

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
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 and a Special Meeting**, on **Tuesday, June 21, 2005, at 4:45 P.M. and 5:30 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: 4:45 P.M.

- A) 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 – 15 min.)
- B) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding Economic Development opportunities. (Jim Goza – City Attorney – 20 min.)

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SPECIAL MEETING: 5:30 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

INVOCATION:

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- 1. **PROCLAMATION:** *Homeownership Month
June 2005
(Mayor Eddie Treviño)*
- 2. **PRESENTATION:** *United States Armed Forces
(Mayor Eddie Treviño)*

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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 June 07, 2005.
- b) Authorization for the following individuals to incur travel expense:

Employee	Department	Destination	Date
Mary Brown	Beautification	Houston, TX	June 27 – 30, 2005
Joe Lee Rubio	Beautification	Houston, TX	June 27 – 30, 2005
Craig Timmer	Beautification	Houston, TX	June 27 – 30, 2005
Santiago Navarro	Bldg. Inspections	Austin, TX	July 17 – 19, 2005
Norma Zamora	BUS	Dallas, TX	Sept. 25 – 29, 2005
Pete Gonzalez	Finance	Houston, TX	July 13 – 14, 2005

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-022** to rezone from Apartment "A" classification to Professional Office "A" classification, Lot 19 of La Villita Unit 4, near Calle Milpa Verde and Gloria Street. (Ben Medina, Jr. – Planning)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-024** to rezone from Apartment "H" classification to General Retail "H" classification, 1.16 acres out of Block 58 of Share 27 of El Jardin Subdivision, near State Highway 48 and McKenzie Road. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-025** to rezone from Dwelling "A" classification to General Retail "A" classification, Lot 1 of Block 1 of Don Elias Subdivision, near State Highway 48 and Central Avenue. (Ben Medina, Jr. – Planning)

- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance 2005-898-B** to amend Chapter 74 of the City Code of Ordinances to include the Paseo de la Resaca Central Parkway within the requirements of that chapter. (Skip Keller – Parks)

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POST ELECTION BUSINESS:

4. Consideration and **ACTION** on **Resolution Number 2005-022** canvassing and declaring the results of General Municipal Run-off Election held on June 11, 2005, for the purpose of electing District Commissioner 4. (Mayor Eddie Treviño)
5. Consideration and **ACTION** regarding the issuance of Certificate of Election, the Administration of the Oath of Office, and Assumption of Duties of an Elected Official. (Mayor Eddie Treviño)

BOARDS AND COMMISSIONS APPOINTMENTS:

6. Consideration and **ACTION** to appoint or re-appoint two (2) members to the Parks and Recreation Advisory Committee. (Skip Keller – Parks) [TABLED 06-07-2005]
7. Consideration and **ACTION** to appoint six (6) members to the Board of Directors of the Tax Increment Reinvestment Zone Number One (TIRZ I). (Ben Medina, Jr. – Planning) [TABLED 06-07-2005]
8. Consideration and **ACTION** to appoint fourteen (14) members to a Charter Review Committee. (Commissioner Ernie L. Hernandez)

PUBLIC HEARINGS:

9. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance 2005-1433** to abandon and close a portion of an existing 15-foot drainage and utility easement located in Lot 11, Block 5, Isla de Palmas Subdivision, Section II. (Carlos Lastra, P.E. – Engineering) [TABLED 06-07-2005]
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2005-983-Z** to amend certain sections of Chapter 102 of the Code of Ordinances entitled “Utilities”, which provides for electric, water and wastewater (sanitary sewer) service rates and charges and conditions of services; to adjust the electric rates resulting in an increase in electric rates and the fuel and purchased energy charge section therein to reflect current conditions and increased costs; to adjust the water and wastewater rates resulting in an increase in water revenues and wastewater revenues; and provide a severability clause and effective date. (Pete Gonzalez – Finance)

