

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 04, 2016, at 6:00 P.M.** with the following members present:

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

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 September 30, 2016.

\*\*\*\*\*

**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 delivered by Pastor Arturo Torres, of Templo Nueva Vida, from Brownsville, Texas.

\*\*\*\*\*

**1. *MAYOR’S ACTIVITY UPDATE:***

Mayor Antonio Martinez did not deliver a report.

**2. COMMISSIONERS' ACTIVITY UPDATE:**

Commissioner Ricardo Longoria, Jr., reminded everyone of the recognitions and celebrations for the month of October.

*Commissioner Deborah Portillo arrived at 6:05 p.m.*

**3. PRESENTATIONS: *Employee of the Month***  
(Charlie Cabler – City Manager)

Mr. Charlie Cabler, City Manager, recognized **Mr. Fernando Arellano, Jr., Health/Food Sanitation Inspector I**, from the Public Health Department, as October's Employee of the Month.

**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 Cesar de Leon and carried unanimously, Consent Agenda Items "a through j" were **approved**.

***ITEMS No. "a" through "j"***

a) To acknowledge the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Dorene Fourar	BMetro	Corpus Christi, TX	Oct. 09-12, 2016
Tracie Orcillez	BMetro	Corpus Christi, TX	Oct. 09-12, 2016
Nancy Garcia	BMetro	Chicago, IL	Oct. 23-28, 2016
Gerardo Garcia	Finance	Phoenix, AZ	Nov. 02-04, 2016
Fernando Arellano, Jr.	Health	Corpus Christi, TX	Oct. 18-20, 2016
Andres Macias	Health	Corpus Christi, TX	Oct. 18-20, 2016
Jesus Rodriguez	Health	Corpus Christi, TX	Oct. 18-20, 2016
Arturo Rodriguez	Health	Princeton, NJ	Oct. 18-21, 2016
Juan Velez	Planning	Galveston, TX	Oct. 19-22, 2016
Francesca Linder	Planning	Galveston, TX	Oct. 19-22, 2016
Albesa Elias Calles	Police	San Antonio, TX	Oct. 04-07, 2016
Lisa Reyes	Police	San Antonio, TX	Oct. 04-07, 2016
Gloria Gonzalez	Police	San Antonio, TX	Oct. 04-07, 2016
Jose J. Trevino	Police	Montgomery, TX	Oct. 09-12, 2016
Reynaldo Ordonez	Police	San Antonio, TX	Oct. 24-28, 2016
Andres Trevino	Police	San Antonio, TX	Oct. 24-28, 2016
Santiago Navarro Jr.	Police	San Antonio, TX	Oct. 24-28, 2016

b) **Consideration to award a three (3) year Technical Service Support Agreement for the maintenance and servicing of Physio Control LifePak 12 Heart Monito/Defibrillator and LifePak 1000 AEDs currently used by the department.**

c) **Consideration and ACTION to award a term contract for Temporary Employment Services for the City of Brownsville.**

- d) **Consideration and ACTION to authorize and execute an Interlocal Agreement between the City of Brownsville, Texas, the Cameron County District Attorney’s Office, the City of McAllen, Texas, the City of Pharr, Texas, and the City of Edinburg, Texas regarding a Mutual Aid (Burglary and Theft of Motor Vehicle) Law Enforcement Task Force to cooperate in certain criminal investigations.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-042, to rezone from Dwelling “Z” (DZ) to General Retail ‘G” (4CG) for 2.3 acres of Block 2 and 3 of R.B. Rentrfo located near FM 802 and Chachalaca Drive. (District 4)**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-058, to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for 0.480 acres for Lots 4, 5, & 6, Block 8 of Villanueva Subdivision located at 3095 US Military 281. (District 4)**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-073, to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for .6248 acres for Lots 9, 10, 11 & 12 of Block 107 of Olmito Original Townsite located near Expressway 77/83 and Hargill Street.**
- h) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-074-CO, to rezone from Dwelling “Z” (DZ) to Apartment “H” (AH) for 6.65 acres for Blocks 3 & 4 of Rentfro Subdivision located at 950 W. FM 802.**
- i) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-076, to rezone from Dwelling “A” (DA) General Retail “A” (4CA) for 1.96 acres for Lots 1, 2, 3 and 4 of Block 1 of Los Ebanos Properties Subdivision Lots S. Resubdivision located at 950 Paredes Line Road.**
- j) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2016-078, to rezone from Professional Office “G” (1CG) to Dwelling “G” (DG) for Lot 9 of Block 1 of Acacia Lake Subdivision located at 524 Billy Mitchell Boulevard.**

\* \* \* \* \*

*Commissioner John Villarreal arrived at 6:06 p.m.*

**BOARDS AND COMMISSIONS:**

- 5. **Consideration and ACTION to appoint a Commissioner to the Brownsville Beautification Committee.**

Commissioner Cesar de Leon moved that Commissioner Rose Gowen be appointed to the Brownsville Beautification Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

- 6. **Consideration and ACTION to re-appoint two (2) members and appoint three (3) new members to the Brownsville Metro Transit Advisory Committee.**

Commissioner Jessica Tetreau moved that *Ms. Sylvia Berry*, be **re-appointed** to the Brownsville Metro Transit Advisory Committee. The motion was seconded by Commissioner John Villarreal and carried unanimously.

