

**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 – Federal Building, located at 1001 East Elizabeth Street, Brownsville, Cameron County, Texas, on **Tuesday, July 05, 2005, at 5:30 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>EDWARD C. CAMARILLO</b>	)	
<b>SALLY MINIEL ARROYO</b>	)	
<b>ERNIE L. HERNANDEZ</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>ESTELA VON HATTEN</b>		<b>INTERIM CITY SECRETARY</b>

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 July 1, 2005:

**EXECUTIVE SESSION: 5:30 P.M.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and 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 Economic Development opportunities.**

Upon conclusion of the Executive Session, Mayor Eddie Treviño, Jr., convened the Regular Meeting at 6:10 p.m.

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

The U.S. Pledge of Allegiance and the Texas Pledge were lead by *F. Andrew Banda, Daniel Bolanos, Benjamin J. Sandoval, Steven J. Sandoval, Hector Villarreal, David Resendez, Alex Fuentes, and Gilbert Salazar*, 5<sup>th</sup> Grade students at Burns Elementary School and members of Cub Scouts Pack No. 6.

***INVOCATION:***

The invocation was given by Bill Poole, Associate Pastor, of Church of the Good Shepherd of Brownsville, Texas.

---

**1. PRESENTATIONS: *Great Texas Birding Classic  
Roughwings Division 2005  
(Mayor Eddie Treviño, Jr.)***

Mr. Mike Gonzalez, Director of the Brownsville Convention and Visitors Bureau, gave a brief presentation on the recent “*Great Texas Birding Classic*” and introduced Victoria Borrego, Cesar Treviño, and Team Captain Elisa Treviño who were among the participants in the event.

Mr. Steve Labuda, Texas Parks and Wildlife Guide, commented briefly on the success of the event and thanked Mayor Eddie Treviño, Jr., for his participation in the event as well.

**PROCLAMATION:**

**Joseph Lakota Lucio**  
**(Mayor Eddie Treviño, Jr.)**

Mayor Eddie Treviño, Jr., asked Mr. Joseph Lakota Lucio to step forward to accept a proclamation recognizing and congratulating him on his “*first place championship performance*”, shooting a score of 289, beating his closest competitor by four strokes in the 15-year old age division of the Texas Oklahoma Junior Golf Championship at Wichita Falls, Texas.

**1. PRESENTATIONS:** **Employee of the Month**  
**(July 2005)**

This item would be presented at the next regular meeting of the City Commission.

---

**2. 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 Carlos A. Cisneros and carried unanimously, Consent Agenda Items “b” through “g” were **approved**. Consent Agenda Item “a” was **approved** with the stipulation that the minutes of June 21, 2005, be **corrected as noted** by Commissioner David A. Betancourt regarding Items 10, 16, and 17. Commissioner David A. Betancourt and Mayor Eddie Treviño, Jr., asked that their discussion on Item 10 be included in the minutes in verbatim manner.

**ITEM No. “a” through “g”**

- a) Approval of the Minutes of the Special Meeting of May 31, 2005, Special Meeting June 09, 2005, Special Meeting of June 10, 2005 and Special Meeting of June 21, 2005.**

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

<b>Employee</b>	<b>Department</b>	<b>Destination</b>	<b>Date</b>
Norma H. Zamora	BUS	Austin, TX	July 08, 2005
Elida Garza	BUS	San Antonio, TX	July 17 – 22, 2005
Rosie Garza	BUS	San Antonio, TX	July 17 – 22, 2005
Elias Guerra	BUS	Houston, TX	Aug. 07 – 12, 2005
Pete Gonzalez	Finance	New York City, NY	July 06 – 10, 2005
Luanne James	Library	Austin, TX	July 09 – 10, 2005
Skip Keller	Parks	Colorado Springs, CO	July 31 – Aug. 04, 2005
Mark Lund	Planning	Arlington, TX	July 19, 2005
Pedro Gonzalez	Police	Bryan, TX	July 24 – 29, 2005
Felix Saucedo	Police	Bryan, TX	July 24 – 29, 2005

Ms. Norma H. Zamora, BUS Director, will attend the “*TTA Board of Directors Meeting*”, sponsored by the Texas Transit Authority, on July 08, 2005, in Austin, Texas.