11. Public Hearing and **ACTION** to authorize the issuance of a new taxi cab permit to Mr. Florentino Izaguirre, on a 1999, 4-door Chevrolet Lumina, who will be operating for G.C. Taxi Company. (Carlos L. Garcia – Police)
12. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2005-026** to rezone from “Z” Area District classification to “G” Area District classification, for Block 9 of Olmito Tract Number 1 of Shares 12 and 15 of Espiritu Santo Grant, near Lomax Road and FM 803. (Ben Medina – Planning)
13. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2005-028** to rezone from “G” Area District classification to “J” Area District classification, for 30.32 acres out of Blocks 6 thru 11 of Media Luna Subdivision, near Expressway 77/83 and Morrison Road. (Ben Medina – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2005-029** to rezone from Dwelling “Z” classification to Medium Retail “Z” classification, for Lot 9 of Block 30 of Cameron Park Subdivision Section 2, near Paredes Line Rd and Gregory Avenue. (Ben Medina – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2005-030-S** to allow a Medium Commercial specific use (outdoor sale/rental of utility commercial trailers to public view) in a General Retail use district, for Lot 7 of Block 1 of Military South Subdivision Phase I, located at 9247 US 281. (Ben Medina – Planning)
16. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2005-1427-B** to adopt the Final Project Plan and Reinvestment Zone Financing Plan for TIRZ Number 2. (Ben Medina – Planning)

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ACTION ITEMS:

17. Consideration and **ACTION** to adopt a plan of finance on the Brownsville Public Utilities Boards’ existing and new debt issuance. (Pete Gonzalez – Finance)
18. Consideration and **ACTION** authorizing a representative and an alternate representative to negotiate final settlement of Cause Number 2003-06-3199-E, Zimmerman Construction Company versus City of Brownsville. (Jim Goza – City Attorney)

19. Consideration and **ACTION** on **Ordinance Number 2005-933-JJ** which corrects Ordinance Number 933-HH that was approved by the City Commission on April 5, 2005. (Chief Leonardo Perez – Fire)
20. Consideration and **ACTION** on **Resolution Number 2005-023** to approve budget amendment to the General Fund by \$879,180 to reimburse Housing and Urban Development (HUD) for the amount owed on Community Development Corporation of Brownsville (CDCB) Home Program. (Pete Gonzalez – Finance)
21. Consideration and **ACTION** to authorize staff to develop an Early Childhood Education Program in the City of Brownsville. (Ben Medina – Planning)

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PURCHASES/BIDS/CONTRACTS:

22. Consideration and **ACTION** to authorize Amendment Number 13a, Supplement to Amendment Number 13, to the Contract with HNTB for engineering services to perform Federal Aviation Administration (FAA) required design modifications to the Runway 17-35, Runway 13R-31L, South General Aviation (G/A) Ramp Rehabilitation and Improvement Project. (Larry Brown – Aviation)
23. Consideration and **ACTION** to authorize Amendment Number 15 to the Contract with HNTB for engineering services associated with the construction of the General Aviation (G/A) Infrastructure Project. (Larry Brown – Aviation)
24. Consideration and **ACTION** to approve a contract between the City of Brownsville and The Friends of the Brownsville Historic City Cemetery, Incorporated. (Jim Goza – City Attorney)
25. Consideration and **ACTION** to authorize the negotiation and purchase of a 0.712-acre easement out of Share 19, Espiritu Santo Grant for the proposed Bike and Hike Trail Project and to incur expenses associated with closing costs. (Eduardo Santillan – Engineering)
26. Consideration and **ACTION** to award a contract for the 29th Year Community Development Block Grant (CDBG) Street and Drainage Improvement Program for Villa Verde and Shary Avenue. (Paul Calapa – Purchasing)
27. Consideration and **ACTION** to award a contract for demolition of condemned houses by the Planning and Community Development Department. (Paul Calapa – Purchasing)

28. Consideration and **ACTION** to award a contract for the purchase and installation of a Municipal Court Building Security System. (Paul Calapa – Purchasing)
29. Consideration and **ACTION** to award a contract for the purchase and installation of Court Case Management Software. (Paul Calapa – Purchasing)
30. Consideration and **ACTION** to award a contract for the purchase and delivery of modular furniture for the new Animal Shelter Building. (Paul Calapa – Purchasing)
31. Consideration and **ACTION** to award a contract for the purchase and delivery of miscellaneous equipment and furnishings for the Ringgold Civic Pavilion at the Dean Porter Park. (Paul Calapa – Purchasing)
32. Consideration and **ACTION** to award a term contract for the purchase and delivery of crushed limestone base material for use by the Public Works Department. (Paul 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 June 21, 2005, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on June 17, 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, Interim 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