

THE STATE OF TEXAS §
CITY OF BROWNSVILLE §
COUNTY OF CAMERON §

MINUTES of a **Special Meeting** of the City Commission of the City of Brownsville, Texas, held 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, on **Tuesday, August 12, 2008** at **5:30 P.M.** and **6:00 P.M.** with the following members present.

PAT M. AHUMADA, JR.		MAYOR
ANTHONY P. TROIANI)	
LEONEL T. GARZA)	
CHARLES ATKINSON)	
RICARDO LONGORIA, JR.)	
CARLOS A. CISNEROS)	
EDWARD C. CAMARILLO)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
PETE GONZALEZ		DEPUTY CITY MANAGER
JOHN C. CHOSY		ASSISTANT CITY ATTORNEY
ESTELA VON HATTEN		CITY SECRETARY

A quorum being present, Mayor Pat M. Ahumada, Jr., asked Ms. Estela Von Hatten, City Secretary, to read the call to consider the following matters as posted and filed for the record in The Office of the City Secretary on August 12, 2008.

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the Executive Session was convened to discuss the following matters.

City Secretary noted that Mr. Ben Medina, Director of Planning and Community Development, requested that Executive Item B be tabled until the next City Commission meeting.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, **Executive Session Item B** was **tabled**.

EXECUTIVE SESSION:

- A) **Attorney Consultation pursuant to Section 551.071, of the Texas Government Code, relating to litigation styled and numbered, BPOA v. City of Brownsville, Texas, Cause No. 2007-06-2918-A (107th District Court – Cameron County)**
- B) **Discussion pursuant to Section 551.077, of the Texas Government Code, regarding Agency Financed by Federal Government. (TABLED)**

REGULAR MEETING

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The United States Pledge of Allegiance was lead by Mayor Pat M. Ahumada, Jr. The Texas Pledge was lead by Commissioner Ricardo Longoria, Jr.

INVOCATION:

The invocation was delivered by Mr. Alex Resendez of Brownsville, Texas.

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION:

A) Consideration and appropriate ACTION, if any, relating to litigation styled and numbered, BPOA v. City of Brownsville, Texas, Cause No. 2007-06-2918-A (107th District Court – Cameron County)

Mr. Ric Navarro, Legal Counsel, noted that the item dealt with a collective bargaining lawsuit, to which he had filed an appeal, and asked for ratification of the filing.

Commissioner Anthony P. Troiani moved that the appeal filed, in connection with the litigation styled and number BPOA v. City of Brownsville, Texas, Cause No. 2007-06-2918-A, be **ratified** and that Mr. Navarro continue with negotiations during the appeal process.

The motion was seconded by Commissioner Leonel T. Garza and carried unanimously.

1. PROCLAMATIONS

Baldomero Treviño
(Mayor Pat M. Ahumada, Jr.)

Mr. Trevino could not be present to accept the proclamation. Mayor Ahumada asked that it be presented at the next City Commission meeting.

Mayor Pat M. Ahumada, Jr., asked Mr. John Bruciak, CEO and General Manager of the Brownsville Public Utilities Board (BPUB), to step forward to accept proclamations on behalf of ***Denton Municipal Electric, Texas Public Power Association, Lower Colorado River Authority, and CPS Energy***, electrical companies that assisted Brownsville above and beyond the call of duty in reconnecting electrical services to Brownsville residents after Hurricane Dolly.

All proclamations being worded the same, Mayor Pat M. Ahumada, Jr., asked Ms. Estela Von Hatten, City Secretary to read one.

1. MAYOR'S REPORT

Mayor Pat M. Ahumada did not deliver a report.

2. COMMISSIONERS' REPORT

Commissioner Anthony P. Troiani did not deliver a report.

Commissioner Leonel T. Garza did not deliver a report.

Commissioner Charlie Atkinson reported that the Youth Service Department was accepting applications for tackle football and noted that coaches are needed to teach youth football.

Commissioner Ricardo Longoria, Jr., thanked City department directors for attending to community needs during the recent hurricane. He offered special thanks to Mr. John Bruciak, CEO and General Manager of the BPUB for his and staff's assistance in reconnecting electrical services rapidly.

Commissioner Carlos A. Cisneros thanks City crews for their work in connection with Hurricane Dolly. He congratulated Mr. Pete Gonzalez, Finance Director, on being appointed the City's Deputy City Manager.

Commissioner Edward C. Camarillo thanked coaches and the Parks and Recreation Department for their dedication to teaching youth football. He also noted that he was a member of the "Keep Texas Beautiful" (KTB) board and was looking forward to inviting members of the KTB to visit Brownsville.

4. PUBLIC COMMENT PERIOD:

Mr. Francisco Sifuentes informed Commissioners that, with all the local agencies available in Brownsville, no one had assisted them in his neighborhood during Hurricane Dolly. He expressed dissatisfaction at the fact that citizens had to fill their own sand bags because only three City employees were present at the facility. Additionally, he expressed concern that FM 511, FM 802 and Boca Chica Blvd. flood and would make an evacuation impossible, should the need arise. He also expressed his opposition to the proposed tax increase.

Mr. Dagoberto Barrera expressed his opposition to the proposed tax increase.

Mr. Fernando Ruiz expressed his opposition to the County's and the City's proposed tax increase.

Mr. Alex Resendez noted that if residents want to complain about services or other matters, then, they should be present.

Mayor Pat M. Ahumada, Jr. encouraged them and the public in general to attend the next City Commission meeting which would include a public hearing on the proposed tax increase.

5. CONSENT AGENDA ITEMS:

All consent Agenda Items listed were considered to be routine by the City Commission and were approved by one motion.

