

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 26, 2008**, at **5:45 P.M.**, and **6:00 P.M.** with the following members present:

RICARDO LONGORIA, JR.)
CHARLIE ATKINSON)
CARLOS A. CISNEROS)
EDWARD C. CAMARILLO)
ANTHONY P. TROIANI)
LEONEL T. GARZA) **COMMISSIONERS**

CHARLIE CABLER **CITY MANAGER**
PETE GONZALEZ **DEPUTY CITY**
JAMES R. GOZA **MANAGER/FINANCE DIRECTOR**
LIZA M. VALDEZ **CITY ATTORNEY**
ADMINISTRATIVE SUPERVISOR

Absent:

PAT M. AHUMADA, JR. **MAYOR**
[Left at 7:38 p.m.]

A quorum being present, Mayor Pat M. Ahumada, asked Ms. Liza M. Valdez, Administrative Supervisor, 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 22, 2008.

WORKSHOP: 5:45 P.M.

a) Discussion regarding the Brownsville Community Improvement Corporation (BCIC) Fiscal Year (FY) 2009 budget.

Ms. Delina Barrera, Brownsville Community Improvement Corporation, Executive Director delivered a Power Point presentation on projects funded by the Brownsville Community Improvement Corporation (BCIC).

SPECIAL 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. The Texas Pledge was lead by Commissioner Ricardo Longoria, Jr.

INVOCATION:

The invocation was given by Alex Resendiz of Brownsville, Texas.

1. *MAYOR'S REPORT*

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

2. *COMMISSIONERS' REPORTS*

Commissioner Edward C. Camarillo welcomed Brownsville school students and University of Texas students back to school. He also recognized the Student Affairs Department for adopting University Boulevard during the Brownsville Beautification Committee cleanup and thanked Chief Carlos L. Garcia, Mr. Robert Esparza for their work with traffic control.

Commissioner Carlos A. Cisneros congratulated Matamoros, Mexico's Little League Baseball team for their participation in the Little League World Series. He also noted that the following streets are under construction, Oaxaca, Uraupan, Durango, and Madero, and that the Texas Department of Transportation (TxDOT) had approved a light at the intersection of Dana Road and F.M. 802.

Commissioner Ricardo Longoria, Jr. welcomed students back to school.

Commissioner Charlie Atkinson stated that the registration is ongoing for the Youth Football League and encouraged 7 and 8 eight year olds to join. He stated that volunteer coaches were needed.

Commissioner Leonel T. Garza welcomed students and teachers back to school and wished them a great school year. He also cautioned citizens to slow down in school zones, asked citizens to be patient with the brush pick-up, and congratulated Public Works, and Brownsville Police Department for their work.

Commissioner Anthony P. Troiani thanked the Brownville Convention Visitors Bureau for the delegation meeting held with San Luis Potosi representatives. He also welcomed the students and teachers back to school.

3. PROCLAMATIONS

Rene Arnoldo Cruz

(Commissioner Carlos A. Cisneros)

Mr. ***Rene Arnoldo Cruz***, of Brownsville, Texas, accepted a proclamation recognizing him for community involvement as an umpire for Little Leagues softball and baseball games.

The proclamation was read by Commissioner Carlos A. Cisneros.

Victory Tae Kwon Do

(Commissioner Leonel T. Garza)

Mayor Pat M. Ahumada, Jr., asked the 14 Victory Tae Kwon Do Academy students and Mr. Eduardo Teran, Coach, to step forward to accept a proclamation recognizing and commending Victory Tae Kwon Do Academy on its achievement of

12 medals at beginner, intermediate, and advanced black belt levels in the 2008 Junior Olympic Championship Tournament in Detroit, Michigan.

The proclamation was read by Commissioner Leonel T. Garza.

4. PUBLIC COMMENT PERIOD:

Mr. Dagoberto Barrera and Mr. Fernando Ruiz expressed his opposition to the proposed tax rate increase.

Mr. Alex Resendez commented on the possibility of flooding in Brownsville.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Charlie Atkinson and carried unanimously, a proclamation was presented to Mr. Baldomero Trevino who had just arrived..

Baldomero Treviño/Mr. B. Motors
(Mayor Pat M. Ahumada, Jr.)

Mayor Pat M. Ahumada, Jr., asked *Mr. Baldomero Trevino*, to step forward to accept a proclamation recognizing him for his contributions to local causes and organizations and congratulating him on his business, Mr. B. Motors', selection by the National Independent Automobile Dealer Association (NIADA) as the "2008 National Quality Dealer of the Year" during ceremonies at Arlington, Texas.

