

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, June 03, 2008, at 5:30 P.M., 5:40 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 status update on the Recycling Center with ESD. (Commissioner Edward C. Camarillo – 10 min.)

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EXECUTIVE SESSION: 5:40 P.M.

- A) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property (James Goza – City Attorney – 10 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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ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

- A) Consideration and **ACTION** on **Resolution Number 2008-057** approving a right of first refusal interest on the note in the amount of \$550,000.00 (Five Hundred and Fifty Thousand Dollars) for a new building and swimming pool to be constructed on City of Brownsville owned property located on S. Price Road, adjacent to the Hike and Bike Trail, subject to the terms of the loan to the Veteran of Foreign Wars, Post 2035 (James Goza – City Attorney)

1. *MAYOR’S REPORT*

2. *COMMISSIONERS’ REPORT*

3. *PROCLAMATIONS:*

American Electric Power
(Commissioner Edward C. Camarillo)

Michael Anthony Garza
(Commissioner Carlos A. Cisneros.)

Brownsville Police Explorers
(Mayor Pat M. Ahumada, Jr.)

Alberto Barrera
(Commissioner Leonel T. Garza)

Oseas Cantu
(Commissioner Leonel T. Garza)

Phillip Conatser
(Commissioner Leonel T. Garza)

Brownsville Fire and EMS
(Commissioner Leonel T. Garza)

4. *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.**

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 “k”

- a) Approval of the Minutes of the Regular Meeting of May 20, 2008.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Juan D. Garcia	Aviation	Corpus Christi, TX	Aug.12 – 14, 2008
Bill Seale	Aviation	Corpus Christi, TX	Aug.12 – 14, 2008
Norma H. Zamora	Bus	Austin, TX	July 20 – 25, 2008
Rebeca Castillo	Bus	Nashville, TN	June 23 – 27, 2008
Raquel Benavides	City Attorney	Houston, TX	July 09 – 11, 2008
Leonardo Perez	Fire	Austin, TX	June 05 – 06, 2008
Frank Seals	Fire	San Antonio, TX	June 08 – 13, 2008
Arturo Rodriguez	Health	San Antonio, TX	June 24 – 27, 2008
Joe Hinojosa	Health	San Antonio, TX	June 24 – 27, 2008
Venustiano Martinez	Parks	Las Vegas, NV	June 08 – 12, 2008
Mario Garza	Police	Ft. Collins, CO	June 21 – 26, 2008
Laura Arnold	Police	Ft. Collins, CO	June 21 – 26, 2008
Julio Briones	Police	San Antonio, TX	Sept.29 – Oct.03, 2008

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-1090-E** to amend Ordinance Number 2007-1090-D of the City Code of Ordinances regarding the preparation of agendas, the conduct of City Commission meetings, public comment and dealing with related matters. (James R. Goza – City Attorney)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-005-S** to allow Apartments Specific Use (duplex) in a Dwelling “Z” on Lot 12 & 13 of Naranja Vista Addition located at 7220 Obregon Avenue. (Ben Medina, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-032** to rezone from Medium Retail “G” (3CG) to General Retail “G” (4CG) for Lot 1, Block 1 of Villa Bonita Subdivision Section IV located at 4800 Fonsi Drive. (Ben Medina, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-033** to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for Lot 11, 12 and 13 of Olmito Original Townsite located at 5302 North Expressway 77/83. (Ben Medina, Jr. – Planning)
- g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-034** to rezone from Dwelling “G” (DG) to Light Commercial “G” (5CG) for 2.00 acres out of Block 21 of El Jardin Subdivision located near FM 802 and Dana Avenue. (Ben Medina, Jr. – Planning)
- h) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-034-S** to allow a Light Industrial Specific Use (Equipment Rental 7C) in Light Commercial (5C) for 2.00 acres out of Block 21 of El Jardin Subdivision located near FM 802 and Dana Avenue. (Ben Medina, Jr. – Planning)
- i) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-035** to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for 1.12 acres out of Share 12 Espiritu Santo Grant located at 7291 North Expressway 77/83. (Ben Medina, Jr. – Planning)

j) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-602-CU** to allow a conditional use permit to sell off-premise alcohol (wet store) for Lot 1, Block 1 of Portmex Subdivision Replat located at 3505 International Blvd. (Ben Medina, Jr. – Planning)

k) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-318-II** to amend certain sections of Chapter 106 Vehicles for Hire in the City of Brownsville Code of Ordinances. (Carlos L. Garcia – Police)

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BOARDS AND COMMISSIONS:

6. Mayoral Appointments to the Brownsville Housing Authority (BHA). (Mayor Pat M. Ahumada, Jr.) (TABLED 05/06/2008 & 5/20/2008)
7. Consideration and **ACTION** to appoint or re-appoint one (1) member to the Brownsville Public Utilities Board. (Commissioner Leonel T. Garza)
8. Consideration and **ACTION** to appoint or re-appoint three (3) members to the Brownsville Public Library Advisory Board. (Jerry Hedgecock- Library)

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PUBLIC HEARINGS:

9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-1367-A** to adopt the Texas Food Establishment Rules of the Texas Department of State Health Services as made effective on March 15, 2006, providing for penalties thereof and related matters. (Arturo Rodriguez – Health)
10. Public Hearing and **ACTION** on **SECOND READING** of **Ordinance Number 2008-1200.136** to accept a voluntary annexation submitted by the Brownsville Independent School District, as required by Chapter 43 of the Texas Local Government Code, and dealing with related matters. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-037** to rezone from Dwelling “G” (DG) to Medium Retail “G” (3CG) for Lot 4, Block 4 of Cameron Park City of Brownsville Addition located near Paredes Line Road and Alta Mesa Blvd. (Ben Medina, Jr. – Planning)

12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-038** to rezone from Dwelling “G” (DG) to Medium Retail “G” (3CG) for Lot 28 of ABST 2 of Palmas Del Sur located at 35 Esperanza Road (Ben Medina, Jr. – Planning)

ACTION ITEMS:

13. Consideration and **ACTION** on **Resolution Number 2008-058** regarding the purchase of 805 Taylor Street for \$104,000. (Ben Medina, Jr. – Planning)
14. Consideration and **ACTION** to consider the approval of the October 1, 2008 thru September 30, 2009 Home Grant Program and projects. (Ben Medina, Jr.- Planning)
15. Consideration and **ACTION** authorizing staff to study for possible changes to the traffic patterns at the intersections of Old 77, Morrison Road and McAllen Road. (Ben Medina, Jr. – Planning)

PURCHASES/BIDS/CONTRACTS:

16. Consideration and **ACTION** to approving a Lease Agreement with National Electric Coil (NEC) for 31,523 sq ft of the Airport Building No. 23 (The former Levis Bldg) (Larry A. Brown - Aviation)
17. Consideration and **ACTION** to award a contract for Fence Construction at the Southmost Park located at the Southmost Public Library (Roberto C. Luna – Purchasing)
18. Consideration and **ACTION** to award a contract for the Purchase of One (1) 2008 Year Model Refuse Compactor for the Public Works Department Landfill Division. (Roberto C. Luna – Purchasing)
19. Consideration and **ACTION** to award a contract for the purchase and delivery of Ground Maintenance Equipment for the Brownsville Sports Park. (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 June 03, 2008, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on May 30, 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