

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

MINUTES of a **Regular 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 19, 2008**, at **5:45 P.M.** and **6:00 P.M.** with the following members present:

PAT M. AHUMADA, JR.		MAYOR
RICARDO LONGORIA, JR.)	
CHARLIE ATKINSON)	
EDWARD C. CAMARILLO)	
ANTHONY P. TROIANI)	
LEONEL T. GARZA)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
PETE GONZALEZ		DEPUTY CITY MANAGER/FINANCE DIRECTOR
ESTELA VON HATTEN		CITY SECRETARY
ABSENT:		
CARLOS A. CISNEROS)	COMMISSIONER

A quorum being present, Deputy Mayor Charlie Atkinson, 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 15, 2008:

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Anthony P. Troiani and carried unanimously, the Executive Session convened at 5:45 p.m. to discuss the following matters:

EXECUTIVE SESSION:

- A) **Discussion pursuant to Section 551.087, of the Texas Government Code, regarding deliberation on economic development.**

Upon conclusion of the Executive Session, the regular session was convened at 6:20 p.m. There was no action taken in Executive Session.

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

The U.S. 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:

NONE

1. *MAYOR'S REPORT*

Mayor Pat M. Ahumada, Jr., did not deliver a report.

2. *COMMISSIONERS' REPORT*

Commissioner Carlos A. Cisneros was not present.

Commissioner Edward C. Camarillo did not deliver a report.

Commissioner Ricardo Longoria, Jr. did not deliver a report.

Commissioner Charlie Atkinson noted that in order for hurricane-related brush to be picked up by TFR, brush debris must be separated from junked furniture and other non-brush items.

Commissioner Leonel T. Garza showed photos of brush and furniture that was piled together on the street and noted that these items would not be picked up by TFR.

Commissioner Anthony P. Troiani reported that a cut fiber optic cable on Morrison Road, that had been disrupted communications, had been repaired.

3. PROCLAMATIONS:

Rene Arnoldo Cruz

(Commissioner Carlos A. Cisneros.)

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

Raul V. Martinez

(Commissioner Carlos A. Cisneros)

Mayor Pat M. Ahumada, Jr., asked **Mr. Raul V. Martinez** to step forward to accept a proclamation recognizing him for his time and talent as a volunteer umpire for the West Brownsville Little League as well as leagues in Los Fresnos, Port Isabel and Weslaco.

The proclamation was read by Commissioner Ricardo Longoria, Jr.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Leonel T. Garza and carried unanimously, Agenda **Item No. 5 was moved out of sequence for action.**

6 PUBLIC COMMENT PERIOD:

Mr. Janan “Ben” Raju, SBA Communication Specialist, encouraged residents, affected by Hurricane Dolly, to register for assistance through FEMA. He further

noted that the deadline was September 30, 2008, and it was important for the homeowner, renter, and business owner to register in order to receive assistance. He encouraged residents to visit local centers or call and speak to a representative with SBA, so that they could be informed of options available.

Ms. Elizabeth Dierlam, Charter Review Committee member, stated that the Charter Review Committee meetings needed to go forward, and be transparent.

Ms. Melissa Zamora, Charter Review Committee member, referring to agenda item number 8, noted that it would be Brownsville registered voters who would decide to approve or deny ballot items related to a charter amendment. She further noted that the Charter Review Committee meeting agendas should be posted, minutes recorded, and officers elected. She also recommended that public hearings be held prior to selection of amendment items for the ballot.

Mr. Francisco Sifuentes stated that Charter Review Committee members, as well as members of any other City committees or board, who miss three (3) meetings should be removed, He also requested that citizens be allowed to take hurricane-related brush, to the landfill at no charge.

Mr. Alex Resendez expressed concern regarding the amount of registered voters' signatures needed for the recall of a commission member.

Francisco Solis Garcia, Jr. stated that civil discourse and true teamwork should be taken into consideration at the City Commission meetings.

Mr. Ryan Tauber, representing Casa Amigos in Solidarity and Action (CASA) of Brownsville expressed his opposition to the Border Wall and encouraged the City Commission to join the lawsuit that was filed by the Texas Border Coalition.

