

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 **Wednesday, August 30, 2006**, at **6:00 P.M.** with the following members present:

EDDIE TREVIÑO, JR.		MAYOR
RICARDO LONGORIA, JR.)	
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		CITY SECRETARY

Absent:

CHARLIE ATKINSON)	COMMISSIONER
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A quorum being present, Mayor Eddie Treviño, Jr., asked Ms. Estela Von Hatten, 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 August 25, 2006:

SPECIAL MEETING:

Mayor Eddie Treviño, Jr., convened the Special 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 led by Mayor Eddie Treviño, Jr.

INVOCATION:

The invocation was given by Ms. Veronica Tapia.

PUBLIC HEARING:

- 1. Public Hearing and ACTION on FIRST READING of Ordinance Number 2006-1217-A amending Ordinance Number 90-1213 of March 20, 1990 and Ordinance Number 90-1217 of May 24, 1990 and adopting the: (a) updated and revised land use assumptions within the certificated water and wastewater service area of the Public Utilities Board; (b) updated and revised water and wastewater capital improvements plan; (c) updated and revised maximum allowable and actual water and wastewater impact fees; providing that this ordinance be cumulative; directing the Brownsville Public Utilities Board and City Planning Department to amend appropriate city development regulations and water and wastewater service policies; providing for severability; providing for governmental immunity; providing for injunctive relief and other legal remedies; and providing for an effective date.**

Mr. Jim Goza, City Attorney, introduced the ordinance and Mr. Richard O'Neill, attorney, who briefed the Commission on the three (3) components of the ordinance and the benefits of the State statutes.

In response to Mayor Treviño, Mr. O'Neill stated that the Capital Improvements Advisory Committee (CIAC) could re-assess the Capital Improvement Plan (CIP) if deemed necessary.

Mayor Eddie Treviño, Jr., set the parameters for those who would address the Commission.

Commissioner Ricardo Longoria, Jr., arrived.

Brownsville Public Utilities Board (BPUB) representatives, Mr. Eddie Campirano, BPUB Assistant General Manager and CAO, Ms. Genoveva Gomez, Director of Water and Wastewater Engineering, and Mr. Leandro Garcia, Finance Director, presented PowerPoint presentations regarding Impact Fees, Five-Year Capital Project Plan, and Water and Wastewater Impact Fee Analysis.

Mr. Richard Campbell, representing Black & Veatch, gave an overview of Land Use Assumption and Capital Improvement Projects Analysis, and Water and Wastewater Impact Fee Analysis.

Mr. Larry Jordan, BPUB Financial Advisor, Mr. John Bruciak, BPUB General Manager and CEO, Mr. Bob Brady, and Mr. Pat Ahumada, BPUB Board Member, reviewed various impact fee scenarios within the Five-Year Plan.

Mr. Dagoberto Barrera, Mr. Fernando Ruiz, expressed concerns regarding BPUB operations and utilities rates being assessed to local rate payers.

Mr. Jorge Trejo, construction worker, noted his concern with future availability of jobs upon approval of impact fees.

The following individuals expressed their opposition to impact fees: Mr. Mark Barnard, developer, Ms. Reba McNair, developer, Mr. Manuel Perelman, developer, Mr. R. E. Cardenas, developer, Mr. Arturo Farias, banker, Mr. Michael Garza, developer.

Mr. Manuel Casanova, representing the Lower Rio Grande Valley Builders Association, presented a San Antonio, Texas impact fee report for comparison.

Mr. N.O. Simmons, developer, expressed his opposition to a 5-year plan and recommended a conservative approach to the issue.

The following individuals expressed their opinion concerning impact fees and the impact the fees would have on rate payers: Mr. Ernesto Gamez, Attorney, Mr. Chris Valadez, Jr., BPUB Chairman, Mr. Ernesto L. De Leon, Mr. Abraham Galonsky, Mr. Pat Ahumada, BPUB Board Member.

The following individuals expressed concerns with the impact fees and asked for the Commission's careful consideration of the issue before arriving at a decision: Mr. Bill Hudson, Paseo De La Resaca developer, Mr. Jaime Diez, CDCB Board Chairman, and Mr. Nick Mitchell, representing the Community Development Corporation of Brownsville (CDCB), and Mr. Arnold Benson, rate payer.

Father Jerry Frank, on behalf of Lupita Torres and other residents, expressed concern for high utility bills being assessed to local ratepayers.

Mr. Val Perkins, Attorney, expressed concerns with impact fees on behalf of the Lower Rio Grande Valley Builders & Developers Association.

Mr. Ariel Chavez, II, P.E., and Mr. Jose Perez, developer, expressed concerns regarding possible hindrance to continued development growth.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing on Ordinance Number 2006-1217-A was **continued**.

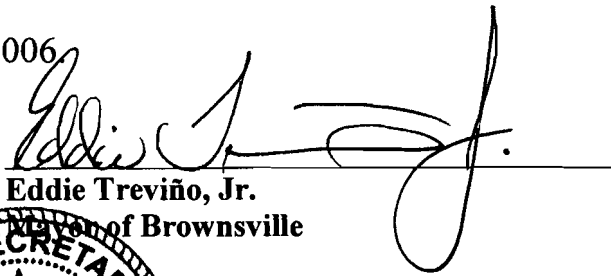
PUBLIC COMMENT PERIOD:

There were no public comments.


ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 10:00 p.m.

Approved the ~~18th~~ ^{19th} day of September, 2006.


Eddie Treviño, Jr.
Mayor of Brownsville

Attest:



Estela Von Hatten
City Secretary

