

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, March 15, 2016**, at **5:30 P.M.**, and at **6:00 P.M.** with the following members present:

ANTONIO MARTINEZ)	MAYOR
		COMMISSIONERS
JESSICA TETREAU)	District 2
CESAR DE LEON)	At-Large “A”
ROSE M.Z. GOWEN, M.D.)	At-Large “B”
CHARLIE CABLER		CITY MANAGER
RUTH OSUNA		ASSISTANT CITY MANAGER
STEPHANIE REYES		ASSISTANT CITY MANAGER
MARK E. SOSSI		CITY ATTORNEY
MICHAEL L. LOPEZ		CITY SECRETARY
ABSENT:		RICARDO LONGORIA, JR.) District 1
		DEBORAH PORTILLO) District 3
		JOHN VILLARREAL) District 4
		PETE GONZALEZ-DEPUTY CITY MANAGER

A quorum being present, Mayor Antonio Martinez, asked Mr. Michael L. Lopez, 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 March 11, 2016.

EXECUTIVE SESSION: 5:30 P.M.

Upon motion by Commissioner Rose Gowen, seconded by Commissioner Cesar de Leon and carried unanimously, the Executive Session convened at 5:30 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 held on November 3, 2015.**
- B) Consultation with attorney pursuant to Section §551.071(2) of the Texas Government Code, on a matter in which the duty of the attorney to the governmental body, under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with the duties under Chapter 551 of the Texas Government Code.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:00 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 Antonio Martinez, and the Texas Pledge was led by Commissioner Jessica Tetreau.

INVOCATION:

The invocation was delivered by Reverend Jay Clason, from Brownsville, Texas.

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ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

A) Discussion and POSSIBLE ACTION on Resolution Numbers 2016-014 through Resolution Number 2016-018, approving or rejecting the bid/offer(s) received on the Tax Resale properties on November 3, 2015.

2016-014 – Lot 12 in Block 3 of La Lomita Section II, a subdivision of Block Fourteen (14), Lenena Subdivision, an addition to the City of Brownsville, Cameron County, Texas, according to Volume 26 Page 32, map records, Cameron County, Texas (04-2120-0030-0120-00)

2016-015 – the Northwest One-Half (NW ½) of Lot Eight (8), Block One Hundred Thirty Four (134), Original Townsite of the City of Brownsville, Cameron County, Texas, said tract fronting 25 feet on Monroe Street and running back between parallel lines 120 feet to the Alley dividing said Block and being that same tract of land conveyed to Pedro Sanchez in a Partition Deed dated 13 January 1931, recorded in Volume 227, Page 117, Deed Records, Cameron County, Texas. (01-0000-1340-0081-00)

2016-016 – Lot Number Seven (7), Block Number twenty-nine (29), Paredes Tract Addition, an Addition to the City of Brownsville, Cameron County, Texas, according to the Map or Plat thereof recorded in the Map Records of Cameron County, Texas. (01-5690-0290-0070-00)

2016-017 – the North 25.00 feet of Lot 46, Block 50, East Brownsville, Sixth Section Addition, an Addition to the City of Brownsville, Cameron County, Texas, as described in Volume 1027, Page 309, Deed Records of Cameron County, Texas. (02-5610-0500-0460-00)

2016-018 – 30.00 feet Private Road No. 4 lying North of I.B.W.C Levee Easement, La Lomita Subdivision, Section II, a subdivision to Cameron County, Texas, according to the map or plat thereof, recorded in Volume 26, Page 32, map records of Cameron County, Texas. (04-2120-1000-0100-00)

Commissioner Cesar de Leon moved that Resolution Numbers 2016-014 through Resolution Number 2016-017, approving or rejecting the bid/offer(s) received on the Tax Resale properties on November 3, 2015, be **approved**, with the exception of Resolution Number 2016-018. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

1. MAYOR’S ACTIVITY UPDATE:

Mayor Antonio Martinez thanked City Staff and everyone that participated in the coordination of the Mr. Amigo and Charro Days. Mayor Martinez noted that the State of the City Address & Symposium, would be held on Tuesday, March 22, 2016, at the Brownsville Event Center, and encouraged everyone to attend.

