grants	Austin, TX	September 25-28, 2018
Alfonso Vallejo	MPO	San Antonio, TX	September 24-28, 2018
Antonio Zubieta	MPO	San Antonio, TX	September 24-28, 2018
Cristobal Abrego, Jr.	Police	Laredo, TX	September 19-21, 2018
Lucia Flores	Police	Austin, TX	September 04-06, 2018
April Garza	Police	Austin, TX	September 04-06, 2018
Roberto C. Luna	Purchasing	Austin, TX	September 19-22, 2018

- c) APPROVAL on SECOND and FINAL READING on Ordinance Number 2018-1033-A**, amending Chapter 14, Article II, Section 14-57, "Ex-Officio Members".
- e) APPROVAL on SECOND and FINAL READING on Ordinance Number 235-2018-027**, to rezone from Dwelling "A" (DA) to Dwelling "G" (DG) for Lot 4, Block 70, West Brownsville Addition, located at 1735 West Adams Street. (District 4)

- f) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-030-S**, to allow a wireless communication facility, a General Retail (4C) use, in Medium Commercial “X” (6CX) for a 1.652 acre Tract out of a 3.360 acre Tract in Block 3 and 4 of Chicago Gardens Subdivision, located at 2155 South Minnesota Avenue. (District 1)
- g) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-031-S**, to allow a used car lot, a Light Commercial (5C) use, in Medium Retail “A” (3CA) for Lot 18 and 19, Block 12, Ebony Heights Subdivision, save and except a 0.167 acre tract out of Lot 19, located at 1805 Greenbriar Avenue. (District 3)
- h) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-032-CO**, to rezone from general Retail “G” (4CG) to Apartment “H” (AH-CO) for Lot 1, Block 1, Cherry Estates Addition Subdivision located at 3405 East Ruben Torres Boulevard. (District 2)
- i) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-906**, to rezone from Dwelling “Y” (DY) to Dwelling “F” (DF) for Lot 5 through Lot 42, Block 11, Rio Del Sol Subdivision Section 4, located near Abrahamson Drive. (District 2)
- j) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-907**, to rezone from Dwelling “Y” (DY) to Dwelling “F” (DF) for Block 3, Rio Del Sol Subdivision Section 2; Block B and Reserve B, Rio Del Sol Subdivision Section 3; Block A, Harbor Heights Subdivision Section 1; Block 1, Palmas Del Sol Subdivision; and 0.504 acres, more or less, situated in the B.M. Toland Subdivision of farm Block 182, El Jardin Subdivision, located near Rancho Viejo Boulevard. (District 2)
- k) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2018-1642**, setting the rates to be charged for the sale of fill material from the City’s sand pit.
- l) Consideration and **ACTION** to award a term contract for Electronic Security Systems Preventive Maintenance and Services for the City of Brownsville Police Department.
- m) Consideration and **ACTION** to award a contract for the purchase, delivery and installation of New Telecommunication System for the City of Brownsville Police Department.
- n) Consideration and **ACTION** for the approval to award a contract to the responsive and low bidder for the purchase and delivery of uniforms for the Parks and Recreation Department and other City departments to Specialty Advertisers, at stipulated prices.
- o) Consideration and **ACTION** on **Resolution Number 2018-042**, to support and accept an award for the Auto Burglary and Theft Prevention Authority (ABTPA) in the amount of \$924,350.00, for Fiscal Year 2019.
- p) Consideration and **ACTION** to award a term contract for paving services for the City of Brownsville.

PUBLIC HEARINGS:

- 7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-035-CO, to rezone from General Retail “X” (4CX) to Medium Commercial “X” (6CX-CO) for a 4.28 acre tract of land, more or less, out of Lots 15 and 16, Block 308, El Jardin Re-Subdivision, Shares 23, 25, 29, 30, and 31 of the Espiritu Santo Grant, located at 443 South Indiana Avenue. (District 2)**

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

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2018-035-CO, be **adopted** at first reading, to rezone from General Retail “X” (4CX) to Medium Commercial “X” (6CX-CO) for a 4.28 acre tract of land, more or less, out of Lots 15 and 16, Block 308, El Jardin Re-Subdivision, Shares 23, 25, 29, 30, and 31 of the Espiritu Santo Grant, located at 443 South Indiana Avenue. (District 2) The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

