

**THE STATE OF TEXAS §**  
**CITY OF BROWNSVILLE §**  
**COUNTY OF CAMERON §**

MINUTES of a **Regular Meeting** of the City Commission of the City of Brownsville, Texas, held in the Commission Chambers, on the Second Floor of the Brownsville City Hall – (Old Federal Building), located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Tuesday, April 05, 2005, at 6:00 p.m.** with the following members present:

<b>EDDIE TREVIÑO, JR.</b>		<b>MAYOR</b>
<b>RICARDO LONGORIA, JR.</b>	)	
<b>DAVID A. BETANCOURT</b>	)	
<b>CARLOS A. CISNEROS</b>	)	
<b>ERNESTO L. DE LEON</b>	)	
<b>SALLY MINIEL ARROYO</b>	)	
<b>JOSEPH A. ZAVALETTA, M.D.</b>	)	<b>COMMISSIONERS</b>
<b>CHARLIE CABLER</b>		<b>CITY MANAGER</b>
<b>CARLOS AYALA, JR.</b>		<b>ASSISTANT CITY MANAGER</b>
<b>JIM GOZA</b>		<b>CITY ATTORNEY</b>
<b>INELDA T. GARCIA</b>		<b>CITY SECRETARY</b>

A quorum being present, Mayor Eddie Treviño, Jr., asked Ms. Inelda T. Garcia, City Secretary, to read the call to consider the following matters as posted and filed for the record in The Office of the Secretary on April 01, 2005:

---

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernesto L. De Leon and carried unanimously, Mayor Eddie Treviño, Jr., convened the **Executive Session** to discuss the following items:

- A) **Discussion pursuant to Section 551.087, of the Texas Government Code, regarding the economic development opportunities at the airport.**
- B) **Discussion pursuant to Section 551.071, of the Texas Government Code, to receive legal advice and direction from the attorney to discuss the on going monitoring of the City's federally funded housing programs.**

---

Upon conclusion of the Executive Session, Mayor Eddie Treviño, Jr., convened the **Workshop Session** to discuss the following workshop items:

- a) **Discussion regarding the Brownsville Community Improvement Corporation Project funding recommendations for Fiscal Year (FY) 2005.**

---

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

The U.S. Pledge of Allegiance and the Texas Pledge were lead by *Jacob Alaniz, 3<sup>rd</sup> grade, Cassandra Lopez, 4<sup>th</sup> grade, and Juan Carlos Rodriguez, 5<sup>th</sup> grade* students at Perez Elementary School in Brownsville.

***INVOCATION:***

The invocation was given by Jonathan Stewart, Pastor of the Church of God of Brownsville, Texas.

Mayor Eddie Treviño, Jr., requested a moment of silence in honor of Pope John Paul II, who had passed away on April 2, 2005.

At this time, Mr. Peter Goodman, Historic Downtown Development Director, introduced Mr. Luis Bekris, film producer, whose company was currently filming a movie, titled “*Bienvenido Paisano*”, in Brownsville and the surrounding area.

Mr. Bekris expressed his thanks to the City Commission and the City of Brownsville for the hospitality and the opportunity to film in Brownsville.

---

**1. PROCLAMATIONS:**

***Zoo and Aquarium Month***  
***(Mayor Eddie Treviño, Jr.)***

Mayor Eddie Treviño, Jr., asked Ms. Cynthia Galvan, representing the Gladys Porter Zoo, to step forward to accept a proclamation designating April 2005, as “*Zoo and Aquarium Month*” in the City of Brownsville.

Commissioner Sally M. Arroyo read the proclamation.

***World Health Day 2005***  
***(Mayor Eddie Treviño, Jr.)***

Mayor Eddie Treviño, Jr., asked Mr. Josh Ramirez, City Health Department Director, and members of the Pan American Health Organization, to step forward to accept a proclamation designating April 7, 2005, as “*World Health Day*” in the City of Brownsville.

Commissioner Carlos A. Cisneros read the proclamation.

***Woman of the Year 2005***  
***(Mayor Eddie Treviño, Jr.)***

Mayor Eddie Treviño, Jr., asked Mrs. Tillie Garza, who had been selected Woman of the Year by the Zonta Club, to step forward to accept a proclamation recognizing **Mrs. Tillie Garza** on her selection by the Zonta Club of Brownsville as its “*Woman of the Year 2005*”.

