

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, January 03, 2017**, at **5:45 P.M.** and **6:00 P.M.** with the following members present:

- | | | |
|------------------------------|---|---|
| ANTONIO MARTINEZ |) | MAYOR |
| | | COMMISSIONERS |
| RICARDO LONGORIA, JR. |) | District 1 |
| DEBORAH PORTILLO |) | District 3 |
| JOHN VILLARREAL |) | District 4 |
| CESAR DE LEON |) | At-Large “A” |
| ROSE M.Z. GOWEN, M.D. |) | At-Large “B” |
| CHARLIE CABLER | | CITY MANAGER |
| ALLISON BASTIAN | | DEPUTY CITY ATTORNEY |
| MICHAEL L. LOPEZ | | ASSISTANT CITY MANAGER/
CITY SECRETARY |
| ABSENT: | | JESSICA TETREAU) District 2 |

A quorum being present, Mayor Antonio Martinez, asked Ms. Griselda Rosas, Assistant 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 December 30, 2016.

Commissioners Deborah Portillo and Cesar de Leon arrived during the Executive Session.

EXECUTIVE SESSION: 5:45 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr. seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 5:33 p.m. to discuss the following items:

- A) Consultation with City Attorney regarding pending litigation pursuant to Section 551.071 of the Texas Government Code on a matter in which the duty of the attorney(s) to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 55, Texas Government Code.**
- B) Discussion pursuant to Texas Government Code 551.074 to discuss the evaluation and employment of the City Attorney.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:37 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 and the Texas Pledge was led by Mayor Antonio Martinez.

INVOCATION:

The invocation was delivered by Pastor Brad Burkes, from Embassy of the Spirit Church, Brownsville, Texas.

ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

A). Discussion and Possible ACTION regarding pending litigation.

Commissioner Cesar de Leon moved to **proceed** as advised by Legal Counsel. The motion was seconded by Commissioner John Villarreal and carried unanimously.

B) Discussion and Possible ACTION to make City Attorney a City Employee.

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

1. MAYOR'S ACTIVITY UPDATE:

Mayor Antonio Martinez wished everyone a Happy New Year and making 2016 a successful year and looking forward for the year of 2017.

2. COMMISSIONERS' ACTIVITY UPDATE:

Commissioner Cesar de Leon thanked City staff for making 2016 a successful year and looking forward for the year of 2017.

3. PRESENTATIONS:

Employee of the Month
(Charlie Cabler – City Manager)

Mr. Charlie Cabler, City Manager, recognized **Ricardo Villanueva, Administrative Specialist II**, from Human Resources/Safety & Risk Management, as January's Employee of the Month.

Community-Wide Campaign Impact
(Arturo Rodriguez-Public Health)

Mr. Arturo Rodriguez, Public Health Director introduced Ms. Lisa Mitchell Bennett, Representative from UT Health, whom delivered a PowerPoint presentation regarding an update on creating a Culture of Health for building a prosperous, healthy and active community to promote active lifestyles.

Point in Time Count
(Marina Zolezzi – Grants)

Ms. Marina Zolezzi, Grants Director, introduced Ms. Julia Lash, HOME Manager and Ms. Anali Ibarra, Social Services Manager, whom delivered a PowerPoint presentation regarding a comprehensive and accurate Point In Time count which will give the community a baseline on which goals to base it on.