Ms. Elida Garza, Assistant BUS Director, and Ms. Rosie Garza, BUS Safety & Training Coordinator will attend the “*Transit Bus System Safety Course*”, sponsored by the TxDOT, VIA Metropolitan Transit, and Transportation Safety Institute, on July 17-22, 2005, in San Antonio, Texas.

Mr. Elias Guerra, BUS Operations Manager, will attend the “*Transit System Security Course*”, sponsored by TxDOT, on August 7-12, 2005, in Houston, Texas.

Mr. Pete Gonzalez, Finance Director will “*meet with bond credit rating agencies and bond insurance companies*” regarding Brownsville Public Utilities Board (BPUB) upcoming refunding and revenue bond issuance, on July 6-10, 2005, in New York City, New York.

Ms. Luanne James, Children’s Librarian, will attend the “*TLA 2x2 Children’s Selection Committee Meeting/Workshop*”, sponsored by the Texas Library Association, on July 9-10, 2005, in Austin, Texas.

Mr. Skip Keller, Parks & Recreation Services Director, will attend the “*National Park Maintenance Resource Management School*”, sponsored by the National Recreation and Park Association in association with the National Playground and Safety Institute, on July 31-August 4, 2005, in Colorado Springs, Colorado.

Mr. Mark Lund, MPO Director, will attend a “*Quarterly TEMPO Meeting*”, sponsored by the TxDOT, on July 19, 2005, in Arlington, Texas.

Police Officers Pedro Gonzalez and Felix Saucedo will attend a “*TEEX Police Emergency Driving Instructors’ Course*”, sponsored by the Texas Engineering Extension Service, on July 24-29, 2005, in Bryan, Texas.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 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.**
- d) **APPROVAL on SECOND and FINAL 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.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-028 to rezone from “G” Area District classification to “J” Area District classification, 30.32 acres out of Blocks 6 thru 11 of Media Luna Subdivision, near Expressway 77/83 and Morrison Road.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-029 to rezone from Dwelling “Z” classification to Medium Retail “Z” classification, Lot 9 of Block 30 of Cameron Park Subdivision Section 2, near Paredes Line Rd and Gregory Avenue.**
- g) **APPROVAL on SECOND and FINAL READING of 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, Lot 7 of Block 1 of Military South Subdivision Phase I, located at 9247 US 281.**

## ***BOARDS AND COMMISSIONS APPOINTMENTS:***

### **3. ACTION to appoint or reappoint three (3) members to the Beautification Committee.**

Commissioner David A. Betancourt moved that **Mr. Joe Lee Rubio** be appointed to the Beautification Committee.

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

Upon motion by Mayor Eddie Trevino, Jr., seconded by Commissioner Ernie L. Hernandez and carried unanimously, **Mr. Craig Timmer** was appointed to the Beautification Committee.

Upon motion by Mayor Eddie Trevino, Jr., seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, **City Commissioner Edward C. Camarillo** was appointed to the Beautification Committee.

### **4. ACTION to appoint six (6) members to a Charter Review Committee.**

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner David A. Betancourt and carried unanimously, **Ms. Geralyn Kirkpatrick and Mr. Rafael Vela** were appointed to the Charter Review Committee.

Commissioner Edward C. Camarillo moved that **Mr. Arvin Tucker, and Ms. Priscilla Martinez** be appointed to the Charter Review Committee.

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

Upon motion by Mayor Eddie Treviño, Jr., seconded by Commissioner Ernie L. Hernandez and carried unanimously, **Mr. Ruben Gallegos, Jr., and Mr. Conrad Bodden** were appointed to the Charter Review Committee.

### **5. ACTION to appoint a Mayor Pro-tem and Deputy Mayor Pro-tem.**

Mayor Eddie Treviño, Jr., thanked Commissioner Carlos A. Cisneros for serving as Mayor Pro-tem, and moved that **Commissioner Cisneros** be re-appointed to serve as **Mayor Pro-Tem** and **Commissioner Sally M. Arroyo** be appointed to serve as **Deputy Mayor Pro-Tem**.

