

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, November 01, 2005, at 5:15 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
JIM 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 City Secretary on October 28, 2005:

WORKSHOP:

Mayor Eddie Treviño, Jr., convened the Workshop Session to discuss the following item:

- a) **Discussion regarding the commitment of local funding for completion of Statewide Transportation Enhancement Program (STEP), project known as the Historic Battlefield Trail & Southern Pacific Linear Park.**
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REGULAR MEETING:

Upon conclusion of the Workshop 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 the Texas Pledge were lead by *Jacqueline C. Ramirez*, 5th grade student at A.X. Benavidez Elementary School, *Andrea Y. Ramirez*, 4th grade student at Palm Grove Elementary School, and *Amanda M. Ramirez*, 6th grade student at Perkins Middle School.

INVOCATION:

The invocation was given by Mayor Eddie Treviño, Jr.

1. ***PROCLAMATION: National Lupus Awareness Month***
(Mayor Eddie Treviño, Jr.)

The proclamation would be presented at the next regular meeting of the City Commission as no one was present to receive it today.

2. ***PRESENTATION: Veteran's Park Project***
(Skip Keller - Parks)

Mr. Chris Patterson, Recreation Services Manager, introduced Mr. Frank Yturria, local businessman and philanthropist, and Commander Raul Leal, active Veterans Park Project supporter and representative of American Legion Post 37.

Mr. Yturria noted that, as a veteran of two wars, he was proud to support the Veterans Park project in the City of Brownsville. He then presented stock, valued at \$53,000, as a donation to the City of Brownsville for the Veterans Park Project.

Commander Raul Leal expressed his gratitude for the work being done to complete the Veterans Park.

Employee of the Month
(November 2005)

Mr. Charlie Cabler, City Manager, recognized *Mr. Juan David Garcia*, as “*Employee of the Month*” for the month of November, 2005.

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, seconded by Commissioner David A. Betancourt and carried unanimously, Consent Agenda Items “a” through “d” were **approved**.

ITEMS No. “a” through “d”

a) Approval of the Minutes of the Regular Meeting of October 18, 2005 and Special Meeting of October 25, 2005.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Delina Barrera	BCIC	Austin, TX	Dec. 11 - 14, 2005
Norma Zamora	BUS	Corpus Christi, TX	Nov. 2 – 3, 2005
Tom Logan	BUS	Corpus Christi, TX	Nov. 2 – 3, 2005
Liza Vega	City Secretary	Austin, TX	Dec. 11 - 14, 2005
Carlos Lastra	Engineering	Las Vegas, NV	Nov 28 – Dec 1, 2005
Alfonso Vallejo	Planning	Newton, MA	Nov. 13 – 19, 2005
Albert Toriz	Police	Quantico, VA	Oct. 30 - Nov. 5, 2005

Dr. Delina Barrera, BCIC Executive Director, will attend the “*Open Government Conference*”, sponsored by the Office of the Attorney General, on December 11-14, 2005, in Austin, Texas.

Ms. Norma Zamora, BUS Director, and Mr. Tom Logan, Transit Planner, will attend the “*Managing Information for Success*” seminar, sponsored by National Transit Institute of Rutgers State University and funded by a Federal Transit Administration grant, on November 2-3, 2005, in Corpus Christi, Texas.

Ms. Liza M. Vega, Administrative Specialist II, will attend the “*Open Government Conference*”, sponsored by the Office of the Attorney General, on December 11-14, 2005, in Austin, Texas.

Mr. Carlos Lastra, P.E., City Engineer, will attend a course on “*Preparing an Effective Municipal Capital Improvements Plan*”, sponsored by the Pyle Center, on November 28 – December 1, 2005, in Las Vegas, Nevada.

Mr. Alfonso Vallejo, Transportation Planner, II, will attend a “*TransCAD Training*”, sponsored by the Caliper Corporation, and funded by the Texas Department of Transportation, on November 13-19, 2005, in Newton, Massachusetts.

Police Agent Albert Toriz will attend a “*Survival Awareness In-Service Training*” sponsored and funded by Federal Bureau of Investigation (FBI), on October 30, 2005, in Quantico, Virginia.

c) APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-235.66 amending the Code of Ordinances Chapter 348 Zoning by revising regulations governing bars, restaurants with alcohol sales, stores that sell alcohol for off premise consumption and liquor stores, and dealing with related matters.

d) APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-235.67 amending the Code of Ordinances Chapter 348 Zoning, by amending Article VIII, specific uses, and adding Section 348-1420, conditional use permit and dealing with related matters.

