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 17, 2017,** at **5:45 P.M.** and **6:00 P.M.** with the following members present:

		COMMISSIONERS
RICARDO LONGORIA, JR.	**)**	**District 1**
JESSICA TETREAU	**)**	**District 2**
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**
MARK SOSSI		**CITY ATTORNEY**
MICHAEL L. LOPEZ		**ASSISTANT CITY MANAGER/ CITY SECRETARY**
ABSENT:		**MAYOR ANTONIO MARTINEZ**

A quorum being present, Mayor Pro-Tem Rose M.Z. Gowen, 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 January 13, 2017.

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EXECUTIVE SESSION: 5:45 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner John Villarreal and carried unanimously, the Executive Session convened at 5:45 p.m. to discuss the following items:

A) Discussion pursuant to Texas Government Code 551.074 to discuss the evaluation and employment of the City Attorney.

Upon conclusion of Executive Session Mayor Pro-Tem Rose M.Z. Gowen, convened the Regular Meeting at 6:33 p.m. No action was taken in Executive Session.

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REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: ***UNITED STATES PLEDGE * TEXAS PLEDGE***

The Pledge of Allegiance was led by Mayor Pro-Tem Rose M.Z. Gowen and the Texas Pledge was led by Commissioner Ricardo Longoria, Jr.

INVOCATION:

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

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ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

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

Commissioner Ricardo Longoria, Jr., moved **to proceed** as discussed in Executive Session to make City Attorney a City Employee. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

1. *MAYOR'S ACTIVITY UPDATE:*

No report delivered.

2. *COMMISSIONERS' ACTIVITY UPDATE*:

Commissioner Jessica Tetreau encouraged everyone to participate during the Charro Days Festival.

Commissioner Rose Gowen announced that the ninth edition of the weight-loss competition registration would start on Friday, January 20, 2017, from 5:00 pm to 8:00 pm at the Southmost Public Library and at the Brownsville Main Public Library and Saturday, January 21, 2017, from 9:00 am to 12:00 pm at the Linear Park (by Farmers' Market).

3. *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 John Villarreal seconded by Commissioner Ricardo Longoria, Jr., 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 January 03, 2017.
b) To acknowledge the following individuals to incur travel expense:

Employee	Department	Destination	Date
Bryant Walker	Aviation	Las Vegas, NV	Feb. 14-16, 2017
Ramiro Gonzalez	City Secretary	Austin, TX	Jan. 30-Feb. 01, 2017
Ramiro Gonzalez	City Secretary	Austin, TX	Jan. 19-20, 2017
Carlos A. Elizondo	Fire	San Marcos, TX	Feb. 01-03, 2017
Christopher Haggstrom	Health	Portland, TX	Feb. 06-07, 2017
Zaida Lamas	Human Resources	Houston, TX	Feb. 15, 2017
Damaris McGlone	Parks	Irving, TX	Feb. 28-Mar. 03, 2017
Cory Vander Veen	Parks	Irving, TX	Feb. 28-Mar. 03, 2017
Shannon Guerrero	Parks	Irving, TX	Feb. 28-Mar. 03, 2017
Michelle Otero	Parks	Irving, TX	Feb. 28-Mar. 03, 2017

Joe Villarreal	Police	Dallas/Fort Worth, TX	Jan. 13-16, 2017
Fernando Ramirez	Public Works	Nashville, TN	Jan. 31-Feb. 03, 2017
Cirilo Hernandez	Public Works	Nashville, TN	Jan. 31-Feb. 03, 2017
Sarah Dierlam	Grants	Austin, TX	Jan. 22-25, 2017
Julia Lash	Grants	Austin, TX	Jan. 22-25, 2017

c) **APPROVAL on SECOND and FINAL 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)**

d) **APPROVAL on SECOND and FINAL 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)**

e) **Consideration and ACTION for the City of Brownsville to enter into a Mutual Aid Agreement with the City of Port Isabel EMS to provide ambulance service**.

f) **Consideration and ACTION authorize the purchase of a New 2017 Komptech Terminator 6000S Shredder for the City of Brownsville Municipal Solid Waste Landfill Facility**.

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BOARDS AND COMMISSIONS:

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

Commissioner Jessica Tetreau moved that ***Ms. Marianne Harden-Sanchez*** be **appointed** to the Parks and Recreation Advisory Board Committee. The motion was seconded by Commissioner John Villarreal and carried unanimously.

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Commissioner Cesar de Leon moved that Agenda Item #18 be moved out of sequence for action. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

18. Consideration and ACTION to request authorization to approve Work Order #21 for Airport Consulting Services for the Brownsville/South Padre Island International Airport.

