

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

Anthony P. Troiani, At-large Commissioner "A"
Ricardo Longoria, Jr., District Commissioner 1
Carlos A. Cisneros, District Commissioner 3

Leonel T. Garza, At-large Commissioner "B"
Charlie Atkinson, District Commissioner 2
Edward C. Camarillo, District Commissioner 4

Pat M. Ahumada, 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 **an Executive Session and Regular Meeting, on Tuesday, August 21, 2007, at 5:35 P.M. and 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.

EXECUTIVE SESSION: 5:35 P.M.

- A) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding economic developments. (Peter L. Goodman – Heritage – 15 min.)

*****10 MINUTE BREAK*****

REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

- 1. **PROCLAMATIONS:** *Ernestine Chapa*
(Commissioner Ricardo Longoria, Jr.)

2. PUBLIC COMMENT PERIOD: PLEASE NOTE:

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO ADDRESS THE COMMISSION ON A SUBJECT THAT IS NOT A PUBLIC HEARING.
- THERE IS A **THREE (3)-MINUTE TIME LIMIT** PER SPEAKER.
- THE SPEAKER **MUST IDENTIFY BY NAME** BEFORE SPEAKING.
- “PUBLIC COMMENT FORMS” ARE LOCATED ON THE SECOND FLOOR AT THE ENTRANCE OF THE COMMISSION CHAMBERS (on the day of the meeting).
- “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.
- “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.

* * * * *

3. 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 “f”

- a) Approval of Minutes of the Special Meeting of July 25, 2007.
- b) Approval of Minutes of the Special Meeting of July 31, 2007.
- c) Approval of Minutes of the Regular Meeting of August 7, 2007.
- d) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Norma H. Zamora	BUS	Fort Worth, TX	August 28 – 29, 2007
Gail Downs	BUS	Fort Worth, TX	August 28 – 29, 2007
Rodney Gomez	BUS	Houston, TX	Sept. 16 – 21, 2007
Rosie Garza	BUS	Houston, TX	Sept. 16 – 21, 2007
Jose L. Espericueta	BUS	Houston, TX	Sept. 16 – 21, 2007
Leonardo Perez	Fire	Cedar Hill, TX	August 30, 2007
David Hinojosa	Fire	Salt Lake City, UT	Sept. 16 – 21, 2007
Paul Cantu	Fire	Salt Lake City, UT	Sept. 16 – 21, 2007

Joe A. Hinojosa	Health	Galveston, TX	August 22 – 23, 2007
Gail Bruciak	MIS	Baltimore, MD	Sept. 23 – 26, 2007
Ben Medina, Jr.	Planning	Austin, TX	August 28 – 29, 2007
Victor Maldonado	Planning	Austin, TX	August 28 – 29, 2007
Jose A. Sanchez	Police	Salt Lake City, UT	Sept. 16 -21, 2007
David De Leon	Police	Nacogdoches, TX	Sept. 28 – Oct. 4, 2007
Marco Huerta	Police	Cartersville, GA	Oct. 6 – 13, 2007
Andres Treviño	Police	San Antonio, TX	Oct. 15 – 19, 2007

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-033** to rezone, from Dwelling “Z” to Dwelling “G” (DG) Classification, Lot 140 out of El Jardin Subdivision located near Central Avenue and Ruben Torres Boulevard. (Ben Medina, Jr. – Planning)

f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-035** to rezone, from Dwelling “G” to General Retail “G” (4CG) Classification, Lot 9 Block 8 out of First Section East Brownsville located near Southmost Road and International Boulevard. (Ben Medina, Jr. – Planning)

* * * * *

BOARDS AND COMMISSION APPOINTMENTS:

4. Consideration and **ACTION** to acknowledge three (3) Mayoral Appointments to the Brownsville Housing Authority. (Mayor Pat M. Ahumada, Jr.) [TABLED 07/03/2007 and 07/17/2007]
5. Consideration and **ACTION** to appoint member(s) to the Brownsville Convention and Visitors Bureau (BCVB). (Commissioner Leonel T. Garza)
6. Consideration and **ACTION** to acknowledge an appointment by the City Manager to the Civil Service Commission. (Charlie Cabler – City Manager)
7. Consideration and **ACTION** to appoint or reappoint one (1) member and one (1) alternate member to the Amigos Del Valle, Inc. Board. (Charlie Cabler – City Manager)
8. Consideration and **ACTION** to appoint or reappoint three (3) members to the Brownsville Beautification Committee. (Carlos Ayala – Beautification)

* * * * *

PUBLIC HEARINGS:

