

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, October 02, 2018**, at **4:10 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: 4:10 P.M.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the Executive Session convened at 4:10 p.m. to discuss the following items:

- A) Attorney consultation pursuant to Section 551.071(2), Texas Gov’t Code, to secure legal advice with respect to the City Commission’s authority, powers, privileges and obligations in connection with the appointment of a City Manager under Article V of the City Charter.**
- B) Consideration and appropriate action pursuant to Section 551.074, Texas Gov’t Code to deliberate the appointment, employment, and duties of a public officer, i.e. the City Manager for the City of Brownsville, Texas under Article V of the City Charter.**
- C) Pursuant to Texas Government Code Section 551.074, Personnel Matters: Discussion of personnel, deliberations on appointment, employment, evaluation, reassignment, duties, discipline, and dismissal, or to hear complaints against personnel.**
 - 1. Appointment of City Attorney**

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

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 7:15 p.m. No action was taken in Executive Session.

REGULAR MEETING: 7:15 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:

C) Consideration and possible ACTION to hire a City Attorney.

- Lysia H. Bowling**
- Rene E. De Coss**
- Gerry Linan**

Commissioner Cesar de Leon moved that Rene De Coss, be hired as the City Attorney for the City of Brownsville and the Interim City Manager Michael Lopez, proceed to negotiate the contract. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez apologized for starting the regular meeting late.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Jessica Tetreau briefly informed the community of the animal adoption and was working on an event where elderly dogs will be up for adoption with the fee at \$1.00. She also thanked Brownsville Public Utilities Board for their help with the installation of surveillance cameras in various neighborhoods that will help in illegal dumping enforcement.

Commissioner Ricardo Longoria, Jr., briefly informed the community that due to recent rains the city continues to have problems with trash and clogged gutters and drains. If there are any concerns to please call 546-HELP to set up work order.

3. CITY MANAGER’S UPDATE:

Mr. Michael Lopez, Interim City Manager did not deliver a report.

4. PRESENTATIONS: Positive Community Impact Coalition

Alexandra Ybarra from the Behavioral Health Solutions gave a brief presentation of the Positive Community Impact Coalition Youth Group comprised of 20 to 25 students from B.I.S.D. that create awareness to the youth.

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 “r” were **approved**.

ITEMS No. “a” through “r”

- a) Approval of the Minutes of the Regular Meeting of August 28, 2018.
- b) Approval of the Minutes of the Regular Meeting of September 04, 2018.
- c) Approval of the Minutes of the Regular Meeting of September 11, 2018.
- d) Approval of the Minutes of the Regular Meeting of September 17, 2018.
- e) Approval of the Minutes of the Regular Meeting of September 18, 2018.
- f) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Tracie Orcillez	BMetro	New Braunfels, TX	Oct. 28-31, 2018
Samuel Ortega	Fire	Fort Worth, TX	Nov. 17-21, 2018
Amanda Ely	Fire	Austin, TX	Oct. 14-19, 2018
Claudio J. Ortiz	Fire	Austin, TX	Oct. 14-19, 2018
Isaac Briones	Fire	Freeport, TX	Oct. 22-24, 2018
Desiderio Tristan	Fire	Freeport, TX	Oct. 22-24, 2018
Alfonso Vallejo	MPO	Tyler, TX	Oct. 15-18, 2018
Antonio Zubieta	MPO	Tyler, TX	Oct. 15-18, 2018
Alfonso Vallejo	MPO	Austin, TX	Oct. 22-23, 2018
Eva L. Garcia	PARD	Jackson, WY	Oct. 12-19, 2018
Miriam Suarez	Planning	Corpus Christi, TX	Nov. 06-09, 2018
Luis A. Saucedo	Planning	Bryan, TX	Nov. 04-10, 2018
Omar J. Ochoa	Planning	San Antonio, TX	Nov. 04-09, 2018
Jose Juan Trevino	Police	Schertz, TX	Oct. 08-10, 2018
Joe Villarreal	Police	Waco, TX	Oct. 11-14, 2018
John B. Pucket	Police	Corpus Christi, TX	Oct. 14-18, 2018
Imelda Valadez	Police	San Antonio, TX	Oct. 09-12, 2018
Ruby Perez	Police	San Antonio, TX	Oct. 09-12, 2018
Reynaldo Ordonez	Police	San Antonio, TX	Oct. 15-19, 2018
Sergio H. Perez	Police	San Antonio, TX	Oct. 15-19, 2018
Manuel E. Lucio	Police	San Antonio, TX	Oct. 15-19, 2018
Santiago Navarro	Police	San Antonio, TX	Oct. 15-19, 2018

- g) Consideration and **ACTION** to authorize 28 employees to attend the ARFF Live Fire Training on October 12, 2018, October 19, 2018, and October 26, 2018, at the Laredo International Fire & Law Enforcement Training Center in Laredo, Texas.
- h) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 2017-1629**, “Youth Advisory Council”.