Commissioner Anthony P. Troiani moved that Consent Agenda Items "a" through "b" be **approved**, with the exception of Item 20 the City Commission meeting minutes since he had not received the information he had requested.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried by the following vote:

Ayes: Commissioners Troiani, Garza, Longoria, Cisneros, and Camarillo;

Nays: None;

Abstention: Commissioner Atkinson.

ITEMS No. "a" through "b"

a) Approval of the Minutes of the Regular Meeting of August 05, 2008.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Victor Maldonado	Planning	Austin, TX	August 19-20, 2008

Mr. Victor Maldonado, Homeless Coordinator, will attend the "*Texas Department of Housing and Community Affairs-Emergency Shelter Grant Program 2008 Orientation*", sponsored by Texas Department of Housing and Community Affairs, on August 19-20, 2008 in Austin, Texas.

ACTION ITEMS:

6. Consideration and ACTION to approve the proposed changes to the medical insurance benefits plan, which also includes increases to the employee and city contributions.

Mr. Pete Gonzalez, Deputy City Manager, reviewed the City's current and proposed health insurance benefits plan. He noted that the City's plan is a self-insured plan which provides that funds not expended remain within the City funds.

Commissioners noted that the City's non-civil service employees are subsidizing the City's civil service employees when additional funds are need to cover the City's health insurance expense. The consensus was that all City employees, non-civil service and civil service, should participate in the same plan.

Mr. Ric Navarro, Legal Counsel, noted that the City's contracts provide for the City to decide on and implement a health plan for all City employees. He noted that the current trend was that municipalities ask the unions to participate in the plan that their city approves.

He recommended that, in order to attain equitability, the City should decide on a plan, implement it, and not make it subject to bargaining with the civil service employees.

Commissioner Anthony P. Troiani moved that the proposed changes to the medical insurance benefits plan, which also includes increases to the employee and city contributions be **approved, subject to all parties being in agreement and ratification by the union.**

The motion was seconded by Commissioner Charlie Atkinson and carried as follows:

Ayes: Commissioners Troiani, Garza, Atkinson, Longoria, and Camarillo;

Nays: Commissioner Cisneros

Abstentions: None.

7. Consideration and ACTION to authorize two public hearings to be held on August 26th and September 2, 2008, to consider an ad valorem tax increase for tax year 2008 or fiscal year 2009 of 6.715%, or an increase .032627 cents or 5.01% over the current tax rate of .650517 cents.

Mr. Pete Gonzalez, Deputy City Manager, noted that two public hearings would be held in for the purpose of considering an ad valorem tax increase for 2008-2009.

In view of the opposition to a tax increase Mayor Ahumada suggested creating a committee of citizens to review the city's needs.

Commissioner Edward C. Camarillo recommended that there be a reduction in lighting usage in parks or other areas, that instead of traveling for seminars, staffs register for webinars whenever possible, and that City vehicles conserve fuel whenever possible.

Commissioner Anthony P. Troiani moved that two public hearings to be held on August 26th and September 2nd, 2008, be **authorized** to consider an ad valorem tax increase for tax year 2008 or fiscal year 2009 of 6.715.%, or an increase of .032627 cents or 5.01% over the current tax rate of .650517 cents.

The motion was seconded by Commissioner Charlie Atkinson and carried unanimously.

8. Consideration and ACTION on Resolution Number 2008-069 authorizing the closure of Southmost Boulevard for the 9th Annual Veteran's Day Parade to be held on Saturday, November 8, 2008.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Anthony P. Troiani and carried unanimously, Resolution Number 2008-069 was **adopted**, authorizing the closure of Southmost Boulevard for the 9th Annual Veterans' Day Parade to be held on Saturday, November 8, 2008.

PURCHASES/BIDS/CONTRACTS:

9. Consideration and ACTION to award a contract for the purchase of One (1) New Model Ambulance for the Brownsville Fire Department.

Commissioner Charlie Atkinson moved that a contract, in the amount of **\$103,925.00**, be awarded to **Knapp Chevrolet**, of Houston, Texas, for the purchase and delivery of One (1) Ambulance model 2008/2009 Chevrolet C3500 Cab/Chassis mounted with a Frazier Type I 12' Module to be used by the Brownsville Fire Department.

The motion was seconded by Commissioner Edward C. Camarillo and **carried unanimously.**

10. Consideration and ACTION to award a contract for the purchase of One (1) New Model Fire Apparatus (600 Gallon Water Pump) for the Brownsville Fire Department.

Commissioner Charlie Atkinson moved that a contract, in the amount of **\$335,000.00**, be awarded to **Siddons Fire Apparatus Inc.**, of Manor, Texas for the purchase and delivery of One (1) New 2009 Pierce 4D Custom Contender PUC, 1500gpm, 600 gallon tank, Pumper with a CAFS system to be used by the Brownsville Fire Department.

The motion was seconded by Commissioner Edward C. Camarillo and **carried unanimously.**

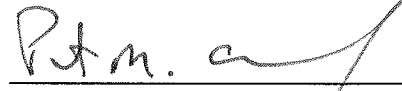
11. Consideration and ACTION on a Memorandum of Understanding between the City of Brownsville and the South Texas Chapter of the American Red Cross.

Commissioner Ricardo Longoria, Jr., moved that the City Manager be **authorized** to execute a Memorandum of Understanding between the City of Brownsville and the South Texas Chapter of the American Red Cross.

ADJOURNMENT:

There being no further business to come before the Commission, the meeting adjourned at 7:16 p.m.

Approved this 19th day of August, 2008.



Pat M. Ahumada, Jr.
Mayor of Brownsville

Attest



Estela Von Hatten
City Secretary

