

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

Sally Miniel Arroyo, At-large Commissioner "A"
Ricardo Longoria, Jr., District Commissioner 1
Carlos A. Cisneros, District Commissioner 3

Ernie L. Hernandez, Jr., At-large Commissioner "B"
Charlie Atkinson, District Commissioner 2
Edward C. Camarillo, District Commissioner 4

Eddie Treviño, Jr., Mayor

**NOTICE OF PUBLIC MEETING OF THE
CITY COMMISSION OF THE CITY OF BROWNSVILLE**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene a **Special Meeting**, on **Tuesday, July 25, 2006**, at **6:00 P.M.** 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, 78520.

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SPECIAL MEETING: 6:00 P.M.

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

INVOCATION:

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1. *CONSENT AGENDA ITEMS:*

All consent Agenda Items listed are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

ITEMS No. "a" through "e"

- a) Approval of the Minutes of the Special Meeting of July 05, 2006.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Raquel Benavidez	City Attorney	Houston, TX	July 27 – 29, 2006
Martin Vela	MIS	San Antonio, TX	July 30 – Aug. 1, 2006
Graciela Aldaco	Planning	San Antonio, TX	Aug. 7 – 10, 2006
Victor Maldonado	Planning	Austin, TX	Aug. 22 – 23, 2006
Juan Hernandez	Police	Corpus Christi, TX	July 26, 2005
Juan Lopez	Police	Corpus Christi, TX	July 26, 2005
Billy Killebrew	Police	Corpus Christi, TX	July 26, 2005
Mariano Gonzalez	Police	Corpus Christi, TX	July 26, 2005
Juan Salinas	Police	Corpus Christi, TX	July 26, 2005
Rolando Avitia	Police	Phoenix, AZ	Aug. 14 – 17, 2006
Orlando Rodriguez	Police	Corpus Christi, TX	Aug. 27 – 30, 2006
Orlando Chavez	Police	Corpus Christi, TX	Aug. 27 – 30, 2006

c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2006-035** to rezone, from Medium Commercial “G” Classification to General Retail “G” Classification, 1.472 acres out of Block 3 of Villa Nueva Subdivision, near US 281 and Alton Gloor Boulevard. (Ben Medina, Jr. – Planning)

d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2006-602-CU** an ordinance amending the text of the City Zoning Ordinance by allowing a conditional use permit for the sale of alcohol (wet restaurant), for 2.231 acres out of Lot 2 of Block 1 of Residence Inn Subdivision, located at 3955 N. Expressway 77/83. (Ben Medina, Jr. – Planning)

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2006-1459** to approve the project plan, Reinvestment Zone Financing Plan (May 18, 2006), and for Reinvestment Zone Number One, Development Agreement, pertaining to Tax Increment Reinvestment Zone Number One, and authorizing the City Secretary to distribute such plans; containing various provisions related to the foregoing subject. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSION APPOINTMENT:

2. Consideration and **ACTION** to appoint one (1) member to the Brownsville Housing Authority Board. (Mayor Eddie Treviño, Jr.)

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PUBLIC HEARINGS:

3. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2006-1460** to authorize an Interest Rate Cap Agreement in connection with the City of Brownsville, Texas Utilities System Subordinate Lien Revenue and Refunding Bonds, Series 2002A and 2002B; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an effective date. (Pete Gonzalez – Finance)
4. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2006-1461** to adopt a Settlement Agreement between the City of Brownsville and Texas Gas Service Company, a division of Oneok, Inc. (“TGS” or “Company) with regard to TGS’s Statement of Intent to increase rates filed on March 30, 2006; and determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; and declaring an effective date. (Jim Goza – City Attorney)
5. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2006-036** to rezone, from Light Retail “V” with an O31 (non-residential) & O51 (tourist-corridor) Overlay Districts Classification to Medium Retail “G” Classification with an O31 & O51 Overlays, 13.223 acres out of Lots 11 thru 16 out of Bailey Acreage Subdivision, near FM 511 and Simmons Drive. (Ben Medina, Jr. – Planning)
6. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2006-039-S** to allow a Light Commercial Specific Use (used car lot) in a Medium Retail Use District, for Lot 18 of Block 12 of Ebony Heights Subdivision, near Expressway 77/83 and Tulane Avenue. (Ben Medina, Jr. – Planning)
7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2006-041-S** to allow an Apartment Specific Use (day care center) in a Dwelling Use District, for Lot 7 of Block 3 of Iowa Estates Section II, located at 109 S. Bernal Street. (Ben Medina, Jr. – Planning)

8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2006-043** to rezone, from Dwelling “F” Classification to Light Retail “F” Classification, 3.849 acres out of Lots 1 thru 4 of Samano Partition in W.M. Wymore Tract, near Paredes Line Road and Dennett Road. (Ben Medina, Jr. – Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2006-603-CU** an ordinance amending the text of the City Zoning Ordinance by allowing a conditional use permit the sale of off-premise alcohol (Target Store), for 8.838 acres out of Morrison Towne Centre Subdivision, near Morrison Road and North Expressway 77/83. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

