

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

MINUTES of a **Special 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 – Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Tuesday, August 30, 2005, at 5:30 p.m. and 6:00 p.m.** with the following members present:

EDDIE TREVIÑO, JR.		MAYOR
RICARDO LONGORIA, JR.)	
DAVID A. BETANCOURT)	
CARLOS A. CISNEROS)	
EDWARD C. CAMARILLO)	
SALLY MINIEL ARROYO)	
ERNIE L. HERNANDEZ, JR.)	COMMISSIONERS

CHARLIE CABLER	CITY MANAGER
CARLOS AYALA	ASSISTANT CITY MANAGER
JAMES GOZA	CITY ATTORNEY
ESTELA VON HATTEN	INTERIM CITY SECRETARY

A quorum being present, Mayor Eddie Treviño, Jr., asked Ms. Estela Von Hatten, Interim 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 August 26, 2005:

EXECUTIVE SESSION: 5:30 P.M.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner David A. Betancourt and carried unanimously, Mayor Eddie Treviño, Jr., convened the Executive Session to discuss the following item:

- A) Discussion pursuant to Section 551.071, of the Texas Government Code, concerning consultation with attorney regarding privileged and confidential matters.**

Upon conclusion of the Executive Session, Mayor Eddie Treviño, Jr., convened the Regular Session at 6:00 p.m.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The U.S. Pledge of Allegiance and Texas Pledge were lead by *Kimberlyn Garcia*, 5th grade student at Russell Elementary School, and *Xitlaly “Laly” Saucedo*, 5th grade student at Garden Park Elementary School.

INVOCATION:

The invocation was given by Brownsville Mayor Eddie Treviño, Jr., including remembrance of those experiencing the devastation brought by Hurricane Katrina along the Gulf Coast.

1. *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 Commissioner Ricardo Longoria, Jr., and carried unanimously, Consent Agenda Items “a” through “k” were **approved**.

ITEM No. “a” through “k”

a) **Approval of the Minutes of the Regular Meeting of August 16, 2005.**

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

Employee	Department	Destination	Date
Michael Jones	Aviation	Toronto, Canada	Sept. 18-23, 2005
Esther A. Garza	EMS Collections	Dallas, TX	Aug. 30-31, 2005
Joseph Horn	EMS Collections	Dallas, TX	Aug. 30-31, 2005
William Dietrich	Police	Ottawa, Canada	Sept. 5 – Oct. 7, 2005
Carlos Ayala, Jr.	Asst. City Manager	Austin, TX	Sept. 26-29, 2005
David Ivory	Public Works	Austin, TX	Sept. 26-29, 2005
Stephen Graybill	Public Works	Austin, TX	Sept. 26-29, 2005
Martino V. Trevino	Public Works	Austin, TX	Sept. 26-29, 2005

Mr. Michael Jones, Business Development Manager, will attend the “*ACI-NA Annual Conference*”, sponsored by the Airport Council International, on September 18-23, 2005, in Toronto, Canada.

Ms. Esther A. Garza, EMS/COLL Office Supervisor, and Deputy Fire Chief Joseph Horn will attend the “*2005 Medicare Medifest For Ambulance Specialty Workshop*”, sponsored by TrailBlazer Health Enterprises, LLC, on August 30-31, 2005, in Dallas, Texas.

Police Sgt. William Dietrich will attend a “*Police Explosives Technician and Radiography Course*”, sponsored by the Canadian Police Academy, from September 5, through October 7, 2005, in Ottawa, Canada.

Assistant City Manager Carlos Ayala and Public Works Director David Ivory will attend the “*SWANA WasteCon Convention*”, sponsored by the Solid Waste Association of North America, on September 26-29, 2005, in Austin, Texas.

Mr. Stephen Graybill, Landfill Supervisor, and Mr. Martino V. Trevino, Environmental Compliance Manager, will attend the “*SWANA WasteCon Convention*”, sponsored by the Solid Waste Association of North America, on September 26-29, 2005, in Austin, Texas.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-1427-B to adopt the Final Project Plan and Reinvestment Zone Financing Plan for the Tax Increment Reinvestment Zone Number 2 (TIRZ 2).**
- d) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-026 to rezone, from “Z” Area District classification to “F” 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.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-039 to rezone, from Dwelling “Z” classification to Medium Retail “G” classification, for Lots 4 thru 6 and Lot 7 of Block 104 of Olmito Original Townsite, located 7575 North Expressway 77/83.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-1070-D to amend Chapter 50-66 of the City of Brownsville, Code of Ordinances; and adopt the 2003 Edition of the International Fire Code.**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-667-F to amend Chapter 18, Article VIII, Section 18-656 of the City of Brownsville, Code of Ordinances; and adopt the 2003 Edition of the International Plumbing Code.**
- h) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-723-G to amend Chapter 18, Section 18-116 of the City of Brownsville, Code of Ordinances; and adopt the 2003 Edition of the International Building and Residential Code.**
- i) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-806-I to amend Chapter 18, Article IX, Section 18-686 of the City of Brownsville, Code of Ordinance; and adopt 2003 Edition of the International Gas Code.**
- j) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-1037-D to amend Chapter 18, Article VI, Division 2, Section 18-301 of the City of Brownsville, Code of Ordinances; and adopt the 2005 Edition of the National Electric Code.**

