

**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 A 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 Special Meeting**, on **Tuesday, December 09, 2008** at **5:25 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: 5:25 P.M.**

- A) Discussion pursuant to Section 551.074, of the Texas Government Code, regarding personnel matters. (Commissioners E. C. Camarillo & L. T. Garza – 15 min.)
- B) Discussion and possible decision under Article 551.086 of the Texas Government Code, regarding competitive matters pertaining to the Brownsville Public Utilities Board. (Commissioners C. Atkinson & L.T. Garza – 20 mins.)

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**REGULAR MEETING: 6:00 P.M.**

**PLEDGE OF ALLEGIANCE:**

**UNITED STATES PLEDGE \* TEXAS PLEDGE**

**INVOCATION:**

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***ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:***

- a) **ACTION** regarding appointment of an Interim City Attorney and providing compensation thereof. (Commissioners E. C. Camarillo & L. T. Garza)

**MAYOR’S REPORT**

Christmas Holiday Message

**COMMISSIONERS’ REPORTS**

Graffiti Abatement Program  
Volunteer Service Organization (Commissioner Edward C. Camarillo)  
Christmas Holiday Message

Update on Hike & Bike Trail Lighting  
and Water Fountains (Commissioner Carlos A. Cisneros)

Christmas Holiday Message (City Commissioners)

**1. PROCLAMATIONS:**

***Guadalupe “Lupe” Olvera***  
(Commissioner Anthony P. Troiani)

***Episcopal Day School –  
Boys Soccer Team***  
(Commissioner Carlos A. Cisneros)

**2. PRESENTATIONS:**

***Brownsville Farmers’ Market***  
(Commissioner Edward Camarillo – 10 minutes)

***2006 International Code Council Books***  
(Evaristo Gamez – Building Inspections)

**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 “k”***

- a) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Mark Lund	Planning	San Antonio, TX	December 12, 2008
Lucy Garza	Planning	San Antonio, TX	December 18 – 19, 2008
Julio Briones	Police	Austin, TX	January 04 – 09, 2009
Juan Hernandez	Police	Austin, TX	January 04 – 09, 2009

- b) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-039** to rezone from Dwelling “G” (DG) to Light Retail “G” (2CG) for 1.00 acre out of Share 23 of Espiritu Santo Grant located at 213 Esperanza Road. (Ben Medina, Jr. – Planning)
- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-039-S** to allow a General Retail Specific Use (Party Place 4C) in a Light Retail (2C) for 1.00 acre out of Share 23 of Espiritu Santo Grant located at 213 Esperanza Road. (Ben Medina, Jr. – Planning)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-054** to rezone from Dwelling “A” to Apartment “G” (AG) for 0.996 acres out of Block 8 and the East line of Lot 1, Block 18, West of West Brownsville Addition located near W. Washington Street and Browne Street. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-060** to rezone from General Retail “G” Specific Use (4CG) to Light Commercial (5C) for 0.27 Acres out of Lot 4 & 5 of East Brownsville Addition located at 1935 Southmost Road. (Ben Medina, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-066** to consider the rezoning of the Citrus Acres Subdivision from Apartment “H” (AH) to Dwelling “G” (DG) so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)
- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-067** to consider the rezoning of the McKenzie Acres Subdivision from First Manufacturing “J” (1MJ) areas of the McKenzie Acres Subdivision to Dwelling “G” (DG) so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)
- h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-068** to consider the rezoning of the Buena Vida Housing Projects in Downtown Brownsville from Seventh Commercial “H” (7CH) to Apartment “H” (AH) so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)

- i) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-069** to rezone from Dwelling “Z” to General Retail “G” (4CG) for 1.43 acres of Lot 4 and ½ of Lot 5, Block 1 of Cameron Park Subdivision 3 located at 4176 Paredes Line Road. (Ben Medina, Jr. – Planning)
- j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-072-S** to allow a Medium Retail Specific Use (3C) in a Professional Office (1C) for Lot 4, Block 5 Land O’Lakes Subdivision located at Old Port Isabel and Creekbend Drive. (Ben Medina, Jr. – Planning)
- k) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-073-S** to allow a Medium Retail Specific Use (3C) in a Professional Office (1C) on Lot 1 of N.S. Liddel Subdivision Section V, located at 3004 East Avenue. (Ben Medina, Jr. – Planning)

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***BOARD & COMMISSION APPOINTMENTS:***

- 4. Consideration and **ACTION** to reappoint one member to the Civil Service Commission. (Charlie Cabler – City Manager)
- 5. Consideration and **ACTION** to appoint or reappoint one member to the Greater Brownsville Incentive Corporation (GBIC). (Commissioners Leonel T. Garza & C. Atkinson)

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6. ***PUBLIC COMMENT PERIOD:      PLEASE NOTE:***

**PLEASE NOTE THAT THE PUBLIC COMMENT PERIOD AND CONDUCT AT CITY COMMISSION MEETINGS IS GOVERNED BY CITY ORDINANCE NUMBER 2008-1090-E ADOPTED ON JUNE 3, 2008.**

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO BE RECOGNIZED AND 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.**
- 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 OR 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]

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**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.**

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***ACTION ITEMS:***

7. Consideration and **ACTION** on **Resolution Number 2008-100** authorizing the filing of an application for assistance and making certain findings in connection therein from the Texas Development Board. (Pete Gonzalez – Finance Director/Deputy City Manager)
8. Consideration and **ACTION** on **Resolution Number 2008-101** suspending the effective date of Texas Gas Service Company’s requested rate change. (John Chosy – Assistant City Attorney)
9. Consideration and **ACTION** on **Resolution Number 2008-102** granting consent for the creation of the Isla Largo Municipal Utility District. (Ben Medina – Planning Director)
10. Consideration and **ACTION** to acknowledge the Finance Director’s Financial Statements and Cash Investment Report for the City of Brownsville for the Fiscal Year ending September 30, 2008. (Pete Gonzalez – Finance Director/Deputy City Manager)

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***PURCHASES/BIDS/CONTRACTS:***

11. Consideration and **ACTION** on **Resolution Number 2008-104** to award a contract for the sale of Surplus City Real Property, an Industrial Facility, located at the North Side of Billy Mitchell Boulevard, East of Central Avenue, Southeastern, Brownsville, Texas. (Robert C. Luna – Purchasing Director)

12. Consideration and **ACTION** to award a contract for the purchase of one (1) new model fire apparatus (compressed air foam) for the Brownsville Fire Department. (Robert C. Luna – Purchasing Director)
13. Consideration and **ACTION** to award a contract for the purchase of one (1) 2008 year model single-drum vibratory smooth roller for the Public Works Department. (Robert C. Luna – Purchasing Director)
14. Consideration and **ACTION** to award a contract for the 31<sup>st</sup> Year CDBG and 2007 CIP Project Contract No. 4 for Street Paving and Drainage Improvements for Elda Drive, Elda Circle, Acapulco Avenue, Veracruz Avenue, Merida Court and Mazatlan Avenue. (Robert C. Luna – Purchasing Director)
15. Consideration and **ACTION** to award a term contract renewal for Software Maintenance and Technical Support for Public Safety Information System for the Brownsville Police Department. (Robert C. Luna – Purchasing Director)

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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 December 09, 2008, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on December 5, 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](http://www.cob.us/agendas.asp).

  
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Estela Von Hatten, City Secretary