

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 19, 2005, at 6:00 p.m.** with the following members present:

EDDIE TREVIÑO, JR.		MAYOR
RICARDO LONGORIA, JR.)	
DAVID A. BETANCOURT)	
CARLOS A. CISNEROS)	
ERNESTO L. DE LEON)	
SALLY MINIEL ARROYO)	
JOSEPH A. ZA VALETTA, M.D.)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
CARLOS AYALA, JR.		ASSISTANT CITY MANAGER
JIM GOZA		CITY ATTORNEY
ESTELA VON HATTEN		VITAL STATISTICS SUPERVISOR

A quorum being present, Commissioner Ricardo Longoria, Jr., asked Ms. Estela Von Hatten, Vital Statistics Supervisor, to read the call to consider the following matters as posted and filed for the record in The Office of the Secretary on April 15, 2005:

Mayor Eddie Trevino, Jr., arrived.

Upon motion by Commissioner David A. Betancourt seconded by Commissioner Ernesto L. De Leon carried unanimously, Mayor Eddie Treviño, Jr., convened the **Executive Session** to discuss the following item:

- A) **Discussion pursuant to Section 551.087, of the Texas Government Code, regarding the economic development opportunities at the Brownsville/South Padre Island International Airport.**

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

- a) **Discussion regarding an update on the status of the Brownsville Foundation for Sports.**

Upon conclusion of the Workshop Session, Mayor Eddie Treviño, Jr., convened the **Regular Session** at 6:05 p.m.

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

The U.S. Pledge of Allegiance and the Texas Pledge were lead by *Jimmy Flores, 3rd Grade, Ernesto Valdez, 3rd Grade, and Pedro Valdez, 4th Grade*, members of Cub Scout Pack 251.

INVOCATION:

The invocation was given by Brownsville City Commissioner Ricardo Longoria, Jr.

1. PROCLAMATIONS:

Dia de los Niños
(Mayor Eddie Treviño, Jr.)

Mayor Eddie Treviño, Jr., asked Ms. Beth Pace and Ms. Monica Davis, as well as children representing the Brownsville Children's Museum, to step forward to accept a proclamation declaring April 29, 2005 as "*Dia De Los Niños*" in Brownsville.

Mayor Eddie Treviño, Jr., read the proclamation.

The Morales Family
Mr. Amigo Association
(Commissioner Joseph A. Zavaletta, M.D.)

Mayor Eddie Treviño, Jr., asked Mrs. Frances L. Morales and family members to step forward to accept a proclamation "*Recognizing Frank J. Morales, Frances L. Morales and the Morales Family, for its long and dedicated service to the Mr. Amigo Association*".

Commissioner Joseph A. Zavaletta, M.D., read the proclamation.

Emma Perez Treviño
The Brownsville Herald
(Commissioner Joseph A. Zavaletta, M.D.)

The proclamation was not presented.

2. PRESENTATION:

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

Mrs. Edna Tamayo, Cameron County Commissioner, representing the Mr. Amigo Association, presented a proclamation to Mayor Eddie Trevino, Jr., from the Mr. Amigo Association, "*gratefully acknowledging the City of Brownsville for their continued Corporate Sponsorship at the Ambassador Level honoring Ms. Lolita Ayala, Mr. Amigo 2004.*"

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 Ricardo Longoria, Jr., seconded by Commissioner Sally M. Arroyo and carried unanimously, *Consent Agenda Items “a” through “g”* were **approved**.

ITEM No. “a” through “g”

- a) **Approval of the Minutes of the Regular Meeting of April 05, 2005.**
- b) **Authorization for the following individuals to incur travel expense:**

Employee	Department	Destination	Date
Jennifer Hogancamp	Aviation	Boston, MA	May 14 – 21, 2005
Elias Guerra	BUS	Mesquite, TX	May 01 – 06, 2005
Inelda T. Garcia	City Secretary	Austin, TX	April 19, 2005
Jose Chavez	Auditor	Austin, TX	April 19, 2005
Estela Von Hatten	City Secretary	Austin, TX	May 02 – 05, 2005
Nayade Garza	City Secretary	Austin, TX	May 02 – 05, 2005
Leonardo Perez	Fire	Corpus Christi, TX	April 25 – 29, 2005
Ben Nuñez	Fire	Emmitsburg, MD	May 15 – 27, 2005
Mark Lund	Planning	Austin, TX	April 27, 2005
Marco Huerta	Police	New Market, AL	April 22–June 13, 2005
Gilbert Gonzalez	Police	San Antonio, TX	April 24 – 29, 2005
Cornelio Renteria	Police	San Antonio, TX	April 24 – 29, 2005
Eric Villarreal	Police	San Antonio, TX	April 24 – 29, 2005
Frank Culver	Police	San Antonio, TX	April 24 – 29, 2005
Carlos Garcia	Police	Huntsville, TX	April 27 – 28, 2005

Ms. Jennifer Hogancamp, Assistant Aviation Director, will attend an “*Airport Certified Employee Operations Review Course*”, sponsored by the American Association of Airport Executives on May 15-21, 2005, in Boston, Massachusetts.

