

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, on Tuesday, September 4, 2007, at 5:30 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: 5:30 P.M.

- a) Discussion regarding funding for the Gladys Porter Zoo. (Mayor Pat M. Ahumada, Jr. – 15 min.)
- b) Discussion regarding the Mitte Cultural District. (Commissioner Edward C. Camarillo – 15 min.)

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REGULAR MEETING: 6:00 P.M.

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

INVOCATION:

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1. PRESENTATIONS:

Brownsville Museum of Fine Arts
(Jim Goza – City Attorney)

Employee of the Month
(September 2007)

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.

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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 “e”

- a) Approval of Minutes of the Special Meeting of August 14, 2007.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Doroteo Garcia, Jr.	Engineering	San Antonio, TX	Sept. 9 – 13, 2007
Luis Alonso	Engineering	San Antonio, TX	Sept. 9 – 13, 2007
Carlos R. Reyes	Engineering	San Antonio, TX	Sept. 9 – 13, 2007
Arnoldo Perez	HR	Austin, TX	Oct. 14 – 16, 2007
Laura Hernandez	HR	Austin, TX	Oct. 14 – 16, 2007
Mary De Leon	HR	Austin, TX	Oct. 14 – 16, 2007
Chris Patterson	Parks	Corpus Christi, TX	Sept. 21 – 25, 2007
Ray Arrellano	Parks	Corpus Christi, TX	Sept. 21 – 25, 2007
Jesse Alvarez	Parks	Corpus Christi, TX	Sept. 21 – 25, 2007
Mark Lund	Planning	Little Rock, AR	Oct. 2 – 5, 2007
Alfonso Vallejo	Planning	Little Rock, AR	Oct. 2 – 5, 2007

- c) **APPROVAL** on **SECOND** and **FINAL 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)

- d) **APPROVAL** on **SECOND** and **FINAL 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)

- e) **APPROVAL** on **SECOND** and **FINAL 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)

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PUBLIC HEARINGS:

- 4. 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 and 08/28/2007]

- 5. Public Hearing and **ACTION** on **FIRST READING** of **PROTESTED 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. 281 (Military Highway) and El Metro Street. (Ben Medina, Jr. – Planning) [TABLED 08/28/2007]

- 6. Public Hearing and **ACTION** on **FIRST READING** of **PROTESTED Ordinance Number 235-2007-037-S** to allow an Apartment Specific Use (Triplex) in a Dwelling “G” for Lot 26 Block 1 out of Portway Acres located near State Highway 48 and Zena Drive. (Ben Medina, Jr. – Planning)

7. Public Hearing and **ACTION** on **FIRST READING** of **PROTESTED Ordinance Number 235-2007-002-SA** to allow a Professional Office (Professional Offices) in a Dwelling Zoning of Lot 3 Block 1 of Diamond Point II located near Alton Gloor and Tandy Road. (Ben Medina, Jr. – Planning)
8. 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) [TABLED 08/28/2007]
9. 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) [TABLED 08/28/2007]
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1479** amending the Subdivision Ordinance by requiring a percentage of land to be dedicated for parks and/or public schools and dealing with related matters including \$2000 penalties. (Ben Medina, Jr. – Planning) [DISCUSSED 08/28/2007]
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-983-BB**, regarding Chapter 102 of the Code of Ordinances entitled “Utilities” and which provides for electric, water and wastewater (sanitary sewer) service rates and charges and conditions of services; amending Section 102-195 to reduce the monthly customer service charge for residential electric customers from \$5.53 to \$2.53; amending Section 102-76 to reduce this penalty for delinquent payment of utility bills from ten (10) percent to five (5) percent; and providing a severability clause and effective date. (John Bruciak – BPUB)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2007-1133-X**, amending Ordinance 86-1133, pertaining to a franchise contract between the City of Brownsville and Governmental Managerial Services (GMS) Incorporated for collection and disposal of commercial and industrial solid waste, incorporating signed contract for all purposes and amending the rates for containerized collection of commercial and industrial solid waste and related matters as set forth in Exhibit “A” establishing an increase of 3.43% as per Section 13.02(a), titled Modification of Rates, to reflect a consumer price index increase. (Pete Gonzalez – Finance)

13. Second Public Hearing to discuss the proposed 2007 ad valorem tax rate (Fiscal Year 2008) of \$0.650517, which is an increase of 4.95% over the effective tax rate of \$0.619856, or an increase of 0.0434% over the current year's (Fiscal Year 2007) ad valorem tax rate of \$0.650235 per \$100 valuation. (Pete Gonzalez – Finance)

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ACTION ITEMS:

14. Consideration and **ACTION** to announce that a public hearing will be held on September 17, 2007, at City Hall at 6:00 p.m. to adopt by resolution the Fiscal Year 2008 budget; to approve the first reading of an ad valorem tax ordinance establishing the 2007 ad valorem tax rate; and to approve the second reading of the 2007 ad valorem tax rate ordinance on September 18, 2007. (Pete Gonzalez – Finance)
15. Consideration and **ACTION** on **Resolution Number 2007-049** in support of the Hands Across El Rio meeting to be held on September 8, 2007, at the Gateway International Bridge. (Mayor Pat M. Ahumada, Jr.)
16. Consideration and **ACTION** to authorize the use of Washington Park from February 25 – March 2, 2008 for the Sombrero Festival, authorizing the sale and consumption of alcoholic beverages from February 28 – March 1, 2008 during festival hours, authorizing the closure of Adams Street between 7th and 9th Street from February 27 – March 2, 2008, and permission to use the parking along Madison Street between 7th and 9th Streets for Sombrero Festival vendor parking from February 27 – March 2, 2008. (Skip Keller – Parks)
17. Consideration and **ACTION** to approve Class “L” Permit Number CL-2007-001, to allow a game arcade at 344 Paredes Line Road, Brownsville, Texas. (Ben Medina, Jr. – Planning)

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PURCHASES/BIDS/CONTRACTS:

18. Consideration and **ACTION** to award a three-year auditing professional service contract to a local independent certified public accounting (CPA) firm. (Pete Gonzalez – Finance)

19. Consideration and **ACTION** to award a contract for the purchase, delivery and installation of two (2) hydraulic in-ground transit vehicle lifts for the Brownsville Urban System (BUS). (Paul J. Calapa – Purchasing)
20. Consideration and **ACTION** to award a contract for the purchase of two (2) Type II Paratransit Vans for the Brownsville Urban System (BUS). (Paul J. Calapa – Purchasing)
21. Consideration and **ACTION** to award a term contract for security services for the City of Brownsville Facilities. (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 September 4, 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 31, 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