

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, Executive Session and Regular Meeting, on Tuesday, June 17, 2008 at 4:20 P.M., 5:35 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: 4:20 P.M.

- a) Discussion regarding Brownsville Urban System’s, fares, routes, and fleet maintenance status report. (Norma Zamora – BUS – 15 min.)
- b) Discussion regarding property valuation assessment. (Charlie Cabler – City Manager – 15 min)
- c) Discussion regarding a possible ordinance to prohibit the use of cell phones while driving. (Mayor Pat M. Ahumada, Jr. – 10 min.)
- d) Discussion regarding the use of the Brownsville Events Center on Fridays and Saturdays. (Mayor Pat M. Ahumada, Jr. – 15 min.)
- e) Discussion regarding solar thermal power. (Mayor Pat M. Ahumada, Jr. – 20 min.)

EXECUTIVE SESSION: 5:35 P.M.

- A) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding potential litigation. (John E. Chosy – 15 min.)

*****10 MINUTE BREAK*****

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

INVOCATION:

1. *MAYOR’S REPORT*

2. *COMMISSIONERS’ REPORT*

3. *PROCLAMATIONS:*

Red Shirt Fridays
(Mayor Pat M. Ahumada, Jr.)

Tigers Little Miss Kickball
(Mayor Pat M. Ahumada, Jr.)

Roberto Robles, M.D.
(Mayor Pat M. Ahumada, Jr.)

4. *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 “f”

a) Approval of the Minutes of the Regular Meeting of June 03, 2008.

b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
John Doude	Aviation	Austin, TX	July 20 – 24, 2008
Patrick Willis	BBC	Irving, TX	June 24 – 27, 2008
Delina Barrera	BCIC	Austin, TX	Sept. 28 – Oct. 02, 2008
Alex Lorio	BCIC	Austin, TX	Sept. 28 – Oct. 02, 2008
Norma H. Zamora	BUS	Austin, TX	June 25 – 27, 2008
Cassandra Guerrero	Fire	Austin, TX	June 22 – 27, 2008

- c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-1452-C** amending the Code of Ordinances, Chapter 328, Signs, Article II, Section 11, Off Premises Signs and dealing with related matters. (James R. Goza-City Attorney)
- d) **APPROVAL** on **SECOND** and **FINAL 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)
- e) **APPROVAL** on **SECOND** and **FINAL 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)
- f) **APPROVAL** on **SECOND** and **FINAL 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)

PUBLIC HEARINGS:

- 5. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-898-C**, to amend Chapter 74- Parks and Recreation, of the Brownsville City Code of Ordinances to include the Brownsville Linear Park. (John E. Chosy-City Attorney)
- 6. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-1494**, amending Chapter 54 Health and Sanitation, Article VI, by repealing the current section 54-175 and replacing it with new language that prohibits smoking in restaurants and all other commercial businesses open to the general public, except for those businesses operating primarily as bars whose gross receipt sales for alcohol exceed fifty-one percent (51%) of their total business revenue; setting fines not to exceed two thousand dollars, and dealing with related matters.(James R. Goza – City Attorney)

7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-040** to rezone from Apartment “H” (AH) to Light Commercial “G” (5CG) for Lot 1.5 acres out of Block 17 of Esperanza Place located near FM 802 and Old Port Isabel Road. (Ben Medina, Jr. – Planning)
8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-041** to rezone from Dwelling “G” (DG) to General Retail “G” (4CG) for 46 acres out of Espiritu Santo Grant located at 2525 W. Alton Gloor Blvd. (Ben Medina, Jr. – Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-041-S** to allow a Medium Commercial Specific Use (Baseball Stadium 6C) in General Retail (4C) for 21 acres out of the 46 acres out of Espiritu Santo Grant located at 2525 W. Alton Gloor Blvd. (Ben Medina, Jr. – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-603-CU** an ordinance allowing a conditional use permit for on-premise consumption and off-premise sales of alcohol (wet restaurants and wet stores) for 46 acres out of Espiritu Santo Grant located at 2525 W. Alton Gloor Blvd. (Ben Medina, Jr. – Planning)
11. ***PUBLIC COMMENT PERIOD:***

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]

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:

12. Consideration and **ACTION** requesting authorization for a mid-year budget amendment to increase the fuel budget line item by \$350,000.00. (Norma H. Zamora.- BUS)
13. Consideration and **ACTION** to authorize the City Attorney to formulate an ordinance outlining policy measures regarding cell phone usage while driving. (Mayor Pat M. Ahumada, Jr.)
14. Consideration and **ACTION** to authorize the City Attorney to formulate a resolution requesting a moratorium on increased assessed property valuation by Cameron Appraisal District. (Mayor Pat M. Ahumada, Jr.)
15. Consideration and **ACTION** on **Resolution Number 2008-059**, in support of the League of United Latin Citizens (LULAC) Council No. 2’s resolution to provide passenger rail service to South Texas. (Mayor Pat M. Ahumada, Jr.)

PURCHASES/BIDS/CONTRACTS:

16. Consideration and **ACTION** authorizing execution of a Lease with AOG Logistics for 15,363 sq. ft. of the Brownsville Air Cargo Building. (Larry A. Brown.- Aviation)
17. Consideration and **ACTION** to award a contract for the purchase of One (1) 2008 Year Model D6K Dozer for the Public Works Department. (Roberto C. Luna – Purchasing)

18. Consideration and **ACTION** to authorize an amendment 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)
19. Consideration and **ACTION** to award a contract for Airport Cargo Building roof repairs at the Brownsville South Padre Island International Airport. (Roberto C. Luna – Purchasing)
20. Consideration and **ACTION** to award a contract for the purchase delivery and installation of Modular (work stations) and Tracking Filing System for the Police Department Records Section. (Roberto C. Luna – Purchasing)
21. Consideration and **ACTION** to award a contract for Concession Services Agreement for the City of Brownsville Facilities. (Robert C. Luna – 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 June 17, 2008, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on June 13, 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