Ms. Elias Guerra, BUS Operations Manager, will attend the “*Fundamentals of Bus Collision Investigation*” course, sponsored by the Texas Department of Transportation (TxDOT), on May 01-06, 2005, in Mesquite, Texas.

Ms. Inelda T. Garcia, City Secretary/Local Registrar and Mr. Jose Chavez, Internal Auditor, will meet with representatives of the Texas Funeral Service Commission on April 19, 2005, in Austin, Texas.

Ms. Estela Von Hatten, Vital Statistics Supervisor, and Ms. Nayade I. Garza, Administrative Specialist II, will attend courses associated with the “*DSHS Master Registrar Certification Program*”, sponsored by the Texas Department of State Health Services, on May 3-5, 2005, in Austin, Texas.

Fire Chief Leonardo Perez will attend the “*Texas Fire Fighters Conference*”, sponsored by the Texas Fire Chiefs Association, on April 25-29, 2005, in Corpus Christi, Texas.

Fire Marshal Ben Nunez will attend the “*Fire/Arson Investigation Class*”, sponsored by the Federal Emergency Management Agency’s (FEMA) National Emergency Training Center (NETC), on May 15-27, 2005, in Emmitsburg, Maryland.

Mr. Mark Lund, MPO Director, will attend a “*TEMPO Meeting*”, sponsored by the Texas Metropolitan Planning Organization, on April 27, 2005, in Austin, Texas.

Police Officer Marco Huerta will attend the “*Basic K-9 Handler Course*”, sponsored by the Kasseburg Canine Training Center, on April 22, 2005 through June 13, 2005, in New Market, Alabama.

Police Traffic Officers Gilbert Gonzalez, Cornelio Renteria, Eric Villarreal, and Frank Culver will attend the “*Intoxylizer Operator Course*”, sponsored by the San Antonio Police Training Academy, on April 24-29, 2005, in San Antonio, Texas.

Police Chief Carlos L. Garcia will attend the “*Border Chiefs and Sheriffs Meeting*”, sponsored by Sam Houston State University, on April 27-28, 2005, in Huntsville, Texas.

c) SECOND and FINAL READING of *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.

d) SECOND and FINAL READING of 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.

- e) **SECOND and FINAL READING of 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.**
- f) **SECOND and FINAL 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.**
- g) **SECOND and FINAL 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.**

PUBLIC HEARING:

- 4. **Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-017 to rezone, from Dwelling “Z” classification to Medium Retail “Z” classification, Lot 8 of Block 30 of Cameron Park Second Installment, near Paredes Line Road and Roberto Road.**

Mr. Ben Medina, Director of Planning and Community Development, provided a brief review of the proposed rezoning noting that the Planning and Zoning Commission had approved the rezoning.

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

Commissioner David A. Betancourt moved that Ordinance Number 235-2005-017 be **approved** on first reading.

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

ACTION ITEMS:

5. ACTION to accept an economic development proposal for the Brownsville/South Padre Island International Airport.

Mr. Larry A. Brown, Director of Aviation, gave a brief summary of the economic development proposal regarding the development of air freight service from the Brownsville/South Padre Island International Airport.

Commissioner Sally M. Arroyo moved that the economic development proposal be accepted.

In response to Commissioner Joseph A. Zavaletta, M.D., regarding City Commission review of the contract prior to finalization with the company, Mr. Brown stated that staff was asking for authorization to negotiate with the logistics company and that the City Attorney would review contracts prior to execution.

Commissioner Sally M. Arroyo amended her motion to **authorize** staff negotiations for the development of air freight service at Brownsville/South Padre Island Airport, based on the City Attorney's review and approval of the contracts prior to execution.

The motion was seconded by Commissioner Joseph A. Zavaletta, M.D., and carried unanimously.

6. ACTION to adopt and implement a Drug and Alcohol Policy for the City of Brownsville.

Ms. Lidia Gonzalez, Human Resources Director, reviewed a Powerpoint Presentation summarizing the proposed Drug and Alcohol Policy for the City of Brownsville.

In response to Commissioner Joseph A. Zavaletta, M.D., Mr. Ric Navarro, Legal Counsel, stated that the policy did not include the City Commission.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Sally M. Arroyo and carried unanimously, a Drug and Alcohol Policy was **adopted** for the City of Brownsville.

7. ACTION to acknowledge the Finance Director's Financial Statements and Cash Investment Report for the City of Brownsville for the Second Quarter ending March 31, 2005.

Mr. Pete Gonzalez, Finance Director, reviewed a Powerpoint presentation summarizing the Financial Statements and Cash Investment Report for the Second Quarter ending March 31, 2005.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the Finance Director's Financial Statements and Cash Investment Report, for the City of Brownsville, for the Second Quarter ending March 31, 2005, was **acknowledged**.

8. ACTION to approve Resolution Number 2005-018, budget amendments to the General Fund and Landfill Tipping Fee Increase Fund, to provide additional funding for overtime, vehicle maintenance and fuel expenditures, to provide funding for the Dean Porter Park Pavilion, to provide funding for a tub grinder machine for the landfill; and to amend the Convention and Tourism Fund to provide additional funding for the Brownsville Convention and Visitors Bureau.