- i) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-024-S**, to allow a freight terminal, a Medium Commercial (6C) use, in General Retail “Z” (4CZ) for 1.45 acres of land, more or less, out of the southwest portion of a certain 5.0 acre Tract out of Tract T, Share 12, Espiritu Santo Grant, located at 7291 North Expressway 77. (District 3)
- j) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-039**, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 12, Block 40, East Brownsville, Fourth Section, located at 3125 East 26th Street. (District 1)
- k) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-040**, to rezone from Dwelling “A” (DA) to Dwelling “F” (DF) for Lot 32, Block 6, Garden Parks Subdivision, an Addition to the City of Brownsville, located at 105 Park Street. (District 4)
- l) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-041**, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 10, Block 29, East Brownsville Addition Third Section, located at 354 Hortencia Boulevard. (District 1)
- m) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-042**, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for Lot 24, Block 5, Milpa Verde Subdivision, Section III, an addition to the City of Brownsville, located at 2704 Elena Street. (District 1)
- n) **APPROVAL** on **SECOND** and **FINAL READING** on **Ordinance Number 235-2018-043-CO**, to rezone from Dwelling “Z” (DZ) to Medium Retail “Z” (3CZ) for Lot 1, Block 1, San Juana Subdivision, located at 8028 East Ruben Torres. (District 2)
- o) Consideration and **ACTION** to approve the Geotechnical and Laboratory Testing Services for a task order with Terracon.
- p) Consideration and **ACTION** to award a contract for purchase, delivery and installation of Seal Coat Runway 13-31 at the Brownsville/South Padre Island International Airport.
- q) Acknowledgement of Emergency Procurement to address replacement of El Tapiz Elevator for the City of Brownsville.
- r) Consideration and **ACTION** to renew term contract for DOT and NON-DOT Drug Testing and Pre-Employment Services, with the amendment for additional services with fee increase.

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6. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Mr. Roy de Los Santos expressed concern regarding the appointments to the Boards.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 7. **Consideration and possible ACTION to approve the employment contract of City Attorney.**
- 8. **Consideration and possible ACTION authorizing Interim City Manager to sign and execute employment contract of City Attorney.**

Agenda Items #7 and #8 were removed as per City Staff.

9. **Consideration and possible ACTION to amend the City of Brownsville Policy on Board and Commission Member Appointment and Eligibility, Section V. Term of Office, Attendance and Multiple Service, subsection (f) Multiple Service to provide that board and commission members shall not serve concurrently on more than one (1) board or commission to become effective immediately.**

Commissioner Ricardo Longoria, Jr. moved that the amendment of the City of Brownsville Policy on Board and Commission Member Appointment and Eligibility, Section V. Term of Office, Attendance and Multiple Service, subsection (f) Multiple Service to provide that board and commission members shall not serve concurrently on more than one (1) board or commission to become effective immediately, be **accepted** and **approved**. The motion was seconded by Commissioner Joel Munguia and carried as follow:

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

Nays: Commissioner Neece

10. **Consideration and ACTION to accept a Grant 3-48-0031-048-2018 in the amount of \$8,000,000.00, from the Federal Aviation Administration (FAA) for projects at the Brownsville/South Padre Island International Airport.**

Mr. Francisco Partida, Airport Special Projects Manager, gave a brief explanation of the agenda item.

Commissioner Jessica Tetreau moved that the acceptance of Grant 3-48-0031-048-2018 in the amount of \$8,000,000.00, from the Federal Aviation Administration (FAA) for projects at the Brownsville/South Padre Island International Airport, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

11. **Consideration and ACTION to award a contract for the construction of a New Passenger Terminal Phase 2 for the Brownsville/South Padre Island International Airport.**

Mr. Francisco Partida, Airport Special Projects Manager, gave a brief explanation of the agenda item.

Commissioner Jessica Tetreau moved to award a contract for the construction of a New Passenger Terminal Phase 2 for the Brownsville/South Padre Island International Airport, to be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

12. **Consideration and ACTION on Task Order #2 for Construction Administration Services between Jviation, Inc., and the City of Brownsville for the Seal Coat of RWY 13-31 Project in the amount of \$43,829.00.**

Mr. Shawn Shroeder, Airport Assistant Director, gave a brief description of the agenda item.

Commissioner Jessica Tetreau moved on Task Order #2 for Construction Administration Services between Jviation, Inc., and the City of Brownsville for the Seal Coat of RWY 13-31 Project in

the amount of \$43,829.00 to be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

13. Consideration and ACTION to request authorization to approve advertising and promotion services under current term contract for the Brownsville/South Padre Island International Airport with Millar-Hollander Advertising Design Marketing.

Commissioner Jessica Tetreau moved to request authorization to approve advertising and promotion services under current term contract for the Brownsville/South Padre Island International Airport with Millar-Hollander Advertising Design Marketing, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

14. Consideration and ACTION to approve a Memorandum of Understanding (MOU) between the City of Brownsville and the Gladys Porter Zoo whereby the City of Brownsville will contribute up to \$208,810.00, for capital improvement project.

Mr. Michael L. Lopez, Interim City Manager, gave a brief explanation of the agenda item.

Commissioner Cesar de Leon moved that a Memorandum of Understanding (MOU) between the City of Brownsville and the Gladys Porter Zoo whereby the City of Brownsville will contribute up to \$208,810.00, for capital improvement project, to be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion the meeting adjourned at 7:35 p.m.

Approved this 16th 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