4. CONSENT AGENDA ITEMS:

All consent Agenda Items listed were considered to be routine by the City Commission and were approved by one motion.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner John Villarreal 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 December 6, 2016.
- b) Approval of the Minutes of the Regular Meeting of December 13, 2016.
- 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	Austin, TX	Jan. 30-Feb. 01, 2017
Norma H. Zamora	BMetro	Austin, TX	Jan. 24-26, 2017
Tracie Ann Orcillez	BMetro	Stafford, TX	Jan. 24-26, 2017
Norma H. Zamora	BMetro	Austin, TX	Jan. 30-Feb. 01, 2017
Dorene Fourar	BMetro	Austin, TX	Jan. 30-Feb. 01, 2017
David Licon Jr.	Engineering	Austin, TX	Jan. 22-25, 2017
Doroteo Garcia Jr.	Engineering	Austin, TX	Jan. 31-Feb. 03, 2017
Oscar Salinas	Human Resources	San Marcos, TX	Jan. 31-Feb. 03, 2017
Cristobal Abrego	Police	Artesia, NM	Jan. 08-14, 2017
Joe D. Flores	Police	Artesia, NM	Jan. 08-14, 2017
Juan J. Garcia	Police	Artesia, NM	Jan. 08-14, 2017

- d) **APPROVAL on SECOND and FINAL READING on Ordinance Number 2016-1202-I, amending Chapter 42, Emergency Services; Article III, Emergency Medical Services; Section 42-101, Rates for City Emergency Medical Services and dealing with related matters.**
- e) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-088, to rezone from Professional Office “Z” (1CZ) to General Retail “H” (4CH) for 1.35 acres for Share 22, Tract B-1 of Espiritu Santo Grant located at 1260 Ruben Torres Boulevard. (District 3)**
- f) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-089, to rezone from Apartment “J” (AJ) to General Retail “J” (4CJ) for .1378 acres for Lot 9, Block 39 of Brownsville Original Townsite located at 623 E. St. Charles Street. (District 4)**
- g) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-090, to rezone from Apartment “G” (AG) to Apartment “H” for .84 acres for Lots 12 &13, Block 6 of Cameron Park Section 3 located near Avenida Meza and Avenida Eduardo. (District 3)**

- h) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-601-CU, an ordinance allowing a condition use permit to sale on-premises alcohol (Wet Restaurant) of Lots 3 & 4, Block of La Peca Subdivision located at 1069 S. Expressway 77. (District 3)**
- i) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-917, to rezone from Apartment (A) “H” to Dwelling (D) “A” all of Sunnyside Acres Subdivision Section 1, 2, Replat 1, and 3 located on the corner of Wild Rose Ln. and Honeydale Road. (District 4)**
- j) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-918, to rezone from Light Industrial (7C) “J” to General Retail (4C) “A” & Dwelling (D) “A” Sports Palace Subdivision AN-1, 1.5000 Acres Los Ebanos Properties Subdivision S. PT. Block 3, 2.2700Ac Tri Roads Plaza Lot 4, 0.1650 Acres Los Ebanos Properties Subdivision S Resub Block 1 Lot 5, 6, 7, 8, and 9, Reynolds Block 1, Lot 1 Espiritu Santo Grant SH 22 E 100’X125’ PT TR-N, 0.2410 Acres (07-9800-0140-0135-00)
Espiritu Santo Grant SH 22 0.459 out of a 33.41 Acres (W 100’X200’ of TR N PT TR 1-A) (07-9800-0140-0131-00)
Espiritu Santo Grant SH 22 Tract N S of Resaca 1.5650 Acres (07-9800-0140-0104-00)
Espiritu Santo Grant SH 22 Tract N (PART OF) 0.3950 Acres (07-9800-0140-0102-00)
Espiritu Santo Grant SH 22 Tract N (PART OF) S of Res 4020 Acres (07-9800-0140-0170-00)
Espiritu Santo Grant SH 22 S of Res PT TRACT N. 1.0890 Acres (07-9800-0140-0107-00)
East Price Lot 1 & 2 .7720 Acres P I C Subdivision Block 1, Lots 1, 2 Hidden Isle Subdivision Lots 17 thru 22 (Dwelling (D) “A”) located on the intersection of Price Road and Paredes Line Road. (Districts 3 & 2)**
- k) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-919, to rezone from Light Industrial (7C) “J” to Dwelling (D) “A” all of Hacienda Estates Sections 3 located on the corner of La Feria Road and Hacienda Ln. (District 4)**
- l) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-920, to rezone from Apartment (A) “H” to Dwelling (D) “A” all of San Antonio Estates Lots 1 thru 19 Espiritu Santo Grant SH 19/27 7 Share 19/27 PT Block 14, 0.5000 ACR (02-7910-0140-1013-00) located at corner of S. Club House Road and San Antonio Dr. (District 1)**
- m) **APPROVAL on SECOND on FINAL READING on Ordinance Number 235-2016-921, to rezone from Dwelling (D) “Z” to Dwelling (D) “G” all of Palmetto Grove Subdivision and Phase 2 Replat Save and except Lots 1A, 2A Block 2 Palmetto Grove Subdivision located on the corner of FM 1419 and S. Dakota Ave. (District 1)**
- n) **Consideration and ACTION to accept agreement by and between the City of Brownsville and Dr. John Wells, as the Health Authority for the City of Brownsville Public Health Department.**
- o) **Consideration and ACTION to award the purchase of chemicals for treating mosquitoes.**

