

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 **Monday, May 20, 2008**, at **5:15 P.M.** and **6:00 P.M.** with the following members present:

PAT M. AHUMADA, JR.		MAYOR
RICARDO LONGORIA, JR.)	
CHARLIE ATKINSON)	
CARLOS A. CISNEROS)	
ANTHONY P. TROIANI)	
LEONEL T. GARZA)	COMMISSIONERS
CHARLIE CABLER		CITY MANAGER
PETE GONZALEZ		INTERIM ASSISTANT CITY MANAGER
LIZA M. VALDEZ		CITY SECRETARY’S OFFICE
ABSENT:		
EDWARD C. CAMARILLO)	COMMISSIONER

A quorum being present, Mayor Pat M. Ahumada, Jr., 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 May 16, 2008:

EXECUTIVE SESSION: 5:15 P.M.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Anthony P. Troiani and carried unanimously, the Executive Session convened at 5:15 p.m. to discuss the following matters:

- 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.**
- B) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property.**

Upon conclusion of the Executive Session, the regular session was convened at 6:05 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 Minister John Phillips of the Central Christian Church in Brownsville, Texas.

1. *MAYOR'S REPORT*

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

2. *COMMISSIONERS' REPORT*

Commissioner Carlos A. Cisneros noted that Edward C. Camarillo was not able to be present. He noted that a town hall meeting would be held on May 31, 2008 to provide an update of the soccer fields at the Brownsville Sports Park.

Commissioner Ricardo Longoria, Jr., delivered an update on sidewalk work in the Southmost neighborhood.

Commissioner Charlie Atkinson noted that there were many youth programs available at the School of Summer Youth through the Brownsville Parks and Recreation Department.

Commissioner Leonel T. Garza did not deliver a report.

Commissioner Anthony P. Troiani expressed his thanks to Mr. Skip Keller, Parks Director and to Parks Department staff.

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

Mayor Pat M. Ahumada, Jr., asked Ms. Sylvia Ann Longoria-Rodriguez to step forward to accept a proclamation recognizing her for her many lifetime achievements as a teacher, coach, and accomplished athlete who was named to the Rio Grande Valley Hall of Fame and Texas Women's University Hall of Fame.

The proclamation was read by Commissioner Ricardo Longoria, Jr.

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

No one was present to deliver the presentation.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, **Mr. Sergio Zarate** was permitted to deliver a presentation of thanks for the installation of playground equipment for the special needs youth.

5. PUBLIC COMMENT PERIOD:

Mr. Albert Perez, Jr., Insurance Agent with Brisky-Perez Insurance, noted that the Texas Municipal League (TML) self-funded insurance plan was not the only that provided self-insured plans and that other companies were willing to bid for a plan.

Mr. Robert Uresti expressed his thanks for the Lindale and Shidler street repairs. He noted that the Cameron Appraisal District has over-valued his home in Galaxia Subdivision.

Mr. Alex Resendez expressed his dissatisfaction with lack of trash clean up near the Events Center.

Mr. Fernando Ruiz commented on raising of insurance premiums and the need to audit the Cameron Appraisal District.

Ms. Judy Vera, Valley InterFaith volunteer, expressed support for a minimum wage requirement proposal to require contractors to pay their employees at least \$8.50 per hour if they wish to conduct business with the City.

6. CONSENT AGENDA ITEMS:

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

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Leonel T. Garza and carried unanimously, Consent Agenda Items “a” through “q” were **approved as presented.**

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
Mirian 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

Ms. Norma H. Zamora, BUS Director, will attend a “*2008 Yearly Reporting Seminar*”, sponsored by the National Transit Database (NTD), on June 23-26, 2008, in Denver, Colorado.

Mr. Joseph Horn, Deputy Chief, will attend the “*18th Annual Texas Workers’ Comp Conference*” sponsored by The International Workers’ Compensation Foundation, Inc., on June 09-12, 2008, in Houston, Texas.

Ms. Lidia Gonzalez, Human Resources Director, and Mr. Oscar Salinas, Assistant Human Resources Director, will attend the “*Annual EEOC Technical Assistance Training Seminar*”, sponsored by the U.S. Equal Employment Opportunity Commission, on July 30 thru July 31, 2008, in San Antonio, Texas.

Mr. Jose Salinas, Municipal Court Bailiff, and Mr. Jorge Morin, III, Municipal Warrant Officer, will attend a “*12-Hour Conference Bailiff/Warrant Officers Seminar*”, sponsored by the Texas Municipal Courts Education Center, on June 30-July 2, 2008, in Dallas, Texas.

