

**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, June 20, 2006**, at **4:40 P.M., 5:30 P.M.** and **6:00 P.M.** with the following members present:

<b>EDDIE TREVIÑO, JR.</b>		<b>MAYOR</b>
<b>RICARDO LONGORIA, JR.</b>	)	
<b>CHARLIE ATKINSON</b>	)	
<b>CARLOS A. CISNEROS</b>	)	
<b>EDWARD C. CAMARILLO</b>	)	
<b>SALLY MINIEL ARROYO</b>	)	
<b>ERNIE L. HERNANDEZ, JR.</b>	)	<b>COMMISSIONERS</b>
<b>CHARLIE CABLER</b>		<b>CITY MANAGER</b>
<b>CARLOS AYALA</b>		<b>ASSISTANT CITY MANAGER</b>
<b>JIM GOZA</b>		<b>CITY ATTORNEY</b>
<b>ESTELA VON HATTEN</b>		<b>CITY SECRETARY</b>

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 June 16, 2006:

## **EXECUTIVE SESSIONS:**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Mayor Eddie Treviño, Jr., convened the Executive Session to discuss the following items:

- A) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding economic development negotiations.**
  - B) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding acquisition of real property.**
  - C) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding anticipated litigation.**
  - D) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property.**
- 

## **WORKSHOP:**

Upon conclusion of the Executive Session, Mayor Eddie Treviño, Jr., convened the Workshop Session to discuss the following item:

- a) Discussion regarding the Flood Mitigation Assistance (FMA) Program Flood Mitigation Plan as the Planning and Guidance Document for flood mitigation within the City in accordance with the requirements of the Federal Emergency Management Agency (FEMA).**
- 

## **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 led by *Erica Coronado and Shelly Fernandez*, 5<sup>th</sup> grade students from El Jardin Elementary, and *Brendon Lee Sanchez*, 3<sup>rd</sup> grade student from Rosa Del Castillo Elementary.

**INVOCATION:**

The invocation was given by City Chaplin, Mr. Bob Clark.

---

**1. PROCLAMATIONS: Nidharshan Anandasivam**  
*(Mayor Eddie Treviño, Jr.)*

Mayor Eddie Treviño, Jr., asked eighth grade student Nidharshan Anandasivam and parents to step forward to accept a proclamation commending his “*Placement in the Top 10 in the 2006 Scripps Howard National Spelling Bee*” and his outstanding achievement in finishing 8<sup>th</sup> place out of 275 competitors.

**Junior Tennis Champs**  
*(Mayor Eddie Treviño, Jr.)*

Commissioner Carlos A. Cisneros asked the “High Rollers” of Brownsville Junior Team Tennis Squad to step forward to accept a proclamation recognizing them on “*Advancing to the National Finals Play*” on October 20 – 22, 2006, in Tucson, Arizona.

**Al Senteno**  
*(Mayor Eddie Treviño, Jr.)*

Mayor Eddie Treviño, Jr., asked Mr. Al Senteno to step forward to accept a proclamation commending him for his “*Coordination of the Grand Opening of the Brownsville Veteran’s Park on May 29, 2006.*” Mr. Paul Cowen from Senator Eddie Lucio’s Office presented Mr. Senteno with the U. S. Flag that was flown at the Veteran’s Park on May 29, 2006.

***B. Wadhvani “Wani”***

*(Commissioner Charlie Atkinson)*

Commissioner Charlie Atkinson asked Mr. B. Wadhvani “Wani” and family to step forward to accept a proclamation recognizing him for his “*Many and Continued Contributions to Our City*”, including hosting a VIP reception on the day of the grand opening of the Brownsville Veteran’s Park on May 29, 2006.

***Mrs. Felipa M. Rodriguez***

*(Commissioner Sally M. Arroyo)*

Commissioner Sally M. Arroyo asked Mrs. Felipa M. Rodriguez and family to step forward to accept a proclamation recognizing her for “*50 years of Service and Employment with the Brownsville Community Health Center*”, dedicated to public health and provision of medical services in our community.

***CDCB Youthbuild***

*(Commissioner Sally M. Arroyo)*

Commissioner Sally M. Arroyo asked Community Development Corporation of Brownsville’s Youthbuild participants to step forward to accept a proclamation recognizing each and every one of the students and participants of the “*CDCB Youthbuild of Brownsville Extreme Makeover*” program and for earning the “*2006 Keep Texas Beautiful Ruth Jackson Leadership Award for Off Campus Groups*”. Mr. Nati De la Cruz, on behalf of the Youthbuild Program, thanked the City Commission for the recognition.

**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 Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros, and carried unanimously, Consent Agenda Items “a” through “h” were **approved**.