p) Consideration and ACTION to request authorization to extend term for total protection on a 9-month preventive maintenance and service contract.

BOARDS AND COMMISSIONS:

5. Consideration and ACTION to appoint or re-appoint three (3) members to the Brownsville Community Improvement Corporation (BCIC).

Commissioner Ricardo Longoria, Jr., moved that *Commissioner Deborah Portillo* be *re-appointed* to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner Cesar de Leon moved that *Commissioner John Villarreal* be *re-appointed* to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

Commissioner Cesar de Leon moved that *Ms. Felicia Fruia-Edge* be *appointed* to the Brownsville Community Improvement Corporation (BCIC). The motion was seconded by Commissioner Rose Gowen and carried unanimously.

PUBLIC HEARINGS:

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-086, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 1 Block 16 of Colonia Acacia Subdivision located at 2680 Lima Street. (District 1)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed ordinance noting that the Planning and Zoning Commission did not approve the rezoning of the proposed ordinance.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-086, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 1 Block 16 of Colonia Acacia Subdivision located at 2680 Lima Street. (District 1) The motion was seconded by Commissioner John Villarreal and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-091, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 1, Block 4 of Mullen Subdivision located at 240 Blanche. (District 1)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed ordinance noting that the Planning and Zoning Commission did not approve the rezoning of the proposed ordinance.

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 235-2016-091, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to Dwelling “G” (DG) for Lot 1, Block 4 of Mullen Subdivision located at 240 Blanche. (District 1) The motion was seconded by Commissioner John Villarreal and carried unanimously.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 2016-223-D, amending the Code of Ordinances, Chapter 86, by adding Article IV “Temporary Use of Public Right-of-Way in Downtown Brownsville”.

Agenda item was removed.

9. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Ms. Graciela de Pena expressed concern and requested from the Commission for their support to work together and improve the literacy rate within the City of Brownsville.

ACTION ITEMS:

10. Consideration and ACTION to adopt Resolution Number 2017-001 re-accepting, reviewing, amending, and re-adopting all of the provisions listed in the documents, titled, “City of Brownsville, Texas Amended Investment Policy” and “City of Brownsville, Texas, Amended Investment Strategy Statement”.

Mr. Lupe Granado, Finance Director delivered a PowerPoint presentation regarding the Amended Investment Policy and Amended Investment Strategy Statement as required by the City’s investment and strategy policy.

Commissioner Rose Gowen moved that Resolution Number 2017-001 re-accepting, reviewing, amending, and re-adopting all of the provisions listed in the documents, titled, “City of Brownsville, Texas Amended Investment Policy” and “City of Brownsville, Texas, Amended Investment Strategy Statement”, 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 7:10 p.m.

Approved this 17th day of January, 2017.

Antonio Martinez FOR
Antonio Martinez
Mayor

Attest:
Michael L. Lopez
Michael L. Lopez, MPA
City Secretary



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