

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 11, 2016, at 5:20 P.M. and at 6:00 P.M. with the following members present:

ANTONIO MARTINEZ)	MAYOR
		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
RUTH OSUNA		ASSISTANT CITY MANAGER
MARK E. SOSSI		CITY ATTORNEY
MICHAEL L. LOPEZ		ASSISTANT CITY MANAGER/ CITY SECRETARY
ABSENT:		NONE

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 October 07, 2016.

EXECUTIVE SESSION: 5:20 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Rose Gowen and carried unanimously, the Executive Session convened at 5:20 p.m. to discuss the following items:

- A) **Consultation with legal counsel pursuant to Texas Government Code §551.071 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 Texas Open Meetings Act and regarding real property pursuant to Texas Government Code §551.072.**
- B) **Consultation with legal counsel pursuant to Texas Government Code §551.071 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 Texas Open Meetings Act and regarding real property pursuant to Texas Government Code §551.072.**

- C) **Consultation with legal counsel pursuant to Teas Government Code §551.071 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 Texas Open Meetings Act.**
- D) **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 July 05, 2016.**

Upon conclusion of Executive Session Mayor Antonio Martinez, convened the Regular Meeting at 6:00 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 was led by Mayor Antonio Martinez 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.

ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

- A) **Discussion and ACTION to approve Resolution Number 2016-060 in support of the City of Brownsville implementing a 1982 MOU by negotiating directly with Union Pacific Railroad to acquire the downtown switchyard.**

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2016-060 in support of the City of Brownsville implementing a 1982 MOU by negotiating directly with Union Pacific Railroad to acquire the downtown switchyard, be **adopted**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

- B) **Discussion and ACTION to approve Resolution Number 2016-061 regarding the purchase of real estate.**

Commissioner Rose Gowen moved that Resolution Number 2016-061 regarding the purchase of real estate, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

- D) **Discussion and POSSIBLE ACTION on Resolution Numbers 2016-050 through Resolution Number 2016-059, approving or rejecting the bid/offer(s) received on the Tax Resale properties on July 05, 2016.**

2016-050 - Lot 107, Block 10, Virginia Heights Industrial Properties, an addition to the City of Brownsville, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 11, Page 36 Map Records of Cameron County, Texas. (Account No. 07-5850-0100-1070-00)

2016-051 - Lot No. Twenty Two (22), in Block No. Eight (8), of Colonia Acacia, an addition to the City of Brownsville in Cameron County, Texas, according to the map or plat Book No. 16, at Page 6, Map Records of Cameron County, Texas to which said map and its record, reference is here now made for greater certainty of description. (Account No. 02-2170-0080-0220-00)

2016-052 - 0.40 acre, more or less, being a portion of Lot 6, Block "HH", Brownsville Land & Improvement Company Subdivision, Cameron County, Texas, as described in deed dated March 6, 1990, from TDHR-Price to Jimmy E. Nix, in Volume 1152, Page 85, Official Records of Cameron County, Texas. (Account No. 01-9330-1080-0066-00)

2016-053 – One-half of Lot 6, Block 15, East Brownsville Addition, an addition to Cameron County, Texas, as described in Volume 3663, Page 327, Official Records of Cameron County, Texas also known as 1915 East Ringgold. (Account No. 02-5610-0150-0051-00)

2016-054 – the Front ½ of Lot 3, Block 158, City of Brownsville, Cameron County, Texas according to the map or plat thereof, recorded in Volume 5, Page 13, Map Records of Cameron County, Texas. (Account No. 01-0000-1580-0030-00)

2016-055 – Lot East ½ 8 Block 8, Brownsville Original Townsite Volume 5, and Page 13 MRCC (Account No. 01-0000-0080-0082-00)

2016-056 – Lot 4, Block 1 Villa Vera Subdivision, an addition to the City of Brownsville, Cameron County, Texas, according to the map or plat thereof, recorded in Cabinet 1, Slots 976-B and 977-A, Map Records of Cameron County, Texas. (Account No. 02-7955-0010-0040-00)

