

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, September 20, 2005, at 4:30 p.m., 5:00 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)	COMMISSIONER
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 September 16, 2005:

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The U.S. Pledge of Allegiance and the Texas Pledge were lead by *Ricardo Rangel and Matthew Cohen*, 5th and 4th grade students respectively, representing Scout Pack 251 from Palm Grove Elementary School.

INVOCATION:

The invocation was given by Andreas Lewis, Pastor of The Church of the Good Shepherd, Brownsville, Texas.

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

Mr. Charlie Cabler, City Manager, recognized **Ms. Sylvia Maldonado**, Administrative Technician II, at the Finance Department, as “*Employee of the Month*” for the month of September, 2005.

***Hope for the City
(PTS Services)***

Ms. Martha Cramer, Director of Pregnancy Testing Services, gave a brief presentation on “*Hope for the City*” and invited City officials and the local community to join in prayer walks, on October 3-6, 2005, for the benefit of unity in the City of Brownsville.

***Beautification Committee
(Maribel B. Guerrero)***

The presentation was canceled and a workshop was re-scheduled for discussion of Beautification Committee issues.

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 Ernie L. Hernandez, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Consent Agenda Items “a” through “i” were **approved**.

ITEMS No. “a” through “i”

a) Approval of the Minutes of the Regular Meeting of September 06, 2005.

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

Employee	Department	Destination	Date
Jennifer Hogancamp	Aviation	San Antonio, TX	Sept. 25-27, 2005
Michael Jones	Aviation	Toronto, ON, Canada	Oct. 05-07, 2005
Pete González	Finance	San Antonio, TX	Dec. 07-09, 2005
Diane Karavasilis	Health	Round Rock, TX	Oct. 11-14, 2005
Fernando Arellano, Jr.	Health	Round Rock, TX	Oct. 11-14, 2005
Phillip Chio	Health	Round Rock, TX	Oct. 11-14, 2005
Victor Perez	Health	Round Rock, TX	Oct. 11-14, 2005
Ben Medina	Planning	Fort Worth, TX	Oct. 04-09, 2005
Noe Puga	Planning	Fort Worth, TX	Oct. 04-09, 2005
Rick Vasquez	Planning	Fort Worth, TX	Oct. 04-09, 2005
Troy Whittemore	P & Z Comm.	Fort Worth, TX	Oct. 04-09, 2005
Miguel Salinas	P & Z Comm.	Fort Worth, TX	Oct. 04-09, 2005
Leonel Rosales	P & Z Comm.	Fort Worth, TX	Oct. 04-09, 2005
James Cortez	P & Z Comm.	Fort Worth, TX	Oct. 04-09, 2005
Ramon Ortiz	Police	Cedar Park, TX	Sept. 19-21, 2005
Eric Castillo	Police	Grand Prairie, TX	Sept. 25-28, 2005
Julio Briones	Police	Rockport, TX	Sept. 25-30, 2005
Santos Ponce	Police	San Antonio, TX	Oct. 10-13, 2005
Carlos L. Garcia	Police	Austin, TX	Oct. 17-20, 2005

Ms. Jennifer Hogancamp, Assistant Director, will attend a “*Spill Prevention Control and Countermeasures National Workshop*”, co-sponsored by the American Association of Airport Executives, National Air Transportation and Air Transport Association, on September 25-27, 2005, in San Antonio, Texas.

Mr. Michael Jones, Aviation Business Development Manager, will attend the “*Automotive Industry Trade Conference*”, sponsored by the Canada Chamber of Commerce-Matamoros Chapter and Matamoros Economic Development Committee, on October 5-7, 2005, in Toronto, Canada.

Mr. Pete Gonzalez, Finance Director, will attend the “*Public Funds Investment Law Workshop*”, sponsored by the Texas Municipal League, on December 7-9, 2005, in San Antonio, Texas.

Ms. Diane Karavasilis, Food Inspector, and Mr. Fernando Arrellano, Jr., Phillip Chio, and Victor Perez, Ordinance Enforcement Officers, will attend the “*Annual Educational Conference*” hosted by the Texas Environmental Health Association, on October 1-14, 2005, in Round Rock, Texas.

Mr. Ben Medina, Director of Planning and Community Development, Mr. Rick Vasquez, Comprehensive Planner, Mr. Noe Puga, Plat Administrator, and four Zoning Commissioners, will attend the “*APA Annual Conference*”, sponsored by the American Planning Association, on October 4-9, 2005, in Fort Worth, Texas.