4. PRESENTATIONS: *Proposed FY 2009 Budget.*
(Pete Gonzalez – Finance)

Mr. Pete Gonzalez, Deputy City Manager/Financial Officer, delivered a Power Point presentation for the Fiscal Year 2009 Budget, stating that two Public Hearings were scheduled for August 26, 2008 and September 02, 2008.

6 CONSENT AGENDA ITEMS:

- 7 All consent Agenda Items listed were considered to be routine by the City Commission and were approved by one motion. There was no separate discussion of these items.**

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Anthony P. Troiani and carried unanimously, Consent Agenda Items “a” through “g” were **approved**.

a) Approval of the Minutes of the Special Meeting of August 12, 2008.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Norma H Zamora	BUS	Austin, TX	Sept. 19, 2008
Joseph Horn	Fire	Minneapolis, MN	Sept 15-19, 2008
Sam Ortega	Fire	Minneapolis, MN	Sept 15-19, 2008
Javier Quiroga	Fire	Minneapolis, MN	Sept 15-19, 2008
Esther A. Garza	Fire	Minneapolis, MN	Sept 15-19, 2008
Carlos Garcia	Police	Austin, TX	August 19, 2008
Carlos Garcia	Police	Austin, TX	August 27, 2008

Ms. Norma Zamora, BUS Director, will attend the “*Texas Transit Association (TTA) Board of Directors Meeting*”, sponsored by the Texas Transit Association, on September 19, 2008, in Austin, Texas.

Deputy Fire Chief Joseph Horn, Assistant Fire Chief Sam Ortega, Fire LT EMS Training Officer, Javier Quiroga and EMS Office Supervisor Esther A. Garza will attend “*The User Group Training for Ortivus both billing and field data related*”, sponsored by Ortivus University, on September 15-19, 2008, in Minneapolis, Minnesota.

Chief of Police Carlos L. Garcia, will attend the “*Texas Auto Burglary and Theft Prevention Authority TxDOT Work Group Meeting*”, sponsored by Texas Department of Transportation, on August 27, 2008, in Austin, Texas.

Chief of Police Carlos L. Garcia will attend the “*Texas Auto Burglary and Theft Prevention Authority TxDOT Work Group Meeting*”, sponsored by Texas Department of Transportation, on August 19, 2008, in Austin, Texas.

- c) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-047-S to allow a Medium Retail Specific Use (Grocery Store 3C) in a Light Retail (2CG) for Lot 4, Block 3 of Adrean Acres located near Clubhouse Road and Boca Chica Blvd.**
- d) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-049 to rezone from Dwelling “A” (DA) to Apartment “G” (AG) for 2.178 acres out of Block 40-A of El Jardin Subdivision located near Clubhouse Road and Boca Chica Blvd.**
- e) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-050 to rezone from Light Commercial “G” (7CG) to Dwelling “G” (DG) for 2.21 acres out of Poinciana Acres Subdivision located near Poinciana Drive and Sloss Drive.**
- f) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-604-CU an ordinance allowing a conditional use permit to sale off-premise alcohol sales (wet store) for Lot 4, Block 3 of Adrean Acres located near Clubhouse Road and Boca Chica Blvd.**
- g) **APPROVAL on SECOND and FINAL READING of Ordinance Number 235-2008-605-CU an ordinance allowing a conditional use permit to sale on-premise alcohol sales (wet restaurant) for Lot 2 & 3, Block 1 of Renfro Terrace Subdivision located at 23 Old Port Isabel Road.**

BOARDS AND COMMISSIONS:

7. Consideration and ACTION to appoint or re-appoint one (1) member to the Parks Advisory Board Committee.

Commissioner Anthony P. Troiani moved that **Mr. Mariano “Bean” Ayala** be re-appointed to a three (3) year term to the Parks and Recreation Advisory Committee. The motion was seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously.

ACTION ITEMS:

8 Consideration and ACTION to set parameters for the Charter Review Committee.

Mr. James Goza, City Attorney, noted that there was a timeline for preparing items to be included in the Charter amendment election. He stated that too many ballot items were not recommended and suggested that the Committee focus on those items that needed to be amended.

Commissioner Ricardo Longoria, Jr. moved that the committee make its own decisions as to election of officers, that agendas be posted, minutes recorded and public forums be held.

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

9 Consideration and ACTION on Resolution Number 2008-068 establishing a Special Needs Advisory Board and appointing members to the Board.