BOARDS AND COMMISSION APPOINTMENTS:

4. ACTION to appoint five members to the City audit committee.

Mr. Pete Gonzalez, Finance Director, noted that the City's independent auditing firm, Long Chilton, LLP, had recommended that the City Finance Director and City Auditor be included as part of the audit committee.

Mayor Eddie Treviño, Jr., expressed a desire to serve on the committee and suggested that the City Manager be appointed as a committee member.

Commissioner Carlos A. Cisneros moved that the following persons be **appointed** to the City Audit Committee:

Mayor Eddie Treviño, Jr.

Commissioner Sally M. Arroyo

Mr. Charlie Cabler, City Manager

Mr. Pete Gonzalez, Finance Director

Mr. Jose Chavez, Internal Auditor

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

PUBLIC HEARINGS:

5. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-058 to rezone, from Dwelling "A" classification to Apartment "A" classification, .038 acres out of Lot 2 of Block 1 of Valadez Mercado Subdivision, near Rockwell Drive and Shidler Street.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission recommended approval of the proposed rezoning.

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

Commissioner Edward C. Camarillo moved that Ordinance Number 235-2005-058 be **approved** on first reading. The motion was seconded by Commissioner Sally M. Arroyo and carried unanimously.

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-059-S to allow a Light Commercial specific use (used car lot) in a General Retail use district, for Lot 12 of Block 6 of East Brownsville Addition, near Southmost Road and 17th Street.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission recommended approval of the proposed rezoning.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2005-059-S be **approved** on first reading. The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

ACTION ITEMS:

7. ACTION to adopt Resolution Number 2005-038 to authorize the commitment of local funding for completion of Statewide Transportation Enhancement Program (STEP), project known as the Historic Battlefield Trail & Southern Pacific Linear Park. (TABLED)

Mr. Pete Gonzalez, Finance Director, noted that approval of the resolution would authorize the Finance Director to issue \$1 million dollars in Certificates of Obligation to fund the project. He further noted that, should the debt issuance be approved, he did not have figures to reflect what impact it would have on the City's tax rate and stated that Estrada Hinojosa, Inc. would prepare that information for review.

Mayor Eddie Treviño, Jr., noted that the Commission would not support a tax rate increase.

Commissioner Ricardo Longoria, Jr., moved that action on Resolution Number 2005-038, be **tabled**, until such time as a report from Estrada Hinojosa, Inc. regarding tax rate impact is available for review.

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

8. ACTION to approve budget amendment Resolution Number 2005-039 to amend the General Fund, Airport Fund, and the Motor Vehicle Parking System Fund.

Mr. Pete Gonzalez, Finance Director, noted that approval of the resolution would authorize a budget transfer from the General Fund to provide for the purchase of mowing equipment needed to comply with Federal Aviation Administration regulations, a copier for use by airport personnel, and the purchase of a van for the Traffic Department.

Commissioner David A. Betancourt moved that Resolution Number 2005-039 be **adopted** to amend the General Fund, Airport Fund, and the Motor Vehicle Parking System Fund as presented. The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

PURCHASES/BIDS/CONTRACTS:

9. ACTION authorizing Taylorcraft, a Texas Corporation, to enter into an amended lease agreement for additional space with the City of Brownsville, Texas, Department of Aviation.

Mr. Larry A. Brown, Director of Aviation, noted that Taylorcraft currently leased 43,200 square feet of space and the proposed amendment would allow for leasing an additional 22,800 square feet. He further noted that the corporation had a total of 15 employees, 13 of which are Brownsville citizens.

Commissioner Sally M. Arroyo moved that Taylorcraft, a Texas Corporation, be **authorized** to enter into an amended lease agreement with the City of Brownsville, Texas, Department of Aviation, for additional space. The motion was seconded by Commissioner Edward C. Camarillo and carried unanimously.

10. ACTION authorizing ASTC, LLC dba Allied Skills Training Center, a Texas Corporation, to enter into a lease agreement with the City of Brownsville, Texas, Department of Aviation.