5. CONSENT AGENDA ITEMS:

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 Charlie Atkinson., seconded by Commissioner Edward C. Camarillo and carried unanimously, Consent Agenda Items "a" through "b" were **approved**.

a) Approval of the Minutes of the Regular Meeting of August 19, 2008.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Roy Reyes	Building	College Station, TX	Sept. 23-26, 2008
Thomas F. Logan	BUS	Portland, OR	Sept. 16-19, 2008
Sherri Wooding	Health	Port Aransas, TX	Sept. 11-14, 2008
Albert Castillo	MIS	Baytown, TX	Sept. 08-09, 2008

Mr. Roy Reyes, City Forester, will attend the “2008 Texas Tree Conference and Trade Show”, sponsored by the Texas Chapter International Society of Arboriculture, on September 23-26, 2008 in College Station, Texas.

Mr. Thomas F. Logan, Transit Planner, will attend the “11th National Conference on Transportation Planning”, sponsored by Tools of the Trade, on September 16-19, 2008, in Portland, Oregon.

Dr. Sherri Wooding, City Veterinarian, will attend the “Coastal Bend Veterinarian Medical Association Conference”, sponsored by The Coastal Bend Veterinary Medical Association, on September 11-14, 2008 in Port Aransas, Texas.

Mr. Albert Castillo, Program/Analyst, will attend the “Retrieving Evidence from Electronic Storage Devices in Criminal Investigations Computers, Cell Phones, and iPods Training Seminar”, sponsored by City of Baytown Police Department, on September 07-10, 2008 in Baytown, Texas.

PUBLIC HEARINGS:

- Public Hearing and ACTION to discuss the proposed 2008 ad valorem tax rate (fiscal year 2009) of \$.683114, which is 6.72% over the effective tax rate of \$.640129, or 5.01% over the current year’s (fiscal year 2008) ad valorem tax rate of \$.650517 per \$100 valuation.**

Mr. Pete Gonzalez delivered a Power Point presentation on the proposed 2008 ad valorem tax rate (fiscal year 2009).

Mayor Pat M. Ahumada, suggested changing the Second Public Hearing to another location so more citizens are able to attend the meeting, about the changes regarding the tax rate.

Roberto Uresti expressed concern that a tax increase would not make a difference and questioned certain City allocations made to local organizations.

Roman Perez and Mr. Alex Resendez expressed concern with the proposed tax rate increase.

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Ricardo Longoria, Jr. and carried unanimously, the public hearing was **closed**.

Mayor Pat M. Ahumada asked the Matamoros, Mexico Little League Baseball team to step forward to be recognized for their performance in the recent Little League Baseball World Series Championship.

Mr. Julio Almanza, representing the Matamoros, Tamaulipas Chamber of Commerce, thanked Mayor Pat M. Ahumada and Commissioners for the recognition.

8. Consideration and ACTION to appoint a Cultural Affairs Committee of nine (9) members, no more than two of whom may be members of the City Commission, consisting of one appointee from each member of the City Commission, as approved by majority vote, along with the current United Way Director, (as a NPO expert), and the current Chamber of Commerce President/CEO, for terms defined in Resolution Number 2008-070 creating the Cultural Affairs board.

Mr. James Goza, City Attorney, noted that this would be an advisory committee which would serve to determine which local non-profit organizations would receive City funding.

Mr. Troiani noted that persons who would be appointed to the Cultural Affairs Committee could not be members of any City boards that could request an allocation.

Commissioner Charlie Atkinson moved that a Cultural Affairs Committee of nine (9) members, be **appointed**, no more than two of whom may be members of the City Commission, consisting of one appointee from each member of the City

Commission, as approved by majority vote, along with **Ms Traci Wickett**, United Way Director, (as a NPO expert), and **Ms. Angela Burton**, Chamber of Commerce President/CEO, for terms defined in Resolution Number 2008-070 that created the Cultural Affairs Committee. The motion was second by Commissioner Anthony P. Troiani and carried as follows:

Ayes: Commissioners Troiani, Cisneros, and Camarillo;

Nays: None;

Abstain: Commissioners Longoria and Garza

Mayor Pat M. Ahumada left at 7:38 p.m. Deputy Mayor Pro Tem, Charlie Atkinson, presided.

ACTION ITEMS:

7. Consideration and ACTION on proposed Interlocal Agreement between Los Fresnos CISD and City of Brownsville regarding use of nearby park in case of emergency evacuation of Rancho Verde Elementary School.

Commissioner Carlos A. Cisneros moved that a proposed Interlocal Agreement between Los Fresnos CISD and City of Brownsville, be **approved** to allow use of a nearby park in case of emergency evacuation of Rancho Verde Elementary School.