Ms. Lucy Garza, Housing Manager, and Mirian Medina, Planner I, will attend the “*Environmental Training for Advanced Practitioners*”, sponsored by U.S. Department of HUD, on May 19-22, 2008, in San Antonio, Texas.

Mr. Mark Lund, MPO Director, will attend the “*2008 Transportation Planning Conference*”, sponsored by the Transportation Planning and Programming Division of the Texas Department of Transportation, on May 27-30, 2008, in Houston, Texas

Mr. Alfonso Vallejo, MPO Planner, will attend the “*2008 Transportation Planning Conference*”, sponsored by the Transportation Planning and Programming Division of the Texas Department of Transportation, on May 27-30, 2008, in Houston, Texas.

Ms. Mirian Medina, Planner I, will attend the “*IDIS Training*”, sponsored by the U.S. Department of HUD, on June 02-04, 2008, in San Antonio, Texas.

Ms. Lucy Garza, Housing Manager, will attend the “*IDIS Training*”, sponsored by the U.S. Department of HUD, on June 04-06, 2008 in San Antonio, Texas.

Mr. Josue Vasquez, Housing Inspector, and Mr. Gabriel Verduco, Code Enforcement Officer, will attend the “*Lead Risk Assessor-Initial Training*”, sponsored by Environmental, Health, and Safety Consulting Services, on June 11-13, 2008, in San Antonio, Texas.

Mr. Ben Medina, Planning Director, and Rolando Salas, Planner I, will attend the “*Environmental Training for Advanced Practitioners*”, sponsored by the U.S. Department of HUD, on June 23-25, 2008, in Houston, Texas.

Police Chief Carlos L. Garcia, will attend the “*FBI Hazardous Devices School Executive Management Course*”, sponsored by U.S. Department of Justice Federal Bureau of Investigation, on May 26-30, 2008, in Huntsville, Alabama.

Police Investigators Marian Kingsbury and Santos Ponce, will attend the “*Introduction to Practical Crime Scene Techniques Seminar*”, sponsored by Public Agency Training Council, on June 10-12, 2008 in San Antonio, Texas.

- 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.**
- 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.**
- 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.**

- 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.**
- 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.**
- 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. 14th Street.**
- 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.**
- 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. [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. [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. [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.**
- 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.**
- 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.**
- 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.**
- 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.**

BOARDS AND COMMISSIONS:

**7. Mayoral Appointments to the Brownsville Housing Authority (BHA).
(TABLED 05/06/2008) (TABLED 5/20/2008)**

Mayor Pat M. Ahumada, Jr., did not have an appointee. Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Leonel T. Garza and carried unanimously, the item was **tabled**.

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.**

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Leonel T. Garza and carried unanimously, the public hearing was **closed**.

Commissioner Anthony P. Troiani moved that Resolution Number 2008-056 be **approved**, 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.

- 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.**

Mr. James Goza, City Attorney, reviewed the ordinance revisions as proposed by Commissioners Garza and Atkinson.

Commenting on the proposed revisions were Mr. Fernando Ruiz, Mr. Alex Resendez, Mr. Roman Perez, and Mr. Robert Uresti.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Leonel T. Garza and carried unanimously, the public hearing was **closed**.

Commissioner Charlie Atkinson moved that Ordinance Number 2008-1090-E be **adopted** on first reading with the following revisions:

- Section I, C. Voting Matters; No. 2, add: *“The Mayor is authorized to vote any time that his vote would change the outcome of the issue”*.

• Section I, F. Public Input During Meetings; No. 2. Public Comment, e), (ruling a speaker out of order) add to last sentence: “....., *if after being recognized and making a motion that is seconded, and a majority of the commission votes affirmatively to find the offending speaker to be out of order.*”

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

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.

Mr, James Goza, City Attorney, reviewed the proposed revisions to the ordinance.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Charlie Atkinson and carried unanimously, the public hearing was **closed**.

Commissioner Anthony P. Troiani moved that Ordinance Number 2008-1452-C be **adopted** on first reading as presented. The motion was seconded by Commissioner Charlie Atkinson and carried unanimously.

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.

A review of the Consolidated Budget Plan was provided by Mr. Ben Medina, Director of Planning, Ms. Lucy Garza, Housing Manager, and Mr. Victor Maldonado, Homeless Coordinator.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., stated that the Commissioners should meet with the oversight committee for further clarification.

Commissioner Charlie Atkinson moved that the 2009 Consolidate Plan Budget be adopted with amendments.

Commissioner Anthony P. Troiani noted that Commissioners had met with the U.S. Department of Housing and Urban Development (HUD) and that all guidelines had been met. He also stated that the budget should be adopted without the HOME grant funds so that the HOME funds could be re-distributed at the next City Commission meeting.