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

**6. ACTION to appoint or re-appoint six (6) members to the Heritage Council.**

Mr. Joe Gavito, Heritage Officer, noted that the current Heritage Council members wished to continue to serve on the Council.

Upon motion by Commissioner Ernie L. Hernandez, seconded by Commissioner Sally M. Arroyo and carried unanimously, the following current members of the Heritage Council were re-appointed to serve:

<b>Mr. Gene Balch, Historian</b>	<b>Mr. David Zimmerman, Alternate</b>
<b>Mr. Larry Lof, Archeologist</b>	<b>Dr. Gene Paull, Alternate</b>
<b>Mr. John Chosy, Attorney</b>	<b>Mr. Trey Martinez, Alternate</b>

---

***PUBLIC HEARINGS:***

**7. Public Hearing and ACTION on FIRST READING on Ordinance 235-2005-027 to rezone, from Dwelling “G” classification to Apartment “G” classification, 5.0 acres out of Block 28 of El Jardin Subdivision in Share 33 of Share 19 of Espiritu Santo Grant, near Old Port Isabel Road and Coffeepoint Road.**

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

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

Commissioner David A. Betancourt moved that Ordinance Number 235-2005-027 be **approved** on first reading.

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

**8. Public Hearing and ACTION on FIRST READING on Ordinance 235-2005-033 to rezone, from “Z” Area District to “F” Area District classification, 516.044 acres out of Share 14 of Espiritu Santo Grant, near FM 1732 and Expressway 77/83.**

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

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 235-2005-033 be **approved** on first reading.

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

**9. Public Hearing and ACTION on FIRST READING on Ordinance 235-2005-036 to rezone, from Dwelling “Z” classification to General Retail “G” classification, Lot 8 of Block 1 of El Rancho Potrero Subdivision, near US 281 and Olivia Lane. DENIED**

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

Ms. Cruz Ramirez, owner of property located adjacent to the property proposed for rezoning, expressed her opposition to the rezoning because the tire shop expected to be developed on the lot would hamper the entrance and exit to her property where she planned to build her home.

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

Commissioner Edward C. Camarillo moved that Ordinance Number 235-2005-036 be **denied**.

The motion was seconded by Commissioner Sally M. Arroyo and carried as follows:

Ayes: Mayor Treviño, Commissioners Betancourt, Cisneros, Camarillo, Arroyo, and Hernandez;

Nay: Commissioner Longoria.

**10. Public Hearing and ACTION on FIRST READING on Ordinance 235-2005-037 to rezone, from General Retail “G” classification Apartment “G” classification, Lots 5 thru 9 of Block 1 of Masso Commercial Park Subdivision Replat, near State Highway 48 and Villa del Mar Drive.**

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

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the public hearing was **closed**.

Commissioner Sally M. Arroyo moved that Ordinance Number 235-2005-037 be *denied* under Apartment “G” classification, and **approved** under Apartment “F” classification.

The motion was seconded by Commissioner Ernie L. Hernandez and carried as follows:

Ayes: Mayor Treviño, Commissioners Betancourt, Cisneros, Camarillo, Arroyo, and Hernandez;

Nay: Commissioner Longoria.

---

***ACTION ITEMS:***

**11. ACTION to execute documents granting utility companies a 10-foot utility easement across the Central Parkway to relocate utility lines as part of the drainage improvements on the north side of Resaca Calmada at Hudson Boulevard.**

Mr. Eduardo Santillan, Right-of-Way Acquisition Specialist, noted that the developer would be responsible for work and expenses related to the installation of a box culvert that would serve as an overflow during extreme flooding conditions. He further noted that utilities relocation would be at the utility company’s expense.

Upon motion by Commissioner Ernie L. Hernandez, seconded by Commissioner David A. Betancourt and carried unanimously, execution of documents, granting utility companies a 10-foot utility easement across the Central Parkway, was **approved**, to relocate utility lines as part of the drainage improvements on the north side of Resaca Calmada at Hudson Boulevard.

