

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

Ernie L. Hernandez, Jr., At-large Commissioner "B"
David A. Betancourt, District Commissioner 2
Edward C. Camarillo, 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, a Workshop, and Regular Meeting**, on **Tuesday, December 06, 2005, at 4:45 P.M., 5:30 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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EXECUTIVE SESSIONS: 4:45 P.M.

- A) Attorney consultation pursuant to Section 551.071, of the Texas Government Code, regarding Collective Bargaining Agreement between the City of Brownsville and the Brownsville Police Officers Union. (Lidia Gonzalez – Human Resources – 25 min.)
- B) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding pending 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 551.071, of the Texas Government Code, regarding attorney client privilege communication. (Jim Goza – City Attorney – 10 min.)

WORKSHOP: 5:30 P.M.

- a) Discussion regarding the Brownsville Urban System's Proposed Service Expansion & Improvements and Pass System Upgrades. (Norma H. Zamora – BUS – 15 min.)

*****15 MINUTE BREAK*****

REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

1. *PROCLAMATION:* *A National Transit Tribute to Rosa Parks Day
(Norma H. Zamora)*

2. *PRESENTATIONS:* *Environmental Investigation Update
(Jim Goza, City Attorney)*

*Administrative Report
(Greater Brownsville Incentives Corporation)*

*Employee of the Month
(December 2005)*

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.

ITEMS No. "a" through "f"

- a) Approval of the Minutes of the Regular Meeting of November 15, 2005, and the Special Meeting of November 16, 2005.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Alex Lorio	BUS	Corpus Christi, TX	Jan. 08 – 13, 2006
Ben Neece	Municipal Court	San Antonio, TX	Jan. 17 – 19, 2006
Phil Bellamy	Municipal Court	Plano, TX	Feb. 19 – 21, 2006
John Williamson	Municipal Court	Galveston, TX	Feb. 27 – Mar. 01, 2006

Rene Decoss	Municipal Court	S Padre Island, TX	May 1 – 2, 2006
Ignacio Torteya, III	Municipal Court	S Padre Island, TX	May 1 – 2, 2006
Ben Medina, Jr.	Planning	San Antonio, TX	Dec. 07 – 09, 2005
Robert Medrano	Planning	San Antonio, TX	Dec. 07 – 09, 2005
Lucy Garza	Planning	San Antonio, TX	Dec. 07 – 09, 2005
Mark Lund	Planning	Austin, TX	Dec. 08, 2005
Mark Lund	Planning	Austin, TX	Dec. 12 – 13, 2005
David Dale	Police	Dallas, TX	Dec. 13 – 16, 2005
Michael Cadriel	Police	Dallas, TX	Dec. 13 – 16, 2005
Carlos L. Garcia	Police	Austin, TX	Dec. 12 – 14, 2005
Henry Etheridge	Police	Austin, TX	Dec. 12 – 14, 2005
Rolando Vasquez	Police	Austin, TX	Dec. 12 – 14, 2005
Mike Sanchez	Police	Austin, TX	Dec. 12 – 14, 2005
Juan Hernandez, Jr.	Police	San Antonio, TX	Jan. 15 – 20, 2006
Manuel Lucio	Police	San Antonio, TX	Jan. 15 – 20, 2006

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-060** to rezone, from Dwelling “A” classification to General Retail “G” classification, for 1.69 acres out of Lots 5, 6 and 13 thru 16 of Harrington Place Subdivision, near Expressway 77/83 and Old Alice Road. (Ben Medina, Jr. – Planning)

- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-061** to rezone, from Dwelling “Z” classification to Medium Retail “G” classification, for Lot 5 of Block 2 of Cameron Park Addition, near Paredes Line Road and Alton Gloor Boulevard. (Ben Medina, Jr. – Planning)

- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-062-S** to allow a General Retail specific use (mechanic shop) in a Medium Retail use district, for Lot 4 of Block 2 of Tandy Subdivision, near State Highway 100 and FM 803. (Ben Medina, Jr. – Planning)

- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-063** to rezone, from Dwelling “A” classification to Medium Retail “G” classification, for Lots 16 and 18 of Baytes Circle Homesite, near Hannah Drive and Expressway 77/83. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSION APPOINTMENTS:

4. Consideration and **ACTION** to appoint or re-appoint four (4) members to the Brownsville Community Improvement Corporation (BCIC). (Delina Barrera - BCIC)

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PUBLIC HEARINGS:

5. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2005-1448** to amend Chapter 18 of the City of Brownsville Code of Ordinances, adopting Windstorm Construction Standards. (Santiago Navarro – Building Inspections)
6. Public Hearing and **ACTION** regarding the Brownsville Urban System’s Proposed Service Expansion & Improvements and Pass System Upgrades. (Norma H. Zamora – BUS)
7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2005-1220-H**, an ordinance of the City Commission of the City of Brownsville, amending the Code of Ordinances – Chapter 2 Administration, Article V Finance, Division 2 Fees; in particular amending Section 2-432 entitled “Fees and Charges for Administrative Services.” (Estela Von Hatten – City Secretary)
8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-064** to rezone, from Dwelling “A” classification to Apartment “A” classification, for Block 29 of Share 19 of El Jardin Subdivision, near Dana Road and Old Port Isabel Road. (Ben Medina, Jr. – Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-066** to rezone, from “Z” Area District classification to “F” Area District classification, for 20.19 areas out of Lots 17 and 18 of Barreda Gardens Subdivision, near US Highway 281 and San Pedro Road. (Ben Medina, Jr. – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-067-S** to allow a General Retail specific use (medical offices) in a General Retail use district, for Lot 31 of Block 1 of Ridgeline Terrace Section II, near Alton Gloor Boulevard and Stagecoach Trail. (Ben Medina, Jr. – Planning)

11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-068-S** to allow a General Retail specific use (offices and condominiums) in a General Retail use district, for 4.04 acres out of Blocks 39 and 40 of Media Luna Subdivision, near FM 802 and Country Club Road. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-069** to rezone, from Dwelling “G” classification to Medium Retail “G” classification, for Lot 4 of Block 1 of Rentfro Terrace Subdivision, near Boca Chica Boulevard and Old Port Isabel Road. (Ben Medina, Jr. – Planning)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-600-CU**, conditional use, to allow the sale of alcohol (wet restaurant) at Lot 1 Block 1 of H.E.B. Subdivision, located at 2950 Southmost Road. (Ben Medina, Jr. – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-070** to rezone, from Dwelling “A” classification to General Retail “H” classification, for Lot 1 of Block S of Brownsville Land and Improvement Company Subdivision in Share 22 of Espiritu Santo Grant, near Boca Chica Boulevard and US Highway 281. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-071** to rezone, from Dwelling “G” classification to Professional Office “G” classification, for 5.00 acres out of Block 27 of El Jardin Subdivision, near Coffee Port Road and Robindale Road. (Ben Medina, Jr. – Planning)
16. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2005-072-S** to allow an Apartment specific use (day care center) in Dwelling use district, for Lot 5 of Block 1 of Alamo Heights Subdivision, near Central Avenue and State Highway 48. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

17. Consideration and **ACTION** to adopt **Resolution Number 2005-038** to authorize the commitment of local funding for completion of Statewide Transportation Enhancement Program, (S.T.E.P.), project known as the Historic Battlefield Trail & Southern Pacific Linear Park. (Larry A. Brown – Aviation) [TABLED 11/01/2005]

18. Consideration and **ACTION** to approve the plan of finance regarding the issuance of general obligation bonds and certificates of obligation. (Pete Gonzalez – Finance) [TABLED 11/15/2005]
19. Consideration and **ACTION** regarding approval of proposed labor agreement between the City of Brownsville and the Brownsville Police Officer’s Association. (Lidia Gonzalez – Human Resources)
20. Consideration and **ACTION** on the scope of work for the City’s Master Plan and Project. (Ben Medina, Jr. – Planning)

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PURCHASES/BIDS/CONTRACTS:

21. Consideration and **ACTION** authorizing Guerra’s Auto Service, a Texas Corporation, to enter into a lease agreement with the City of Brownsville, Texas, Department of Aviation. (Larry A. Brown – Aviation)
22. Consideration and **ACTION** to authorize Change Order Number 1 to the contract for the construction of the General Aviation Infrastructure Project at the Brownsville/South Padre Island International Airport. (Larry A. Brown – Aviation)
23. Consideration and **ACTION** to authorize the City Manager to enter into a Memorandum of Understanding between Cameron County and the City of Brownsville-Brownsville Urban System with regard to a partnership for the continuation and/or expansion of public transportation to Cameron Park and other colonias in Cameron County. (Norma H. Zamora – BUS)
24. Consideration and **ACTION** to approve **Resolution Number 2005-046** to authorize the City of Brownsville to apply for a grant from the Texas Water Development Board, and granting authority for the City of Brownsville to enter into a contract with Texas Water Development Board. (Ben Medina, Jr. – Planning)
25. Consideration and **ACTION** to award a contract for the purchase and installation of sports lighting structure at the new Brownsville Miss Little Kickball Complex Field located on 511 property. (Paul J. Calapa – Purchasing)

26. Consideration and **ACTION** to award a contract for construction of irrigation system at the West Brownsville Little League Park. (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 December 06, 2005, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on December 02, 2005. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: www.cob.us/agendas.asp.



Estela Von Hatten, 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 City Hall bulletin areas on the ____ day of _____, 2005.

Name/Title