9. Public Hearing and **ACTION** on **FIRST READING** of **PROTESTED Ordinance Number 235-2007-021-S** to allow a Specific Use with Safe Guards for Medium Industrial (Power Plant Substation) on a General Retail (4C) Classification for portion of Block 12 of Emilia Subdivision located near Expressway 77/83 and Emilia Lane. (Ben Medina, Jr. – Planning) [TABLED 07/17/2007]
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1478**, amending the Code of Ordinances by amending Chapter 18, Article II. Contractors, Division 2. Permit by adding Section 18-55 Definitions regarding establishment of fees and charges for disabled veteran contractors. (Commissioner Edward C. Camarillo)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1089-C**, amending the Code of Ordinances by amending Chapter 18, Article II. Contractors, Division 3. Registration by amending Section 18-82 by adding subsection (b) regarding fees and charges for disabled veteran contractors. (Commissioner Edward C. Camarillo)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-723-H**, amending the Code of Ordinances by amending Chapter 18, Article III. Building Code Section 18-123 (a)(1) Schedule of Permit Fees by adding subsection (g) regarding fees and charges for disabled veteran contractors. (Commissioner Edward C. Camarillo)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-026** to rezone, from Dwelling “Z” (DZ) to General Retail (4CG) Classification, Lot 18 Block 5 of Villa Nueva Subdivision located near U.S. Military Highway 281 and El Metro Street. (Ben Medina, Jr. – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-036** to rezone, from Dwelling “A” to Professional Office “G” (1CG) Classification, Share 19 Block 28 out of El Jardin Subdivision located near Dana Avenue and Old Port Isabel Road. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-036-S** to allow a Medium Retail Specific Use in an Apartment for Share 19 Block 28 out El Jardin Subdivision located near Dana Avenue and Old Port Isabel Road. (Ben Medina, Jr. – Planning)

16. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1479** amending the Subdivision Ordinance requiring land for dedication of parks and/or recreational grounds. (Ben Medina, Jr. – Planning)

* * * * *

ACTION ITEMS:

17. Consideration and **ACTION** on **Resolution Number 2007-044** suspending the August 30, 2007, effective date of the Texas Gas Service Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving the cooperation with other cities in the Rio Grande Valley Service Area to form the Valley Cities Gas Coalition; to hire legal and consulting services to negotiate with the company and direct any necessary litigation requiring reimbursement of cities' rate case expenses; and requiring notice of this resolution to the company and legal counsel. (Jim Goza – City Attorney) [TABLED 08/07/2007]
18. Consideration and **ACTION** on **reconsideration of Resolution Number 2007-045** approving a bond resolution by the Brownsville Health Facilities Development Corporation (BHFDC), providing for the issuance of bonds for Valley Baptist Medical Center-Brownsville (VBMC), and approving amendments to the By-laws of Brownsville Health Facilities Development Corporation. (Jim Goza – City Attorney)
19. Consideration and **ACTION** to determine whether the Mayor or the City Manager will be authorized to remove Brownsville Housing Authority (BHA) Commissioners. (Commissioner Carlos A. Cisneros)
20. Consideration and **ACTION** to acknowledge the finance director's changes to the proposed Fiscal Year 2008 Budget. (Pete Gonzalez – Finance)
21. Consideration and **ACTION** on **Resolution Number 2007-047** approving a bond and loan agreement by the Brownsville Industrial Development Corporation (BIDC) and Tella Tool and Manufacturing, Co., an Illinois Corporation, for the purpose of financing the purchase of equipment and improvements to its facilities located at 3401 Nafta Parkway in the City of Brownsville; and approving a bond resolution providing for the issuance of bonds. (Ben Medina, Jr. – Planning)
22. Consideration and **ACTION** on **Resolution Number 2007-048** nominating T-Mobile, USA as a Texas Enterprise Project to the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank. (Ben Medina, Jr. – Planning)

23. Consideration and **ACTION** on compliance with the Memorandum of Understanding (MOU) between the Sports Arena Properties, Inc. (SAPI) and the City of Brownsville. (Peter L. Goodman – Heritage)

PURCHASES/BIDS/CONTRACTS:

24. Consideration and **ACTION** to purchase a 31.50 acre tract in Share 23 of the Espiritu Santo Grant, for the proposed East Loop Phase II Project and authorization to incur expenses associated with closing costs. (Carlos Lastra – Engineering) [TABLED 08/07/2007]

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: Pat M. Ahumada, Jr.
Mayor of the City of Brownsville

I certify that a copy of the August 21, 2007, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on August 17, 2007. 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