Upon motion by Commissioner Charlie Atkinson, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the October 1, 2008 to September 30, 1009 Consolidated Plan Budget for the City's HUD Entitlement Grants was **adopted without the HOME grant funds.**

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. [TABLED]

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend denial of the protested ordinance.

Mr. Santiago Navarro, property owner/applicant, reviewed his request for a specific use permit for parking lot usage hours for a 2,650 sq. ft. party hall and requested approval.

Commissioner Leonel T. Garza moved that the public hearing be closed. The motion was seconded by Commissioner Anthony P. Troiani. The motion died for lack of a vote.

Commissioner Charlie Atkinson moved that the item be **tabled**. The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

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.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the ordinance.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Leonel T. Garza and carried unanimously, the public hearing was **closed**.

Commissioner Anthony P. Troiani moved that Ordinance Number 225-2008-005-S be **adopted** on first reading as presented. The motion was seconded by Commissioner Charlie Atkinson and carried unanimously.

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.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the proposed rezoning

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Anthony P. Troiani and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2008-032 be **adopted** on first reading. The motion was seconded by Commissioner Anthony P. Troiani and carried unanimously.

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.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the rezoning.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Anthony P. Troiani and carried unanimously, the public hearing was **closed**.

Commissioner Carlos A. Cisneros moved that Ordinance Number 235-2008-033 be **adopted** on first reading. The motion was seconded by Commissioner Anthony P. Troiani and carried unanimously.

At the request of Mr. Ben Medina, Director of Planning and Community Development, Agenda Items 16 and 17 were read consecutively.

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.**
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.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the rezoning.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Anthony P. Troiani and carried unanimously, the public hearing was **closed**.

Commissioner Anthony P. Troiani moved that Ordinance Numbers 235-2008-034 and 235-2008-034-S be **adopted** on first reading. The motion was seconded by Commissioner Leonel T. Garza and carried unanimously.

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.**

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the rezoning.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the public hearing was **closed**.

Commissioner Ricardo Longoria, Jr., moved that Ordinance Number 235-2008-035 be **adopted** on first reading. The motion was seconded by Commissioner Anthony P. Troiani and carried unanimously.

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.

Mr. Ben Medina, Director of Planning and Community Development, noted that the Planning and Zoning Commission had voted to recommend approval of the rezoning.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Charlie Atkinson and carried unanimously, the public hearing was **closed**.

Commissioner Charlie Atkinson moved that Ordinance Number 235-2008-602-CU be **adopted** on first reading. The motion was seconded by Commissioner Ricardo Longoria, Jr., and carried by the following vote:

Ayes: Commissioners Garza, Atkinson, Longoria, and Cisneros;

Nays: Commissioner Troiani.

Abstention: None. Commissioner Camarillo was absent.

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.

Ms. Allison Bastian, Planner II, review the ordinance which proposed the annexation of approximately 80 acres of land, owned by the Brownsville Independent

School District, to the City of Brownsville municipal boundaries on which a new school was slated for construction.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Leonel T. Garza and carried unanimously, the public hearing was **closed**.

Commissioner Charlie Atkinson moved that Ordinance Number 2008-1200.136 be **adopted** on first reading as presented. The motion was seconded by Commissioner Anthony P. Troiani and carried unanimously.

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.

Police Commander Ramiro Rodriguez, reviewed the proposed ordinance on behalf of Chief of Police Carlos L. Garcia.

Mr. Ricardo Longoria, Sr. commented on the length of waiting time and clarified that to the Commission.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Anthony P. Troiani and carried unanimously, the public hearing was **closed**.

Commissioner Carlos A. Cisneros moved that Ordinance Number 2008-318-II be **adopted** on first reading, subject to inclusion of the recommendations presented by Commander Ramiro Rodriguez. The motion was seconded by Commissioner Anthony P. Troiani and carried unanimously.

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. [TABLED 02/19/2008 & 03/03/2008]

Citing anticipated cost increases to the City from vendors or contractors bidding for business with the City, as well as the possibility of property tax rate increase, if the proposed resolution were approved, Commissioner Charlie Atkinson moved that Resolution Number 2008-030 be denied.

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

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

Nays: Commissioner Cisneros.

Abstention: None Commissioner Camarillo was absent.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Carlos A. Cisneros and carried unanimously, the item was opened for **reconsideration**.

Commissioner Anthony P. Troiani moved that Resolution Number 2008-030 be **tabled**. The motion was seconded by Commissioner Carlos A. Cisneros and carried by the following vote:

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

Nays: Commissioner Atkinson.

Abstention: None Commissioner Camarillo was absent.

- - - - -

At the request of Mr. Larry A. Brown, Director of Aviation, Agenda Items 23 and 29 were read consecutively.

