

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 an **Executive Session, Workshop and Regular Meeting**, on **Tuesday, October 19, 2004, at 5:00 P.M., 5:50 P.M., 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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EXECUTIVE SESSION: 5:00 P.M.

- A)** Discussion pursuant to Section 551.071, of the Texas Government Code, regarding privileged attorney client communications concerning anticipated litigation. (Jim Goza – City Attorney – 10 min.)
- B)** Discussion pursuant to Section 551.071, of the Texas Government Code, regarding litigation styled Cause Number 2003-06-3199-E, Zimmerman Construction Company versus City of Brownsville. (Jim Goza – City Attorney – 10 min.)
- C)** Discussion pursuant to Section 551.072, of the Texas Government Code, regarding the purchase of real property for Industrial Park sites by the Greater Brownsville Incentives Corporation (GBIC). (Jim Goza – City Attorney – 20 min.)
- D)** Discussion pursuant to Section 551.087, of the Texas Government Code, regarding the economic development activities by the Greater Brownsville Incentives Corporation (GBIC). (Jim Goza – City Attorney – 10 min.)

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Dates</u>
J. Eduardo Santillan	Engineering	Houston, TX	Oct. 28-30, 2004
Reynaldo Garza, III	Municipal Court	Tyler, TX	Oct. 20-22, 2004
William Dietrich	Police	San Antonio, TX	Oct. 17-19, 2004
Eduardo Reyes	Police	San Antonio, TX	Oct. 22-24, 2004
John Jones	Police	San Antonio, TX	Oct. 22-24, 2004
Daniel DeAnda	Police	San Antonio, TX	Oct. 22-24, 2004
Henry Etheridge	Police	San Antonio, TX	Oct. 22-24, 2004
Rolando Vasquez	Police	San Antonio, TX	Oct. 22-24, 2004
Ruben Gutierrez	Police	San Antonio, TX	Oct. 24-26, 2004
Daniel DeAnda	Police	San Antonio, TX	Oct. 24-26, 2004
Carlos L. Garcia	Police	El Paso, TX	Nov. 09-11, 2004

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-567-SS** to amend Chapter 332-SUBDIVISIONS; Article II. Basic Procedures, Section 332-72, FEES, by amending and adding certain fees and dealing with related matters. (Ben Medina, Jr. – Planning)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-235.63** to amend Chapter 348-ZONING; Article VIII-Specific Uses; Section 348-1419 FEES, by amending and adding certain fees and dealing with related matters. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-235.62** to amend the text of the City Zoning Ordinance by modifying the list of wet-restaurant street to include South side of Military Highway US 281, from the South Ruben Torres Boulevard (FM 802) to Laredo Road and dealing with related matter including \$2000 penalties. (Ben Medina, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1425** to abandon portions of 60 feet of unused roadway easements known as Nueces Street and Ivens Street in the City of Brownsville, Texas. (Carlos Lastra, P.E. – Engineering)
- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2004-1426** to abandon and close a portion of a 10-foot utility easement located in Block 1, Lot 63, Villa Bonita Subdivision, Section VI. (Carlos Lastra, P.E. – Engineering)

h) APPROVAL on SECOND and FINAL READING of Ordinance Number 2004-1421 to designate a contiguous geographic area within the City of Brownsville as Tax Increment Reinvestment Zone Number I (TIRZ-1), for Tax Increment Financing purposes, pursuant to Chapter 311 of the Texas Tax Code; to create 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)

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BOARDS AND COMMISSION APPOINTMENTS:

3. Consideration and **ACTION** to appoint or reappoint four (4) members to the Transit Advisory Committee. (Norma H. Zamora – BUS)

PUBLIC HEARINGS:

4. Public Hearing and **ACTION** on **FIRST 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)

5. Public Hearing and **ACTION** on **FIRST READING of PROTESTED Ordinance Number 235-2004-059-S** to allow an apartment specific use (condominiums) in a Dwelling use district, Lot 19 of Block 1 of Villas Reforma Subdivision, near Ruben Torres Boulevard, FM 802 and Old Spanish Trail. (Ben Medina, Jr. – Planning) [CONTINUED 09-21-2004] [CONTINUED 09-29-2004] [CONTINUED 10-05-2004]

6. Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 235-2004-082** to rezone from Dwelling “G” classification to Medium Commercial “G” classification, 10.45 acres out of Lot 4 of Block 112 of Share 29 of Espiritu Santo Grant, near Minnesota Avenue and Ebony Avenue. (Ben Medina, Jr. – Planning)

7. Public Hearing and **ACTION** on **FIRST READING of Ordinance Number 235-2004-083** to rezone from Dwelling “G” classification to Medium Retail “G” classification, 2.41 acres out of Block 30 of Brownell Tract in Share 28 of Espiritu Santo Grant, near Minnesota Avenue and Austin Road. (Ben Medina, Jr. – Planning)