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

9. Consideration and ACTION on Resolution Number 2008-073 requiring the establishment of an Administrative Policy to require the signatures of at least two (2) commission members prior to the placement of an agenda item on the City Commission agenda by commission members.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Carlos A. Cisneros and carried unanimously, Resolution Number 2008-073 was **adopted**, requiring the establishment of an Administrative Policy to require the signatures of at least two (2) commission members prior to the placement of an agenda item on the City Commission agenda by commission members.

10. Consideration and ACTION regarding the Brownsville Community Improvement Corporation (BCIC) Fiscal Year (FY) 2009 budget.

Commissioner Leonel T. Garza moved that the item be tabled. The motion failed for lack of a second.

Commissioner Anthony P. Troiani moved that the Brownsville Community Improvement Corporation (BCIC) Fiscal Year (FY) 2009 budget be **approved** as presented.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

11. Consideration and ACTION to authorize the City Manager to Execute the Brownsville Sports Park Maintenance Agreement with the Brownsville Community Improvement Corporation (BCIC) for Fiscal Year (FY) 2009.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Anthony P. Troiani and carried unanimously, the City Manager was **authorized** to execute the Brownsville Sports Park Maintenance Agreement with the Brownsville Community Improvement Corporation for Fiscal Year 2009.

12. Consideration and ACTION to authorize the City Manager to Execute the service agreement with the Brownsville Community Improvement Corporation (BCIC) for Fiscal Year (FY) 2009.

Commissioner Edward C. Camarillo moved that the City Manager be **authorized** to Execute the Brownsville Sports Park Maintenance Agreement with the Brownsville Community Improvement Corporation for Fiscal Year 2009.

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

13. Consideration and ACTION to authorize the acceptance of a Grant Adjustment Notice for the Local Border Security Program (Border Star) Grant in the amount of \$145,000 extending the period performance for all Local Border Security Grant FY 2008 from August 15, 2008 to August 15, 2009.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo and carried unanimously, staff was **authorized** to accept a Grant Adjustment Notice for the Local Border Security Program (Border Star) Grant, in the amount of **\$145,000**, extending the period of performance for all Local Border Security Grants FY 2008, from August 15, 2008 to August 15, 2009.

14. Consideration and ACTION to approve an application for a class “B” Mobile Home Park Permit. (TABLED July 15,2008 & August 19, 2008)

Mr. Ben Medina, Director of Planning and Community Development, noted that the proposed development consisted of 42 acres, out of a 142 acre tract, that were located within the City limits and that the development would be composed of a blend of manufactured and conventionally constructed housing units. He stated that mobile homes would not be permitted in the development nor would manufactured housing units which was in need of major repairs or with conventional additions. The proposed development, according to Mr. Medina, would include sidewalk and driveway construction, which would be strictly enforced at the time of permit issuance and final inspection. Mr. Medina further noted that annexation of the acres remaining outside of the city limits would be forthcoming at a later date.

Commissioner Edward C. Camarillo moved that an application for a Class “B” Mobile Home Park Permit be **approved** with the conditions as set above and during a meeting, held on August 20, 2008, between Mr. Rick Cardenas, Developer, and Planning and Community Development staff.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

PURCHASES/BIDS/CONTRACTS:

15. Consideration and ACTION to authorize a lease of Airport Building No. 22 to International Dielectric Products.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Carlos A. Cisneros and carried unanimously, a lease of Airport Building 22 was **authorized** to International Dielectric Products for an annual rent of \$39,276.00 for base rental rate, base rent of land, and monthly rental rate.

16. Consideration and ACTION to authorize a Work Order contract Amendment to the contract with HNTB for Engineering Services for projects to be funded by the FAA at the Brownsville South Padre Island International Airport related to Hurricane Dolly.

Mr. Larry A. Brown, Aviation Director, noted that Federal Aviation Administration discretionary funds would be used for the services to repair damages sustained during Hurricane Dolly.

Commissioner Leonel T. Garza moved that a Work Order contract amendment be **authorized** to the contract with HNTB for engineering services, for projects to be funded by the FAA at the Brownsville South Padre Island International Airport.

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

17. Consideration and ACTION to authorize a change order No. 1 to the contract with R&R Construction for Parking Lots A/B and C at Brownsville South Padre Island International Airport.

Mr. Larry A. Brown, Aviation Director, recommended approval of the change order as all the items noted were due to unforeseen conditions.

Commissioner Edward C. Camarillo moved that change order No. 1 to the contract with R&R Construction be **approved**, for parking lots A/B and C at the Brownsville South Padre Island International Airport.

The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously.