*ITEMS No. "a" through "h"*

- a) **Approval of the Minutes of the Regular Meeting of June 6, 2006.**
- b) **Authorization for the following individuals to incur travel expense:**

<b>Employee</b>	<b>Department</b>	<b>Destination</b>	<b>Date</b>
Josue Ramirez	Health	San Antonio, TX	July 25 – 28, 2006
John Wells	Health	San Antonio, TX	July 25 – 28, 2006
Skip Keller	Parks	Dallas, TX	June 28 – 30, 2006
Robert Medrano	Planning	Corpus Christi, TX	June 29 – 30, 2006
Eric Villarreal	Police	Kingsville, TX	June 25 – 30, 2006
Cristobal Abrego	Police	Kingsville, TX	June 25 – 30, 2006
Jeffrey Johnston	Police	Austin, TX	June 25 – 30, 2006
Paul Cantu	Police	Salt Lake City, UT	Sept. 24 – 30, 2006
Miguel Sanchez	Police	Salt Lake City, UT	Sept. 24 – 30, 2006

Mr. Josue Ramirez, Public Health Director, and Dr. John Wells, City Health Authority, will attend the *“National Association of County and City Health Officials Annual 2006 Conference Entitled The Local Health Department Story,”* sponsored by the National Association of County and City Health Officials, on July 25 - 28, 2006, in San Antonio, Texas.

Mr. Skip Keller, Recreational Services Director, will attend a meeting with HNTB to work with Sports Park Complex Plans, on June 28 - 30, 2006, in Dallas, Texas.

Mr. Robert Medrano, Community Development Manager, will attend the *“Fundamentals of Construction Contracts: Understanding the Issues in Texas,”* sponsored by Lorman Education Services, on June 29 - 30, 2006, in Corpus Christi, Texas.

Police Officers Eric Villarreal and Cristobal Abrego will attend the *“Drug Education for Youth (DEFY) Summer Camp,”* sponsored by the Brownsville Weed & Seed, on June 25 - 30, 2006, in Kingsville, Texas.

Mr. Jeffrey Johnston, Emergency Management Coordinator, will attend the “*Office of the Governor Division of Emergency Management G920 Texas Exercise Design and Evaluation Course*,” sponsored by Office of the Governor Division of Emergency Management, on June 25 - 30, 2006, in Austin, Texas.

Mr. Paul Cantu, Information Technology Manager for the Police Department, and Mr. Miguel Sanchez, Police Department Records Supervisor, will attend the “*2006 Spillman Users Conference*,” sponsored by Spillman Technologies, on September 24 - 30, 2006, in Salt Lake City, Utah.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2006-933-LL amending the Civil Service Classification Plan as stated on Ordinance 933-KK.**
- d) **APPROVAL on SECOND and FINAL READING of Ordinance Number 2006-1200.133 (Sladek property southwest of US 281) annexing certain territory to the City of Brownsville, Cameron County, Texas; and extending the boundary limits of said city so as to include such property within said city limits; and granting to all the inhabitants of such property all the rights and privilege of other citizens, and binding said inhabitants by all the acts, ordinances, resolutions, and regulations of said city.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-023 to rezone, from “Z” Area District to “F” Area District Classification with an O33 (non-apartment) and an O51 (tourist-corridor) overlay districts, 72.34 acres more less out of 200.34 acre tract known as The Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant, near US 281 and FM 1421.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-024 to rezone, from Dwelling “Z” Classification to General Retail “F” Classification with an O33 (non-apartment) and an O51 (tourist-corridor) overlay districts, 5.845 acres more less out of 200.34 acre tract known as The Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant, near US 281 and FM 1421.**

**g) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-025 to rezone, from “Z” Area District Classification to “F” Area District Classification with an O33 (non-apartment) and an O51 (tourist-corridor) overlay districts, 59.66 acres more less out of 200.34 acre tract known as The Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant, near US 281 and FM 1421.**

**h) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2006-026 to rezone, from Dwelling “Z” Classification to General Retail “F” Classification with an O33 (non-apartment) and an O51 (tourist-corridor) overlay districts, 17.176 acres more less out of 200.34 acre tract known as The Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant, near US 281 and FM 1421.**

---

***BOARDS AND COMMISSION APPOINTMENT:***

**3. Consideration and ACTION to appoint one (1) member to the Brownsville Public Utilities Board (PUB).**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, **Attorney Robert Guerra, Sr.**, was **appointed** to the Brownsville Public Utilities Board (PUB) to replace Mr. Oscar E. Garcia whose term expires July 21, 2006.

---

***PUBLIC HEARINGS:***

**4. Public Hearing and ACTION on FIRST 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. [TABLED 02/07/2006]**

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., 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 2006-1100.37 **Version B** was **approved** at first reading.

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

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo and carried unanimously, the public hearing was **closed**.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Sally M. Arroyo, and carried unanimously, Ordinance Number 235-2006-27 was **approved** at first reading.

