

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, July 05, 2006**, at **5:35 P.M.** and **6:00 P.M.** with the following members present:

EDDIE TREVIÑO, JR.		MAYOR
RICARDO LONGORIA, JR.)	
EDWARD C. CAMARILLO)	
SALLY MINIEL ARROYO)	
ERNIE L. HERNANDEZ, JR.)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
CARLOS AYALA		ASSISTANT CITY MANAGER
JIM GOZA		CITY ATTORNEY
LIZA VEGA		ADMINISTRATIVE SUPERVISOR

Absent:

CHARLIE ATKINSON)	
CARLOS A. CISNEROS)	COMMISSIONERS

A quorum being present, Deputy Mayor Pro-Tem Sally M. Arroyo, asked Ms. Liza Vega, Administrative Supervisor, to read the call to consider the following matters as posted and filed for the record in The Office of the City Secretary on June 30, 2006:

EXECUTIVE SESSION:

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, Deputy Mayor Pro-Tem Sally M. Arroyo convened the Executive Session to discuss the following item:

- A) **Discussion pursuant to Section 551.071, of the Texas Government Code, regarding anticipated litigation.**

SPECIAL MEETING:

Upon conclusion of the Executive Session, 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 R. L. Martin Elementary students: *Jamie Lee Velazquez*, 6th grade, *Beatrice Velazquez*, 5th grade, and *Jared Velazquez*, 2nd grade.

INVOCATION:

The invocation was given by City Chaplin, Bob Clark.

-
- 1. **PROCLAMATION: Commander Raul Leal**
(Mayor Eddie Treviño, Jr.)

Mayor Eddie Treviño, Jr., asked Commander Raul Leal, Commander of the John Hansen American Legion Post #43, to step forward to accept a proclamation commending him for his efforts and dedication in pursuit of the establishment of the Brownsville Veteran's Park.

2. PRESENTATIONS: *Semi-Annual Report*
(Brownsville Convention & Visitors Bureau)

Mr. Mike Gonzalez, President and CEO of the Brownsville Convention & Visitors Bureau (BCVB), and Mr. Mike Rodriguez, BCVB Board President, presented the BCVB Semi-Annual Report. Commissioner Ricardo Longoria, Jr., commended Mr. Mike Gonzalez for his hard work and dedication in promoting the City of Brownsville.

Employee of the Month
(July 2006)

Mr. Charlie Cabler, City Manager, recognized *Mr. Alex Lorio*, Brownsville Urban System (BUS) Department Grant Writer, as “*Employee of the Month*” for the month of July, 2006.

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 Ernie L. Hernandez, Jr., 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 June 20, 2006.**
- b) Authorization for the following individuals to incur travel expense:**

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Jose De la Garza	Building Insp.	Austin, TX	July 31 – Aug. 3, 2006
Juan Miguel Ramos	BUS	Dallas, TX	July 16 – 17, 2006
Norma H. Zamora	BUS	Austin, TX	July 18 – 20, 2006
Rodney Gomez	BUS	Austin, TX	July 18 – 20, 2006
Rosie Garza	BUS	Austin, TX	July 18 – 20, 2006
Jose Luis Espericueta	BUS	Austin, TX	July 18 – 20, 2006
James McCoy	Library	Corpus Christi, TX	July 18, 2006
Samuel Lucio	Police	Rockport, TX	July 24 – 26, 2006
David De Leon	Police	Nacogdoches, TX	August 3 – 6, 2006

Mr. Jose De la Garza, Commercial Plans Examiner, will attend the “*Texas Standard Electrical Advisory Board Exam Development Committee Meeting*,” sponsored by the International Code Council, on July 31 – August 3, 2006, in Austin, Texas.

Mr. Juan Miguel Ramos, TECOM Project Manager, will attend “*Training and Coaching Skills for Bus Maintenance Instructors: Preparing for ASE Certification*,” sponsored by the National Transit Institute (NTI) and the Texas Department of Transportation (TxDOT), on July 16 – 17, 2006, in Dallas, Texas.

Ms. Norma H. Zamora, BUS Director, will attend the “*July Semi-Annual Transit Operators Conference, and the System Security Awareness for Transit Employees and the Terrorist Activity Recognition and Reaction Training Course*,” sponsored by the Texas Department of Transportation (TxDOT), on July 18 - 20, 2006, in Austin, Texas.

Mr. Rodney Gomez, BUS Assistant Director, Ms. Rosie Garza, Safety and Training Coordinator, and Mr. Jose Luis Espericueta, Facility Supervisor, will attend the “*July Semi-Annual Transit Operators Conference, and the System Security Awareness for Transit Employees and the Terrorist Activity Recognition and Reaction Training Course*,” sponsored by the Texas Department of Transportation (TxDOT), on July 18 - 20, 2006, in Austin, Texas.