2. COMMISSIONERS’ ACTIVITY UPDATE:

Commissioner Rose Gowen announced that the next Cyclobia would be held on Sunday, March 20, 2016, from 1:00 pm to 4:00 p.m., in Downtown Brownsville, and invited everyone to join the celebration themed “Fun in the Sun”.and the ribbon cutting ceremony of the KaBOOM Park.

Commissioner Jessica Tetreau thanked City staff for installing the stoplight at the intersection of Austin and Minnesota Road. Commissioner Tetreau noted that City staff are also working on installing sidewalks around Perkins Middle School, before next school year.

Commissioner Cesar de Leon thanked Mr. Charlie Cabler, City Manager and staffs continued efforts on traffic congestion throughout the City.

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 Cesar De Leon, seconded by Commissioner JessicaTetreau and carried unanimously, Consent Agenda Items “a through k” were **approved**.

ITEMS No. “a” through “k”

- a) Approval of the Minutes of the Regular Meeting of February 16, 2016.
- b) Approval of the Minutes of the Regular Meeting of March 1, 2016.
- c) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Nayade Garza	City Secretary	Austin, TX	Apr. 03-08, 2016
Juan Carlos Gutierrez	City Secretary	Austin, TX	Apr. 03-08, 2016
Luis Salinas	Finance	San Antonio, TX	Mar. 30-Apr. 1, 2016
Miriam Camacho	Finance	Fort Worth, TX	Apr. 17-19, 2016

Raymond Harris	Fire	Austin, TX	Mar. 20-25, 2016
Ana Hernandez	Grants	San Antonio, TX	Mar. 22-24, 2016
Efren Trujillo	Grants	San Antonio, TX	Mar. 22-24, 2016
Julia Lash	Grants	Nashville, TN	May 03-07, 2016
David De Leon	Police	Fredericksburg, TX	Mar. 29-Apr. 1, 2016
Liliana De La Garza	Police	Fredericksburg, TX	Mar. 29-Apr. 1, 2016
Alejandro Alviar	Police	Fredericksburg, TX	Mar. 29-Apr. 1, 2016
Veronica G. Garza	Police	Beaumont, TX	Mar. 29-Apr. 1, 2016
Eric J. Garza	Police	Beaumont, TX	Mar. 29-Apr. 1, 2016
Melissa Gonzalez	Police	Beaumont, TX	Mar. 29-Apr. 1, 2016
Juanita Castro	Police	Galveston, TX	Apr. 03-06, 2016
Lilia Banuelos	Police	Galveston, TX	Apr. 03-06, 2016
Reynaldo Ybarra	Police	Dallas, TX	Apr. 03-07, 2016
Juan A. Gaytan	Police	Dallas, TX	Apr. 03-07, 2016
Joe D. Flores	Police	Dallas, TX	Apr. 03-07, 2016
Jaime A. Garcia	Police	Dallas, TX	Apr. 03-07, 2016
Joe Villarreal III	Police	San Marcos, TX	Apr. 04-10, 2016

- d) **To acknowledge travel request regarding Odee Ann Leal, Emergency Management Director, Bianca Villanueva, Emergency Management Planner, Alfredo Santillana, Automation Technologist, James McCoy, Public Information Services Assistant Director, and Luis Herrera, System Analyst, to attend the Texas Emergency Management Conference which will be held in San Antonio, Texas, on April 04-08, 2016.**
- e) **To acknowledge travel request regarding Tactical Team Members Sergeants Felix Saucedo, Reynaldo Ordonez, Eric I. Castillo, and Officers Arturo Flores, Carlos A. Castillo, Adrian Zarate, and Salvador Rosas, to attend the 2016 Texas Tactical Police Officers Association (TTPOA) SWAT Conference in San Marco, Texas, on April 06-10, 2016.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2016-1220-J, amending Chapter 2 “Administration”; Article V. “Finance”; Division 2 “Fees” Section 2-432 entitled “Fees and Charges for Administrative Services”, and dealing with related matters.**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2016-1613, amending Chapter 2 “Administration”; Article IV, “Boards, Committees, Commissions”; by adding Division 5, Sections 2374 through 2-381, “Main Street Advisory Board”; to establish the structure and guidelines to advise City staff on all matters relating to the Historic Preservation, Economic Development, and Revitalization of Downtown Brownsville, in accordance with the Main Street Four Point Approach.**
- h) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2016-1600.02, repealing current Section 320-37 of Chapter 320, Article II, and replacing it with new Section 320-37 Design Standards.**
- i) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2016-1479-C, repealing current Section 332-171 of Chapter 332, Article IV, of the City of Brownsville Subdivision Code and replacing it with new Section 332-171 Fees in Lieu of Dedication.**