8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-085** to rezone from Dwelling “G” classification to Medium Retail “G” classification, 1.867 acres out of Block 23 of Brownsville Land and Improvement Company Holdings in Share 28 of Espiritu Santo Grant, near Minnesota Avenue and Houston Road. (Ben Medina, Jr. – Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-086** to rezone from Dwelling “A” classification to General Retail “G” classification, 18.206 acres out of 308.92 acre tract in Share 22 of Espiritu Santo Grant, near proposed Morrison Road and Pablo Kisel Blvd. (Ben Medina, Jr. – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-087** to rezone from Dwelling “A” classification to General Retail “G” classification, 34.075 acres out of 308.92 acre tract in Share 22 of Espiritu Santo Grant, near proposed Morrison Road and Pablo Kisel Blvd. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-088** to rezone from Dwelling “A” classification to General Retail “G” classification, 57.317 acres out of 308.92 acre tract in Share 22 of Espiritu Santo Grant, near proposed Morrison Road and Pablo Kisel Blvd. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-089** to rezone from Dwelling “A” & “H” classification to General Retail “G” classification, 19.239 acres out of 308.92 acre tract in Share 22 of Espiritu Santo Grant, near proposed Morrison Road and Pablo Kisel Blvd. (Ben Medina, Jr. – Planning)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2004-900** to rezone from General Retail “X” classification to Dwelling “F” with the removal of O31 (non-residential) overlay district, for 141.34 acres out of Block 104 of El Jardin Subdivision, near FM 511 and Dakota Avenue. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

14. Consideration and **ACTION** on **Resolution Number 2004-051** to authorize the Budget Amendment to the General Fund, Convention and Tourism Fund, Community Development Fund, Landfill Tipping Fee Increase Fund, 2001 C.O. Fund, Airport Fund, Motor Vehicle Parking System Fund, Public Transit and the Brownsville Golf Center Fund. (Pete Gonzalez – Finance)
15. Consideration and **ACTION** on **Resolution Number 2004-054** to approve the official intent to reimburse with tax-exempt obligation proceeds costs of construction improvements to the Dean Porter Park. (Pete Gonzalez – Finance)
16. Consideration and **ACTION** to authorize the use of Dean Porter Park for the Sombrero Festival Annual Event on February 24-26, 2005, the use of City property between Ringgold Street and Expressway 77 Frontage, and the consumption of alcoholic beverages during the festival. (Skip Keller – Parks)
17. Consideration and **ACTION** to approve Fiscal Year 2005 Budget for the Brownsville Community Improvement Corporation (BCIC). (Delina Barrera – BCIC)
18. Consideration and **ACTION** on **Resolution Number 2004-052** authorizing the submittal of a funding application to the Brownsville Community Improvement Corporation (BCIC) for Fiscal Year 2005, project by the Brownsville Fire Department. (Leonardo L. Perez – Fire)
19. Consideration and **ACTION** on **Resolution Number 2004-053** authorizing the submittal of funding applications to the Brownsville Community Improvement Corporation (BCIC) for the Fiscal Year 2005, projects by the Parks and Recreation Department. (Skip Keller – Parks)
20. Consideration and **ACTION** on **Resolution Number 2004-055** authorizing the submittal of a funding application to the Brownsville Community Improvement Corporation (BCIC) for the Fiscal Year 2005, projects by the Engineering Department. (Carlos Lastra, P.E. – Engineering)
21. Consideration and **ACTION** on **Resolution Number 2004-036-02** to amend Resolution Number 2003-036, Section 3, Article IV, of the Brownsville Border Film Commission By-Laws. (Peter Goodman – Heritage)

- 22. Consideration and **ACTION** on **Resolution Number 2004-050** to authorize the Brownsville Urban System to provide free rides to any citizen showing a valid voter registration card with identification on Tuesday, November 2, 2004, encouraging our citizens to vote and to promote the use of Public Transportation. (Norma H. Zamora – BUS)

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PURCHASES/BIDS/CONTRACTS:

- 23. Consideration and **ACTION** to award a contract for purchase and installation of playground equipment at Morningside Park, Central Avenue Park and Garfield Park. (Paul J. Calapa – Purchasing)
- 24. Consideration and **ACTION** to award a contract for the purchase of one (1) 30-foot, low floor, fixed route bus for use by the Brownsville Urban System (BUS). (Paul J. Calapa – Purchasing)
- 25. Consideration and **ACTION** to authorize an Annual Maintenance Contract for HVAC&R System Equipment for Brownsville Police Department Headquarters Building and Community Centers Buildings. (Paul J. Calapa – Purchasing)
- 26. Consideration and **ACTION** to award a contract for the purchase of vehicles for various City Departments. (Paul J. Calapa – Purchasing)

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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.

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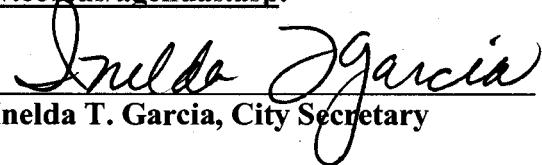
ADJOURNMENT:

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 October 19, 2004, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on October 15, 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