

**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, Workshops and Regular Meeting**, on **Tuesday, October 04, 2005, at 4:00 P.M., 4:45 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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**EXECUTIVE SESSION: 4:00 P.M.**

- A) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (James Goza – City Attorney – 10 min.)
- B) Attorney consultation pursuant to Section 551.071, Texas Government Code, to discuss pending litigation threatened by the Brownsville Police Officers Association concerning overtime pay provisions of collective bargaining agreement. (Charlie Cabler – City Manager – 10 min.)
- C) Attorney consultation pursuant to Section 551.071, Texas Government Code, to provide and counsel regarding duties and responsibilities under collective bargaining statutes. (Charlie Cabler – City Manager – 15 min.)
- D) Discussion pursuant to Section 551.071, of the Texas Government Code, concerning attorney client privileged communication regarding anticipated litigation. (James Goza – City Attorney – 10 min.)

**WORKSHOPS: 4:45 P.M.**

- a) Discussion regarding the Brownsville Community Improvement Corporation (BCIC) budget and related activities. (Delina Barrera – BCIC – 30 min.)



Jose Chavez	Internal Auditor	Austin, TX	Oct. 17, 2005
Chris Patterson	Parks	Austin, TX	Oct. 07-09, 2005
Ray Arellano	Parks	Austin, TX	Oct. 07-09, 2005
Jesse Alvarez	Parks	Austin, TX	Oct. 07-09, 2005
Steve Hubanks	Parks	San Antonio, TX	Dec. 12-14, 2005
Ben Medina	Planning	San Antonio, TX	Oct. 25-26, 2005
Mark Lund	Planning	Austin, TX	Oct. 04, 2005

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-052** to rezone from Dwelling “Z” classification to Medium Retail “Z” classification, Lot 5 of Block 22 of Cameron Park Addition, near Paredes Line Road and Rancho Viejo Avenue. (Ben Medina, Jr. – Planning)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-053** to rezone from Dwelling “A” classification to Apartment “G” classification, Tract I of Lot 6 of Chicago Gardens Subdivision in Share 28 of Espiritu Santo Grant, near Morningside Road and Apollo Drive. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-055-S** to allow a General Retail specific use (lube & tire shop) in a Medium Retail use district, for Lot 13A of Block 2 of El Valle Grande Subdivision Section I, near Alton Gloor Blvd. and Madrid Avenue. (Ben Medina, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2005-056-S** to allow a Professional Office specific use (offices) in a Dwelling use district, for Lots 8 and 9 of Block B of The Jardin Subdivision, near Boca Chica Blvd. and Owens Road. (Ben Medina, Jr. – Planning)
- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2005-1133-V** of the City Commission of the City of Brownsville, Texas, amending Ordinance 86-1133, an ordinance pertaining to a franchise contract between the City of Brownsville and Governmental Managerial Services Incorporated for collection and disposal of commercial and industrial solid waste, incorporating signed contract for all purposes and amending the rates for containerized collection of commercial and industrial solid waste and related matters as set forth in exhibit “A” establishing an increase of 3.8% as per section 13.02 (a), titled Modification of Rates, to reflect a

consumer price index increase, plus a \$.50 cent increase in garbage fees dedicated to the general fund for a total increase of 6.55%. (Pete Gonzalez – Finance)

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***BOARDS AND COMMISSION APPOINTMENT:***

4. Consideration and **ACTION** of renaming the Impact Fee Study Committee to the Capital Improvements Advisory Committee and to appoint two (2) additional members. (Ben Medina, Jr. – Planning)

***PUBLIC HEARINGS:***

5. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2005-235.65** amending the text of the City Zoning Ordinance by modifying the list of wet-bar areas to include Springmart Blvd. from Expressway 77/83 to Pablo Kisel Blvd. and dealing with related matters including \$2000 penalties. (Ben Medina, Jr. – Planning)
6. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2005-040-S** to rezone from General Retail specific use (used car lot) in a Dwelling use district for Lot 1 of Block 1 of Military South Subdivision Phase I, near US 281 and Luz Avenue West. (Ben Medina, Jr. – Planning)
7. Public Hearing and **ACTION** on **FIRST READING** on **PROTESTED Ordinance Number 235-2005-057** to rezone from Dwelling “Z” classification to General Retail “G” classification for Lot 4 of Block 2 of Tandy’s Corner Subdivision, near FM 803 and State Highway 100. (Ben Medina, Jr. – Planning)
8. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2005-1445** to authorize the City Manager to close East Harrison Street between East 9<sup>th</sup> Street and East 10<sup>th</sup> Street as required by Cameron County. (Robert Esparza – Traffic)
9. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2005-1446** to amend Chapter 18, Article III of the City of Brownsville Code of Ordinances and to include the Texas Residential Construction Commission Registration and Certification Requirements. (Santiago Navarro – Building Inspections)

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***ACTION ITEMS:***

10. Consideration and **ACTION** to adopt the Procedural Rules for the Impact Fee Study and the Capital Improvement Advisory Committee. (Ben Medina, Jr. – Planning)
11. Consideration and **ACTION** on **Resolution Number 2005-037** to establish the City’s intention to reimburse itself for the prior lawful expenditure of funds relating to constructing various capital infrastructure improvements to the City’s combined utility system from the proceeds of tax-exempt or taxable obligations to be issued by the city for authorized purposes, authorizing other matters incident and related thereto. (Pete Gonzalez – Finance)
12. Consideration and **ACTION** to execute an encroachment license to Edelstein’s Better Furniture, LTD. to facilitate deliveries during the Expressway 77/83 reconstruction project. (Carlos Lastra, P.E. – Engineering)
13. Consideration and **ACTION** to authorize the City Manager to execute an encroachment license on Lakeshore Drive (right-of-way) adjacent to Lot 11 in the Hidden Isle Subdivision. (Carlos Lastra, P.E. – Engineering)
14. Consideration and **ACTION** to designate property for the location of the North Brownsville Little Miss Kickball Fields. (Skip Keller – Parks)
15. Consideration and **ACTION** to approve the Fiscal Year 2006 budget for the Brownsville Community Improvement Corporation (BCIC). (Delina Barrera – BCIC)

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***PURCHASES/BIDS/CONTRACTS:***

16. Consideration and **ACTION** to authorize the City Manager to execute the Service Agreement with Brownsville Community Improvement Corporation (BCIC) for Fiscal Year 2006. (Delina Barrera – BCIC)

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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 04, 2005, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on September 30, 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](http://www.cob.us/agendas.asp).

  
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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.

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Name/Title