

**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 a **Workshop** and **Regular Meeting** with an **Executive Session**, on **Tuesday, October 2, 2007**, at **5:00 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.

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WORKSHOP: 5:00 P.M.

- a) Discussion regarding Phase III of the Brownsville Urban System's (BUS) Multimodal Project. (Norma H. Zamora – BUS – 15 min.)
- b) Discussion regarding the Border Wall. (Mayor Pat M. Ahumada, Jr. – 30 min.)

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*****15 MINUTE BREAK*****

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REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

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- 1. **PROCLAMATIONS:** *National Breast Cancer Awareness
(Mayor Pat M. Ahumada, Jr.)*

Domestic Violence Awareness

(Mayor Pat M. Ahumada, Jr.)

2. PRESENTATIONS: *Employee of the Month*
(October 2007)

3. 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.
- ADDRESS THE COMMISSION AS A WHOLE – DO NOT DIRECT YOUR COMMENTS TO ANY INDIVIDUAL MEMBER OF THE COMMISSION.
- THE PUBLIC COMMENT PERIOD IS A TOTAL OF 15 MINUTES. (City Ordinance 2007-1090-D)
- THERE IS A THREE (3)-MINUTE TIME LIMIT PER SPEAKER.
- NO FORMAL ACTION CAN BE TAKEN.
- FOR THE RECORD, 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 **NO LATER THAN 6:00 P.M.** 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]
- **PERSONS/GROUPS SCHEDULED TO CONDUCT A PRESENTATION OR DISTRIBUTING HANDOUTS ASSOCIATED WITH A PRESENTATION TO THE COMMISSION MUST PROVIDE A COPY OF SAME TO THE CITY SECRETARY FOR THE RECORD.**

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4. 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 “j”

- a) Approval of Minutes of the Special Meeting of September 11, 2007.
- b) Approval of Minutes of the Special Meeting of September 17, 2007.

c) Approval of Minutes of the Regular Meeting of September 18, 2007.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Larry A. Brown	Aviation	Fort Worth, TX	Oct. 24 – 25, 2007
Edward Kuprel	Building Insp.	Waco, TX	Oct. 9 – 12, 2007
Rebeca Castillo	BUS	Atlanta, GA	Oct. 15 – 18, 2007
Abelardo Cano	BUS	Atlanta, GA	Oct. 15 – 18, 2007
Willie Gonzales	Health	Austin, TX	Oct. 16 – 19, 2007
Robert Garcia	Health	Austin, TX	Oct. 16 – 19, 2007
Phillip Chio	Health	Austin, TX	Oct. 16 – 19, 2007
Jamie Standeford	Parks	Galveston, TX	Oct. 30 – Nov. 2, 2007
Mark Elbert	Police	Corpus Christi, TX	Oct. 3 – 4, 2007
Joe Barrios	Police	Corpus Christi, TX	Oct. 3 – 4, 2007
Marcie Sanchez	Police	Portland, TX	Oct. 8 – 10, 2007
Cynthia Villarreal	Police	Portland, TX	Oct. 8 – 10, 2007
Daniel DeAnda	Police	Epping, NH	Oct. 14 – 20, 2007
Elias Stuart	Police	San Antonio, TX	Oct. 15 – 19, 2007
Carlos L. Garcia	Police	Austin, TX	Oct. 16 – 18, 2007
Henry Etheridge	Police	Austin, TX	Oct. 16 – 18, 2007
Santiago Manrique	Police	Austin, TX	Oct. 16 – 18, 2007
Rolando Vasquez	Police	Austin, TX	Oct. 16 – 18, 2007
Martino Trevino	Public Works	Houston, TX	Oct. 8 – 12, 2007

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2006-606-CU** amending the text of the City Zoning Ordinance by allowing a Conditional Use Permit for the sale of on-premise alcohol (bar) for Lot 6, 7 8 and 9 of Blocks 42, 43 and 44 of Los Ebanos Properties Subdivision located at 715 North Expressway 77/83 (Days Inn Motel). (Ben Medina, Jr. – Planning)

f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-032-S** to allow a Specific Use for a Duplex in a Dwelling “Z” Classification for Block 173 out of Olmito Groves located near Anacua Street and Calles Avenue. (Ben Medina, Jr. – Planning)

g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-039** to rezone, from Dwelling “A” to Light Commercial “G” (5CG) Classification, Lot 5 Block B out of Jardin Terrace Subdivision located near Boca Chica Boulevard and Estero Drive. (Ben Medina, Jr. – Planning)

- h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-040** to rezone, from Dwelling “G” to General Retail “G” (4CG) Classification, 1.00 acre out of Lot 1 Block 1 out of La Posada South Section 4 located near Milpa Verde and Palacio Road. (Ben Medina, Jr. – Planning)

- i) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-041** to rezone, from Dwelling “G” to Professional Offices “G” (1CG) Classification, 4.20 acres out of Lot 1 Block 1 out of La Posada South Section 4 located near Milpa Verde and Palacio Road. (Ben Medina, Jr. – Planning)

- j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2007-043** to rezone, from Light Commercial “G” to Light Industrial “G” (7CG) Classification, 8.74 acres out of Block 132 of El Jardin Subdivision located near Central Avenue and FM 802. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSION APPOINTMENTS:

- 5. Consideration and **ACTION** to appoint or reappoint one (1) member to the Brownsville Public Utilities Board (BPUB). (Commissioner Edward C. Camarillo)

- 6. Consideration and **ACTION** to appoint or reappoint citizens to the Brownsville Citizen’s Advisory Committee (BCAC). (Ben Medina, Jr. – Planning)

- 7. Consideration and **ACTION** to acknowledge Mayor Pat M. Ahumada, Jr., as the Brownsville Public Utilities Board (BPUB) member to the Capital Improvement Advisory Committee (CIAC). (Ben Medina, Jr. – Planning)

- 8. Consideration and **ACTION** to appoint one (1) member to the Capital Improvement Advisory Committee (CIAC). (Ben Medina, Jr. – Planning)

9. EXECUTIVE SESSION:

- a) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding consultation with attorney. (Jim Goza – City Attorney)
- b) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding consultation with attorney. (Jim Goza – City Attorney)
- c) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (Norma H. Zamora – BUS)
- d) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding pending litigation. (Jim Goza – City Attorney)
- e) 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 Charlie Atkinson)

Resume Regular Session

PUBLIC HEARINGS:

- 10. Public Hearing and **ACTION** to reconsider Class “L” Permit Number CL-2007-001 to allow a game arcade at 344 Paredes Line Road, Brownsville, Texas. (Ben Medina, Jr. – Planning) [DISCUSSED 09/04/2007]
- 11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1100.44** amending the City Code to clarify the relationship between the Capital Improvement Advisory Committee (CIAC) and other entities; and dealing with related matters including \$500 penalties. (Ben Medina, Jr. – Planning)
- 12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-604-CU** allowing a Conditional Use Permit, to sell on-premise alcohol (wet restaurant), for Lot 1 and East ½ of Block 140-A out of Stillman Extension and Addition to the City of Brownsville, at “Jaimito’s Restaurant” located near West Elizabeth Street and Central Boulevard. (Ben Medina, Jr. – Planning)

13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-605-CU** allowing a Conditional Use Permit, to sell off-premise alcohol (wet store), for Lot 18 Block 1 out of Isla De Palmas Subdivision, Section IV, located near Esperanza and Southmost Road. (Ben Medina, Jr. – Planning)
14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2007-606-CU** allowing a Conditional Use Permit, to sell on-premise alcohol (wet restaurant and bar), for Lots 5 and 6 Block FF out of Brownsville Land and Improvement Company located near Central Boulevard and North Coria Street. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-235.70** to consider the repeal of the O51 Overlay District from approximately 17.176 acres out of a 200.34 acre tract known as the Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant. (Ben Medina, Jr. – Planning)
16. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-235.71** to consider the repeal of the O51 Overlay District from approximately 59.66 acres out of a 200.34 acre tract known as the Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant. (Ben Medina, Jr. – Planning)
17. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-235.72** to consider the repeal of the O51 Overlay District from approximately 72.34 acres out of a 200.34 acre tract known as the Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant. (Ben Medina, Jr. – Planning)
18. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-235.73** to consider the repeal of the O51 Overlay District from approximately 5.845 acres out of a 200.34 acre tract known as the Santander Townsite of Barreda Gardens Tract in Share 1 of Espiritu Santo Grant. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

19. Consideration and **ACTION** on **Resolution Number 2007-056** authorizing and approving the Brownsville-Matamoros Weir and Reservoir Project as a Secure Fence Act Project to secure the Southern United States Border. (Mayor Pat M. Ahumada, Jr.)

- 20. Consideration and **ACTION** regarding the moratorium on animal euthanasia and overcrowding at the Brownsville Animal Shelter. (Carlos Ayala – Assistant City Manager)
- 21. Consideration and **ACTION** on **Resolution Number 2007-055** to authorize the closing of Southmost Boulevard for the 8th Annual Veterans’ Day Parade to be held on Saturday, November 10, 2007. (Carlos L. Garcia – Police)
- 22. Consideration and **ACTION** to donate a surplus, forfeited 1990 Chevrolet Pickup Truck to the University of Texas at Brownsville and Texas Southmost College (UTB/TSC) Biological Services Department. (Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

- 23. Consideration and **ACTION** to authorize payment of \$45,237 for renewal of the TRANE Maintenance Service Agreement for the Police Department’s air condition system for Fiscal Year 2007-2008. (Carlos L. Garcia – Police)
- 24. Consideration and **ACTION** to authorize HNTB Amendment Number 28 for professional services to develop a Pavement Management Program for the Brownsville South Padre Island International Airport. (Larry A. Brown – Aviation)
- 25. Consideration and **ACTION** to authorize Change Order Number 1 for the Taxiway G Reconstruction Taxiway D Lighting Rehabilitation Project at the Brownsville South Padre Island International Airport. (Larry A. Brown – Aviation)
- 26. Consideration and **ACTION** to authorize an offer of just compensation for the purchase of a 23.29 acre tract of land located on the Southeast Corner of South Illinois Avenue and California Road. (Larry A. Brown – Aviation)
- 27. Consideration and **ACTION** to authorize a change to the Carter Burgess Contract Phase II Amendatory Agreement Number 1, Work Authorization 1-D, Amendatory Agreement Number 2, and Contract Phase III, for the Brownsville Urban System’s Multimodal Terminal Project. (Norma H. Zamora – BUS)

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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 October 2, 2007, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on September 28, 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