- 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.**

- 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.**

Mr. Larry A. Brown, Director of Aviation reviewed the proposed resolution and Mr. Roberto Luna, Purchasing Director, reviewed additional documentation associated with the proposed sale of the property.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Charlie Atkinson and carried unanimously, Resolution Number 2008-053 was **approved** and a contract for the sale of surplus city real property was **approved**.

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.

Commissioner Leonel T. Garza moved that Resolution Number 2008-055 be **adopted** to authorize the acceptance of an FAA Grant in the amount of **\$8,891.434.00**, for the Taxiway G Project.

The motion was seconded by Commission Anthony P. Troiani and carried unanimously.

25. Consideration and ACTION to award funding in the amount of \$200,000.00 to a replacement housing program.

Ms. Lucy Garza, Housing Manager, noted that this item was an amendment to the previously approved one-year action plan and that City Commission approval of the amendment was needed.

Upon motion by Commissioner Anthony P. Troiani, seconded by Commissioner Carlos A. Cisneros and carried unanimously, funding in the amount of **\$200,000.00** was awarded to a Replacement Housing Program which would provide for replacement housing to Iraqi veterans and elderly citizens of Brownsville.

PURCHASES/BIDS/CONTRACTS:

26. Consideration and ACTION to award a contract to Ambiotech for Project Number 12 “Demolition/Renovation of Green & White Building”.

Mr. Larry A. Brown, Director of Aviation, reviewed the proposed contract.

Upon motion by Commissioner Charlie Atkinson, seconded by Commissioner Carlos A. Cisneros and carried unanimously, a contract in the amount of **\$31,000.00** was awarded to **Ambiotec Civil Engineering Group, Inc.** for Project Number 12, “demolition/renovation of green and white building” at the airport.

27. Consideration and ACTION to award a contract for the 33rd Year CDBG Street Paving Improvement Project for McDavitt BLVD between Lincoln Street and Roosevelt Street.

Commissioner Anthony P. Troiani moved that a contract, in the amount of **\$245,757.13**, be awarded to **G&T Paving, Company**, for the 33rd Year CDBG Street Paving Improvement Project for McDavitt Blvd, between Lincoln Street and Roosevelt Street. The motion was seconded by Commissioner Leonel T. Garza and carried unanimously.

28. Consideration and ACTION to award a contract for demolition of condemned/dilapidated structures for the Planning and Building Inspections Departments.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Anthony P. Troiani and carried unanimously, a contract, in the amount of **\$130,600.00**, was awarded to **R. Ramirez Hauling, of Brownsville, Texas**, for the demolition of 13 condemned/dilapidated structures for the Planning and Building Inspections Department.

30. Consideration and ACTION to award a term contract for the purchase and delivery of leather gear for the Brownsville Police Department.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Leonel T. Garza and carried unanimously, a term contract, in the amount of **\$28,248.30**, was awarded to **Galls Incorporated of Lexington, Kentucky**, for the purchase and delivery of leather gear for the Brownsville Police Department.

31. Consideration and ACTION to award a term contract for the purchase of type “D” hot mix materials for the City of Brownsville.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Anthony P. Troiani and carried unanimously, a term contract was awarded to the following companies for the purchase of **type “D” hot mix materials** for the City of Brownsville:

Primary Level 1	Frontera Materials, Inc. Weslaco, TX	\$49.80/ton with Limestone
		\$49.80/ton with Gravel
Secondary Level 2	Ballenger Construction Co. Harlingen, TX	\$52.00/ton with Limestone only (no gravel)

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.

Upon motion by Commissioner Leonel T. Garza, seconded by Commissioner Anthony P. Troiani and carried unanimously, a contract, in the amount of **\$80,616.00**, was awarded to **Freightliner of Austin, Texas**, for the purchase and delivery of one (1) 2009 year model water tank truck for the Public Works Department – Streets Division.

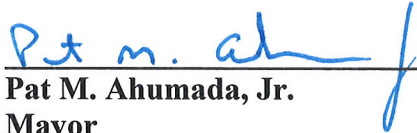
33. Consideration and ACTION to award a contract for Trauma Lien Retention Insured and Uninsured Collections for the Brownsville Fire Department - EMS Billing Division.

Upon motion by Commissioner Charlie Atkinson, seconded by Commissioner Leonel T. Garza and carried unanimously, a contract for Trauma Lien Retention Insured and Uninsured Collections for the Brownsville Fire Department – EMS Billing Division, was awarded to **Touchy & Green, LLP** as **per the submitted proposal**.

ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 9:05 p.m.

Approved this 03rd day of June, 2008.


Pat M. Ahumada, Jr.
Mayor

Attest:


Estela Von Hatten
City Secretary