Mayor Eddie Treviño, Jr., read the proclamation.

***Ambassador of Good Will***  
***(Commissioner Joseph A. Zavaletta, M.D.)***

Mayor Eddie Treviño, Jr., asked Commissioner Joseph A. Zavaletta, M.D., to read a proclamation appointing **Mrs. Tillie Garza** as an “*Ambassador of Good Will*” for the City of Brownsville.

***Employee of the Month***  
***(April 2005)***

Mr. Charlie Cabler, City Manager, recognized **Ms. Liza Marie Vega, Administrative Technician I**, at the Office of the City Secretary, as “*Employee of the Month*” for the month of April 2005.

**2. PRESENTATIONS:**

***Mr. Amigo Presentation***  
***(Mayor Eddie Treviño, Jr.)***

There was no presentation.

***Palmer Drug Abuse Program***  
***(Ben Medina – Planning)***

Ms. Suzanna Clifton, Executive Director for the Palmer Drug Abuse Program (PDAP), gave a brief overview of the need for the drug abuse program in Brownsville, and noted that PDAP would be hosting a Poker Gala fundraising event in May and distributed invitations to the Mayor and Commissioners.

**3. CONSENT AGENDA ITEMS:**

**All consent Agenda Items listed were considered to be routine by the City Commission and were approved by one motion.**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Ricardo Longoria, Jr., and carried unanimously, Consent Agenda Items “a” through “e” were **approved.**

***ITEM No. “a” through “e”***

a) **Approval of the Minutes of the Special Meeting of March 09, 2005, the Minutes of the Joint Special Meeting of March 15, 2005, and the Minutes of the Regular Meeting of March 15, 2005.**

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

<b>Employee</b>	<b>Department</b>	<b>Destination</b>	<b>Date</b>
Larry A. Brown	Aviation	Houston, TX	May 16 – 20, 2005
Michael Jones	Aviation	Houston, TX	May 16 – 20, 2005
Alex Lorio	BUS	Austin, TX	April 18, 2005
Laural Powell	Health	Houston, TX	April 22 – 27, 2005
Julio Hernandez	Health	Houston, TX	April 22 – 27, 2005
Sabrina Rios	Health	Houston, TX	April 22 – 27, 2005
Joe A. Hinojosa	Health	Austin, TX	May 01 – 04, 2005
Noemí Garza	Library	Austin, TX	April 05 – 08, 2005
Jerry Hedgecock	Library	Austin, TX	April 05 – 08, 2005
Luanne James	Library	Austin, TX	April 05 – 08, 2005
Lucinda Wiley	Library	Austin, TX	April 05 – 08, 2005
Julia Sibaja	Library	Austin, TX	April 05 – 08, 2005
Orlando Chavez	Police	Reno, NV	April 10 – 15, 2005
Carlos Garcia	Police	San Antonio, TX	May 31– June 03, 2005
Henry Etheridge	Police	San Antonio, TX	May 31– June 03, 2005
Rolando Vasquez	Police	San Antonio, TX	May 31– June 03, 2005

Mr. Larry A. Brown, Director of Aviation, and Mr. Michael Jones, Business Development Manager, will attend the “14<sup>th</sup> Annual IACC Conference”, sponsored by the International Air Cargo Conference, on May 16-20, 2005, in Houston, Texas.

Mr. Alex Lorio, Grant Writer, will attend the “Master Grant Agreement TASK Force Meeting”, sponsored by the Texas Department of Transportation, on April 18, 2005, in Austin, Texas.

Ms. Laural Powell, Animal Regulation Supervisor, Mr. Julio Hernandez, Animal Care Technician I, and Ms. Sabrina Rios, Animal Care Technician I, will attend the “Texas Federation of Humane Societies Training”, sponsored by the Texas Federation of Humane Societies, on April 22-27, 2005, in Houston, Texas.

Mr. Joe Hinojosa, Environmental Manager, will attend the “Environmental Trade Fair & Conference”, sponsored by the Texas Commission on Environmental Quality (TECQ), on May 01-04, 2005, in Austin, Texas.

Ms. Noemi Garza, Library Director, Mr. Jerry Hedgecock, Assistant Library Director, Mr. Luanne James, Children's Librarian, Ms. Lucinda Wiley, Southmost Children's Librarian, and Mr. Julia Sibaja, Reference Librarian, will attend the "Annual TLA Conference", sponsored by the Texas Library Association, in April 05-08, 2005, in Austin, Texas.

