

**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, Workshop and Regular Meeting, on Tuesday, May 06, 2008, at 5:10 P.M., 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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WORKSHOP: 5:10 P.M.

- a) Discussion regarding overlay districts. (Commissioner Edward C. Camarillo – 10 min.)

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EXECUTIVE SESSION: 5:20 P.M.

- A) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding attorney-client privileged communications associated with anticipated litigation. (James R. Goza, City Attorney – 15 min.)
- B) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding consultation with attorney on pending litigation. (James R. Goza – City Attorney – 15 min.)

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

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5. 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]

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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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6. 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 “g”

- a) Approval of the Minutes of the Regular Meeting of April 15, 2008.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Minerva Flores	BUS	Chicago, IL	May 11 – 16, 2008
Rebeca Castillo	BUS	Mesquite, TX	May 21 – 23, 2008
German Saiz	Bldg. Insp.	San Antonio, TX	June 08 – 13, 2008
Leonardo L. Perez	Fire	College Station, TX	May 05 – 06, 2008

Joe A. Hinojosa	Health	Galveston, TX	May 12 – 15, 2008
Raquel Benavidez	Legal	Houston, TX	May 29 – 31, 2008
Carlos L. Garcia	Police	Austin, TX	May 19 – 23, 2008
Robert Avitia	Police	Austin, TX	May 19 – 23, 2008
David Martinez	Police	San Antonio, TX	May 28 – 30, 2008
Ted Torres	Police	San Antonio, TX	May 28 – 30, 2008
Carlos L. Garcia	Police	Austin, TX	June 17 – 19, 2008
Juan Hernandez	Police	Austin, TX	June 17 – 19, 2008
Henry Etheridge	Police	San Antonio, TX	July 30 – 31, 2008
Rolando Vasquez	Police	San Antonio, TX	July 30 – 31, 2008
Daniel DeAnda	Police	San Antonio, TX	Sept. 29 – Oct. 03, 2008

c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-024** to rezone from Apartment “F” (AF) to Professional Office “G” (1CG) of Lots 7 & 8, Block 78 of Brownsville Original Townsite Subdivision located at 207 E. Washington Street. (Ben Medina, Jr. – Planning). (Ben Medina, Jr. – Planning)

d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-025** to rezone from Dwelling “G” (DG) to General Retail “G” (4CG) for Lots 9, 10, and 11 of Block 1 of Dunlap Subdivision located at 6468 Padre Island Highway. (Ben Medina, Jr. – Planning)

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-026** to rezone from Dwelling “Z” (DZ) to Medium Retail “G” (3CG) for Lot 11 of Block 30 of Cameron Park Subdivision located at 4402 Paredes Line Road. (Ben Medina, Jr. – Planning)

f) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-027** to rezone from Dwelling “G” (DG) to Light Industrial “G” (7CG) for 2.50 acres of Block 120 of El Jardin Subdivision located near Central Avenue and Mar Street. (Ben Medina, Jr. – Planning)

g) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-601-CU** to allow a conditional use permit to sell on-premise alcohol (wet restaurant), for Lot 1 & E ½ of Block 140-A out of Stillman Extension and Addition to the City of Brownsville “El Dorado BBQ” located at 705 W. Elizabeth Street. (Ben Medina, Jr. – Planning)

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BOARDS AND COMMISSIONS:

7. Consideration and **ACTION** to appoint or re-appoint eight (8) members to the Brownsville Border Film Commission. (Peter Goodman – Heritage)
8. Consideration and **ACTION** to appoint members to the Charter Review Committee. (Mayor Pat M. Ahumada, Jr.)
9. Consideration and **ACTION** to appoint or re-appoint four (4) members to the Animal Shelter Advisory Committee. (Commissioner Camarillo)
10. Mayoral Appointments to the Brownsville Housing Authority (BHA). (Mayor Pat M. Ahumada, Jr.)