2016-057 – All of Lot 16 in Block 4, of the Dunlap Subdivision of Block 33, of the Brownell Tract in Share 28, Espiritu Santo Grant in Cameron County, Texas, according to the map or plat of said Dunlap Subdivision recorded in Volume 15, Page 51 of the Map Records of Cameron County, Texas. (Account No. 74-7100-0040-0160-00)

2016-058 – El Lago II,-Block 5, Lot 13, 0.115 Acres (Account No. 74-7543-0050-0130-00)

2016-059 – the North 63 feet of Lot 3, lying West of U.S. Highway 77, Baytes Circle Homesites, an addition to the City of Brownsville, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 15, Page 32, Map Records of Cameron County, Texas. (Account No. 01-5430-0000-0020-00)

Commissioner Rose Gowen moved that Resolution Numbers 2016-050 through Resolution Number 2016-059, approving or rejecting the bid/offer(s) received on the Tax Resale properties on July 05, 2016, be **approved**. The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

1. MAYOR'S ACTIVITY UPDATE:

Mayor Antonio Martinez invited the public to the upcoming 20th Annual Latin Jazz Festival to be held on Sunday, October 16, 2016.

2. COMMISSIONERS' ACTIVITY UPDATE:

Commissioner John Villarreal mentioned that the City had scheduled a Town Hall meeting at Villa Nueva Elementary School in San Pedro to discuss water issues around the area and hoping to resolve the issue within a couple of months.

Commissioner Rose Gowen informed the public that the City is trying to switch the water supply to Brownsville Public Utilities and regarding the contaminated water issue, the City was working very diligently with the Texas Commission on Environmental Quality (TECQ). Commissioner Gowen further informed the citizens of San Pedro that any issues with the water should be reported to the Texas Commission on Environmental Quality (TECQ) so they could provide a report to County and City Officials. Commissioner Gowen reminded the citizens about Cyclobia and the Latin Jazz Festival to be held on Sunday, October 16, 2016, she also informed the public that the Brownsville Police Department holds neighborhood watch meetings and are held at the citizen's request by contacting Officer Mike Tovar at the Southmost Community Network Center at 956-548-7045.

Commissioner Ricardo Longoria, Jr., thanked the Brownsville Fire Department for hosting the Bells across America Fallen Firefighters Memorial Ceremony. Commissioner Longoria, Jr., reminded the citizens about the City Manager's Golf Tournament to be held this Saturday, October 15, 2016, at the Brownsville Country Club.

3. PROCLAMATION:

Breast Cancer Awareness Month

(Commissioners J. Villarreal/R. Gowen/J. Tetreau)

The proclamation was presented and read by Commissioner John Villarreal.

National Domestic Violence Awareness Month

(Commissioners C. de Leon/J. Tetreau)

The proclamation was presented and read by Commissioner Jessica Tetreau.

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 Cesar de Leon seconded by Commissioner John Villarreal and carried unanimously, Consent Agenda Items "a through g" were **approved**.

ITEMS No. "a" through "g"

- a) Approval of the Minutes of the Regular Meeting of September 20, 2016.
- b) Approval of the Minutes of the Regular Meeting of October 04, 2016.
- c) To acknowledge the following individuals to incur travel expense:

Employee	Department	Destination	Date
Desiderio Tristan	Fire	Copperas Cove, TX	Nov. 03-04, 2016
Carlos A. Elizondo	Fire	Dallas, TX	Nov. 20-23, 2016
Ernesto Estrada	Fire	Dallas, TX	Nov. 20-23, 2016
Jarrett V. Sheldon	Fire	Dallas, TX	Nov. 20-23, 2016
Cesar J. Pedraza	Fire	Dallas, TX	Nov. 20-23, 2016
James McCoy	PISD	Austin, TX	Oct. 18-20, 2016
Ramiro Gonzalez	Planning	San Antonio, TX	Nov. 01-04, 2016
Henry Etheridge	Police	San Antonio, TX	Oct. 24, 2016
Mark G. Elbert	Police	San Antonio, TX	Oct. 24, 2016
Sergio Perez	Police	San Antonio, TX	Oct. 24-28, 2016
Selene Fuentes	Police	San Antonio, TX	Oct. 24-28, 2016
Luis Perez	Police	San Antonio, TX	Oct. 24-28, 2016
Teodulo Torres, Jr.	Police	San Antonio, TX	Oct. 24-28, 2016