**12. ACTION to direct staff to implement a Housing Down Payment Assistance Program in the City of Brownsville.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the U.S. Department of Housing and Urban Development (HUD) had requested that the City of Brownsville initiate a housing assistance program for the benefit of first-time homebuyers in the City who are of low to moderate income levels as stipulated by HUD Section 8 Program Income Guidelines. He briefly reviewed the proposed policy and procedures for the program and noted that the program would be funded with HOME Entitlement and American Dream Downpayment Initiative (ADDI) Funds.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner David A. Betancourt and carried unanimously, staff was **authorized** to implement a Housing Down Payment Assistance Program in the City of Brownsville.

---

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

**13. ACTION to authorize a lease agreement with Taylorcraft for Space Number Four (4) (43,200 Square Feet) of Airport Building Number Sixteen (16), the Former Neoplan Complex.**

Mr. Larry Brown, Director of Aviation, noted that the Taylorcraft Company would be manufacturing airplanes at the site. He further noted that the Brownsville Economic Development Corporation (BEDC) would be a participant in the financing of the project.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner David A. Betancourt and carried unanimously, a lease agreement with Taylorcraft was **authorized**, for space number four (4) (43,200 square feet), at \$0.00 per square foot per month for the first 4 months, and at \$0.15 a square foot per month for months 5 through 60, with an option to lease the space an additional 60 months at \$0.20 per square foot per month, of Airport Building Number Sixteen (16), the former Neoplan Complex.

**14. ACTION to accept the 2003 C.I.P. Street and Drainage, Contract Two (2) Projects and to release retainage and final payment to Pederson Construction for said project.**

Mr. Carlos Lastra, P.E., City Engineer, noted that the project reflected a decrease in the amount of \$59,265.70.

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Sally M. Arroyo and carried unanimously, the 2003 C.I.P. Street and Drainage, Contract Two (2) Project was accepted and the release of retainage and final payment, in the amount of **\$98,329.71**, to Pederson Construction was **approved** for said project.

**15. ACTION to award a contract for the purchase and installation of Digital Postage Machine and Meter for the Office of the City Secretary.**

Mr. Paul Calapa, Purchasing and Contracting Manager, gave a brief overview of the U.S. Postal Service mandate that all postage equipment be upgraded to the security of digital printing meters and the cost of the proposed purchase.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, contracts with **Pitney Bowes Mailing and Shipping, Inc.**, in the amount of **\$26,769.00**, for the purchase and installation of a digital postage machine and a rental agreement, in the amount of **\$951.00** per year, for rental of the postage meter for the Office of the City Secretary, were approved.

**16. ACTION to award a term contract for the purchase, hauling and delivery of Landfill Cover Material for the City of Brownsville.**

Mr. Paul Calapa, Purchasing and Contracting Manager, briefly reviewed the proposed contract.

Commissioner Ricardo Longoria, Jr., moved that a term contract be awarded to **White Wing Ranch** of Brownsville, Texas, **at the stipulated prices**, for the purchase, hauling, and delivery of landfill cover material for the City of Brownsville.

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

## SUPPLEMENTAL AGENDA

### ***ACTION ITEM:***

11a) **ACTION** to approve the plan of finance to refund certain City of Brownsville general obligations bonds which will result in some savings to the City.

Mr. Pete Gonzalez, Finance Director, noted that the proposed plan of finance would provide the City a savings of \$924,828.00.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Edward C. Camarillo and carried unanimously, the plan of finance was **approved** to refund certain City of Brownsville general obligation bonds, resulting in savings to the City.

---

### ***PUBLIC COMMENT PERIOD:***

Mr. Chuck Thirlwall commented on the financial needs of the Brownsville Boys and Girls Club of Brownsville and noted that without additional financial assistance the club could not continue in operation.

---


### ***ADJOURNMENT:***

There being no further business to come before the City Commission, the meeting adjourned at 7:29 p.m.

Approved this 19<sup>TH</sup> day of July, 2005.

  
Eddie Treviño, Jr.  
Mayor of Brownsville

Attest:

  
Estela Von Hatten  
Interim City Secretary