Commissioner Ricardo Longoria, Jr., moved that *Mr. Julian O. Lopez*, be **re-appointed** to the Brownsville Metro Transit Advisory Committee. The motion was seconded by Commissioner John Villarreal and carried unanimously.

Commissioner John Villarreal moved that *Ms. Teresa Saldivar*, be **appointed** to the Brownsville Metro Transit Advisory Committee. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner John Villarreal moved that *Ms. Sandra Gomez*, be **appointed** to the Brownsville Metro Transit Advisory Committee. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

Commissioner Ricardo Longoria, Jr., moved that *Ms. Crystal Contreras* be **appointed** to the Brownsville Metro Transit Advisory Committee. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

\* \* \* \* \*

***PUBLIC HEARINGS:***

- 7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-077-CO, to rezone from Dwelling “A” (DA) to Apartment “A” (AA-CO) for 6.38 acres for Lots 7, 8, & 9 of Block U of Brownsville Land & Improvement Company Subdivision located at 454 Los Ebanos & 504 Los Ebanos. [TABLED 09/20/2016]**

Mr. Ramiro Gonzalez, Assistant Planning Director of Operations, gave a brief explanation of the proposed ordinance, noting that Planning and Zoning Commission recommended approval of the rezoning with a conditional use overlay for apartment buildings to a one (1) story units; if approved, the applicant agreed to double the drainage capacity and add a 15% landscape, which he sent by email to the Planning Department.

Mr. Frank B. Klinger, with the Stovall Creek Homeowner’s Association, Inc., and Mr. Joe Olivares, expressed concern regarding the drainage issues within the area, and opposed to the proposed rezoning ordinance.

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

Commissioner Jessica Tetreau moved that Ordinance Number 235-2016-077-CO, to rezone from Dwelling “A” (DA) to Apartment “A” (AA-CO) for 6.38 acres for Lots 7, 8, & 9 of Block U of Brownsville Land & Improvement Company Subdivision located at 454 Los Ebanos & 504 Los Ebanos, **be denied**. The motion was seconded by Commissioner Cesar de Leon and carried as follow:

Ayes: Commissioners Tetreau, de Leon, Portillo, Villarreal, and Mayor Martinez

Nays: Commissioner Longoria, Jr.

**8. Public Hearing and ACTION on Ordinance Number 2016-1217-D, amending Ordinance Number 2009-1217-C of April 21, 2009 by: (A) adopting the maximum allowable and actual water and wastewater impact fees; (B) providing for certain qualified exemptions; (C) providing for severability; and (D) providing for an effective date.**

Mr. Ramiro Gonzalez, Assistant Planning Director of Operations, introduced Mr. Richard Campbell, representative from Arcadis Design & Consultancy, whom delivered a PowerPoint presentation regarding the Water & Wastewater Impact Fee Results in Water Service Area & Growth, Capital Improvement Projects and Maximum allowable Impact Fees.

Brief discussion ensued amongst the Commission.

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

Commissioner Cesar de Leon moved that Ordinance Number 2016-1217-D, amending Ordinance Number 2009-1217-C of April 21, 2009 by: (A) adopting the maximum allowable and actual water and wastewater impact fees; (B) providing for certain qualified exemptions; (C) providing for severability; and (D) providing for an effective date, be **amended** and **approved** with the following maximum allowable Water and Wastewater Impact Fees:

Impact Fee:	Water	Wastewater
Zone 1	\$300.00	\$500.00
Zone 2 & 3	\$600.00	\$1,000.00

The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

\*\*\*\*\*

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

Ms. LeeAnn Greer, expressed gratitude to the Commission and the opportunity for serving on the Capital Improvement Advisory Committee.

**PURCHASES/BIDS/CONTRACTS:**

**10. Consideration and ACTION to award the contract to Facilities USA, LLP for the Market Square Building-Bell Tower & Dome rehabilitation.**

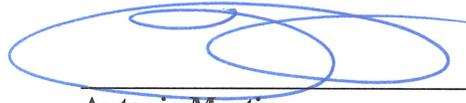
Commissioner John Villarreal moved that the contract to **Facilities USA, LLP** for the Market Square Building Bell Tower & Dome rehabilitation, be approved for the amount of **\$223,600.00**. The motion was seconded by Commissioner Jessica Tetreau and carried unanimously.

\*\*\*\*\*

**ADJOURNMENT:**

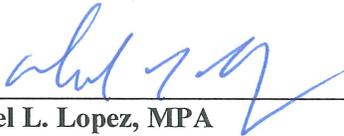
There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 7:52 p.m.

Approved this 11<sup>th</sup> day of October, 2016.



**Antonio Martinez**  
**Mayor**

**Attest:**



**Michael L. Lopez, MPA**  
**City Secretary**



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