Police Officer Orlando Chavez will attend the "Key Elements for Effective School Policing", "Responding to Missing and Abducted Children", and "School Resource Officer Leadership" training programs, sponsored by the National Center for Missing and Exploited Children through the Office of Juvenile Justice and Delinquency Prevention, on April 10-15, 2005, in Reno, Nevada.

Police Chief Carlos L. Garcia, Lt. Henry Etheridge, and Det. Rolando Vasquez will attend the "Managing Police Discipline Seminar", sponsored by Thomas & Means, LLP, on May 31-June 03, 2005, in San Antonio, Texas.

- c) **SECOND and FINAL READING of Ordinance Number 933-HH amending the Civil Service Classification Plan as stated on Ordinance Number 933-GG.**
  
- d) **SECOND and FINAL READING of Ordinance Number 235-2005-007 to rezone, from "Z" Area District classification to "F" Area District classification, 62.00 acres out of 117.899 Acre Tract of Land in Share 12 of Espiritu Santo Grant, near FM 511 and Old Alice Road.**
  
- e) **SECOND and FINAL READING of Ordinance Number 235-2005-008 to rezone from "Y" Area District classification to "G" Area District classification, 70.00 acres of Share 12 of Espiritu Santo Grant, near Naranjo Road and FM 511.**

***BOARDS AND COMMISSION APPOINTMENT:***

**4. ACTION to appoint or re-appoint one (1) member to the Board of Adjustments.**

Mayor Eddie Treviño, Jr., moved that Mr. Richard Zayas be appointed to the Board of Adjustments.

The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

---

***PUBLIC HEARINGS:***

**5. Public Hearing and ACTION on FIRST READING on *PROTESTED* Ordinance Number 235-2005-012 to rezone, from Dwelling “G” classification to Apartment “G” classification, Lots 1 through 5 of Block 1 of Lartigue Subdivision, near Morningside Road and Southmost Road.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had denied the rezoning request due to the area having a single-family residential designation.

Commissioner Ricardo Longoria, Jr., spoke in favor of the rezoning.

Mr. Manuel Montemayor, P.E., representing the property owner, reviewed the site with Commissioners.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Protested Ordinance Number 235-2005-012 be **approved** on first reading.

The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

6. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-013 to rezone, from General Retail “G” classification to Medium Commercial “G” classification, 202.68 acres out of Tracts I and II of Block 116 of El Jardin Re-subdivision in Share 29 of Espiritu Santo Grant, near FM 511 and Old Alice Road.**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner David A. Betancourt and carried unanimously, the public hearing was **closed**.

Commissioner Sally M. Arroyo moved that Ordinance Number 235-2005-013 be **approved** on first reading.

The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

7. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-015-S to allow an Apartment specific use (day care center) in a Dwelling use district, for .648 acres out of Block 107 of El Jardin Subdivision, near Robindale Road and FM 802.**

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing was **closed**.

Commissioner David A. Betancourt moved that Ordinance Number 235-2005-015-S be **approved** on first reading.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

---

***ACTION ITEMS:***

8. **ACTION to approve the Brownsville Community Improvement Corporation project funding recommendations for Fiscal Year (FY) 2005.**

Commissioner Joseph A. Zavaletta, M.D., moved that project funding recommendations for the Brownsville Community Improvement Corporation Fiscal Year 2005 be **approved** as presented.

The motion was seconded by Commissioner David A. Betancourt and carried unanimously.

**9. ACTION on Resolution Number 2005-006 to establish definitions and procedures and adopting policies governing transactions of City funds with all entities and persons.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the proposed policy would provide guidance to the City Commission and staff in the allocation of funds to entities requesting City funding.

Upon motion by Commissioner Ernesto L. De Leon, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Resolution Number 2005-006 was **approved**, to establish definitions and procedures and adopting policies governing transactions of City funds with all entities and persons.

**10. ACTION on Resolution Number 2005-008 to authorize the County of Cameron to sell Tax Foreclosed Trustee Properties to Albert Treviño.**  
[TABLED 02-17-2004; 04-06-2004; 05-18-2004; 02-15-2005]

Mr. Jim Goza, City Attorney, introduced Mr. Doug Wright, Cameron County Attorney, who informed City Commissioners that the two foreclosed properties were delinquent in taxes, and that the taxing entities were in agreement with the county's sale of the properties to Mr. Albert Treviño.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Resolution Number 2005-008 was **approved**, authorizing the County of Cameron to sell tax foreclosed trustee properties to Mr. Albert Treviño.

