

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
COUNTY OF CAMERON §

Sally Miniel Arroyo, At-large Commissioner "A"
Ricardo Longoria, Jr., District Commissioner 1
Carlos A. Cisneros, District Commissioner 3

Joseph A. Zavaletta, M.D., At-large Commissioner "B"
David A. Betancourt, District Commissioner 2
Ernesto L. De Leon, District Commissioner 4

Eddie Treviño, Jr., Mayor

**NOTICE OF PUBLIC MEETING OF THE
CITY COMMISSION OF THE CITY OF BROWNSVILLE**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene a **Special Meeting**, on **Tuesday, December 14, 2004, at 6:00 P.M.** in the Commission Chambers, on the Second Floor of the Brownsville City Hall – Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, 78520.

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SPECIAL MEETING: 6:00 P.M.

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

INVOCATION:

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1. PRESENTATION: *Employee of the Month
(December 2004)*

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2. CONSENT AGENDA ITEMS:

All consent Agenda Items listed are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

ITEM No. "a" through "k"

a) Approval of the Minutes of the Regular Meeting of December 07, 2004.

- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Dates</u>
Ben Neece	Municipal Court	San Antonio, TX	Jan. 25 – 27, 2005
Phil Bellamy	Municipal Court	San Antonio, TX	Jan. 25 – 27, 2005
John Williamson	Municipal Court	Houston, TX	Feb. 02 – 04, 2005
Rene DeCoss	Municipal Court	South Padre Island, TX	Apr. 11 – 12, 2005
Joseph L’Ami	Parks	Corpus Christi, TX	Dec. 17 – 18, 2004
Chris Patterson	Parks	San Antonio, TX	Jan. 05 – 07, 2004
Ben Medina	Planning	Austin, TX	Dec. 15 – 16, 2004

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1431** to abandon and close a portion of a 20-foot drainage easement located in Lot 34, Block 6, Villa los Pinos, Section III. (Carlos Lastra, P.E. – Engineering)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-235.63** to amend the text of the City Zoning Ordinance by modifying the list of wet-restaurant streets to include the western side of Paredes Line Road, from Tony’s Road to Greenwood Drive, and dealing with related matters including \$2000 penalties. (Ben Medina – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-067** to rezone, from “Y” Area District to “G” Area District, the southernmost 50.5 acres out of 120.43 acres out of Share 12 of Espiritu Santo Grant, near Naranjo Road and FM 511. (Ben Medina – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-079** to rezone, from “Z” Area District to “F” Area District classification, the southernmost 38.00 acres out of 117.899 Acre Tract of Land of Share 12 of Espiritu Santo Grant, near FM 511, an old tract of land out of Share 12 of Espiritu Santo Grant, near FM 511 and Old Alice Road. (Ben Medina – Planning)
- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-097** to rezone, from “G” and “Z” Area District to “J” Area District, 3.437 acres out of Lots 1 thru 5 of Block N of Brownsville Land and Improvement Company Subdivision in Share 22 of Espiritu Santo Grant, near Expressway 77/83 Morrison Road. (Ben Medina – Planning)

- h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-098** to rezone, from Medium Retail “X” classification with O51 overlay to Apartment “G” classification with O51 overlay, 3.16 acres out of Lots 2 and 3 of Block 115 of El Jardin Re-Subdivision in Share 29 of Espiritu Santo Grant, near Charmaine Road and FM 511. (Ben Medina, Jr. – Planning)
- i) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-099-S** to allow a Light Commercial specific use (used car lot) in a General Retail use District, for Lot 12 of Block 1 of Military South Subdivision Phase I, near US 281 and Olivia Lane. (Ben Medina, Jr. – Planning)
- j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-100-S** to allow an Apartment specific use (condominiums) in a Dwelling use District, for Lot 7 of Block 1 of Amira Diamondpoint Subdivision, near McAllen and Gilson Road. (Ben Medina, Jr. – Planning)
- k) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1416** to enact a new Municipal Code Book for the City of Brownsville, Texas. (James Goza – City Attorney)

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BOARDS AND COMMISSION APPOINTMENTS:

- 3. Consideration and **ACTION** to appoint or reappoint two (2) members to the Brownsville Public Library Board. (Noemi Garza – Library Director) [Tabled 12-07-2004]

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PUBLIC HEARINGS:

- 4. Public Hearing and **ACTION** of **PROTESTED** Class A-Permit by Cameron County concerning the Heritage Council’s decision on December 4, 2004, to deny issuance of a Class A-Permit for the proposed location on the NW corner of 11th and Monroe of a mechanical/electrical courtyard at 1150 E. Madison St. (Dancy Building) 1912 Cameron County Courthouse, Legal Description: all Block 121, Brownsville Original Townsite. (Peter L. Goodman – Heritage)
- 5. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-101-S** to allow a Medium Retail specific use (First National Bank) in a Professional Office & Dwelling use district with the following overlays: O33 (non-apartment), O71 (resaca overlay), O91 (limited-rezone), and O93 (limited-specific-use), for Lots 2 & 3 of Media Luna Estates Section I, near Old Alice Road and FM 802. (Ben Medina, Jr. – Planning)

6. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-102** to rezone from Dwelling “Z” classification to Professional Office “Z” classification, for Lot 1 of Block 1 of Capistran-Alejandro Estates II, near FM 511 and California Road. (Ben Medina, Jr. – Planning)
7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-102-S** to allow a Medium Commercial specific use (import & export warehouse) in a Professional Office use district, for Lot 1 of Block 1 of Capistran-Alejandro Estates II, near FM 511 and California Road. (Ben Medina, Jr. – Planning)
8. Public Hearing and **ACTION** to approve the 2003-3004 Consolidated Annual Performance and Evaluation Report (CAPER). (Ben Medina – Planning)

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ACTION ITEMS:

9. Consideration and **ACTION** on **FIRST READING** of **Ordinance Number 2004-1412-A** to authorize certain actions relating to outstanding obligations designated as City of Brownsville, Texas, Utilities System Subordinate Lien Revenue and Refunding Bonds, Series 2001A and 2001B and City of Brownsville, Texas, Utilities System Subordinate Lien Revenue and Refunding Bonds, Series 2002A and 2002B; and providing for an effective date. (John Bruciak – BPUB)
10. Consideration and **ACTION** to approve **Resolution Number 2004-062** to re-accept, review, amend and re-adopt 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”. (Pete Gonzalez – Finance)
11. Consideration and **ACTION** to acknowledge the Finance Director’s Financial Statements and Cash Investment Report for the City of Brownsville for the Fiscal Year ending September 30, 2004. (Pete Gonzalez – Finance)
12. Consideration and **ACTION** on **Resolution Number 2004-063** to approve the service plans and to set the time and place for annexation hearings on tracts of land described as Annexation Numbers 2004-01 thru 2004-07. (Ben Medina – Planning)

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PURCHASES/BIDS/CONTRACTS:

- 13. Consideration and **ACTION** to authorize the execution of an agreement between the City of Brownsville and the Texas Department of Transportation (TXDOT) to contribute funds for right of way acquisition for the FM 511 Project from State Highway 48 to US 77/83. (Carlos Lastra, P.E. – Engineering)
- 14. Consideration and **ACTION** to approve final invoice to G & T Paving, Inc. for the San Marcelo Project. (Carlos Lastra, P.E. – Engineering)

PUBLIC COMMENT PERIOD: PLEASE NOTE:

- ANY PERSON WITH BUSINESS BEFORE THE COMMISSION, NOT SCHEDULED ON THE AGENDA AS A PUBLIC HEARING, MAY SPEAK TO THE COMMISSION.
- “PUBLIC COMMENT FORMS” ARE LOCATED ON THE SECOND FLOOR AT THE ENTRANCE OF THE COMMISSION CHAMBERS.
- “PUBLIC COMMENT FORMS” MUST BE FILLED OUT AND PRESENTED TO THE CITY SECRETARY/STAFF FIFTEEN (15) MINUTES PRIOR TO THE MEETING.
- THERE IS A THREE (3)-MINUTE TIME LIMIT PER SPEAKER.
- THE SPEAKER MUST IDENTIFY BY NAME BEFORE SPEAKING.
- NO FORMAL ACTION CAN BE TAKEN.

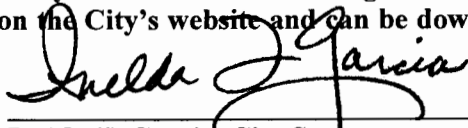
ADJOURNMENT:

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the Texas Government Code.

NOTE: The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at 956/548-6037 (voice or Relay TX) by Monday, no later than 5:00 P.M., to make proper arrangements.

By: **Eddie Treviño, Jr.**
Mayor of the City of Brownsville

I certify that a copy of the December 14, 2004, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on December 10, 2004. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: www.cob.us/agendas.asp.



 Inelda T. Garcia, City Secretary

I certify that the attached notice and Agenda of items to be considered by the City Commission were removed by me from the New City Hall bulletin areas on the _____ day of _____, 2004.

Name/Title