

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 **Workshop and Regular Meeting**, on **Tuesday, November 16, 2004, at 5:45 P.M. and 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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WORKSHOP: 5:45 P.M.

- a) Discussion and presentation of the Reverse 911 Notification System by the Cameron County Emergency Communications District. (Chief Leonard L. Perez – Fire – 15 min.)

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REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

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1. PROCLAMATIONS: *National Epilepsy Awareness Month*
(Mayor Eddie Treviño, Jr.)

Brownsville's Fall Clean Up and
Texas Recycles Day
(Commissioner Carlos A. Cisneros)

Daniel Villegas
(Commissioner Joseph A. Zavaletta)
(Commissioner Ernesto L. De Leon)

2. PRESENTATION: *City Video Project*
(Mayor Eddie Treviño, Jr.)

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3. 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 "f"

- a) Approval of the Minutes of the Regular Meeting of November 02, 2004.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Dates</u>
Edward Kuprel	Bldg. Inspections	San Antonio, TX	Nov. 18 – 19, 2004
Roy Reyes	Bldg Inspections	San Antonio, TX	Nov. 18 – 19, 2004
Inelda T. Garcia	City Secretary	Austin, TX	Dec. 01 – 03, 2004
Liza M. Vega	City Secretary	Austin, TX	Dec. 01 – 03, 2004
Inelda T. Garcia	City Secretary	Austin, TX	Dec. 05 – 07, 2004
Nayade I. Garza	City Secretary	Austin, TX	Dec. 05 – 07, 2004
Viviana Montana	City Secretary	Austin, TX	Dec. 05 – 07, 2004
Corine Parris	Events Center	Monterrey/Salttillo, MEX	Nov. 13 – 17, 2004
Juan Carlos Guerrero	Events Center	Monterrey/Salttillo, MEX	Nov. 13 – 17, 2004
Sam Ortega	Fire	Austin, TX	Nov. 19 – 23, 2004
Javier Quiroga	Fire	Austin, TX	Nov. 19 – 23, 2004
J. Altamirano	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Arreola	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
P. Avila	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
A. Balboa	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Balboa	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
M. Benavidez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
O. Alegria	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J.L. Casarez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
A. Duarte	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
C. Fralick	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J. Fulsom	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
I. Gamboa	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J.L. Garcia	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
G. Garcia	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J. Gomez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J. Goulding	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
M. Gracia	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
L. Hernandez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
D. Hopperstad	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J.R. Lopez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J.A. Lopez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
D. Lopez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
Q. Marks	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J.R. Martinez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
C. Mendez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Moncivaiz	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J. Montez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Munoz	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Prince	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Dates</u>
F. Rivera	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
F. Rivera	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
E. Robertson	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
J. Rodriguez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
L. Stambaugh	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
R. Velez	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
A. Garcia	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
D. Avila	Fire	Corpus Christi, TX	Nov. 22 – 23, 2004
Leonardo Perez	Fire	Bradenton, FL	Nov. 22 – 23, 2004
Daniel Zuniga	Fire	Bradenton, FL	Nov. 22 – 23, 2004
Joseph Prosise	Fire	Bradenton, FL	Nov. 22 – 23, 2004
Dean Gutierrez	Fire	Bradenton, FL	Nov. 22 – 23, 2004
Sandra De Leon	Health	Austin, TX	Nov. 17 – 18, 2004
Sandra De Leon	Health	Austin, TX	Nov. 30 – Dec. 02, 2004
Joe A. Hinojosa	Health	Galveston, TX	Nov. 29, 2004
Joseph L'Ami	Parks	Ingleside, TX	Nov. 29 – 30, 2004
Carlos L. Garcia	Police	Huntsville, TX	Nov. 30 – Dec. 03, 2004
Francisco Gracia	Police	Huntsville, TX	Dec. 06 – 08, 2004

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1427** creating Tax Increment Reinvestment Zone Number 2 (“The University Park Tax Increment Reinvestment Zone”) for Tax Increment Financing purposes, pursuant to Chapter 311 of the Texas Tax Code; creating a board of directors for such zone; containing findings and provisions related to the foregoing subject; and providing a severability clause. (Ben Medina, Jr. – Planning)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1429** to revise the Northeast Brownsville Zoning Plan, to create the FM 511/I–69 Corridor boundaries and regulations, and to delete a portion of the O31 non-residential overlay. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-093** to rezone, from Dwelling “A” classification to General Retail “A” classification, .26 acres out of C.B. Hamlett in Share 12 of Espiritu Santo Grant, near Expressway 77/83 and Fish Hatchery Road. (Ben Medina, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2004-093-S** to allow a Light Commercial specific use (used car lot) in a General Retail use district, .26 acres out of C.B. Hamlett in Share 12 of Espiritu Santo Grant, near Expressway 77/83 and Fish Hatchery Road. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSION APPOINTMENTS:

4. Consideration and **ACTION** to appoint or reappoint one (1) member to the Cameron Appraisal District's Board of Directors. (Mayor Eddie Treviño, Jr.)
5. Consideration and **ACTION** to appoint or reappoint one (1) member to the Brownsville Convention and Visitors Bureau. (Charlie Cabler – City Manager)

PUBLIC HEARINGS:

6. Public Hearing and **ACTION** to authorize the transfer of two (2) taxi cab ownerships from Abelardo Valdez to Oscar Valdez, who will continue to operate under the Fiesta Taxi Cab Company (Chief Carlos L. Garcia – Police)
7. Public Hearing and **ACTION** to authorize Mr. Alfredo Sanchez to transfer his motor cab license from American Taxi to Valley Taxi and to upgrade his taxicab from a 1994 Pontiac Transport Van to a 1998 Nissan Quest Van. (Chief Carlos L. Garcia – Police)
8. Public Hearing and **ACTION** to authorize the issuance of a new taxi cab permit to Mr. Raul Hernandez on a 1996 Ford Crown Victoria 4-door who will be operating for City Taxi Company. (Chief Carlos L. Garcia – Police)
9. Public Hearing and **ACTION** to authorize the issuance of a new taxi cab permit to Mr. Benjamin Guerra on a 1997 Ford Crown Victoria 4-door who will be operating for Brownsville Taxi Cab Company. (Chief Carlos L. Garcia – Police)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-064** to rezone, from Light Commercial “W” classification to Apartment “G” classification, 16.743 acres out of Blocks 31 and 32 of Rincon Subdivision, near Old Alice Road and FM 511. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-065** to rezone, from Dwelling “Z”, “G” and Light Commercial “W”, “G” to Dwelling “G” classification, 173.615 acres part of Block 32 of all of Blocks 33 and 34 of Rincon Subdivision, near Old Alice Road and FM 511. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-066** to rezone, from Light Commercial “W” classification to General Retail “G” classification, 10.285 acres out of Blocks 31 and 32 of Rincon Subdivision, near Old Alice Road and FM 511. (Ben Medina, Jr. – Planning)

13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-073** to rezone, from Light Retail “X” classification to Dwelling “Z” classification, 7.231 acres out of Lot 4 of Blocks 114 and 115 of El Jardin Re-subdivision in Share 29 of Espiritu Santo Grant, near Charmaine Road and FM 511. (Ben Medina, Jr. – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-080** to rezone, from Light Retail “Y” and “X” classification to Dwelling “Z” classification, .937 acres out of Lots 2 and 1-A of Block 114 of El Jardin Re-subdivision Share 29 of Espiritu Santo Grant, near Charmaine Road and FM 511. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-081** to rezone, from “Y” Area District to “Z” Area District classification, 0.773 acres out of Lot 2 of Block 114 and Lot 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)
16. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-090** to rezone, from “X” Area District to “Y” Area District classification, the North 3.62 acres out of Blocks 114 and 115 in Share 29 of Espiritu Santo Grant, near Charmaine Road and FM 511. (Ben Medina, Jr. – Planning)
17. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-094** to rezone, from “X” Area District to “Z” Area District classification, the South 3.62 acres out of Blocks 114 and 115 in Share 29 of Espiritu Santo Grant, Near Charmaine Road and FM 511. (Ben Medina, Jr. – Planning)
18. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-095** to rezone, from Light Retail “V” and Dwelling “Z” classification with O31 and O51 overlay Districts to General Retail “G” classification with O31 and O51 overlay Districts, for 36.427 acres out of Blocks 3, 4, 17, and 18 of Rincon Subdivision, near FM 511 and Old Alice Road. (Ben Medina, Jr. – Planning)
19. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-096** to rezone, from “Z” Area District to “G” Area District classification, for 91.461 acres out of Blocks 4, 5, 6, 18, 19 and 20 of Rincon Subdivision, near FM 511 and Old Alice Road. (Ben Medina, Jr. – Planning)

- 20. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2004-1430** authorizing the City of Brownsville to freeze property taxes for homeowners who are either disabled or 65 years of age or older. (Pete Gonzalez – Finance)

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ACTION ITEMS:

- 21. Consideration and **ACTION** on **Resolution Number 2004-051** regarding the budget amendments to the General Fund, Convention and Tourism Fund, Capital Equipment Fund, 2001 Certificate of Obligation Fund, Airport Fund, Motor Vehicle Parking System Fund, Public Transit and the Brownsville Golf Center Fund. (Pete Gonzalez – Finance)
- 22. Consideration and **ACTION** regarding the City of Brownsville’s participation and support of the Reverse 911 Notification System. (Fire Leonardo L. Perez – Fire)
- 23. Consideration and **ACTION** to authorize the Brownsville Police Department to participate in “Operation Stone Garden” from the United States Department of Homeland Security and to accept the Office of Domestic Preparedness Grant Award, in the amount of \$68,544. (Chief Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

- 24. Consideration and **ACTION** to approve a Memorandum of Understanding between the Brownsville Police Department and the Cameron County Juvenile Probation Department for a Juvenile Delinquency Deference Initiative – Early Intervention Grant Number ED-03-J120-16731-01, in the amount of \$22,037. (Chief Carlos L. Garcia – Police)
- 25. Consideration and **ACTION** to award a contract for the purchase of one (1) 2003 John Deere 330C LC Crawler Excavator for the Public Works Department. (Paul J. Calapa – Purchasing)
- 26. Consideration and **ACTION** to approve Budget reconciliation for Dean Porter Park, Phase II and Change Order Number Three (3). (Carlos Lastra, P.E. – Engineering)
- 27. Consideration and **ACTION** to approve Change Order Number Four (4) for Dean Porter Park, Phase II. (Carlos Lastra, P.E. – Engineering)
- 28. Consideration and **ACTION** to approve Change Order Number Five (5) for Dean Porter Park, Phase II. (Carlos Lastra, P.E. – Engineering)

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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.

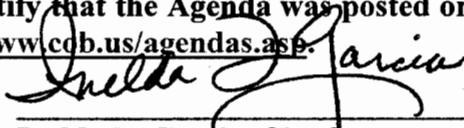
ADJOURNMENT:

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 November 16, 2004, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on November 12, 2004. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: www.ccb.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