**11. ACTION on Resolution Number 2005-016 to adopt and implement the Drug and Alcohol Policy of the City of Brownsville's Transit Department Brownsville Urban System as revised March 2005.**

Ms. Norma Zamora, BUS Director, noted that the Federal Transit Administration required that the BUS's Substance Abuse Policy and Program be revised to in order to be consistent with federal regulations.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ernesto L. De Leon and carried unanimously, Resolution Number 2005-016 was

**approved**, adopting the Drug and Alcohol Policy of the Brownsville Urban System, as revised on March 2005.

**12. ACTION on Resolution Number 2005-017 to amend the General Fund that will provide additional funding for the Police, Library, City Hall and Beautification Budget units.**

Mr. Pete Gonzalez, Finance Director, reviewed the General Fund Budget Amendments request.

Upon motion by Commissioner Joseph A. Zavaletta, M.D., seconded by Commissioner Ernesto L. De Leon and carried unanimously, Resolution Number 2005-017 was **approved**, amending the General Fund that would provide additional funding for the Police, Library, City Hall, and the Beautification Committee budget units as follows:

Police Operations	Additional law enforcement staff	\$146,331
City Hall	Fire alarm system & full service	\$ 51,354
Beautification Committee	Landscaping services	\$ 21,450
Library	Cargo van	\$ 30,000
Library	Two automated, self-check machines	\$ 60,000
Building Inspections	Six desk top computers	\$ 7,467
Building Inspections	One color copier	\$ 14,995

**13. ACTION on FIRST READING of Ordinance Number 2005-856-KK to amend Ordinance Number 2002-856-JJ, Chapter 82, Garbage and Trash, of the Code of Ordinances of the City of Brownsville; Section 82-37, specifying charges for disposal of solid waste materials by amending same; providing for an effective date; providing for severability; and ordaining other provisions relating to the subject matter thereof.**

Mr. Pete Gonzalez, Finance Director, noted that the ordinance called for a fee of \$25 per ton for those entities that deliver 20,000 tons or more to the City landfill.

Commissioner Sally M. Arroyo moved that Ordinance Number 2005-856-KK, to amend Ordinance Number 2005-856-JJ, be **approved** on first reading.

The motion was seconded by Commissioner Ernesto L. De Leon and carried unanimously.

*Commissioners Carlos A. Cisneros and Joseph A. Zavaletta, M.D., stepped out.*

**14. ACTION on FIRST READING of Ordinance Number 2005-1432 to abandon and close an existing 60' utility easement (abandoned East Avenue right-of-way) and in exchange the City will retain a 25' utility easement along the re-aligned East Loop.**

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Ernesto L. De Leon and carried unanimously, Ordinance Number 2005-1432 was **approved** on first reading.

*Commissioner Carlos A. Cisneros returned.*

**15. ACTION to acknowledge that Freedom Fest 2005 will take place July 02, 2005, in the downtown area.**

Mr. Charlie Cabler, City Manager, introduced Mr. Fred Arias, Vice-President of the Iron Pigs Motorcycle Club, who informed Commissioners that the “*Freedom Fest 2005*” would be held in the downtown area on July 2, 2005.

Upon motion by Mayor Eddie Treviño, Jr., seconded by the City Commission, and carried unanimously, “*Freedom Fest 2005*”, to be held on July 2, 2005, was **acknowledged**.

---

*Commissioner Joseph A. Zavaletta, M.D., returned*

*Commissioner Ernesto L. De Leon left the meeting.*

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

- 16. ACTION to purchase a 0.132-acre tract of land out of Lot 1, Block 1, Samano Partition; and a 1.177-acre tract of land out of Share 1, Wymore Estates (Navigation District Property) for the proposed Hike and Bike Trail Project and to incur expenses associated with closing costs.**

Mr. Carlos Lastra, P.E., City Engineer, reviewed the site being proposed for purchase.

Commissioner David A. Betancourt moved that purchase of a 0.132-acre tract out of Lot 1, Block 1, Samano Partition and a 1.177-acre tract out of Share 1, Wymore Estates (Navigation District property), be **approved**, for the proposed Hike and Bike Trail Project and to incur expenses associated with closing costs.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

- 17. ACTION to award a contract for Street and Drainage Improvements for East 12<sup>th</sup> Street Project.**

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Joseph A. Zavaletta, M.D., and carried unanimously, a contract, in the amount of **\$1,922,234**, was awarded to **G & T Paving Company of Brownsville, Texas**, for street and drainage improvements for East 12<sup>th</sup> Street Project.

