

**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, September 18, 2007, at 5:20 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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EXECUTIVE SESSION: 5:20 P.M.

- A) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (Larry A. Brown – Aviation – 15 min.)
- B) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding economic developments. (Peter L. Goodman – Heritage – 15 min.)

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*****10 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 Rehabilitation Week***
(Commissioner Carlos A. Cisneros)

National Food Safety Month
(Commissioner Charlie Atkinson)

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.
- 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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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 “j”

- a) Approval of Minutes of the Special Meeting of August 28, 2007.
- b) Approval of Minutes of the Regular Meeting of September 4, 2007.
- c) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Jennifer Hogancamp	Aviation	Austin, TX	Oct. 21 – 24, 2007
Michael Jones	Aviation	Kansas City, MO	Sept. 30 – Oct. 3, 2007
Pete Gonzalez	Finance	Austin, TX	Oct. 14 – 16, 2007
Leonardo L. Perez	Fire	Austin, TX	Sept. 19 – 20, 2007
Jeff Johnston	OEM	Corpus Christi, TX	Sept. 20 – 21, 2007
Skip Keller	Parks	Albuquerque, NM	Dec. 4 – 9, 2007
Ben Medina, Jr.	Planning	Addison, TX	Oct. 17 – 20, 2007
Christopher Golden	Planning	Addison, TX	Oct. 17 – 20, 2007
Allison Bastian	Planning	Addison, TX	Oct. 17 – 20, 2007
Noe Puga	Planning	Addison, TX	Oct. 17 – 20, 2007
Sigifredo Martinez	Police	Killeen, TX	Sept. 23 – 28, 2007
Cristobal Abrego	Police	Killeen, TX	Sept. 23 – 28, 2007

- d) **APPROVAL** on **SECOND** and **FINAL 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)
- e) **APPROVAL** on **SECOND** and **FINAL 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)
- f) **APPROVAL** on **SECOND** and **FINAL 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)
- g) **APPROVAL** on **SECOND** and **FINAL 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)

- h) **APPROVAL** on **SECOND** and **FINAL READING** of **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)

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

- j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2007-1480** levying ad valorem taxes for the Tax Year 2007 for the use and support of the municipal government of the City of Brownsville, Texas, for the Fiscal Year 2008, providing for the interest and sinking fund for the Fiscal Year 2008 of the City of Brownsville, Texas, general obligation bonds. (Pete Gonzalez – Finance)

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PUBLIC HEARINGS:

- 4. Public Hearing and **ACTION** on **FIRST 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)

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

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

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

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

9. Public Hearing and **ACTION** on **FIRST 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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ACTION ITEMS:

10. Consideration and **ACTION** on **Resolution Number 2007-052** to support the Lower Rio Grande Valley (LRGV) Regional Public Transportation Coordination Plan for Cameron, Hidalgo and Willacy Counties. (Norma Zamora – BUS)

11. Consideration and **ACTION** to approve the Sports Arena Properties, Inc.’s (SAPI) estimated budget and authorization to proceed with the study. (Peter L. Goodman – Heritage)

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PURCHASES/BIDS/CONTRACTS:

12. Consideration and **ACTION** to authorize an offer of just compensation for a 13.27 acre parcel of property, more or less, located 0.34 miles South of California Road at the Northeast corner of South Illinois Avenue and Resaca de la Guerra, for the Part 150 Program. (Larry A. Brown – Aviation)

13. Consideration and **ACTION** to authorize a contract with the firm of Leibowitz and Horton Airport Management Consultants, Inc. for the development of the Passenger Facility Charge (PFC) Application Number 4. (Larry A. Brown – Aviation)

14. Consideration and **ACTION** to renew an agreement between the City of Brownsville and the Valley Zoological Society to manage and operate the Gladys Porter Zoo for another three year period. (Jim Goza – City Attorney)
15. Consideration and **ACTION** to authorize the Texas Municipal League (TML) Intergovernmental Employee Benefit Pool (IEBP) to contract for Stop-Loss Coverage for the City of Brownsville Medical Insurance. (Pete Gonzalez – Finance)
16. Consideration and **ACTION** to award a contract for Life Insurance Coverage for the City of Brownsville. (Lidia Gonzales – Human Resources)
17. Consideration and **ACTION** to authorize the acceptance and expenditure of the Governor’s Division of Emergency Management (GDEM) Fiscal Year 2007 Emergency Management Performance Grant (EMPG) awarded to the Brownsville Office of Emergency Management in the amount of \$25,761. (Jeff Johnston – Emergency Management)
18. Consideration and **ACTION** to authorize payment of \$16,263.12 to Verizon Select Services, Inc. for the Fiscal Year 2007 Maintenance Service Contract (Carlos L. Garcia – Police)
19. Consideration and **ACTION** to authorize the acceptance and expenditure of the Homeland Security Transportation Security Administration (TSA) Cooperative Agreement awarded to the City of Brownsville Police Department in the amount of \$341,092.50 for a five-year project beginning October 1, 2007 and ending September 30, 2012. (Carlos L. Garcia – Police)
20. Consideration and **ACTION** to authorize the acceptance and expenditure of the Texas Department of Transportation Selective Traffic Enforcement Program (STEP) Comprehensive Grant awarded to the Brownsville Police Department in the amount of \$60,786.58 for Fiscal Year 2008. (Carlos L. Garcia – Police)
21. Consideration and **ACTION** to authorize and execute an Interlocal Agreement between the City of Brownsville, Texas, the Cameron County Tax Assessors Office, Cameron County District Attorney’s Office, the City of McAllen, Texas, the City of Pharr, Texas and the City of Edinburg, Texas regarding a Mutual Aid Burglary and Theft of Motor Vehicle Law Enforcement Task Force. (Carlos L. Garcia – Police)

22. Consideration and **ACTION** to award a contract for airport security system improvements for the Brownsville South Padre Island International Airport. (Paul J. Calapa – Purchasing)
23. Consideration and **ACTION** to award a term contract for print material services for the Brownsville Public Library System. (Paul J. Calapa – Purchasing)
24. Consideration and **ACTION** to award a contract for the construction of one (1) 30-foot tall, steel single-pole, double-faced sign to be erected at the Brownsville Public Library System, Central Branch Building. (Paul J. Calapa – Purchasing)
25. Consideration and **ACTION** to award a contract for the purchase and delivery of grounds maintenance equipment for the Parks and Recreation Department. (Paul J. Calapa – Purchasing)
26. Consideration and **ACTION** to award a contract for the purchase of one (1) vehicle for the Administration Division of the Parks and Recreation Department. (Paul J. Calapa – Purchasing)
27. Consideration and **ACTION** to award a term contract for traffic engineering services for the Brownsville Traffic 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 September 18, 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 14, 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