Police Investigator Ramon Ortiz will attend the “*Applicant Background Investigation and Oral Interview Techniques Course*”, co-sponsored by Bannon & Associates, LLC and the Cedar Park Police Department, on September 19-21, 2005, in Cedar Park, Texas.

EOD K-9 Officer Eric Castillo will attend a “*Bomb Investigation Seminar*”, sponsored by the Public Agency Training Council, on September 25-28, 2005, in Grand Prairie, Texas.

Police Detective Julio Briones will attend a “*Fingerprints Seminar*” and an “*Introduction to Practical Crime Scene Techniques Seminar*”, co-sponsored by the Public Agency Training Council and the Aransas County Sheriff’s Office, on September 25-30, 2005, in Rockport, Texas.

Police Detective Santos Ponce will attend the “*TAPEIT Conference*”, sponsored by the Texas Association of Property and Evidence and Inventory Technicians, on October 10-13, 2005, in San Antonio, Texas.

Chief of Police Carlos L. Garcia will attend a “*Law Liability Seminar*” and the “*ATPA Board and Grantee Advisory Committee meeting*”, on October 17-20, 2005, in Austin, Texas.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-045-S to allow an Apartment specific use (duplex) in a General Retail use district for Lot 8 of Block 261 of Brownsville Original Townsite, near East 9th Street and Ringgold Street.**
- d) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-048 to rezone, from Medium Commercial “G” classification to Dwelling “G” classification, 17.04 acres out of Share 18 of Espiritu Santo Grant, near FM 802 and US 281.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-049-S to allow an Apartment specific use (duplex) in a Dwelling use district, for Lot 23 of Block 36 of East Brownsville Addition, near Southmost Road and 22nd Street.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-050 to rezone, from Dwelling “A” classification to Medium Retail “H” classification, Lot 3C of El Banco Subdivision, near Boca Chica Boulevard and Estero Drive.**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2005-051 to rezone, from Dwelling “Z” classification to Medium Commercial “Z” classification, 10.00 acres out of the north ½ of Lot 1 of Block 411 of El Jardin Resubdivision, near FM 802 and Coffeeport Road.**
- h) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-856-LL to amend Ordinance Number 2005-856-KK, 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.**
- i) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2005-1444 levying ad valorem taxes for the Tax Year 2005 for the use and support of the municipal government of the City of Brownsville, Texas, for the Fiscal Year 2006, providing for the interest and sinking fund for the Fiscal Year 2006 of the City of Brownsville, Texas, general obligation bonds.**

PUBLIC HEARINGS:

- 3. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-052 to rezone from Dwelling “Z” classification to Medium Retail “Z” classification, Lot 5 of Block 22 of Cameron Park Addition, near Paredes Line Road and Rancho Viejo Avenue.**

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

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

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, Ordinance Number 235-2005-052 was **adopted** on first reading.

- 4. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-053 to rezone from Dwelling “A” classification to Apartment “G” classification, Tract I of Lot 6 of Chicago Gardens Subdivision in Share 28 of Espiritu Santo Grant, near Morningside Road and Apollo Drive.**

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

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 235-2005-053 be **adopted** on first reading.

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

- 5. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-055-S to allow a General Retail specific use (lube & tire shop) in a Medium Retail use district, for Lot 13A of Block 2 of El Valle Grande Subdivision Section I, near Alton Gloor Blvd. and Madrid Avenue.**

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

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 235-2005-055-S be **adopted** on first reading.

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

6. Public Hearing and ACTION on FIRST READING on Ordinance Number 235-2005-056-S to allow a Professional Office specific use (offices) in a Dwelling use district, for Lots 8 and 9 of Block B of The Jardin Subdivision, near Boca Chica Blvd. and Owens Road.

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

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2005-056-S be **adopted** on first reading.

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

ACTION ITEMS:

7. ACTION on Resolution Number 2005-034 to rename and officially designate East 6th Street to Judge Reynaldo G. Garza Blvd. and East 7th Street to Judge Filemon B. Vela Blvd.

Mr. Eduardo Santillan, Right-of-Way Specialist, noted that a public notice had been posted in the local newspaper and no negative comments had been received from the general public regarding the name changes.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Resolution Number 2005-034 was **adopted** to rename, and honorarily designate, East 6th Street to Judge Reynaldo G. Garza Blvd. and East 7th Street to Judge Filemon B. Vela Blvd.

8. ACTION on Resolution Number 2005-035 expressing opposition to the establishment of any “Minutemen” installments, or affiliated groups in the City of Brownsville.

Comments, in favor of the proposed Resolution Number 2005-035, were made by Ms. Elizabeth Garcia and Mr. Eugene Novogrodsky.

