

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, September 04, 2018**, at **5:15 P.M.** and 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 |
| 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 31, 2018.

EXECUTIVE SESSION: 5:15 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 5:15 p.m. to discuss the following items:

- A) Discussion pursuant to Section §551.072, of the Texas Government Code, regarding properties struck off to Cameron County for itself and other taxing jurisdictions from a tax resale conducted on July 03, 2018.**
- B) Discussion pursuant to Section §551.072, of the Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property.**
- C) Presentation and discussion of the recommendations of the Public Utilities Board of the City of Brownsville and its evaluations of a specific generation unit and its potential disposition based upon such evaluations; attorney consultation relating to City Commission’s duties and authority regarding same; and possible actions and recommendations related thereto. (TOMA § 551.086 and 551.071).**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:00 p.m. No action was taken in Executive Session

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 Embassy of the Spirit Church, of Brownsville, Texas.

ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

- A) **Discussion and possible ACTION on Resolution Numbers 2018-044 through Resolution Number 2018-046, approving the highest bid(s) received on the tax resale conducted on July 3, 2018.**

LEGAL DESCRIPTION: LOT 11, N. S. LIDDELL SUBDIVISION, SECTION 7, A SUBDIVISION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 1036, PAGE 315, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 05-1650-0070-0110-00)

LEGAL DESCRIPTION: 1.50 ACRE, MORE OR LESS, BEING LOT 5, TORRES SUBDIVISION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 32, PAGE 19, MAP RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 78-4900-0000-0050-00)

LEGAL DESCRIPTION: FRACTIONAL LOT 10, BLOCK 3, WEST BROWNSVILLE ADDITION, AN ADDITION TO THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS, AS DESCRIBED IN VOLUME 606, PAGE 362, DEED RECORDS OF CAMERON COUNTY, TEXAS. (ACCT. NO. 07-6890-0030-0100-00)

Commissioner Ricardo Longoria, Jr., moved to **continue** as advised by Legal Counsel in Executive Session. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez did not deliver a report.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Rose Gowen invited the community to attend the 9/11 Memorial Ride to be held at 8:00 a.m., on Sunday, September 9, 2018, at the Brownville Fire Department Station 8, 1855 Captain Donald Foust Road, also promoted Cyclobia Nights Brownsville’s Living History to be held on Friday, September 7, 2018 at 6:30 p.m. to 10:30 p.m. at Downtown Brownsville.

Commissioner Ben Neece thanked everyone for attending the inauguration of the Market Square Substation Brownville Police Department and also invited the community to the Noche en Garibalde Event, hosted by Mr. Amigo Association, to be held on Friday, September 14, 2018, from 5:30 p.m. to 12:00 p.m.

3. CITY MANAGER’S UPDATE:

Mr. Michael Lopez, Interim City Manager, briefly updated the Commission with the following:

- Nearly 4,000 sandbags were distributed to Brownsville residents and business owners
- Looking on how to handle the drainage issue
- Will be holding a meeting with Community Development Corporation of Brownsville (CDCB), Greater Brownsville Incentives Corporation (GBIC), as requested by the Commission

4. PRESENTATIONS:

Employee of the Month
(Fire Chief Jarett Sheldon)

Fire Chief Jarett Sheldon, recognized *Mr. Cesar Cepeda, Firefighter A*, as September’s Employee of the Month.

Zoning Survey Results
(Planning Department)

Ms. Francesca Linder, Zoning and Subdivision Administrator, delivered a PowerPoint presentation regarding the Zoning Survey Results.

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 Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, Consent Agenda Items “a” through “f” were **approved**.

ITEMS No. “a” through “f”

- a) Approval of the Minutes of the Regular Meeting of August 07, 2018.
- b) Approval of the Minutes of the Regular Meeting of August 21, 2018.
- c) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Bryant Walker	Airport	Arlington, VA	October 14-18, 2018
Jarrett V. Sheldon	Fire	Austin, TX	October 24-25, 2018
Raymundo Arellano	Parks	Lake Jackson, TX	September 17-20, 2018
Luis Uresti	Parks	Lake Jackson, TX	September 17-20, 2018
Nathan Burkhart	Parks	Lake Jackson, TX	September 18-21, 2018
Raul Maraboto	Parks	Lake Jackson, TX	September 17-20, 2018
Albert Toriz	Police	La Porte, TX	September 04-07, 2018
Juan G. Arellano	Police	San Antonio, TX	September 04-06, 2018
Humberto Delgado	Police	San Antonio, TX	September 04-06, 2018

- d) **APPROVAL** on **SECOND** and **FINAL 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)
- e) **APPROVAL** on **SECOND** and **FINAL 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)
- f) **APPROVAL** on **SECOND** and **FINAL 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)

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PUBLIC HEARINGS:

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 2018-1100.59, amending the Code of Ordinances, Chapter 344-Vegetation, by adding the New Article V.-Landscape Irrigation, Sections 344-300 through 344-500; and dealing with related matters.