- 18. ACTION to award a contract for Professional Consulting Services/System Integrator for the City of Brownsville Management Information System, MIS Department, to establish an Integrated Secure Expandable Wireless Infrastructure Utilizing MESH Technology.**

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the contract was associated with the Brownsville Mobility Project which would develop a secure broadband wireless mobile data infrastructure for the City of Brownsville.

Commissioner Carlos A. Cisneros moved that a professional consulting services/system integrator contract, in the amount of **\$198,828**, be awarded to **International Business Machines (IBM)** for the City of Brownsville Management

Information System, MIS Department, to establish an integrated secure expandable wireless infrastructure utilizing MESH technology.

The motion was seconded by Commissioner Sally M. Arroyo and carried unanimously.

**19. ACTION to award a contract for Professional Consulting Services necessary to assist the Police Department in the implementation of the Computer Aided Dispatch (CAD) System.**

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the City's BUS Transportation System had implemented a computer aided dispatch system (CAD) and the Police Department would continue the established relationship in the implementation of their CAD system.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, a professional consulting services contract, in an amount not to exceed **\$65,597**, was awarded to **L & G Consulting Engineers, Inc., of Mercedes, Texas**, for consulting engineering services and technical assistance necessary to assist the Police Department in the integration and deployment of an Intelligent Transportation System (ITS).

**20. ACTION to award a contract for procurement of four (4) ultra low sulfur diesel lift equipped transit vehicles, type III, for the Brownsville Urban System Department.**

Commissioner Carlos A. Cisneros moved that a contract, in the amount of **\$231,589**, be awarded to **Texas Bus Sales, Inc., of Houston, Texas**, for procurement of four (4) ultra-low, sulfur diesel, lift-equipped type III para-transit vehicles for the Brownsville Urban System Department.

The motion was seconded by Commissioner David A. Betancourt and carried unanimously.

**21. ACTION to award a term contract for purchase and delivery of emulsion material for the Public Works Department.**

Upon motion by Commissioner Joseph A. Zavaletta, M.D., seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, a term contract for the purchase and delivery of emulsion material for the Public Works Department was awarded to **Ergon Asphalt & Emulsions, Inc., of Austin, Texas**, and to **Eagle Asphalt Products, Inc., of Corpus Christi, Texas**, as follows:

Ergon Asphalt & Emulsions, Inc.

AEP (prime oil)	\$1.2553/gallon	50,000 gallons approx.	<b>\$ 62,765.00</b>
SS-1 (emulsion asphalt)	\$1.0553/gallon	10,000 gallons approx.	<b>\$ 73,318.00</b>

Eagle Asphalt Products, Inc.

CHFRS-2P (emulsion)	\$1.25/gallon	80,000 gallons approx.	<b>\$100,000.00</b>
---------------------	---------------	------------------------	---------------------

**22. ACTION to award a contract for Capital Asset and Infrastructure Inventory and Valuation Services for GASB 34 Implementation.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, a contract, in the amount of **\$37,690**, was awarded to **American Appraisal Associates of Milwaukee, Wisconsin**, for capital asset and infrastructure inventory and valuation services for GASB 34 Implementation.

---

***PUBLIC COMMENT PERIOD:***

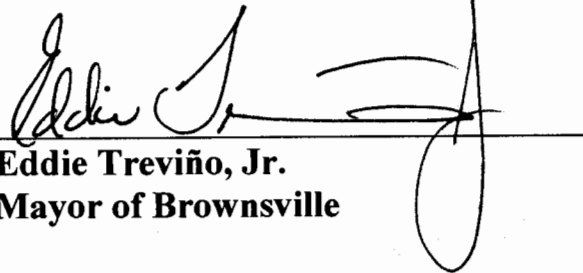
There were no public comments.

---

***ADJOURNMENT:***

There being no further business to come before the City Commission, the meeting adjourned at 7:12 p.m.

Approved this 19<sup>th</sup> day of April, 2005.

  
Eddie Treviño, Jr.  
Mayor of Brownsville

Attest:

  
Inelda T. Garcia  
City Secretary