Mr. James McCoy, System Analyst, will attend a “*Network Disaster Recovery Workshop*,” sponsored by EMC and VMware, on July 18, 2006, in Corpus Christi, Texas.

Police Detective Samuel Lucio will attend the “*Homicide and Questioned Death Scene Determining and Reconstruction Course*,” sponsored by Aransas County Sheriff’s Office, on July 24 – 26, 2006, in Rockport, Texas.

Police Investigator David De Leon will attend the “*Texas Tactical Police Officer’s Association (TTPOA) Annual Regional Directors Meeting*,” sponsored by the Texas Tactical Police Officer’s Association (TTPOA), on August 3 – 6, 2006, in Nacogdoches, Texas.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2006-1100.37 an ordinance amending the City Code by adding a new section entitled Prevention of Demolition by Neglect, and dealing with related matters including \$2,000 penalties.**
- d) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-27 to rezone, from Dwelling “A” Classification to General Retail “A” Classification, 1.069 acres out of Block 86 of Los Ebanos Properties, near Rockwell Drive and Shidler Street.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-28 to rezone, from Apartment “J” Classification to General Retail “J” Classification, Lots 1 and 2, and Boulevard Lots 28, 30 and 32 of Block BB of Brownsville Land and Improvement Company Subdivision, near Boca Chica Boulevard and Central Boulevard.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-29 to rezone, from Dwelling “Z” Classification to Medium Retail “G” Classification, Lot 6 of Block 2 of Pasto Verde Subdivision Phase I, near FM 100 and FM 803.**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-31 to rezone, from Dwelling “Z” Classification to Medium Retail “G” Classification, 1.00 acre out of Lot 7 of Block 408 of El Jardin Resubdivision, near Boca Chica Boulevard and Medford Avenue.**
- h) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-32-S to allow a Light Commercial Specific use (used car lot and unloading of vehicles) in a General Retail Use District, for 8.034 acres out of Block 16 of El Jardin Subdivision, near Boca Chica Boulevard and Minnesota Avenue.**
- i) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-33-S to allow a General Retail Specific Use (pylon sign) in a General Retail Use District, for Lot 3 of Sunrise Commons Subdivision Number 7, located near Expressway 77/83 and Pablo Kisel Boulevard.**

BOARDS AND COMMISSION APPOINTMENTS:

4. ACTION to appoint a Mayor Pro-Tem and a Deputy Mayor Pro-Tem to the Brownsville City Commission.

Upon motion by Mayor Eddie Treviño, Jr., seconded by Commissioner Ernie L. Hernandez, and carried unanimously, **Commissioner Sally M. Arroyo** was appointed as Mayor Pro-Tem to replace Commissioner Carlos A. Cisneros, and **Commissioner Ricardo Longoria, Jr.**, was appointed as Deputy Mayor Pro-Tem to replace Commissioner Sally M. Arroyo.

5. ACTION to appoint one (1) member to the Brownsville Convention and Visitors Bureau (BCVB).

It was noted that Mr. George Gavito, previously appointed by former Commissioner David A. Betancourt, had been appointed by the BCVB board to a board position.

Commissioner Sally M. Arroyo appointed **Mr. Rusty Brechot** to the Brownsville Convention and Visitors Bureau (BCVB) board, to fill the vacancy resulting from action taken by the BCVB board.

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

PUBLIC HEARINGS:

6. Public Hearing and ACTION to authorize the issuance of a new motor cab permit to Mr. Pedro Lopez on a 1999 Ford Windstar which will be operating for Longoria's Taxi.

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, Mr. Pedro Lopez was **authorized** a new motor cab permit on a 1999 Ford Windstar which will be operating for Longoria's Taxi.

7. Public Hearing and ACTION on FIRST READING of PROTESTED Ordinance Number 235-2006-034-S to allow a Light Commercial specific use (car wash) in a General Retail Use District, for Lot 7 of Block 7 of Forest North Subdivision Section IV, near Paredes Line Road and Alton Gloor Boulevard.

Commissioner Ricardo Longoria, Jr., moved that the public hearing be **continued** until the next meeting of the City Commission. The motion was seconded by Commissioner Edward C. Camarillo and carried unanimously.

8. Public Hearing and ACTION on FIRST 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.

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Sally M. Arroyo, and carried unanimously, the public hearing was **closed**.

Commissioner Edward C. Camarillo moved that Ordinance Number 235-2006-035 be **adopted** on first reading. The motion was seconded by Commissioner Sally M. Arroyo and carried unanimously.

9. Public Hearing and ACTION on FIRST 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.

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

Commissioner Sally M. Arroyo moved that Ordinance Number 235-2006-602-CU be **adopted** on first reading. The motion was seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously.

10. **Public Hearing and ACTION on FIRST 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.**

Attorney Terrie Sechrist gave an overview of the proposed ordinance.