Ms. Myrna Leal, Planner I, 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 2018-1100.59**, be **adopted** at first reading, amending the Code of Ordinances, Chapter 344-Vegetation, by adding the New Article V.-Landscape Irrigation, Sections 344-300 through 344-500; and dealing with related matters. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

7. SECOND Public Hearing to discuss the 2018 ad valorem tax rate for Fiscal Year 2019.

Mr. Lupe Granado, Finance Director gave a brief explanation of the ad valorem tax rate.

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

8. Public Hearing to discuss the City’s proposed Fiscal Year 2019 Budget.

Mr. Jorge Santillan, Assistant Finance Director, gave a brief explanation of the proposed Fiscal Year 2019 budget.

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

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9. PUBLIC COMMENT PERIOD: PLEASE NOTE:

No one signed up for Public Comment Period.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 10. Consideration and ACTION on Ordinance Number 2018-1649, authorizing the issuance of up to \$20,500,000 in principal amount of City of Brownsville, Texas Tax Notes, Taxable Series 2018, for the purpose of financing improvements to the Brownsville/South Padre Island International Airport; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of a paying agent/registrar agreement, an installment delivery note purchase agreement, and all other instruments and procedures related thereto; delegating authority to certain city officials to approve certain final terms and the installment delivery of such notes; and providing for an immediate effective date.**

Mr. Michael Lopez, Interim City Manager, gave a brief explanation of the proposed ordinance.

Commissioner Rose Gowen moved that Ordinance Number 2018-1649, authorizing the issuance of up to \$20,500,000 in principal amount of City of Brownsville, Texas Tax Notes, Taxable Series 2018, for the purpose of financing improvements to the Brownsville/South Padre Island International Airport; securing the payment thereof by authorizing the levy of an annual ad valorem tax; approving and authorizing the execution of a paying agent/registrar agreement, an installment delivery note purchase agreement, and all other instruments and procedures related thereto; delegating authority to certain city officials to approve certain final terms and the installment delivery of such notes; and providing for an immediate effective date, be **authorized** and **approved**. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

- 11. Consideration and ACTION to reconsider the City of Brownsville's Policy on Multiple Board and Commission Appointments.**

Brief discussion ensued amongst the Commission regarding the Board Appointment Policy.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, the agenda item was **tabled**.

- 12. Consideration and ACTION on Resolution Number 2018-040, to amend Resolution Number 2013-051 by accepting Grant No. 3-48-0031-041-2013, Amendment No. 1 to increase the maximum obligation of the United States by the amount of \$356,331.00, to cover the Federal Share of the total actual eligible and allowable project costs, grant offer.**

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2018-040, to amend Resolution Number 2013-051 by accepting Grant No. 3-48-0031-041-2013, Amendment No. 1 to increase the maximum obligation of the United States by the amount of \$356,331.00, to cover the Federal Share of the total actual eligible and allowable project costs, grant offer, be **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

- 13. Consideration and ACTION to accept Grant Number 3-48-0031-046-2018, from the Federal Aviation Administration in the amount of \$730,000.00, for Airport Improvement Projects at the Brownsville South Padre Island International Airport.**

Commissioner Rose Gowen moved that a Grant Number 3-48-0031-046-2018, from the Federal Aviation Administration in the amount of \$730,000.00, for Airport Improvement Projects at the Brownsville South Padre Island International Airport, be **accepted** and **approved**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

14. Consideration and ACTION to acknowledge the financial statements and cash investment report for the City of Brownsville for the third quarter ended June 30, 2018.

Commissioner Ricardo Longoria, Jr., moved that the financial statements and cash investment report for the City of Brownsville for the third quarter ended June 30, 2018, be **acknowledged**. The motion was seconded by Commissioner Joel Munguia and carried unanimously.

15. Consideration and ACTION to approve a Memorandum of Understanding (MOU) between the Texas Task Force One and the Brownsville Fire Department.

Commissioner Ricardo Longoria, Jr., moved that a Memorandum of Understanding (MOU) between the Texas Task Force One and the Brownsville Fire Department, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

16. Consideration, ACTION and Discussion to award contract for Architectural Services for the BCRC Senior Center Texas Parks and Wildlife Department Grant #51-000073 as per the City of Brownsville Master Architectural Agreement.

Commissioner Rose Gowen moved that contract for Architectural Services for the BCRC Senior Center Texas Parks and Wildlife Department Grant #51-000073 as per the City of Brownsville Master Architectural Agreement, be **awarded** and **approved**. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 6:26 p.m.

Approved this 2nd day of October, 2018



Antonio Martinez
Mayor

Attest:



Griselda Rosas
City Secretary



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