

**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 and Regular Meeting**, on **Tuesday, May 20, 2008**, at **5:15 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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**EXECUTIVE SESSION: 5:15 P.M.**

- A) Discussion pursuant to Section 551,071, of the Texas Government Code, regarding Attorney consultation on Cause No. 2007-06-2918-A, BPOA vs City of Brownsville. (Charlie Cabler, City Manager – 15 min.)
  
- B) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (John Chosy, Asst. City Attorney – 20 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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- 1.    **MAYOR'S REPORT**
  
- 2.    **COMMISSIONERS' REPORT**

3. **PROCLAMATIONS:** *Sylvia Ann Longoria-Rodriguez*  
(Commissioner Leonel T. Garza)

4. **PRESENTATIONS:** *Solar Thermal Power*  
(Dr. Genaro Lopez - UTB)

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 “q”*

- a) Approval of the Minutes of the Regular Meeting of May 06, 2008 and Joint Special Meeting of May 08, 2008.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Gail Downs	BUS	Denver, CO	June 23 – 26, 2008
Joseph Horn	Fire	Houston, TX	June 09 – 12, 2008
Lidia Gonzalez	Human Resources	San Antonio, TX	July 30 – 31, 2008
Oscar Salinas	Human Resources	San Antonio, TX	July 30 – 31, 2008
Joe Salinas	Municipal Court	Dallas, TX	June 30 – July 02, 2008
Jorge Morin, III	Municipal Court	Dallas, TX	June 30 – July 02, 2008
Lucy Garza	Planning	San Antonio, TX	May 19 – 22, 2008
Miriam Medina	Planning	San Antonio, TX	May 19 – 22, 2008
Mark Lund	Planning	Houston, TX	May 27 – 30, 2008
Alfonso Vallejo	Planning	Houston, TX	May 27 – 30, 2008
Mirian Medina	Planning	San Antonio, TX	June 02 – 04, 2008
Lucy Garza	Planning	San Antonio, TX	June 04 – 06, 2008
Josue Vasquez	Planning	San Antonio, TX	June 11 – 13, 2008
Gabriel Verduzco	Planning	San Antonio, TX	June 11 – 13, 2008
Ben Medina, Jr.	Planning	Houston, TX	June 23 – 25, 2008
Rolando Salas	Planning	Houston, TX	June 23 – 25, 2008
Carlos L. Garcia	Police	Huntsville, AL	May 26 – 30, 2008
Marian Kingsbury	Police	San Antonio, TX	June 10 – 12, 2008
Santos Ponce	Police	San Antonio, TX	June 10 – 12, 2008

- c) **APPROVAL** on **SECOND** and **FINAL 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)
- d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance 2008-1485** to amend Chapter 18 Building Regulations of the City of Brownsville Code of Ordinances. (Evaristo Gamez – Building Inspections)
- e) **APPROVAL** on **SECOND** and **FINAL 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)
- f) **APPROVAL** on **SECOND** and **FINAL 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)

- g) APPROVAL on SECOND and FINAL 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)**
- h) APPROVAL on SECOND and FINAL 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. 14<sup>th</sup> Street. (Ben Medina, Jr. – Planning)**
- i) APPROVAL on SECOND and FINAL 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)**
- j) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-006 to consider the expansion of an overlay district known as the O42 Trade and Commerce Development Overlay District (formerly known as the FM 511/I-69 Overlay District) on lands bordering the Palo Alto National Historic Battlefield. (Ben Medina, Jr. – Planning) [TABLED 02/05/2008]**
- k) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-007 to consider a reconfiguration of the O51 Tourist Overlay District, spanning the FM 511 Corridor and breaking it into three sections; two sections will have an O51-A Commercial Quality Overlay District and the section surrounding the Palo Alto Battlefield will remain in the O51 Overlay District. (Ben Medina, Jr. – Planning) [TABLED 02/05/2008]**
- l) APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-008 to consider the placement of an overlay district known as the O51-A Commercial Quality Overlay District on lands bordering the Military Highway/U.S. 281 Corridor. (Ben Medina, Jr. – Planning) [TABLED 02/05]**

- m) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-235.76** to consider the renaming of the O51 Tourist Overlay District to the O51 Site and Signage Overlay District for Sensitive Areas. (Ben Medina, Jr. – Planning)
  
- n) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-020** to consider the rezoning of Parkview Subdivision located at the intersection of Seville Boulevard and FM 802, also known as Ruben Torres Boulevard, from Fourth Commercial G (4CG) to Dwelling G (DG) so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)
  
- o) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-021** to consider the rezoning of Heritage Trails Subdivision located near Paredes Line Road and the Cameron Park Drainage Ditch, from Fourth Commercial H (4CH) and Second Commercial G (2CG) to Dwelling G (DG), so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)
  