Commissioner Jessica Tetreau moved that the request authorization to approve Work Order #21 for Airport Consulting Services for the Brownsville/South Padre Island International Airport, be **approved**. The motion was seconded by Commissioner John Villarreal and carried unanimously.

PUBLIC HEARINGS:

5. 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" Sections 86-127 through 86-143.

Ms. Miriam Suarez, Main Street Manager, delivered a PowerPoint presentation and gave a brief explanation of a Temporary Use of Public Right-of-Way in Downtown Brownsville, to regulate the use of public right-of-ways and to provide a consistent process for coordinating events in downtown Brownsville.

Brief discussion ensued amongst the Commission and City Staff regarding the proposed ordinance.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Deborah Portillo and carried unanimously, the public hearing was **closed**.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner Deborah Portillo and carried unanimously, this item was **tabled**.

Commissioner Jessica Tetreau announced that the City of Brownsville was seeking for volunteers for the Point-In-Time Count, a Survey of Homeless Persons that will be held on January 26, 2017, anyone interested in volunteering may contact the Office of Grants Management at 956-548-6167.

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-093-S, to allow a Dwelling "G" (DG) in a General Retail "V" (4CV) for 0.032 acres for Lots 3 & 4 Block 131 of Olmito Original Townsite located at 1865 Cortezville. (District 3)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

Upon motion by Commissioner Jessica Tetreau seconded by Commisssioner John Villarreal and carried unanimously, the public hearing was **closed**.

Commissioner Cesar de Leon moved that Ordinance Number 235-2016-093-S, be **adopted** at first reading, to allow a Dwelling "G" (DG) in a General Retail "V" (4CV) for 0.032 acres for Lots 3 & 4 Block 131 of Olmito Original Townsite located at 1865 Cortezville. (District 3) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-001, to rezone from Dwelling "A" (DA) to Dwelling "G" (G) for 0.30 acres for Lots 187 and 189 of Baytes Circle located at 29 Sybil Drive and 31 Sybil Drive. (District 4)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

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 235-2017-001, be **adopted** at first reading, to rezone from Dwelling "A" (DA) to Dwelling "G" (G) for 0.30 acres for Lots 187 and 189 of Baytes Circle located at 29 Sybil Drive and 31 Sybil Drive. (District 4) The motion was seconded by Commissioner John Villarreal and carried unanimously.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-002, to rezone from General Retail "F" (4CF) to General Retail "H" (4CH) for 0.413 acres for Lots 4, 5 and 6, Block B of Brownsville Original Townsite located at 828 E. 15th Street and 1502 E. Madison Street. (District 1)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

Mr. Roberto Suarez and Ms. Noelia Martinez opposed to the proposed rezoning ordinance, noting that they would prefer to see businesses in the area instead of an apartment complex.

Ms. Elisa Filippone, property owner, noted that she had contacted and was in coordination with the Texas State Historical Association and the City of Brownsville Historic Preservation Office so she could meet all the requirements in order to rehabilitate the property.

Upon motion by Commissioner Jessica Tetreau seconded by Commissioner John Villarreal and carried unanimously, the public hearing **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2017-002, be **adopted** at first reading, to rezone from General Retail "F" (4CF) to General Retail "H" (4CH) for 0.413 acres for Lots 4, 5 and 6, Block B of Brownsville Original Townsite located at 828 E. 15th Street and 1502 E. Madison Street. (District 1) The motion was seconded by Commissioner John Villarreal and carried unanimously.

9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-003, to rezone from Apartment "J" (AJ) to General Retail "G" (4CG) for 0.83. acres of Paredes Tract Addition Lots 7-12 Block 66 Bella Vista Addition and Lots 4-6 Block 66 Enrique Subdivision located at 1415 E. Ringgold Street and 1410 S. Expressway. (District 1)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

A citizen expressed concerned regarding the rezoning of the property of the proposed ordinance noting that how will taxes affect the property owners around the area.

Brief discussion ensued amongst the Commission.

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

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Jessica Tetreau, the item was **tabled** and carried as follow:

Ayes: Commissioners de Leon, Tetreau, Portillo, and Mayor Pro-Tem Gowen

Nays: Commissioners Longoria, Jr., and Villarreal

10. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-006, to rezone from Apartment "F" (AF) to Apartments "G" (AG) for 2.89 acres for Espiritu Santo Grant Share 19, Tract 22 Block E located near Old Port Isabel Road. (District 2)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

Upon motion by Commissioner John Villarreal seconded by Commissioner Jessica Tetreau and carried unanimously, the public hearing was **closed**.