- d) **Consideration and ACTION for authorization for 26 employees to attend the ARFF Live Fire Training on November 20-21, 2016, and November 28, 2016, at the Laredo International Fire & Law Enforcement Training Center in Laredo, Texas.**
- e) **Consideration and ACTION on RESOLUTION NUMBER 2016-049, to execute an Advance Funding Agreement between the City of Brownsville and the Texas Department of Transportation (TxDOT) for Morrison Road from FM 1847 to SH550.**
- f) **Consideration and ACTION for the City of Brownsville to enter into contract with the Town of Rancho Viejo to furnish EMS Services.**
- g) **Consideration and ACTION to approve a three (3) year software service maintenance agreement (SSMA) to Tyler Technologies, Inc. for the ERP Software New World Logos.**

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PUBLIC HEARINGS:

- 5. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-079, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for 0.08 acres for Lot 1 Block P of Brownsville Land and Improvement Company located near FM 802 and La Feria Road. (District 4)**

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the proposed ordinance.

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

Commissioner John Villarreal moved that Ordinance Number 235-2016-079, be **adopted** at first reading, to rezone from Dwelling “A” (DA) to General Retail “G” (4CG) for 0.08 acres for Lot 1 Block P of Brownsville Land and Improvement Company located near FM 802 and La Feria Road. (District 4) The motion was seconded by Commissioner Rose Gowen and carried unanimously.

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-080, to rezone from Dwelling “Z” (DZ) to Light Retail “G” (2CG) for 1. acre of Lot 13, Block 1 of Country Garden Subdivision located at 8725 FM 803. (District 3)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the proposed ordinance.

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

Commissioner Deborah Portillo moved that Ordinance Number 235-2016-080, be **adopted** at first reading, to rezone from Dwelling “Z” (DZ) to Light Retail “G” (2CG) for 1. acre of Lot 13, Block 1 of Country Garden Subdivision located at 8725 FM 803. (District 3) The motion was seconded by Commissioner Cesar de Leon and carried unanimously.

7. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-081-CO, to rezone from Dwelling “Z” (DZ) to Dwelling “A” (DA) for 32.38 acres for Lots 7 and 8 of Block 4 of Samano Partition of Wymore Estates located near Dennet Road and Stone Oak Drive. (District 3)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the proposed ordinance.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2016-081-CO, be **adopted** at first reading, to rezone from Dwelling “Z” (DZ) to Dwelling “A” (DA) for 32.38 acres for Lots 7 and 8 of Block 4 of Samano Partition of Wymore Estates located near Dennet Road and Stone Oak Drive. (District 3) The motion was seconded by Commissioner John Villarreal and carried unanimously.

8. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-082, to rezone from Dwelling “A” and General Retail “G” (DA & 4CG) to Apartment “H” (AH) for 1.032 acres for Blocks 37 of Media Luna Addition located at 423 Ruben Torres. (District 4)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the proposed ordinance.

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

Commissioner Rose Gowen moved that Ordinance Number 235-2016-082, be **adopted** at first reading, to rezone from Dwelling “A” and General Retail “G” (DA & 4CG) to Apartment “H” (AH)

for 1.032 acres for Blocks 37 of Media Luna Addition located at 423 Ruben Torres. (District 4) The motion was seconded by Commissioner John Villarreal and carried unanimously.

9. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2016-087, to rezone from Professional Office “F” (1CF) to General Retail “G” (4CG) for Lot 2 of Block 1 of Guevara Subdivision located at 425 E. Los Ebanos. (District 4)

Mr. Ramiro Gonzalez, Assistant Director of Operations, gave a brief explanation of the proposed ordinance.