Mr. Pete Gonzalez, Finance Director, reviewed the proposed budget amendments.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner David A. Betancourt, and carried unanimously, Resolution Number 2005-018, was **approved**, amending the General Fund and Landfill Tipping Fee Increase Fund, to provide additional funding for overtime, vehicle maintenance and fuel expenditures, to provide funding for the Dean Porter Park Pavilion, to provide funding for a tub grinder machine for the landfill, and to amend the Convention and Tourism Fund to provide additional funding for the Brownsville Convention and Visitors Bureau.

Commissioner Carlos A. Cisneros left the meeting.

9. ACTION to authorize the sale of Community Development Block Grant (CDBG) Loan portfolio to the City's Depository First National Bank.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning Department serviced a loan portfolio of 97 home loans under the Affordable Housing Loan Program, which he proposed to sell to First National Bank in order to

generate program income which would, in turn, be used for construction of additional affordable housing in Brownsville.

Commissioner Sally M. Arroyo moved that the sale of a Community Development Block Grant (CDBG) loan portfolio, to the City's depository First National Bank, be **authorized**.

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

PURCHASES/BIDS/CONTRACTS:

10. ACTION to authorize Supplement Number One (1) to the previous approved Amendment Number Twelve (12) to the contract with HNTB for engineering services, to design a basic ramp expansion and infrastructure project for the Brownsville/South Padre Island International Airport.

Mr. Larry A. Brown, Director of Aviation, noted that the amendment was a technical amendment to the existing contract with HNTB, associated with the creation of two new hangar sites at the airport.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Supplement Number One to the previous approved Amendment Number 12 to the Contract with HNTB was **approved**, for engineering services, to design a basic ramp expansion and infrastructure project for the Brownsville/South Padre Island International Airport.

11. ACTION to award a contract for General Aviation (G/A) Infrastructure and Runway 13R – 31L Rehabilitation at the Brownsville/South Padre Island International Airport.

Mr. Paul Calapa, Purchasing and Contracting Manager, reviewed the proposed contract and noted that the low bidder was certified by the Texas Department of Transportation (TxDOT).

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, a contract, in the amount of **\$1,510,482.30**, including base bid and Additive No. 1, was awarded to **Foremost Paving of Weslaco, Texas.**

12. ACTION to award a contract for the purchase and installation of fire alarm system upgrades, to comply with current fire codes, and related monthly monitoring service for City Hall Building.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the existing fire alarm system at City Hall needed to be upgraded in order to meet code requirements.

Upon motion by Commissioner Joseph A. Zavaletta, M.D., seconded by Commissioner Ernesto L. De Leon and carried unanimously, a contract was awarded to **ADT Security Services, Inc., a unit of Tyco Fire and Security Services, of San Antonio, Texas**, for the purchase and installation of fire alarm system upgrades, to comply with current fire codes, and related monthly monitoring service, for the remainder of the current fiscal year, for the City Hall building as follows:

<u>Description</u>	<u>Amount</u>
Installation of fire alarm upgrades:	\$51,354.00
Monthly monitoring services:	\$ 575.00

13. ACTION to award a contract for the purchase of one (1) used garbage truck for Street Maintenance Division of Public Works Department.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the City Fleet Manager and Tecom, Inc. representatives had inspected the used vehicle and found it to be in good condition and fully operational. He noted that there was a sole bid for the contract.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernesto L. De Leon and carried unanimously, a contract, in the amount of **\$32,500.00**, was awarded to **Art's Truck & Equipment of McAllen, Texas**, for the purchase of

one (1) used garbage truck for the Street Maintenance Division of the Public Works Department.

Commissioner Carlos A. Cisneros returned.

14. ACTION to award a contract for the purchase of one (1) used tub grinder for the City Landfill.

Mr. Paul Calapa, Purchasing and Contracting Manager, showed a brief video of the grinding machine at work, noting that the machine was needed for grinding/shredding tires and brush at the landfill, which will, in turn, help the landfill to avoid any compliance issues upon annual state inspection by eliminating tires and brush that have accumulated at the facility.

In response to Commissioner Ricardo Longoria, Jr., Mr. Calapa stated that ownership of the machine provides the potential for a new business opportunity for the City.

Commissioner Ricardo Longoria, Jr., moved that a contract, in the amount of **\$398,600.00**, be awarded **McCourt & Sons Equipment, Inc. of La Grange, Texas**, for the purchase of one (1) used tub grinder for the City landfill.

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


PUBLIC COMMENT PERIOD:

Mr. Robert Uresti expressed his concerns regarding the need for traffic signals at Eagle and Price Roads, garbage cans at the little league parks, and Lindale Resaca water refill and silt removal.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 7:10 p.m.

Approved the 3rd day of May, 2005.



Eddie Treviño, Jr.
Mayor of Brownsville

Attest:



Inelda T. Garcia
City Secretary