- 8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-036, to rezone from Medium Retail “A” (3CA) to General Retail “A” (4CA) for Lot 38, Block 1, Silver Oaks Subdivision, located at 995 West Ruben Torres Boulevard. (District 4)**

Ms. Francesca Linder, Zoning and Subdivision 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 235-2018-036, be **adopted** at first reading, to rezone from Medium Retail “A” (3CA) to General Retail “A” (4CA) for Lot 38, Block 1, Silver Oaks Subdivision, located at 995 West Ruben Torres Boulevard. (District 4) The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- 9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2018-038, to rezone from Dwelling “A” (DA)/Apartment “H” (AH) to Dwelling “G” (DG) for Lot 1, Block 142-A, Stillman Extension, located at 701 West Saint Charles Street. (District 4)**

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

Mr. Larry Hollman and Mr. Bill Burke, expressed concern and opposed to the proposed 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 235-2018-038, be **adopted** at first reading, to rezone from Dwelling “A” (DA)/Apartment “H” (AH) to Dwelling “G” (DG) for Lot

1, Block 142-A, Stillman Extension, located at 701 West Saint Charles Street. (District 4) The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

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

Nays: Commissioners Gowen, Neece and Mayor Martinez

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10. PUBLIC COMMENT PERIOD: PLEASE NOTE:

No one signed up for Public Comment Period.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. Consideration and ACTION to confirm the appointment of Jarrett V. Sheldon as Fire Chief.

Commissioner Jessica Tetreau moved that the appointment of Jarrett V. Sheldon as Fire Chief, be **confirmed** and **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

12. Consideration and ACTION to appoint one (1) member to the Brownsville Community Improvement Corporation.

Commissioner Jessica Tetreau moved that *Mr. Omar Hernandez*, be **appointed** to the Brownsville Community Improvement Corporation. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried as follow:

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

Nays: Commissioner Neece

13. Consideration and ACTION to appoint one (1) member to the Parks and Recreation Advisory Board Committee.

Commissioner Ricardo Longoria, Jr., moved that five (5) members be appointed. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ricardo Longoria, Jr., moved that the proposed slate of applicants comprised of *Mr. Jerry L. Hatley, Ms. Anisa H. Ramirez, Ms. Myrta I. Garza,* and *Mr. Dillon E. Vanderford*, be **appointed** to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ricardo Longoria, Jr., **withdrew** his motion. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ricardo Longoria, Jr, moved that *Mr. Dillon E. Vanderford,* and *Ms. Myrta I. Garza,* be **re-appointed** to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Jessica Tetreau moved that *Mr. Jorge Santoy* be **appointed** to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

Commissioner Joel Munguia moved that *Mr. Benjamin Del Angel* be **appointed** to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ben Neece moved that *Mr. Joe Lee Rubio*, be **appointed** to the Parks and Recreation Advisory Board. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

14. Consideration and ACTION to appoint members to the vacancies of the Brownsville Beautification Committee.

Agenda Item was removed as per City Staff.

15. Consideration and ACTION to appoint two (2) regular members and two (2) alternate members to the Building and Standards Commission.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Cesar de Leon and carried unanimously, this item was **tabled**.

16. Consideration and ACTION to appoint one (1) alternate member to the Board of Adjustment.

Commissioner Jessica Tetreau moved that *Mr. Jose A. Hinojosa*, be **appointed** as an alternate, to the Board of Adjustment. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

Commissioner Ricardo Longoria, Jr., moved that *Mr. Martin Metzger*, be **appointed** as an alternate, to the Board of Adjustment. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

17. Consideration and ACTION to appoint or reappoint one regular member to the Historic Preservation and Design Review Board.

Commissioner Rose Gowen moved that *Mr. Juan “Trey” Mendez, III*, be **re-appointed** as a regular member to the Historic Preservation and Design Review Board. The motion was seconded by Commissioner Ben Neece and carried unanimously.

18. Consideration and ACTION to appoint two (2) members to the Planning and Zoning Commission.

Commissioner Cesar de Leon moved that *Mr. Derek Benavides* be **appointed** to the Planning and Zoning Commission. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

Commissioner Ben Neece moved that **Mr. Ronald Mills** be **appointed** to the Planning and Zoning Commission. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- 19. Consideration and ACTION to adopt Resolution Number 2018-039, amending portions of a Resolution that was adopted by the City Commission on December 11, 1996, setting forth a plan for health benefits for qualified retirees from the City of Brownsville that were not covered by a collective bargaining agreement.**

Mr. Pete Gonzalez, Deputy City Manager, gave a brief explanation of the proposed resolution.