- j) **Consideration and ACTION to request for the purchase of the Stormwater Camera for the Stormwater Rover Project.**
- k) **Consideration and ACTION to request authorization to renew term contract for City Fleet Maintenance Services for the City of Brownsville.**

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BOARDS AND COMMISSIONS:

- 4. **Consideration and ACTION to appoint or re-appoint two (2) members to the Parks and Recreation Advisory Board Committee.**

Commissioner Jessica Tetreau moved that *Mr. Pablo Leal, Jr.*, be appointed to the Parks and Recreation Advisory Board Committee. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner Cesar de Leon moved that *Mr. Richard M. Perez*, be appointed to the Parks and Recreation Advisory Board Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

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PUBLIC HEARINGS:

- 5. **Public Hearing and ACTION on Ordinance Number 2016-1614, regarding an Interlocal Agreement governing a territory exchange between the City of Brownsville and the City of Los Fresnos.**

Ms. Allison Bastian, Deputy City Attorney, noted that the agreement was ratified in 2015, and provided a brief explanation of a potential territory exchange between the City of Brownsville and the City of Los Fresnos.

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

Commissioner Rose Gowen moved that Ordinance Number 2016-1614, regarding an Interlocal Agreement governing a territory exchange between the City of Brownsville and the City of Los Fresnos, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

- 6. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-007, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for Lots 21 & 22 of Block 2 of Alamo Heights Subdivision located at 6066 South Padre Island Highway. (District 2)**

Ms. Monique Mercado, Planner I, gave a brief explanation of the ordinance, noting that the current zoning was Dwelling A (DA), and the applicant was requesting to rezone to General Retail G

(4CG), on a property located on South Padre Island Highway, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2016-007, be **adopted** at first reading, to rezone from Dwelling "A" (DA) to General Retail "G" (4CG) for Lots 21 & 22 of Block 2 of Alamo Heights Subdivision located at 6066 South Padre Island Highway. (District 2) The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-013, to rezone from Medium Commercial "X" (6CX) to Dwelling "X" (DX) for Lot 2 of Block 205 of El Jardin Resubdivision located at 6780 California Road. (District 1)

Ms. Monique Mercado, Planner I, gave a brief explanation of the ordinance, noting that the current zoning was Medium Commercial X (6CX), and the applicant was requesting to rezone to Dwelling X (DX), on a property located on California Road, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

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

Commissioner Rose Gowen moved that Ordinance Number 235-2016-013, be **adopted** at first reading, to rezone from Medium Commercial "X" (6CX) to Dwelling "X" (DX) for Lot 2 of Block 205 of El Jardin Resubdivision located at 6780 California Road. (District 1) The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-015, to rezone from Dwelling "G" (DG) to Professional Office "G" (1CG) for Block 13 of Share 19, Tract 9 of El Jardin Subdivision located near Old Port Isabel Road and FM 802. (District 2)

Ms. Monique Mercado, Planner I, gave a brief explanation of the ordinance, noting that the current zoning was Dwelling G, and the applicant was requesting to rezone to Professional Office G on a property located on Old Port Isabel Road, for the purpose of building an assisted living facility, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

Upon motion by Commissioner Rose Gowen seconded by Commissioner Cesar de Leon and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2016-015, be **adopted** at first reading, to rezone from Dwelling "G" (DG) to Professional Office "G" (1CG) for Block 13 of Share

19, Tract 9 of El Jardin Subdivision located near Old Port Isabel Road and FM 802. (District 2) The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-016, to rezone from General Retail “H” (4CH) & Apartment “H” (AH) to General Retail “H” (4CH) for Blocks 22 & 23 of Los Ebanos Properties Subdivision located at 704 Paredes Line Road. (District 2)

Ms. Monique Mercado, Planner I, gave a brief explanation of the ordinance, noting that the current zoning was General Retail H (4CH) and Apartment H (AH), and the applicant was requesting to rezone to General Retail H (4CH), on a property located on Paredes Line Road, for the purpose of a medical office, retail, or restaurant, and further noting that the Planning and Zoning Commission recommended approval of the proposed ordinance.