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

Mr. Jim Rose, Engineer with Mejia & Rose, addressed the City Commission regarding surveyed property and closing date of the transaction. Mr. Larry Holtzman, resident, spoke in favor of the rezoning, noting the progress that it would bring to the City of Brownsville.

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

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Ordinance Number 235-2006-28 was **approved** at first reading.

- 7. Public Hearing and ACTION on FIRST 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.**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo and carried unanimously, the public hearing was **closed**.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo, and carried unanimously, Ordinance Number 235-2006-29 was **approved** at first reading, rezoning Lot 6 of Block 2 of Pasto Verde Subdivision Phase I, near FM 100 and FM 803, from Dwelling “Z” Classification to Medium Retail “G” Classification.

*Commissioner Sally M. Arroyo stepped out.*

- 8. Public Hearing and ACTION on FIRST 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.**

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

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Carlos A. Cisneros, and carried unanimously, Ordinance Number 235-2006-31 was **approved** at first reading.

- 9. Public Hearing and ACTION on FIRST 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.**

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 Edward C. Camarillo, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Ordinance Number 235-2006-32-S was **approved** at first reading.

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

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

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, Ordinance Number 235-2006-33 was **approved** at first reading.

---

*Commissioner Sally M. Arroyo returned.*

***ACTION ITEMS:***

**11. Consideration and ACTION to authorize the City Manager to conclude the appraisal process and transfer of deed for the Villa Reforma Subdivision Street and entry way to the Villa Reforma Home Owners Association in consideration for the Association Agreement to maintain and preserve the roadway for public ingress and egress.**

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Sally M. Arroyo, and carried unanimously, the City Manager was **authorized** to conclude the appraisal process and transfer of deed for the Villa Reforma Subdivision Street and entry way to the Villa Reforma Home Owners Association in consideration for the Association Agreement to maintain and preserve the roadway for public ingress and egress.

**12. Consideration and ACTION to authorize the City Manager to execute all final documents concerning acceptance of a donation and transfer of title for real property located on Harrison and 7<sup>th</sup> Street from the Yturria Estate, formerly known as The Franciscan School.**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo, and carried unanimously, the City Manager was **authorized** to execute all final documents concerning acceptance of a donation and transfer of title for

real property located on Harrison and 7<sup>th</sup> Street from the Yturria Estate, formerly known as The Franciscan School.

**13. Consideration and ACTION on Resolution Number 2006-041 setting a public hearing on updated Land Use Assumptions, Capital Improvements Plan, Impact Fees, and dealing with related matters.**

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Edward C. Camarillo, and carried unanimously, Resolution Number 2006-041 was **approved**, setting a public hearing date of Wednesday, August 16, 2006, for updated Land Use Assumptions, Capital Improvements Plan, Impact Fees, and dealing with related matters.

**14. Consideration and ACTION on Resolution Number 2006-042 to adopt the Flood Mitigation Assistance (FMA) Program Flood Mitigation Plan as the Planning and Guidance Document for flood mitigation within the City in accordance with the requirements of the Federal Emergency Management Agency (FEMA).**

Mr. Ben Medina, Jr., Planning and Community Development Director, referred to the PowerPoint presented by Dr. Carlos Marin, from Ambiotec Group, during the Workshop Session.

Commissioner Ernie L. Hernandez, Jr., moved that Resolution Number 2006-042 be **approved**, to adopt the Flood Mitigation Assistance (FMA) Program Flood Mitigation Plan as the Planning and Guidance Document for flood mitigation within the City in accordance with the requirements of the Federal Emergency Management Agency (FEMA). The motion was seconded by Commissioner Carlos A. Cisneros, and carried unanimously.

---

***PURCHASES/BIDS/CONTRACTS:***

**15. Consideration and ACTION to approve an Interlocal Agreement among the City of Brownsville, Cameron County, Cameron County Drainage District Number 1, Cameron County Drainage District Number 3 and the Communities of Rancho Viejo and Los Fresnos.**

Mr. Ben Medina, Jr., Planning and Community Development Director, referred to the PowerPoint presented by Dr. Carlos Marin, from Ambiotec Group, during the Workshop Session, noting that the City of Brownsville's cost to would be \$64,583.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Sally M. Arroyo, and carried unanimously, the Interlocal Agreement, among the City of Brownsville, Cameron County, Cameron County Drainage District Number 1, Cameron County Drainage District Number 3 and the Communities of Rancho Viejo and Los Fresnos, was **authorized**.

**16. Consideration and ACTION to authorize the awarded Hauling Contractor for the City of Brownsville to provide additional services for the Town North Detention Pond Project.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, White Wing Ranch, the awarded hauling contractor for the City of Brownsville, was **authorized** to provide additional services for the Town North Detention Pond Project in the amount of **\$163,836**.