Brief discussion ensued amongst the Commission.

Commissioner Rose Gowen moved that Resolution Number 2018-039, amending portions of a Resolution that was adopted by the City Commission on December 11, 1996, setting forth a plan for health benefits for qualified retirees from the City of Brownsville that were not covered by a collective bargaining agreement, **adopted** and **approved**. The motion was seconded by Commissioner Cesar de Leon and carried as follow:

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

Nays: Commissioner Neece

- 20. Consideration and ACTION on Resolution Number 2018-043, accepting a donation for public purposes of 43.97 acres of real property from University Park Development, LTD, located approximately on South Palm Boulevard in the Amigo Land Section II Subdivision; an dealing with related matters.**

As per City Staff this agenda item was removed.

- 21. Consideration and ACTION to approve the Brownsville Community Improvement Corporation (BCIC) FY 2019 Annual Budget.**

Ms. Rebecca Castillo, Brownsville Community Improvement Corporation Executive Director, delivered a PowerPoint presentation regarding the BCIC Annual Budget.

Commissioner Jessica Tetreau moved that the Brownsville Community Improvement Corporation (BCIC) FY 2019 Annual Budget, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- 22. Consideration and ACTION authorizing the filing of the FY 2018 grant application with the Federal Transit Administration Section 5310 Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program (authorized by 49 U.S.C. Chapter 53, Title 23, United States Code) for self-certification to use for Capital Project to acquire rolling stock ADA complementary paratransit vehicle.**

Commissioner Cesar de Leon moved that the filing of the FY 2018 grant application with the Federal Transit Administration Section 5310 Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program (authorized by 49 U.S.C. Chapter 53, Title 23, United States Code) for self-

certification to use for Capital Project to acquire rolling stock ADA complementary paratransit vehicle, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

23. Consideration and ACTION to request authorization to approve the award for the construction of Cell 4 at the City of Brownsville Landfill.

Commissioner Jessica Tetreau moved that the request to approve the award for the construction of Cell 4 at the City of Brownsville Landfill, **authorized** and **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

24. Consideration and ACTION to award a contract for purchase, delivery, installation, maintenance and technical support for Downtown Surveillance Camera System.

Mr. Roberto Luna, Purchasing Director, gave a brief explanation of the Agenda Item, noting that the cameras would be installed in the Downtown District.

Brief discussion ensued amongst the Commission and City staff.

Commissioner Neece moved that the contract for purchase, delivery, installation, maintenance and technical support for Downtown Surveillance Camera System, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

25. Consideration and ACTION to amend Resolution Number 2012-005, in regards to the Board Appointment Policy.

Commissioner Ricardo Longoria, Jr., gave a brief explanation of the proposed changes to the Board Appointment Policy.

Brief discussion ensued amongst the Commission.

Upon motion by Commissioner Ben Neece moved that this item be **tabled**. The motion was seconded by Commissioner Rose Gowen and carried as follow:

Ayes: Commissioners Neece, Gowen and Mayor Martinez

Nays: Commissioners Longoria, Jr., Tetreau, de Leon, Munguia

Commissioner Ricardo Longoria, Jr., moved that the language under Eligibility Criteria, letter (j) Multiple Services – Board and Commission Members shall not serve concurrently on more than one Board or Commission effectively immediately August 21, 2018, and therefore giving the Board Member the option on which Board they would like to serve on, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried as follow:

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

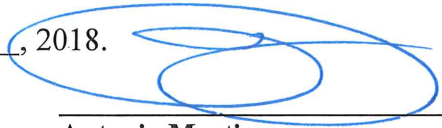
Nays: Commissioner Neece

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ADJOURNMENT:

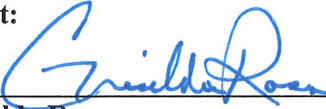
There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 8:15 p.m.

Approved this 4th day of September, 2018.



Antonio Martinez
Mayor

Attest:



Griselda Rosas
City Secretary



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