- k) APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-1189-C to amend Chapter 18, Article VII, Section 18-626 of the City of Brownsville, Code of Ordinances; and adopt the 2003 Edition of the International Mechanical Code.**
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BOARDS AND COMMISSIONS APPOINTMENTS:

- 2. ACTION to appoint or reappoint two (2) members to the Parks and Recreation Advisory Committee.**

Mayor Eddie Treviño, Jr., appointed **Mr. Mariano “Bean” Ayala** to the Parks and Recreation Advisory Committee.

The motion was seconded by Commissioner Ernie L. Hernandez and carried unanimously.

Upon motion by Commissioner Ernie L. Hernandez, seconded by Commissioner Carlos A. Cisneros and carried unanimously, **Mr. Rene Torres** was appointed to the Parks and Recreation Advisory Committee.

- 3. ACTION to appoint one (1) member to the Planning & Zoning Commission.**

Mayor Eddie Treviño, Jr., appointed **Mr. Miguel Salinas** to the Planning and Zoning Commission.

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

- 4. ACTION to appoint three (3) members to the Beautification Committee.**

Mayor Eddie Treviño, Jr., appointed **Ms. Maribel Cortes** to the Brownsville Beautification Committee.

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

Commissioner Carlos A. Cisneros appointed **Ms. Ella Rios** to the Brownsville Beautification Committee.

The motion was seconded by Commissioner Ernie L. Hernandez and carried unanimously.

Commissioner Enrie L. Hernandez appointed **Ms. Maria Hinojosa** to the Brownsville Beautification Committee.

The motion was seconded by Commissioner Edward C. Camarillo and carried unanimously.

5. ACTION to appoint one (1) member to the Brownsville Convention and Visitors Bureau. TABLED

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, this item was **tabled**.

PUBLIC HEARINGS:

6. Public Hearing and ACTION on FIRST READING of PROTESTED FOrdinance Number 235-2005-035-S to allow an Apartment specific use (apartments) in and Apartment use district, for 1.57 acres out of Block 58 of El Jardin Subdivision, near McKenzie Road and Timber Drive.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had denied the request for rezoning due to the density of population and traffic in the area.

Mr. Guillermo E. Garza, Developer, spoke in favor of rezoning the property where he intended to build 16 apartment units.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez and carried unanimously, the public hearing was **closed**.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, Protested Ordinance Number 235-2005-035-S was **adopted** on first reading.

7. **Public Hearing and ACTION on FIRST READING of Ordinance Number 235-2005-041 to rezone from Dwelling/Retail “X” classification to Professional Office “X” classification for Lot 5 of Block 1 of Star Acres, near Paredes Line Road and Dennett Road.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had approved the request for rezoning.

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

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Edward C. Camarillo and carried unanimously, Ordinance Number 235-2005-041 was adopted on first **reading**.

8. **Public Hearing and ACTION on FIRST READING of Ordinance Number 235-2005-042 to rezone from “G” Area District classification to “H” Area District classification, for 12.00 acres out of 173.7 acre tract in Share 22 of Espiritu Santo Grant, near Paredes Line Road and Heritage Trail.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had approved the request for rezoning.

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

Commissioner Carlos A. Cisneros moved that Ordinance Number 235-2005-042 be **adopted** on first reading.

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

9. **Public Hearing and ACTION on FIRST READING of Ordinance Number 235-2005-046 to rezone from “Y” Area District classification to “Z” Area District classification, for Lots 7 thru 11 of Block 2 of Charmaine Subdivision, near FM 511 and Danubio Court.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had approved the request for rezoning.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Edward C. Camarillo and carried unanimously, the public hearing was **closed**.

Commissioner David A. Betancourt move that Ordinance Number 235-2005-046 be **adopted** on first reading.

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

10. Public Hearing and ACTION on FIRST READING of Ordinance Number 235-2005-047 to rezone from “Z” Area District classification to “F” Area District classification, for Lot 3 of Block 4 of Samano Partition of The Wymore Tract, near Paredes Line Road and Dennett Road.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had approved the request for rezoning.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Sally M. Arroyo and carried unanimously, the public hearing was **closed**.