Mr. Larry A. Brown, Director of Aviation, noted that the proposed lease agreement was for a five-year period, with one five-year option, for Building 16, Space 7 of the former Eagle International/Neoplan facility. The center, Mr. Brown stated, provided training for welders and many are hired by local companies.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, ASTC, LLC, dba Allied Skills Training Center, a Texas Corporation, was **authorized** to enter into a lease agreement with the City of Brownsville, Texas, Department of Aviation.

11. ACTION to authorize HNTB Amendment Number 13b, for additional construction materials, observation and testing services on Runway 17-35, south General Aviation (G/A) Ramp Rehabilitation and Runway 13R-31L Blast Pad.

Mr. Larry A. Brown, Director of Aviation, noted that the proposed amendment authorized additional engineering work associated with projects currently under construction at the airport and that costs for the work would be 100% federally funded.

Commissioner Sally M. Arroyo moved that HNTB Amendment Number 13b be **approved**, authorizing additional construction materials, observation and testing services on Runway 17-35, South General Aviation (G/A) Ramp Rehabilitation and Runway 13R-31L Blast Pad. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

12. ACTION to authorize HNTB Amendment Number 16 for bidding services and preparation of construction documents for the demolition and removal of existing hangars associated with the extension of the air carrier ramp.

Mr. Larry A. Brown, Director of Aviation, noted that the proposed amendment allowed for the demolition of two (2) existing hangars which would be replaced. He further noted that costs for the work would be 100% federally funded.

Upon motion by Commissioner Carlos A. Cisneros seconded by Commissioner Edward C. Camarillo and carried unanimously, HNTB Amendment Number 16 was **approved**, authorizing bidding services and preparation of construction documents for the demolition and removal of existing hangars associated with the extension of the air carrier ramp.

13. ACTION to authorize HNTB Amendment Number 17 for preliminary investigation services to address distressed pavement on Taxiway G.

Mr. Larry A. Brown, Director of Aviation, noted that the primary taxiway to and from the cargo ramp was in need of repair and costs of the repairs would be 100% federally funded.

Commissioner David A. Betancourt moved that HNTB Amendment Number 17, for preliminary investigation services, be **approved** to address distressed pavement on Taxiway G. The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

14. ACTION on an easement agreement with N3 Development, LTD for an exchange of easements relating to the construction of Starbucks and the Hike and Bike Trail.

Mr. Carlos Lastra, P.E., City Engineer, noted that the agreement provided for an exchange of easement property between the City of Brownsville and the Starbucks facility.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, an easement agreement with N3 Development, Ltd, was **approved** for an exchange of easements relating to the construction of Starbucks and the Hike and Bike Trail.

15. ACTION to award a contract for the purchase of sixteen (16) hand-held radios for the Brownsville Police Department.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the City would be reimbursed for this purchase by a Justice Assistance Grant (JAG).

Commissioner Carlos A. Cisneros moved that a contract, in the amount of **\$57,369.60**, be awarded to **Motorola, Inc. of San Antonio, Texas**, for the purchase of sixteen (16) hand-held radios for the Brownsville Police Department. The motion was seconded by Commissioner Edward C. Camarillo and carried unanimously.

16. ACTION to award a contract for Capital Improvement Program (2005 C.I.P.), Streets & Drainage Improvement, Contract Number 4.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that streets affected under the proposed contract were El Mirador, La Mansion, Taxco, Sevilla Drive, Granada Drive, Hillcrest Drive, E. 15th Street, and W. 5th Street.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez and carried unanimously, a contract, in the amount of **\$653,304.08**, was awarded to **G & T Paving Company of Brownsville, Texas**, for the Capital Improvement Program “2005 C.I.P.” Streets and Drainage Improvement Contract No. 4.

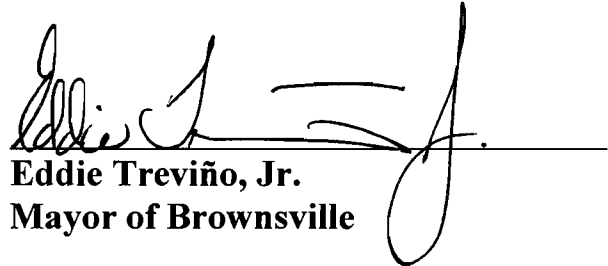
PUBLIC COMMENT PERIOD:

There were no public comments.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 6:40 p.m.

Approved this 15TH day of November, 2005.


Eddie Treviño, Jr.
Mayor of Brownsville

Attest:


Estela Von Hatten
Interim City Secretary