- p) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-022** to consider the rezoning of La Hacienda Subdivision located at the intersection of Seville Boulevard and FM 802, also known as Ruben Torres Boulevard, from Apartment H (AH) to Dwelling H (DH), so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)
  
- q) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-023** to consider the rezoning of Seville Gardens Subdivision located at the intersection of Seville Boulevard and FM 802, also known as Ruben Torres Boulevard, from Apartment H (AH) to Dwelling H (DH), so that the zoning designation is consistent with the actual land use. (Ben Medina, Jr. – Planning)

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**BOARDS AND COMMISSIONS:**

7. Mayoral Appointments to the Brownsville Housing Authority (BHA). (Mayor Pat M. Ahumada, Jr.) (TABLED 05/06/2008)

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**PUBLIC HEARINGS:**

8. Public Hearing and **ACTION** on **Resolution Number 2008-056** authorizing the filing of a grant application with the Federal Transit Administration for the Urbanized Area Formula Program for capital, planning and operating assistance for Fiscal Year 2008.(Norma H. Zamora – BUS)
9. Public Hearing and **ACTION** on **FIRST 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)
10. Public Hearing and **ACTION** on **FIRST 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)
11. Public Hearing and **ACTION** to adopt the October 1, 2008 to September 30, 2009 Consolidated Plan Budget of the City’s Housing and Urban Development Entitlement Grants. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **PROTESTED Ordinance Number 235-2008-036-S** to allow a General Retail Specific Use for parking lot usages hours for a party place on Lot 6, Block B of Ridgeline Terrace located at 1473 E. Alton Gloor. (Ben Medina, Jr. – Planning)
13. Public Hearing and **ACTION** on **FIRST 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)
14. Public Hearing and **ACTION** on **FIRST 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)

15. Public Hearing and **ACTION** on **FIRST 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)
16. Public Hearing and **ACTION** on **FIRST 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)
17. Public Hearing and **ACTION** on **FIRST 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)
18. Public Hearing and **ACTION** on **FIRST 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)
19. Public Hearing and **ACTION** on **FIRST 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)
20. Public Hearing and **ACTION** on **FIRST 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)
21. Public Hearing and **ACTION** on **FIRST 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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***ACTION ITEMS:***

22. Consideration and **ACTION** on **Resolution Number 2008-030** in support of maintaining a higher minimum wage requirement for all contractors doing work for the City of Brownsville. (Commissioner Edward C. Camarillo) [TABLED 02/19/2008 & 03/03/2008]

- 23. Consideration and **ACTION** on **Resolution Number 2008-053** to authorize the sale of certain real property and designating signatories for the City of Brownsville. (Larry A. Brown – Aviation)
- 24. Consideration and **ACTION** on **Resolution Number 2008-055** to authorize the acceptance of an FAA Grant Number 3-34-0031-033-2008 in the amount of \$8,891,434.00 for the Taxiway G Project. (Larry A. Brown – Aviation)
- 25. Consideration and **ACTION** to award funding in the amount of \$200,000.00 to a replacement housing program. (Ben Medina, Jr. – Planning)

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

- 26. Consideration and **ACTION** to award a contract to Ambiotech for Project Number 12 “Demolition/Renovation of Green & White Building”. (Larry A. Brown – Aviation)
- 27. Consideration and **ACTION** to award a contract for the 33<sup>rd</sup> Year CDBG Street Paving Improvement Project for McDavitt Street between Lincoln Street and Roosevelt Street. (Roberto C. Luna – Purchasing)
- 28. Consideration and **ACTION** to award a contract for demolition of condemned/dilapidated structures for the Planning and Building Inspections Departments. (Roberto C. Luna – Purchasing)
- 29. Consideration and **ACTION** to award a contract for the sale of surplus city real property being a 4.95 +/- acre of land located at the corner of Billy Mitchell Boulevard and Central Avenue. (Roberto C. Luna – Purchasing)
- 30. Consideration and **ACTION** to award a term contract for the purchase and delivery of leather gear for the Brownsville Police Department. (Roberto C. Luna – Purchasing)
- 31. Consideration and **ACTION** to award a term contract for the purchase of type “D” hot mix materials for the City of Brownsville. (Roberto C. Luna – Purchasing)
- 32. Consideration and **ACTION** to award a contract for the purchase and delivery of one (1) 2009 year model water tank truck for the Public Works Department – Street Division. (Roberto C. Luna – Purchasing)

33. Consideration and **ACTION** to award a contract for Trauma Lien Retention Insured and Uninsured Collections for the Brownsville Fire Department - EMS Billing 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 20, 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 16, 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