Commissioner Carlos A. Cisneros moved that Ordinance Number 235-2005-047 be **adopted** on first reading.

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

11. Public Hearing to discuss the proposed ad valorem tax rate and tax increase for Tax Year 2005 or Fiscal Year 2006.

Mr. Pete Gonzalez, Finance Director, noted that the City tax rate would remain at .68 cents.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, the public hearing was **closed**.

12. Public Hearing to discuss the City’s proposed Fiscal Year 2006 budget.

Mr. Pete Gonzalez, Finance Director, reviewed the proposed Fiscal Year 2006 budget, noting that although there was a deficit of \$808,302, the budget would not be

final until September 12, 2005, upon City Commission approval. He further noted that one more public hearing will be held on September 6, 2005.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, the public hearing was **closed**.

SUPPLEMENTAL AGENDA

(1.) ACTION to appoint or reappoint one (1) member to the Brownsville Housing Authority Board.

Mayor Eddie Treviño, Jr., appointed Mr. Ruben Herrera to the Brownsville Housing Authority Board.

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

ACTION ITEMS:

13. ACTION on the Master Development Agreement by and among Reinvestment Zone Number Two (TIRZ), City of Brownsville, Texas and University Park Development, LTD.

Mr. Ben Medina, Director of Planning and Community Development, noted that all projects must be bidded out and that the developer would be responsible for paying the required permit fees.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, the Master Development Agreement, by and among Reinvestment Zone Number Two (TIRZ), City of Brownsville, Texas, and University Park Development Ltd, was **approved**.

PURCHASES/BIDS/CONTRACTS:

- 14. ACTION to approve and agreement between the City of Brownsville and Ambiotech Civil Engineering Group for engineering services for West Morrison Road Project (US 77/83 to FM 3248).**

Upon motion by Commissioner Ernie L. Hernandez, seconded by Commissioner Edward C. Camarillo and carried unanimously, an agreement, between the City of Brownsville and Ambiotec Civil Engineering Group, was **approved** for engineering services for the West Morrison Road Project (US 77/83 TO FM 3248)

DISCUSSION:

- 15. Discussion regarding the possible merger of the Boys and Girls Club, Foundation for Brownsville Sports, and City of Brownsville.**

Mr. Skip Keller, Recreational Services Director, noted that the Brownsville Boys and Girls Club (BBGC) lacks sufficient operational funds to continue providing services to the youth of the City for a full calendar year. He suggested several recommendations, including reduction of expenditures by offering services at the main unit only, obtaining other funding sources such as CDBG funds, while seeking other funding, using City Parks and Recreation personnel to provide summer recreation in various locations, networking with other service providers to service youth with non-athletic programs, and using Parks and Recreation Department facilities for other programs.

Mr. Jeff Gowen, former Parks Commission board member, noted that the Foundation for Brownsville Sports was not interested in a merger with the Club, but suggested that the Foundation could manage the programs.

Dr. C. Lynn Anderson, stated that the Boys and Girls Club Board had solicited applications for an Executive Director with experience in managing Boys/Girls clubs and was expecting to hire someone soon.

16. Discussion regarding the construction of kickball fields on FM 511 for North Brownsville Little Miss Kickball League.

Mr. David Barrera, who first initiated the Little Miss Kickball League in the City of Brownsville, spoke on behalf of the league and asked for continued assistance to the North Brownsville Little Miss Kickball League.

Commissioner Edward C. Camarillo recommended multi-use fields.

Mr. Skip Keller, Recreation Services Director, noted that he could have an estimate of costs in approximately 2 weeks.

PUBLIC COMMENT PERIOD:

Mr. Robert Martinez noted that trash pickup was lacking on 13th street, making the alley difficult to use. He noted that speeding vehicles were also a problem in the area.

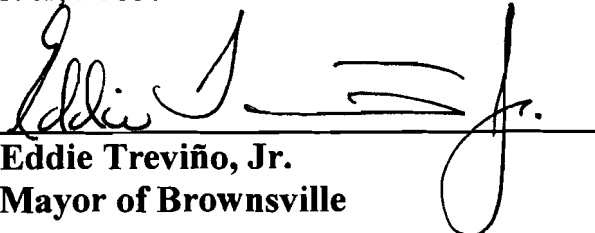
Mr. Carlos Salazar, Valley Interfaith Leader, requested that no City employee be paid less than an \$8.00 per hour wage.

Ms. Yolanda Speece, gave her recommendation that the City outsource translation of City documents as opposed to doing them in-house.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 7:30 p.m.

Approved this 6TH day of September, 2005.



Eddie Treviño, Jr.
Mayor of Brownsville

Attest:



Estela Von Hatten
Interim City Secretary