*Mayor Eddie Treviño, Jr., stepped out.*

*Mayor Pro-Tem Carlos A. Cisneros presided.*

**17. Consideration and ACTION to authorize the awarded Hauling Contractor for the City of Brownsville to provide additional services for the Brownsville Country Club Detention Pond Project.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo, and carried unanimously, White Wing Ranch, the awarded hauling contractor for the City of Brownsville, was **authorized** to provide additional services for the Brownsville Country Club Detention Pond Project in the amount of **\$450,000**.

**18. Consideration and ACTION to award a contract for Capital Improvement Program “2005 CIP” Streets & Drainage Improvement Contract Number 3 for West 5<sup>th</sup> and Riverside Boulevard.**

Upon motion by Commissioner Ernie L. Hernandez, Jr., seconded by Commissioner Sally M. Arroyo, and carried unanimously, a contract in the amount of **\$552,789.45** was awarded to **G & T Paving, Inc.**, of Brownsville, Texas, for the Capital Improvement Program “2005 CIP” Streets & Drainage Improvement Contract Number 3 for West 5<sup>th</sup> and Riverside Boulevard.

**19. Consideration and ACTION to award a term contract for the purchase and delivery of bunker gear for the Brownsville Fire Department.**

Upon motion by Commissioner Ernie L. Hernandez, Jr., seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, a term contract for the purchase and delivery of bunker gear for the Brownsville Fire Department was awarded to **Casco, Industries**, Pasadena, Texas, at a cost of \$1,200 per suit.

*Mayor Eddie Treviño, Jr., returned.*

*Commissioner Carlos A. Cisneros stepped out.*

**20. Consideration and ACTION to award a contract for the purchase of five (5) new model, mid-size sedans for the Brownsville Health Department.**

Upon motion by Commissioner Sally M. Arroyo, seconded by Commissioner Ernie L. Hernandez, Jr., and carried unanimously, a contract, in the amount of **\$63,440**, was awarded to **Tipton Ford** of Brownsville, Texas, for the purchase of five (5) new 2007 model, 4-door, mid-size sedans for the Brownsville Health Department.

*Commissioner Carlos A. Cisneros returned.*

**21. Consideration and ACTION to award a Broadband Service Agreement and Tower Lease Agreements as components of the Community Broadband Infrastructure and Infrastructure Consolidation Recommendation Services (Enterprise Modernization Project) for the City of Brownsville Management Information System (MIS) Department.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commission Carlos A. Cisneros and carried unanimously, a Broadband Service Agreement, as a component of the Community Broadband Infrastructure and Infrastructure Consolidation Recommendation Services (Enterprise Modernization Project), for the City of Brownsville Management Information System, was **awarded** to **Rioplex, Inc.** of McAllen, Texas, in the amount of **\$680,880**, for an initial term of five (5) years; and two (2) Tower Lease Agreements, as components of the Community Broadband Infrastructure and Infrastructure Consolidation Recommendation Services (Enterprise Modernization Project) for the City of Brownsville Management Information System, were awarded to **Rioplex, Inc.**, of McAllen, Texas, in the amount of **\$1.00 each per annum**, for an initial term of five (5) years on the Olmito Tower and 40 years on the Southmost Tower.

**22. Consideration and ACTION to award a contract for the purchase of one (1) armored Special Weapons and Tactics (SWAT) vehicle for the Brownsville Police Department SWAT Team.**

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo, and carried unanimously, a contract in the amount of **\$191,113** was **awarded** to **Lenco Industries, Inc.** of Pittsfield, Massachusetts, for the purchase of one (1) armored Special Weapons and Tactics (SWAT) vehicle for the Brownsville Police Department SWAT Team.

---

***PUBLIC COMMENT PERIOD:***

A request for public comment had been submitted by Ms. Maria T. Mendiola, but she was no longer present for the public comment period.

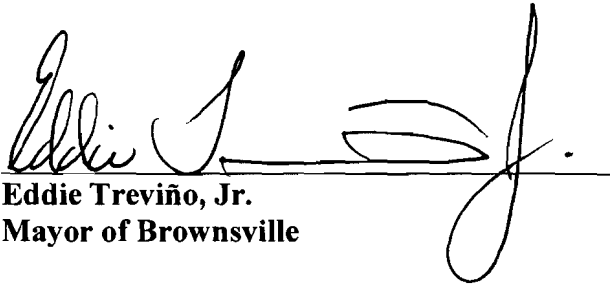
---

**ADJOURNMENT:**


There being no further business to come before the City Commission, the meeting adjourned at 7:42 p.m.

Approved the 5<sup>th</sup> day of July, 2006.



  
Eddie Treviño, Jr.  
Mayor of Brownsville

Attest:

  
\_\_\_\_\_  
Estela Von Hatten  
City Secretary