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

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 2006-1459 be **adopted** on first reading. The motion was seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously.

Commissioner Ricardo Longoria, Jr., stepped out.

ACTION ITEM:

11. **ACTION on Resolution Number 2006-043 to adopt the revised Disadvantaged Business Enterprise (DBE) Program in order to comply with the Federal Department of Transportation's (DOT) regulations.**

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Sally M. Arroyo, and carried unanimously, Resolution Number 2006-043 was **adopted**, revising the Disadvantaged Business Enterprise (DBE) Program in order to comply with the Federal Department of Transportation's (DOT) regulations.

Commissioner Ricardo Longoria, Jr., returned.

PURCHASES/BIDS/CONTRACTS:

12. **ACTION to approve a Community Development Block Grant (CDBG) Subrecipient Agreement between the City of Brownsville and Project Vida.**
[TABLED 05/02/2006]

Upon motion by Commissioner Ernie L. Hernandez, Jr., seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously a Community Development Block Grant (CDBG) Subrecipient Agreement, between the City of Brownsville and Project Vida, in the amount of **\$150,000**, was **approved** for services associated with the program budget of the agreement.

13. ACTION to ratify Amendment Number 22 to the General Engineering (GEC) Contract with HNTB for Construction Phase Administration and Observation Services for the Hanger Demolition Project.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Amendment Number 22 to the General Engineering (GEC) Contract with HNTB for Construction Phase Administration and Observation Services, in the amount of **\$20,599.00**, was **ratified** for the Hanger Demolition Project at Brownsville/South Padre Island International Airport.

14. ACTION to authorize Amendment Number 23 to the General Engineering Consultant (GEC) contract with HNTB for Construction Phase Administration and Observation Services for the Terminal Ramp Expansion Phase III Project.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, Amendment Number 23 to the General Engineering Consultant (GEC) contract with HNTB for Construction Phase Administration and Observation Services, in the amount of **\$23,117.00**, was **authorized**, for the Terminal Ramp Expansion Phase III Project at Brownsville South Padre Island International Airport.

15. ACTION to authorize the City Manager to sign a Letter of Agreement to renew certification for the Texas Unified Certification (TUCP) Program.

Upon motion by Commissioner Ernie L. Hernandez, Jr., seconded by Commissioner Sally M. Arroyo, and carried unanimously, the City Manager was **authorized** to sign a Letter of Agreement to renew certification for the Texas Unified Certification (TUCP) Program, associated with the Texas Memorandum of Agreement for a Disadvantaged

Business Unified Certification Program under the City of Brownsville's Brownsville Urban System and associated with the U.S. and Texas Department of Transportation.

16. ACTION to ratify grant application and accept awarded grant in the amount of \$34,668.34 from the Texas Department of State Health Services (DSHS).

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Edward C. Camarillo, and carried unanimously, a grant application was **ratified** and the acceptance of the awarded grant in the amount of **\$34,668.34**, from the Texas Department of State Health Services (DSHS), was **authorized**.

17. ACTION to award a contract for Airport Owners and Operators General and Comprehensive Liability Insurance for the Brownsville South Padre Island International Airport.

Commissioner Ernie L. Hernandez, Jr., moved that a term contract, in the amount of **\$25,570.00** per year, for the requested limited liability of \$30 million, be **awarded** to Old Republic Insurance Company, through Aviation Insurance Managers, Inc., represented by **Cavazos Insurance Agency** of Brownsville, Texas, for Airport Owners and Operators General and Comprehensive Liability Insurance for the Brownsville South Padre Island International Airport. The motion was seconded by Commissioner Sally M. Arroyo, and carried unanimously.

18. ACTION to request authorization to award a contract for Work Order Number 1 of the Air Service Development and Consulting Services at the Brownsville South Padre Island International Airport.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Sally M. Arroyo, and carried unanimously, a contract, in the amount of **\$50,000.00**, for Work Order Number 1 of the Air Service Development and Consulting Services, at the Brownsville South Padre Island International Airport, was awarded to **Sabre, Inc.** of Fairhope, Alabama, for assessment study.

19. ACTION to award a contract for construction of Terminal Ramp Expansion Phase III Project at the Brownsville South Padre Island International Airport.

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, a contract, in the amount of **\$1,444,685.00**, was awarded to **Foremost Paving, Inc.**, of Weslaco, Texas, for construction of Terminal Ramp Expansion Phase III Project at the Brownsville South Padre Island International Airport, subject to Federal Aviation Administration (FAA) approval.

PUBLIC COMMENT PERIOD:

There were no public comments.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 7:12 p.m.

Approved the 25th day of July, 2006.



Attest:

Estela Von Hatten

Estela Von Hatten
City Secretary

Eddie Treviño, Jr.

Eddie Treviño, Jr.
Mayor of Brownsville