Commissioner Cesar de Leon moved that Ordinance Number 235-2017-006, be **adopted** at first reading, to rezone from Apartment "F" (AF) to Apartments "G" (AG) for 2.89 acres for Espiritu Santo Grant Share 19, Tract 22 Block E located near Old Port Isabel Road. (District 2) The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

11. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-007, to rezone from Medium Retail "F" (3CF) to General Retail "F" (4CF) for 1.65 acres for Lots 1 and 2 of Block 1 and Lots 7 thru 12 of Block 51 of IBC Downtown and Brownsville Original Townsite located at 508 E. Elizabeth Street. (District 4)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the public hearing was **closed**.

Commissioner Jessica Tetreau moved that Ordinance Number 235-2017-007, be **adopted** at first reading, to rezone from Medium Retail "F" (3CF) to General Retail "F" (4CF) for 1.65 acres for Lots 1 and 2 of Block 1 and Lots 7 thru 12 of Block 51 of IBC Downtown and Brownsville Original Townsite located at 508 E. Elizabeth Street. (District 4) The motion was seconded by Commissioner John Villarreal and carried unanimously.

12. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2017-008, to rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for 5.91 acres for Espiritu Santo Grant Share 22 Tract P-1 located at 441 E. Alton Gloor Boulevard. (District 3)

Ms. Ana Hernandez, Interim Assistant Planning Director of Operations, gave a brief explanation of the proposed rezoning ordinance noting that the Planning and Zoning Commission recommended approval.

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 235-2017-008, be **adopted** at first reading, to rezone from Dwelling "G" (DG) to General Retail "G" (4CG) for 5.91 acres for

Espiritu Santo Grant Share 22 Tract P-1 located at 441 E. Alton Gloor Boulevard. (District 3) The motion was seconded by Commissioner Deborah Portillo and carried unanimously.

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13. ***PUBLIC COMMENT PERIOD:*** ***PLEASE NOTE:***

Mr. Edgar Gaucin thanked the City for the repairs done at the Battlefield Trail and bike lanes on 6th and 7th Streets.

Mr. Kevin Barajas, gave a brief explanation of the survey results that he conducted at James Pace High School on 63 students in regards to their future with the City of Brownsville.

ACTION ITEMS:

14. Consideration and ACTION to adopt budget amendment Resolution Number 2017-004, to amend the General Fund revenues and expenditures budget and to amend the budget for additional expenditures and revenues in the Convention & Tourism Fund, Community Development Program Fund, Non-Bonded Debt Service Fund, Landfill Tipping Fee Increase Fund, Capital Projects Fund, Airport Fund, Motor Vehicle Parking System Fund, Public Transit Fund, Brownsville Golf Center Fund, 2013 C.O. Fund and Employee Benefit Fund.

Commissioner John Villarreal moved that budget amendment Resolution Number 2017-004, to amend the General Fund revenues and expenditures budget and to amend the budget for additional expenditures and revenues in the Convention & Tourism Fund, Community Development Program Fund, Non-Bonded Debt Service Fund, Landfill Tipping Fee Increase Fund, Capital Projects Fund, Airport Fund, Motor Vehicle Parking System Fund, Public Transit Fund, Brownsville Golf Center Fund, 2013 C.O. Fund and Employee Benefit Fund, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

15. Consideration and ACTION to approve Resolution Number 2017-003 supporting submission of an application for the Texas Conversion to the National Incident-Based Reporting System (NIBRS), through the Office of the Governor, Criminal Justice Division.

Commissioner John Villarreal moved that Resolution Number 2017-003 supporting submission of an application for the Texas Conversion to the National Incident-Based Reporting System (NIBRS), through the Office of the Governor, Criminal Justice Division, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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PURCHASES/BIDS/CONTRACTS:

16. Consideration and ACTION to award a term contract for Commercial and Industrial Solid Waste Collection Services for the City of Brownsville. **[TABLED 12-13-2016]**

Mr. Roberto Luna, Purchasing Director gave a brief explanation of the Commercial and Industrial Solid Waste Collection Services for the City of Brownsville.

Brief discussion ensued amongst the Commission in regards to the term contract for waste collection services.

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Deborah Portillo this item was **tabled** and carried as follow:

Ayes: Commissioners de Leon, Portillo, and Mayor Pro-Tem Gowen

Nays: Commissioners Longoria, Villarreal

Abstained: Commissioner Tetreau

17. Consideration and ACTION to award a contract for the MPO-sponsored Town of Rancho Viejo Master Bicycle & Pedestrian Plan.

Commissioner Deborah Portillo moved that a contract be awarded to **Halff Associates, Inc**. for the MPO-sponsored Town of Rancho Viejo Master Bicycle & Pedestrian Plan. The motion was seconded by Commissioner John Villarreal and carried unanimously.

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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 7th day of February, 2017.

Antonio Martinez
Mayor

Attest:

Michael L. Lopez, MPA
City Secretary

CITY SECRETARY
TEXAS
CITY OF BROWNSVILLE

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