Mayor Eddie Treviño, Jr., noted his opposition to the proposed establishment of Minutemen installments in Brownsville.

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner David A. Betancourt and carried unanimously, Resolution Number 2005-035 was **adopted**, expressing opposition to the establishment of any “Minutemen” installments, or affiliated groups in the City of Brownsville.

9. ACTION to encumber \$75,000 of Brownsville Beautification Committee funds on September 30, 2005, for an irrigation system for the new East Loop/University Boulevard Project.

Mr. Pete Gonzalez, Finance Director, noted that the Beautification Committee funds would be carried over to next year’s budget, to the extent of amount of funds available.

Commissioner Sally M. Arroyo moved that Brownsville Beautification Committee funds, to the extent of the amount of funds available at September 30, 2005, be **encumbered** for an irrigation system for the new East Loop/University Boulevard Project.

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

10. **ACTION to authorize the use of Washington Park from February 20-26, 2006 for the Sombrero Festival, authorizing the sale and consumption of alcoholic beverages from February 23-25, 2006, during festival hours, authorizing the closure of Adams Street between 7th and 8th and Madison Street between 7th and 8th for the festival.**

Mr. Roy de los Santos, representing the Sombrero Festival Ltd., noted that the group was requesting a return to Washington Park for its annual “*Sombrero Fest*”. He further stated that the group has conferred with the Charro Days Association Board in an effort to consolidate the festivities during the Charro Days week.

Mayor Eddie Treviño, Jr., suggested that the Parks Board be included in conferences regarding this matter.

Upon motion by Commissioner David A. Betancourt, seconded by Commissioner Carlos A. Cisneros and carried unanimously, action was **postponed** until September 27, 2005, at which time Mr. de los Santos was asked to re-submit the item for consideration and action.

PURCHASES/BIDS/CONTRACTS:

11. **ACTION to award a contract for partial re-roofing of Commemorative Air Force (CAF) building at the Brownsville/South Padre Island International Airport.**

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that funding for this work will be derived from the Brownsville Community Improvement Corporation in the form of a grant.

Commissioner David A. Betancourt moved that a contract, in the amount of **\$32,000.00**, be awarded to **Montes Construction & Remodeling of Brownsville, Texas**, for partial re-roofing of the Commemorative Air Force (CAF) building located at the Brownsville/South Padre Island International Airport.

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

12. ACTION to award a contract for Capital Improvement Program “2003 C.I.P.” Streets and Drainage Improvement, Contract Number 3 for Jennifer Street.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that of the total cost for the contract, the City’s share was \$618,952 and BPUB’s share was \$799,981 for a total amount of \$1,418,933.

Commissioner Ricardo Longoria, Jr., moved that a contract, in the amount of **\$1,418,933.00**, be awarded to **G&T Paving of Brownsville, Texas**, for Capital Improvement Program “2003 C.I.P.” Streets and Drainage Improvement, Contract Number 3 for Jennifer Street.

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

13. ACTION to award a term contract for collection of delinquent receivable services for Brownsville Municipal Court. (TABLED)

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the Brownsville Municipal Court administration concurred with the reviewing committee’s recommendation for the award of the contract.

Commissioner David A. Betancourt moved that action on this item be **tabled** until the Commission can review the presentations of the two highest ranked vendors.

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

14. ACTION to award a contract for the construction of an irrigation system at the West Brownsville Little League Park.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the Parks & Recreation Department and the Project Design Manager recommended award to the lowest responsible bidder.

Commissioner David A. Betancourt moved that a contract, in the amount of **\$16,950**, be awarded to **Aqua-Tech of McAllen, Texas**, for the construction of an irrigation system at the West Brownsville Little League Park.

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

15. ACTION to award a contract for the purchase of an Explosive Ordinance Disposal (EOD bomb) suit for the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed purchase is scheduled for 100% reimbursement by the State of Texas, as part of the State Homeland Security Program.

Commissioner David A. Betancourt moved that a contract, in the amount of **\$20,033.00**, be awarded to **Med-Eng Systems, Inc., of Ottawa, Ontario, Canada**, for the purchase of an Explosive Ordinance Disposal (EOD bomb) suit for the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

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

16. ACTION to award a contract for the purchase an Ordinance Disposal Unmanned Vehicle System (robot) for use by the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed purchase is scheduled for 100% reimbursement by the State of Texas, as part of the State Homeland Security Program.

