

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, an Executive Session and Regular Meeting**, on **Tuesday, August 05, 2008 at 4:45 P.M., 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.

WORKSHOP: 4:45 P.M.

- a) Discussion regarding medical insurance plan changes. (Pete Gonzalez – Finance – 30 min.)
- b) Discussion to update City Commission on the status of the Brownsville Urban System’s Multimodal Project. (Norma Zamora – BUS – 15 min.)

EXECUTIVE SESSION: 5:30 P.M.

- A) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding competitive matters. (Leandro Garcia, CFO, BPUB – 15 min.)
- B) Discussion pursuant to Section 551.087, of the Texas Government Code, regarding economic development. (Larry A. Brown, Airport – 15 min.)

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

INVOCATION

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

None

1. MAYOR'S REPORT

2. COMMISSIONERS' REPORT

3. PROCLAMATIONS:

Baldomero Treviño
(Mayor Pat M. Ahumada, Jr.)

Olympic Tae Kwon Do Academy
(Commissioner Charlie Atkinson)

U.S. Tennis Association
(Commissioner Camarillo)

Brownsville Public Utilities Board
(Commissioner Leonel T. Garza)

City Manager Charlie Cabler and City Staff
(Commissioner Leonel T. Garza)

Jeff Johnston
(Commissioner Leonel T. Garza)

4. PRESENTATIONS:

Employee of the Month
(August 2008)

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 "c"

- a) Approval of the Minutes of the Regular Meeting of July 15, 2008.
- b) 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	Austin, TX	Aug 10-12, 2008
Lupe Granado	Finance	Scottsdale, AZ	Oct. 19-21, 2008
Jorge Santillan	Finance	Scottsdale, AZ	Oct. 19-21, 2008
Ben Medina	Planning	San Antonio, TX	Aug 07-08, 2008
Robert Medrano	Planning	San Antonio, TX	Aug 07-08, 2008
Alfonso Vallejo	Planning	Austin, TX	Aug 04-06, 2008
Rosalva Tamayo	Police	Austin, TX	Aug 10-15, 2008
Liliana Rosas	Police	Austin, TX	Aug 10-15, 2008
Ida Villarreal	Police	Austin, TX	Aug 10-15, 2008
Jose J Trevino	Police	Corpus Christi, TX	Aug 05-06, 2008
Eric Garza	Police	Corpus Christi, TX	Aug 05-06, 2008
Ramiro Rodriguez	Police	Fort Worth, TX	Aug 19-22, 2008
James Brown	Police	Fort Worth, TX	Aug 19-22, 2008
David De Leon	Police	Houston, TX	Sept 19-25, 2008
Daniel Deanda	Police	Lubbock, TX	Aug 06-09, 2008
David De Leon	Police	Lubbock, TX	Aug 06-09, 2008
Robert Tyler	Police	Killeen, TX	Sept 02-04, 2008
Adrian Posada	Police	Killeen, TX	Sept 02-04, 2008
Carlos Garcia	Police	Plano, TX	Sept 28-Oct 2, 2008
Ramiro Rodriguez	Police	Plano, TX	Sept 28-Oct 2, 2008
Henry Etheridge	Police	Plano, TX	Sept 28-Oct 2, 2008
David Deleon	Police	Plano, TX	Sept 28-Oct 2, 2008
Paul Cantu	Police	Salt Lake City, UT	Oct. 05-10, 2008
Jose Sanchez	Police	Salt Lake City, UT	Oct. 05-10, 2008

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-1496** to amend Chapter 2 of the City Code of Ordinances creating the office of Deputy City Manager and authorizing up to two Assistant City Managers, providing for appointment of persons to these offices, describing duties, and method of compensation. (John Chosy – Assistant City Attorney)

PUBLIC HEARINGS:

6. Public Hearing to discuss the City’s proposed fiscal year 2009 budget. (Pete Gonzalez – Finance)
7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-047-S** to allow a Medium Retail Specific Use (Grocery Store 3C) in a Light Retail (2CG) for Lot 4, Block 3 of Adrean Acres located near Clubhouse Road and Boca Chica Blvd. (Ben Medina, Jr. Planning)
8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-048** to rezone from Medium Industrial “J” (8CJ) to Apartment “J” (AJ) for 8.679 acres out of the Reserve “A” of the Sweetbriar Subdivision located near Coffee Port Road and Central Avenue. (Ben Medina, Jr. Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-049** to rezone from Dwelling “A: (DA) to Apartment “G” (AG) for 2.178 acres out of Block 40-A of El Jardin Subdivision located near Clubhouse Road and Boca Chica Blvd. (Ben Medina, Jr. –Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-050** to rezone from Light Commercial “G” (7CG) to Dwelling “G: (DG) for 2.21 acres out of Poinciana Acres Subdivision located near Poinciana Drive and Sloss Drive. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2008-604-CU** an ordinance allowing a conditional use permit to sale off-premise alcohol sales (wet store) for Lot 4, Block 3 of Adrean Acres located near Clubhouse Road and Boca Chica Blvd. (Ben Medina, Jr. –Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-605-CU** an ordinance allowing a conditional use permit to sale on-premise alcohol sales (wet restaurant) for Lot 2 & 3, Block 1 of Renfro Terrace Subdivision located at 23 Old Port Isabel Road. (Ben Medina, Jr. – Planning)