Upon motion by Commissioner Charlie Atkinson, seconded by Commissioner Leonel T. Garza and carried unanimously, Resolution Number 2008-068 was **approved**, establishing a Special Needs Advisory Board and appointing members to the Board, including revisions as requested by Commissioner Atkinson.

10 Consideration and ACTION on Resolution Number 2008-071, supporting the discontinuation of the diversion of transportation user revenues to non-transportation uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects.

Mayor Pat M. Ahumada noted that Texas Department of Transportation (TxDOT) funding was being diverted to non-transportation uses and that approval of the proposed resolution would reflect the City's support of the discontinuation of such diversion of revenues..

Commissioner Ricardo Longoria, Jr. moved that Resolution Number 2008-071 be **adopted**, supporting the discontinuation of the diversion of transportation user revenues to non-transportation uses and the appropriation of all revenue generated from highway user fees and taxes to fund transportation projects.

The motion was second by Commissioner Anthony P. Troiani and carried unanimously.

11 Consideration and ACTION on Resolution Number 2008-072 expressing continued opposition to the construction of a border wall and consenting to joining the Texas Border Coalition presently in litigation over the border wall.

Mayor Pat M. Ahumada, Jr. recommended that the City file an injunction, if necessary, in connection with the border wall construction

Commissioner Anthony P. Troiani noted that no border wall construction had begun, no condemnation proceeding had been filed against City of Brownsville property at the present time.

Commissioner Troiani moved that Resolution Number 2008-072 be **adopted**, expressing continued opposition to the construction of a border wall but without joining the Texas Border Coalition lawsuit.

The motion was second by Commissioner Leonel T. Garza.

Abstention: Commissioner Charlie Atkinson

12 Consideration and ACTION to approve an application for a class “B” Mobile Home Park Permit.

Commissioner Edward C. Camarillo moved that the item be **tabled**.

The motion was second by Commissioner Anthony P. Troiani and carried unanimously.

13 Consideration and ACTION to authorize Brownsville Police Chief, Carlos L. Garcia, to apply for the Border Security Equipment and Technology (BSET) Grant Program Project.

Commissioner Leonel T. Garza moved that Brownsville Police Chief, Carlos L. Garcia be **authorized** to apply for the Border Security Equipment and Technology (BSET) Grant Program Project.

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

PURCHASES/BIDS/CONTRACTS:

14 Consideration and ACTION to award a term contract for Digital Archive Procurement System for the Public Library.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Edward C. Camarillo and carried unanimously, a contract, in the amount of **\$55,278.00**, was awarded to **Tarsia Technical Industries, Inc., of Hauppauge, NY**, for a Digital Archive Procurement System for the Brownsville Public Library system.

15 Consideration and ACTION to award a term contract for Advertising and Promotion Services for the Brownsville South Padre Island International Airport.

Commissioner Charlie Atkinson moved that a term contract for advertising and promotion services for the Brownsville South Padre Island International Airport be **awarded to Millar Hollander Advertising Design Marketing**, based on the City Manager's recommendation and that contract expenditures be monitored.

The motion was seconded by Commissioner Leonel T. Garza and carried by the following vote:

Ayes: Commissioners Garza, Atkinson, and Camarillo;

Nays: Commissioners Troiani and Longoria.

Commissioner Cisneros was absent

16 Consideration and ACTION to award a contract for the 33rd Year CDBG & CIP 2007 – McDavitt Blvd Paving & Drainage Improvement Project between Boca Chica Boulevard and Roosevelt Street.

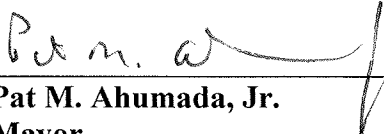
Commissioner Anthony P. Troiani moved that a contract, in the amount of **\$573,879.50**, be awarded to **G&T Paving, Company**, of **Brownsville, Texas**, for the 33rd Year CDBG & CIP 2007 – McDavitt Blvd Paving & Drainage Improvement Project between Boca Chica Boulevard and Roosevelt Street.

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

ADJOURNMENT:


There being no further business to come before the Commission, the meeting adjourned at 8:15 p.m.

Approved this 26TH day of August, 2008.



Pat M. Ahumada, Jr.
Mayor

Attest:



Estela Von Hatten
City Secretary