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

Commissioner Cesar de Leon moved that Ordinance Number 235-2016-087, be **adopted** at first reading, to rezone from Professional Office “F” (1CF) to General Retail “G” (4CG) for Lot 2 of Block 1 of Guevara Subdivision located at 425 E. Los Ebanos. (District 4) The motion was seconded by Commissioner Rose Gowen and carried unanimously.

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10. PUBLIC COMMENT PERIOD: PLEASE NOTE:

No one signed up for Public Comment.

ACTION ITEMS:

11. Consideration and ACTION on Ordinance Number 2016-1620, authorizing the issuance of City of Brownsville, Texas, General Obligation Refunding Bonds, Series 2016A, approving and authorizing the execution of an Escrow Agreement, a Paying Agent/Registrar Agreement, a purchase contract and other instruments and procedures related thereto; delegating authority to certain City Officials to select outstanding obligations to be refunded and approve all final terms of the Bonds; approving an official statement; and calling certain obligations for redemption.

Mr. Lupe Granado III, Finance Director introduced Mr. Adrian Galvan, representative with Estrada Hinojosa Investment Bankers, whom delivered a PowerPoint presentation regarding the Refunding Plan of Finance General Obligation Refunding Bonds, Series 2016A.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2016-1620, authorizing the issuance of City of Brownsville, Texas, General Obligation Refunding Bonds, Series 2016A, approving and authorizing the execution of an Escrow Agreement, a Paying Agent/Registrar Agreement, a purchase contract and other instruments and procedures related thereto; delegating authority to certain City Officials to select outstanding obligations to be refunded and approve all final terms of the Bonds; approving an official statement; and calling certain obligations for redemption, be **approved**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

12. **Consideration and ACTION on Resolution Number 2016-062, to support and honor May 3rd, 2017 as the BIG GIVE.**

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2016-062, to support and honor May 3rd, 2017 as the BIG GIVE, be **approved with corrections**. The motion was seconded by Commissioner Rose Gowen and carried unanimously.

13. **Consideration and ACTION to approve the Rio Grande Valley Storm Water Task Force Interlocal Membership Agreement between the University of Texas Rio Grande Valley and the City of Brownsville and name the City of Brownsville representative, Jose Figueroa, to the Task Force.**

Commissioner Ricardo Longoria, Jr., moved that the Rio Grande Valley Storm Water Task Force Interlocal Membership Agreement between the University of Texas Rio Grande Valley and the City of Brownsville and name the City of Brownsville representative, Jose Figueroa, to the Task Force, be **approved**. 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 6:52 p.m.

Approved this 1st day of November, 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

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ADDENDUM

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 11, 2016**, at **5:20 P.M.** and at **6:00 P.M.** with the following members present:

- | | | |
|------------------------------|---|---------------------------------------------------|
| ANTONIO MARTINEZ |) | MAYOR |
| | | 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 |
| RUTH OSUNA | | ASSISTANT CITY MANAGER |
| MARK E. SOSSI | | CITY ATTORNEY |
| MICHAEL L. LOPEZ | | ASSISTANT CITY MANAGER/
CITY SECRETARY |
| ABSENT: | | NONE |

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 October 07, 2016.

REGULAR MEETING: 6:00 P.M.

14. Consideration and ACTION to develop a workgroup to review the adopted codes.

Commissioner Cesar de Leon gave a brief explanation of the fire codes that were adopted years ago by the City of Brownsville. Commissioner de Leon noted that he would like to create a workgroup within City staff and analyze all codes to see which needed to be adopted, updated or repealed, so it could be easier for a business owner to open a business.

Commissioner Jessica Tetreau moved that discussion of the agenda item be **continued**. The motion was seconded by Commissioner Deborah Portillo and carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, upon duly made motion, the meeting adjourned at 6:52 p.m.

Approved this 1st day of November, 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