10. Consideration and **ACTION** on **Resolution Number 2006-044** to authorize a \$10,000 Solid Waste Grant Proposal, under the project category Educational and Training Projects, to fund temporary staff for a Waste Minimization Outreach Program in public schools. (David Ivory – Public Works)
11. Consideration and **ACTION** on **Resolution Number 2006-045** to authorize a \$10,000 Solid Waste Grant Proposal, under the project category Educational and Training Projects, to fund a Bags R5 Recycling Educational Outreach Campaign. (David Ivory – Public Works)
12. Consideration and **ACTION** on **Resolution Number 2006-046** to authorize the City Manager to accept a Grant Award in the amount of \$900,000 from the Texas Automobile Theft Prevention Authority for the 2006-2007 South Texas Auto Theft Enforcement Task Force Project. (Carlos L. Garcia – Police)
13. Consideration and **ACTION** on **Resolution Number 2006-047** to acknowledge the status of HOME Certifications pertaining to funds for Fiscal Years 2004 and 2005, and confirming that the City is committed to maintaining compliance with Housing of Urban Development’s (HUD) regulations. (Ben Medina, Jr. – Planning)
14. Consideration and **ACTION** to adopt budget amendment **Resolution Number 2006-048** to amend the General Fund by \$200,000 to provide \$150,000 funding for the acquisition of an automated camera system that will be used at the City Hall Commission Chambers to broadcast live City Commission Meetings from Channel 12 and to provide \$50,000 to replace some of the carpet at the City’s Main Library. (Pete Gonzalez – Finance)

PURCHASES/BIDS/CONTRACTS:

15. Consideration and **ACTION** to accept the 2005 CIP Street and Drainage, Contract 4 Project and to release retainage and final payment to G & T Paving, Inc. (Carlos Lastra – Engineering)
16. Consideration and **ACTION** to acknowledge and accept E-rate Grant Funds from the School and Library Division (SLD) in the amount of \$700,384.21 for the provision of network infrastructure equipment, telecommunications and internet access. (Jerry Hedgecock – Library)
17. Consideration and **ACTION** to acknowledge and accept grant funds from the Texas State Library and Archives Commission with funding provided by the Bill and Melinda Gates Foundation in the amount of \$26,250 for public access computers for the Main Library. (Jerry Hedgecock – Library)
18. Consideration and **ACTION** to award a contract for Runway 13R – 31L Asphalt Rejuvenation and Pavement Marking Project and Consideration and **ACTION** to authorize HNTB Amendment Number 24 for professional services associated with the Runway 13R – 31L Rejuvenation and Pavement Marking Project, General Engineering Consultant (GEC) Contract, with HNTB Corporation at the Brownsville South Padre Island International Airport. (Paul J. Calapa – Purchasing)
19. Consideration and **ACTION** to award a contract for Drainage Improvements Phase III Project and Consideration and **ACTION** to authorize Amendment Number 25 for professional services associated with the Drainage Improvements Phase III Project, General Engineering Consultant (GEC) Contract, with HNTB Corporation at the Brownsville South Padre Island International Airport. (Paul J. Calapa – Purchasing)
20. Consideration and **ACTION** to award a contract for Drainage Improvements for the North Bound Frontage Road/Cameron County Drainage Ditch. (Paul J. Calapa – Purchasing)
21. Consideration and **ACTION** to award a term contract for the purchase and delivery of herbicide for use by the Public Works Department, Greens Division. (Paul J. Calapa – Purchasing)

- 22. Consideration and **ACTION** to award a contract for lease/purchase of a D5N-bulldozer and a 613C water-wagon for the Landfill, a division of the Public Works Department. (Paul J. Calapa – Purchasing)
- 23. Consideration and **ACTION** to award a contract for the purchase and installation of shade structures at the North Brownsville Little Miss Kickball Fields on FM 511. (Paul J. Calapa – Purchasing)

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DISCUSSION:

- 24. Discussion regarding a two- to three-acre long-term land lease for fifty years (\$1.00 per year) of the ten acre tract behind Lotus Court on South Price to the Veterans of Foreign War Post. (Commissioner Ernie L. Hernandez, Jr.)

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PUBLIC COMMENT PERIOD: PLEASE NOTE:

- ANY PERSON WITH BUSINESS BEFORE THE COMMISSION, NOT SCHEDULED ON THE AGENDA AS A **PUBLIC HEARING**, MAY SPEAK TO THE COMMISSION.
- “PUBLIC COMMENT FORMS” ARE LOCATED ON THE SECOND FLOOR AT THE ENTRANCE OF THE COMMISSION CHAMBERS.
- “PUBLIC COMMENT FORMS” MUST BE FILLED OUT AND PRESENTED TO THE CITY SECRETARY/STAFF FIFTEEN (15) MINUTES PRIOR TO THE MEETING, TO BE CONSIDERED/RECOGNIZED.
- THE SPEAKER MUST IDENTIFY BY NAME BEFORE SPEAKING.
- THERE IS A THREE (3)-MINUTE TIME LIMIT PER SPEAKER.
- “PUBLIC COMMENT FORMS” ARE NOT ACCEPTED AFTER 6:00 P.M.
- *POWERPOINT* PRESENTATIONS ARE NOT CONDUCTED DURING THE PUBLIC COMMENT PERIOD. [For further information, contact The Office of the City Secretary at 548-6001]
- NO FORMAL ACTION CAN BE TAKEN.

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ADJOURNMENT:

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the Texas Government Code.

NOTE: The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at 956/548-6037 (voice or Relay TX) by Monday, no later than 5:00 P.M., to make proper arrangements.

**By: Eddie Treviño, Jr.
Mayor of the City of Brownsville**

I certify that a copy of the July 25, 2006, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on July 21, 2006. I further certify that the Agenda was posted on the City's website and can be downloaded by accessing: www.cob.us/agendas.asp.



Estela Von Hatten, City Secretary