

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, July 17, 2007, at 5:05 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: 5:05 P.M.

- A) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (Norma H. Zamora – BUS – 10 min.)
- B) Discussion pursuant to Section 551.072 of the Texas Government Code, attorney/client privilege communications regarding the Brownsville Convention and Visitors Bureau (BCVB). (James Goza – City Attorney - 15 min.)
- C) Discussion pursuant to Section 551.074 Title 5, of the Texas Government Code, concerning the evaluation of the City Attorney of the City of Brownsville. (Commissioner Ricardo Longoria, Jr. – 30 min.)

REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

1. **PROCLAMATION:** *Fernando Luis Mendez, Jr.*
(Mayor Pat M. Ahumada, Jr.)
2. **PRESENTATION:** *Preserve America Award*
(Mayor Pat M. Ahumada, Jr.)

Greater Brownsville Incentives Corp.
(Mr. Jose Herrera, President)

3. **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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4. **MAYOR'S REPORT**

5. **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 "h"

a) Approval of the Minutes of the Special Meeting of June 26, 2007, and the Regular Meeting of July 3, 2007.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Peter L. Goodman	Border Film	Santa Fe, NM	Aug. 26 – 31, 2007
Jose De La Garza	Building Insp.	Corpus Christi, TX	Aug. 6 – 8, 2007
Leonardo Perez	Fire	College Station, TX	July 19 – 21, 2007
Frank Seals	Fire	College Station, TX	July 22 – 27, 2007
Carlos Elizondo	Fire	College Station, TX	July 22 – 27, 2007
Oscar Garcia	Fire	College Station, TX	July 22 – 27, 2007
Raymond Harris	Fire	College Station, TX	July 22 – 27, 2007
Victor Maldonado	Planning	Dallas, TX	Sept. 4 – 7, 2007
Julio Briones	Police	Austin, TX	Aug. 12 – 17, 2007
Juan Hernandez	Police	Austin, TX	Aug. 12 – 17, 2007
William Ingram	Police	Austin, TX	Aug. 15 – 17, 2007
James Brown	Police	Austin, TX	Aug. 15 – 17, 2007

c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2007-1090-D**, amending Ordinance Number 2002-1090-C, for the conduct of City Commission Meetings, preparation of agendas, public comment, and dealing with related matters. (Mayor Pat M. Ahumada, Jr.)

d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-024** to rezone, from General Retail "G" (4CG) to Light Commercial "G" (5CG) Classification, Block 192 of El Jardin Subdivision located near Southmost Road and Linda Lane. (Ben Medina, Jr. – Planning)

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-025** to rezone, from Dwelling "Z" (DZ) to General Retail "G" (4CG) Classification, 4.522 acres out of San Pedro Grant Subdivision located near U.S. Military Highway 281 and FM 1732. (Ben Medina, Jr. – Planning)

f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-027** to rezone, from Dwelling "Z" to Medium Retail (3CG) Classification, 5.0 acres out of Block 2 of J. C. Bennett Subdivision located near FM 511 and Abelardo Drive. (Ben Medina, Jr. – Planning)

g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-028** to rezone, from Dwelling “A” to General Retail (4CG) Classification, Track 1 Block 17 out of Chicago Gardens Subdivision located near Boca Chica Boulevard and Iowa Avenue. (Ben Medina, Jr. – Planning)

h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-603-CU** allowing a Conditional Use Permit to sell on-premise alcohol (wet restaurant) for Lot 1 Block 1 of La Placita Subdivision, “Tasty International Buffet” located near FM 802 and San Marcelo Boulevard. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSION APPOINTMENTS:

6. Consideration and **ACTION** to appoint or reappoint member(s) to the Capital Improvements Advisory Committee (CIAC). (Mayor Pat M. Ahumada, Jr.) [TABLED 07/03/2007]
7. Consideration and **ACTION** to appoint one (1) alternate member to the Planning and Zoning Commission. (Commissioner Carlos A. Cisneros) [TABLED 07/03/2007]
8. Consideration and **ACTION** to appoint three (3) City Commission members to the City’s Audit Committee. (Pete Gonzalez – Finance)

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PUBLIC HEARINGS:

9. Public Hearing and **ACTION** to appoint or reappoint two (2) members to the Brownsville Housing Authority. (Mayor Pat M. Ahumada, Jr.) [TABLED 07/03/2007]
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-020** to rezone, from Dwelling “Z” (DZ) to Medium Retail “G” (3CG) Classification, Blocks 5 and 6 of Swan Nelson Subdivision located near FM 803 and Abrego Road. (Ben Medina, Jr. – Planning)

11. Public Hearing and **ACTION** on **FIRST READING** of **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)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-029** to rezone, from Light Retail to General Retail “G” (4CG) Classification, Lot 1 Block 1 out of Ernesto Cortez Subdivision located near FM 511 and Prescott Lane. (Ben Medina, Jr. – Planning)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-030** to rezone, from Dwelling “G” (DG) to Medium Retail “G” (3CG) Classification, Lot 1 out of La Coma Subdivision located near Calle Milpa Verde and Impala Drive. (Ben Medina, Jr. – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-031** to rezone, from Dwelling Retail (DR) to General Retail (4CG) Classification, Lot 9 Block 1 out of Wymore Subdivision located near Paredes Line Road and Southern Pacific Railroad. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-501** to rezone, from Dwelling “Z” to Medium Retail “G” Classification, Tandy’s Corner Subdivision, Pasto Verde Phase I and Lot 11 Block 3, of Pasto Verde Phase II located near Highway 100 and FM 803. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

16. Consideration and **ACTION** to rescind the addition of a \$2.00 fee to each customer’s monthly Public Utilities Board (PUB) bill, to fund public safety equipment, a culture budget, and the Animal Shelter’s “No-Kill” Policy, as approved on July 3, 2007 and to request a public hearing and the creation of an Ordinance on the matter. (Commissioner Edward C. Camarillo)
17. Consideration and **ACTION** to rescind a contract awarded to Cubco Construction, reject all bids received, and authorize staff to re-bid the project with a change of scope. (Commissioner Charlie Atkinson)
18. Consideration and **ACTION** on **Resolution Number 2007-037** regarding the reconstitution of the Brownsville Health Development Corporation and the appointment of a board of directors. (Pete Gonzalez – Finance)

19. Consideration and **ACTION** to adopt budget amendment **Resolution Number 2007-038** to amend the General Fund by \$100,000 to provide funding for the City's portion of the drainage easements for the Texas Department of Transportation (TxDOT) FM 511 Expansion Project. (Pete Gonzalez – Finance)
20. Consideration and **ACTION** to authorize the filing of a grant application and accept awarded grant, in the amount of \$30,327, from the Texas Department of State Health Services (DSHS). (Josue Ramirez – Health)
21. Consideration and **ACTION** on **Resolution Number 2007-039** to authorize the City Manager to accept a Grant Award, in the amount of \$1,069,152, from the Texas Automobile Theft Prevention Authority (ATPA) for Project South Texas Auto Theft Enforcement Task Force for fiscal year 2007-2008. (Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

22. Consideration and **ACTION** to authorize an Interlocal Agreement between the City of Brownsville and the Cameron County Regional Mobility Authority (CCRMA) regarding the East Loop Project. (Charlie Cabler – City Manager)
23. Consideration and **ACTION** to accept the 2005 CIP Street and Drainage Contract Number 1 and release retainage and final payment to G & T Paving Inc. (Carlos Lastra – Engineering)
24. Consideration and **ACTION** to accept the 31st Year Community Development Block Grant (CDBG) Street and Drainage Improvement Project and to release retainage and final payment to R&R Paving. (Carlos Lastra – Engineering)
25. Consideration and **ACTION** to accept the 2006 CIP Street and Drainage Contract Number 6 Project Wildrose Lane and to release retainage and final payment to G&T Paving, Inc. (Carlos Lastra – Engineering)
26. Consideration and **ACTION** to award a contract for the purchase of football equipment for the City of Brownsville's Youth Football League. (Paul J. Calapa – Purchasing)
27. Consideration and **ACTION** to award a contract for the purchase of additional Spillman Software Programs/Enhancement Modules for the current Computer Aided Dispatch and Records Management System Program (CAD/RMS) for the Public Safety Information System of the Brownsville Police Department. (Paul J. Calapa – Purchasing)

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

I certify that a copy of the July 17, 2007, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on July 13, 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