Upon motion by Commissioner Cesar de Leon seconded by Commissioner Rose Gowen and carried unanimously, the public hearing was **closed**.

Commissioner Rose Gowen moved that Ordinance Number 235-2016-016, be **adopted** at first reading, to rezone from General Retail “H” (4CH) & Apartment “H” (AH) to General Retail “H” (4CH) for Blocks 22 & 23 of Los Ebanos Properties Subdivision located at 704 Paredes Line Road. (District 2) The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

10. PUBLIC COMMENT PERIOD: PLEASE NOTE:

Mr. Eloy Garcia, signed up for Public Comment, but left prior to time period.

ACTION ITEMS:

11. Consideration and ACTION on Resolution Number 2016-013, and application to the Local Border Security Grant Program (BorderStar) through the Texas Homeland Security State Administrative Agency.

Commissioner Rose Gowen moved that Resolution Number 2016-013, and application to the Local Border Security Grant Program (BorderStar) through the Texas Homeland Security State Administrative Agency, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

12. Consideration and ACTION on Resolution Number 2016-019, to execute an Advanced Funding Agreement between the City of Brownsville and the Texas Department of Transportation, regarding the Transportation Alternatives Program District 3 Rapid Implementation Project.

Mr. Ramiro Gonzalez, Assistant Planning Director of Operations, gave a brief explanation of the funding agreement the City of Brownsville received from the Texas Department of Transportation

(TxDOT) noting that the grant total amount was \$178,375.00, which the original match amount was \$35,675.00 and TxDOT EDC approved a match for a total of \$6,605.00, which the City would pay for Engineering costs and TxDOT would be managing construction, inspection, and oversight of the District 3 Rapid Implementation Project.

Commissioner Rose Gowen moved that Resolution Number 2016-019, to execute an Advanced Funding Agreement between the City of Brownsville and the Texas Department of Transportation, regarding the Transportation Alternatives Program District 3 Rapid Implementation Project, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

13. Consideration and ACTION on Resolution Number 2016-020 to execute an Advanced Funding Agreement, between the City of Brownsville and the Texas Department of Transportation, regarding the Transportation Alternatives Program International Boulevard Area Bicycling Routes.

Mr. Ramiro Gonzalez, Assistant Planning Director of Operations, gave a brief explanation of the funding agreement the City of Brownsville received from the Texas Department of Transportation (TxDOT) noting that the grant total amount was \$177,250.00, which the original match amount was \$29,424.00 and TxDOT EDC approved match was \$6,026.00, and the City would pay for Engineering Costs and TxDOT would be managing construction, inspection, and oversight, of the International Boulevard Bicycle Routes Project.

Commissioner Rose Gowen moved that Resolution Number 2016-020 to execute an Advanced Funding Agreement, between the City of Brownsville and the Texas Department of Transportation, regarding the Transportation Alternatives Program International Boulevard Area Bicycling Routes, be **approved**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

PURCHASES/BIDS/CONTRACTS:

14. Consideration and ACTION to award a contract for engineering services for the contract sum total \$40,209.00 for the Transportation Alternatives Program projects, International Boulevard Area Bicycling Routes and the District 3 Rapid Implementation Project.

Commissioner Jessica Tetreau moved that a contract for engineering services be awarded to **Naismith Engineering, Inc.**, a cost of \$20,171.00 for International Boulevard Area Bicycling Routes, and \$20,038.00 for the District 3 Rapid Implementation Project, a **sum total of \$40,209.00** for the Transportation Alternatives Program Projects. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

ADJOURNMENT:

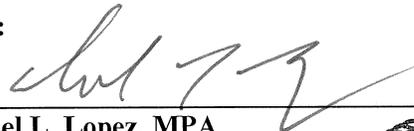
There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 6:28 p.m.

Approved this 5TH day of APRIL, 2016,



FOR
Antonio Martinez
Mayor

Attest:



Michael L. Lopez, MPA
City Secretary



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