Commissioner Sally M. Arroyo moved that a contract, in the amount of **\$144,211.00**, be awarded to **REMOTEC, Inc., of Clinton, TN**, for the purchase of an Ordinance Disposal Unmanned Vehicle System (robot) for use by the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

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

17. ACTION to award a contract for the purchase of a software package for the City of Brownsville's 9-1-1 Communications System for use by the Brownsville Police Department.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed purchase is scheduled for 100% reimbursement by the State of Texas, as part of the 2004 Law Enforcement Terrorism Prevention Program.

Commissioner Ricardo Longoria, Jr., moved that a contract, in the amount of **\$46,478.88**, be awarded to **Science Motorola, Inc., of Boulder, Colorado**, for the purchase of a software package for the City of Brownsville's 9-1-1 Communications System for use by the Brownsville Police Department.

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

18. ACTION to award a contract for the purchase of and installation of a color/infra-red (IR) camera on the Brownsville Police Department's Mobile Command Post.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed purchase is scheduled for 100% reimbursement by the State of Texas, as part of the State Homeland Security Program.

Commissioner Edward C. Camarillo moved that a contract, in the amount of **\$49,063.00**, be awarded to **Farber Specialty Vehicles of Reynoldsburg, Ohio**, for the purchase and installation of a color/infra-red (IR) camera on the Brownsville Police Department's Mobile Command Post.

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

19. ACTION to award a contract for the purchase of a portable digital x-ray system for use by the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the proposed purchase is scheduled for 100% reimbursement by the State of Texas, as part of the State Homeland Security Program.

Commissioner David A. Betancourt moved that a contract, in the amount of **\$22,404.00**, be awarded to **Science Applications International Corporation of San Diego, California**, for the purchase of a portable digital x-ray system for use by the Brownsville Police Department's Explosive Ordinance Disposal (EOD) Team.

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

20. ACTION to award a term contract for the purchase and delivery of motor fuels for the City of Brownsville.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that the basis for the award on the contract was to the bid received with the lowest total margin. The City also reserved the unilateral option to extend the life of the contract for two (2) additional twelve (12) month periods at the original quoted prices.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Edward Camarillo and carried unanimously, term contracts to **Oil Patch Fuel & Supply, Inc., Brownsville, Texas** and to **Valero Marketing and Supply Company, San Antonio, Texas**, for the purchase and delivery of motor fuels for the City of Brownsville, were awarded as follows:

Oil Patch Fuel & Supply, Inc., Brownsville, Texas

Unleaded-high volume	\$0.0125
Unleaded-low volume	\$0.0550
Diesel (low sulfur)-high volume	\$0.0125
Diesel (low sulfur)-low volume	\$0.0550
Diesel (high sulfur)-high volume	\$0.0550
Texas Petroleum Delivery Fee:	\$ 30.00 per full load

Valero Marketing and Supply Company, San Antonio, Texas

Ultra low Sulfur Diesel	\$0.16 per gallon
Texas Petroleum Delivery Fee:	\$ 30.00 per full load

21. ACTION to award a contract for traffic signal construction for the Linear Park Project.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that funds for the project would be secured through a BUS grant, a local match, Brownsville Community Improvement Corporation funds, and Brownsville Independent School District funds.

Commissioner David A. Betancourt moved that a contract, in the amount of **\$396,297.29**, be awarded to **Austin Traffic Signal Construction Company, of Round Rock, Texas**, for traffic signal construction for the Linear Park Project.

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

22. ACTION to award a contract for traffic signal construction for University Drive.

Mr. Paul Calapa, Purchasing and Contracting Manager, noted that funding for the project was available from the University Drive Traffic Signal Project.

Upon motion by Commissioner Sally Mr. Arroyo, seconded by Commissioner Carlos A. Cisneros and carried unanimously, a contract, in the amount of **\$79,646.00**, was awarded to **Austin Traffic Signal Construction Company, of Round Rock, Texas**, for traffic signal construction for University Drive.

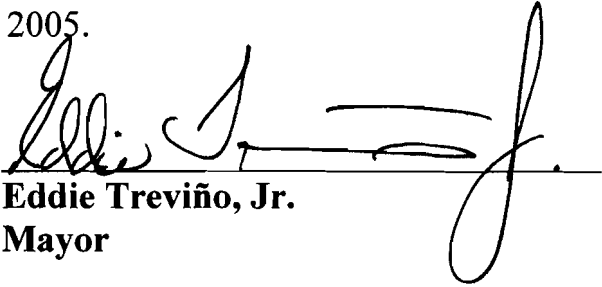
PUBLIC COMMENT PERIOD:

There were no public comments.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 7:20 p.m.

Approved the 04TH day of October, 2005.



Eddie Treviño, Jr.
Mayor

Attest:



Estela Von Hatten
Interim City Secretary