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PUBLIC HEARINGS:

11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-856-NN** to amend the Code of Ordinances by amending Chapter 82, Section 82-37 of the code, to specify a fee for disposal of certain solid waste materials and dealing with related matters. (John E. Chosy – Asst. City Attorney)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-1485** to amend Chapter 18 Building Regulations of the City of Brownsville Code of Ordinances. (Evaristo Gamez – Building Inspections)
13. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2008-1492** authorizing the issuance of “City of Brownsville, Texas Utilities System Revenue Refunding Bonds, Series 2008”; providing for the payment of the principal of and interest on the bonds by a lien on and pledge of the net revenues of the system; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of an official statement; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a paying agent/registrar agreement, a purchase contract, and an escrow deposit letter; complying with the requirements of the depository trust company; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an effective date. (Leandro G. Garcia – BPUB)

14. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-009-S** to allow Medium Retail “G” (3CG) in a Professional Office “G” (1CG) for Block 2, 3, and 4 of Resaca de Ville Subdivision located at 1254 Paredes Line Road. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-028** to rezone from Dwelling “G” (DG) to Professional Office “G” (1CG) of Block 47 of El Jardin Subdivision located at 591 North Central Avenue. (Ben Medina, Jr. – Planning)
16. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-029-S** to allow a Light Commercial Specific Use (Used Car Lot 5C) in General Retail “G” (4CG) for Lot 3, Block 6 of East Brownsville Addition located at 1758 Southmost Road. (Ben Medina, Jr. – Planning)
17. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-030-S** to allow a Heavy Industrial Specific Use (Recycling Center 9C) in a Light Industrial (7C) for Lots 9, 10 and 11 of Fourteen Street Commercial Plaza Subdivision located at 3145 E. 14th Street. (Ben Medina, Jr. – Planning)
18. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2008-031-S** to allow Dwelling “G” Specific Use (House Addition) in a Dwelling “A” for Lot 8, Block 1 of Brownsville Country Club Section IV located at 1375 San Marcelo Blvd. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

19. Consideration and **ACTION** on **Resolution Number 2008-054** in support of the construction of the second span of the Veterans International Bridge at Los Tomates. (John Chosy – City Attorney)
20. Consideration and **ACTION** to acknowledge the City’s Comprehensive Annual Financial Report (CAFR) and Single Audit Report for the fiscal year ended September 30, 2007. (Pete Gonzalez – Finance Director)
21. Consideration and **ACTION** to acknowledge the chief financial officer’s financial statements and cash investment report for the City of Brownsville for the second quarter ending March 31, 2008. (Pete Gonzalez – Finance Director)

22. Consideration and **ACTION** on **Resolution Number 2008-051** setting forth amended by-laws for the Brownsville Border Film Commission (BBFC), and superseding all other resolutions associated with previous BBFC by-laws. (Peter L. Goodman – Heritage)
23. Consideration and **ACTION** regarding the proposed closing of Central Avenue Park and the relocation of park equipment. (Ben Medina, Jr. – Planning)
24. Consideration and **ACTION** to authorize Chief Carlos L. Garcia to apply for the Texas Automobile Burglary & Theft Prevention Authority (ABTPA) Grant for Fiscal Year 2009. (Carlos L. Garcia – Police)
25. Consideration and **ACTION** to authorize the acceptance and execution of the Texas Department of Transportation Selective Traffic Enforcement Program (STEP), Click it or Ticket (CIOT) Grant awarded to the Brownsville Police Department in the amount of \$15,000.00. (Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

26. Consideration and **ACTION** authorizing a Supplemental Agreement Number 2 with HNTB regarding Enhance Markings at Brownsville/South Padre Island International Airport. (Larry A. Brown – Aviation)
27. Consideration and **ACTION** authorizing a contract with Ambiotec on the parking study for the Brownsville/South Padre Island International Airport. (Larry A. Brown – Aviation)
28. Consideration and **ACTION** authorizing a contract with Ambiotec for the construction of a new airport maintenance building and parks maintenance building. (Larry A. Brown – Aviation)
29. Consideration and **ACTION** authorizing Amendment Number 31 to the contract with HNTB for the project entitled “Relocation of the Texas Department of Agriculture Facility”. (Larry A. Brown – Aviation)
30. Consideration and **ACTION** to award a contract for purchase, delivery and installation of playground equipment at the Brownsville Sports Park. (Roberto C. Luna – Purchasing)

31. Consideration and **ACTION** to award a contract for purchase, delivery and installation of furniture for the Brownsville Sports Park. (Roberto C. Luna – Purchasing)
32. Consideration and **ACTION** to award a contract for the purchase and delivery of three (3) Animobiles for the Brownsville Health Department – Animal Care Facility. (Roberto C. Luna – Purchasing)
33. Consideration and **ACTION** to award a contract for the purchase and delivery of two (2) 2008 year model street sweepers for the Public Works Department – Greens Division. (Roberto C. Luna – Purchasing)
34. Consideration and **ACTION** to award a contract for the purchase of two (2) 2008 year model heavy equipment trailers for Public Works Department – Streets Division. (Roberto 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 May 06, 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 02, 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