13. 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]

PRESENTATIONS:

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

ACTION ITEMS:

- 14.** Consideration and **ACTION** on **Resolution Number 2008-066** authorizing the defeasance and redemption of all of the City’s outstanding Combination Tax and Airport Revenue Certificates of Obligation, Series 2007A (AMT), authorizing the execution of an escrow agreement related thereto, and approving other matters related to the subject. (Pete Gonzalez – Finance)
- 15.** Consideration and **ACTION** to acknowledge the Cameron Appraisal District Chief Appraiser’s certification of the City of Brownsville’s 2008 tax roll. (Pete Gonzalez – Finance)
- 16.** Consideration and **ACTION** to acknowledge the finance director’s certification of the estimated ad valorem tax collection rate for the tax year 2008 and the excess debt tax collections for tax year 2007. (Pete Gonzalez – Finance)

17. Consideration and **ACTION** to acknowledge the finance director's calculation of the City's effective and rollback ad valorem tax rates for tax year 2008 or fiscal year 2009. (Pete Gonzalez – Finance)
18. Consideration and **ACTION** on **Resolution Number 2008-067** to amend the General Fund by \$525,000 that will consist of a cash transfer of \$500,000 to the Employee Benefit Medical Insurance Fund and \$25,000 for the purchase of minor equipment for the Traffic Department; to amend the Non-Bonded Debt Service Fund by \$278,352 for the Landfill Equipment Lease Purchase Payments; to amend the Landfill Tipping Fee Increase Fund by \$278,352 by providing the lease purchase payments to the Non-Bonded Debt Service Fund; to amend the Capital Projects Fund by \$60,000 for the purchase of uniforms for the Youth Football League, which will be reimbursed 100% by BCIC, a 4B Corporation; and to the amend the Employee Benefit Medical Insurance Fund that will include a \$500,000 cash transfer from the General Fund. (Pete Gonzalez – Finance)
19. Consideration and **ACTION** to acknowledge the chief financial officer's financial statements and cash investment report for the City of Brownsville for the third quarter ending June 30, 2008. (Pete Gonzalez – Finance)
20. Consideration and **ACTION** on **Resolution Number 2008-070** a resolution creating a committee of Cultural Affairs Outlining the responsibilities of said board, and dealing with related matters. (Anthony P. Troiani - Commissioner)
21. Consideration and **ACTION** regarding inter-local agreements with Cameron County, Texas, for removal and disposal of hurricane debris and monitoring of that process. (John E. Chosy – Assistant City Attorney)
22. Consideration and **ACTION** to authorize the acceptance of the Tobacco Compliance Grant Award from the Texas Comptroller of Public Accounts in the amount of \$6,800.00 awarded to the Brownsville Police Department for fiscal year 2009. (Carlos L Garcia – Police)
23. Consideration and **ACTION** to authorizing the City Manager to submit the City of Brownsville's Consolidated Action Plan to the U.S. Dept of Housing and Urban Development and comments for Fiscal Year October 1, 2008 to September 30, 2009. (Ben Medina, Jr. –Planning)

PURCHASES/BIDS/CONTRACTS:

24. Consideration and **ACTION** to award a contract for the 2007 CIP Street Paving and Drainage Project No. 9 for Chihuahua Ct., Oaxaca Ct., Uruapan Ct., Durango Ct., and Madero Drive. (Roberto C. Luna – Purchasing)
25. Consideration and **ACTION** to award a contract for the 2007 CIP Street Paving Project No. 6 for Red Fox Street, Sorrento Drive and Quail Hollow Drive. (Roberto C. Luna – Purchasing)
26. Consideration and **ACTION** to authorize Amendment #2 to the Contract with the Texas Department of Criminal Justice, Texas Correctional Industries “TCI” to add fencing around the all conditions field at the Brownsville Sports Park. (Roberto C. Luna – Purchasing)
27. Consideration and **ACTION** to award a contract for Construction Manager at Risk Services for the Construction of the Brownsville Urban System Multimodal Terminal. (Roberto C. Luna – Purchasing)

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 05, 2008, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on August 01, 2008. 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