

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 **Monday, November 18, 2008**, at **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)	
EDWARD C. CAMARILLO)	
LEONEL T. GARZA)	COMMISSIONERS
PETE GONZALEZ		DEPUTY CITY MANAGER - FINANCE DIRECTOR
JOHN E. CHOSY		ASSISTANT CITY ATTORNEY
ESTELA VON HATTEN		CITY SECRETARY
ABSENT:		
CHARLIE CABLER		CITY MANAGER

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 November 18, 2008.

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: UNITED STATES PLEDGE * TEXAS PLEDGE

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

INVOCATION:

The invocation was delivered by Commissioner Ricardo Longoria, Jr.

1. *MAYOR'S REPORT:*

- Border Wall
- Brownsville Sports Park
- Weir Project
- Bi-national Motorcycle Rally

Mayor Pat M. Ahumada, Jr., noted that he had met in Austin with others who opposed the border wall construction and that he had submitted the Weir Project to serve as a virtual fence. He further noted that he would ask for damages to the Weir Project in the event that the border wall were built. Mexico, he noted, was in support of Weir. He announced that a bi-national meeting would be held in the near future for discussion of these matters.

Mayor Ahumada commented that, regarding the Brownsville Sports Park, the Engineer had not changed the specifications that the Parks Director had done so and whoever was involved in changing the specifications should be held accountable.

Mayor Ahumada noted that the Bi-national Motorcycle Rally had been a successful fund raiser for the PAWS organization.

2. *COMMISSIONERS' REPORTS*

Commissioner Edward C. Camarillo

- Brownsville Police Department
- Brownsville Farmers Market
- Amigos Del Valle #8
- Laredo Road
- Coffee With Your Commissioner
- Ramireño Clean-up

Commissioner Edward C. Camarillo expressed his gratitude to Police Chief Carlos L. Garcia for work done to provide safety in the downtown area.

He also noted that the Brownsville Farmers' Market (BFM) had been a success and encouraged citizens to attend on Saturday mornings.

Commissioner Camarillo announced that the lights had been installed within the neighborhood area with the cooperation of Brownsville Public Utilities Board.

Regarding Laredo Road, he noted that the condition of Laredo Road had been due to an equipment issue.

Regarding the Ramireño clean-up he noted that, due to weather conditions, the clean-up was to be rescheduled.

Commissioner Camarillo announced that the last scheduled "Coffee with the Commissioner" had been held, with good citizen participation, and would be continued in the coming year.

Commissioner Anthony P. Troiani

-Border Wall

-Weir Project

-Brownsville Sports Park

Commissioner Anthony P. Troiani announced that the City of Brownsville is in litigation regarding the proposed border wall, is trying to ensure that the wall won't be built, and working on providing alternatives to the wall.

He also announced that the Brownsville Sports Park ribbon cutting would be held on December 5, 2008 at 7:00 p.m., at the Brownsville Sports Park. A grand opening of the park would be held on December 19, 2008.

Regarding the Brownsville Sports Park soil issue, Commissioner Troiani noted that the soil was not compacted and that there would be a run-off. He noted that to avoid further expense, the matter would be handled by an in-house City crew.

3. PROCLAMATIONS/AWARDS: Don Currie
(Mayor Pat M. Ahumada, Jr.)

Mayor Pat M. Ahumada, Jr., asked Mr. Don Currie, former Executive Director of the Community Development Corporation of Brownsville (CDCB) to step forward to accept a proclamation “*Recognizing Don Currie for a Quarter Century of Service*”, in community organizing, job training, and affordable housing development.

Daniel Martín Ramos
Mayor’s Humanitarian Award
(Mayor Pat M. Ahumada, Jr.)

Mayor Pat M. Ahumada, Jr., asked Mr. Daniel Martin Ramos, eighth grade student at Oliveira Middle School, to step forward to accept a proclamation “*Recognizing and Commending Daniel Martin Ramos on His Dedication to the Rescue and Well-Being of Animals in our Community*”.

Mr. Ramos was also awarded the Mayor’s Humanitarian Award for dedication to animal rescue in the City

Edgar Treviño
Mayor’s Humanitarian Award
(Mayor Pat M. Ahumada, Jr.)

Mayor Pat M. Ahumada, Jr., asked Mr. Edgar Trevino to step forward to accept the *Mayor’s Humanitarian Award* for dedication to animal rescue in the City.

Lavice Laney
Mayor’s Humanitarian Award
(Mayor Pat M. Ahumada, Jr.)

Mayor Pat M. Ahumada, Jr., asked Ms. Lavie Laney to step forward to accept the *Mayor’s Humanitarian Award* for dedication to animal rescue in the City.

4. CONSENT AGENDA ITEMS:

Upon motion by Commissioner Ricardo Longoria, Jr. seconded by Commissioner Edward C. Camarillo and carried unanimously, Consent Agenda Items “a” through “c” were **approved**.

ITEMS No. “a” through “c”

a) Approval of the Minutes of the Regular Meeting of November 03, 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	Dec. 11, 2008
Rochelle M. Garza	BUS	Fort Worth, TX	Dec. 08-10, 2008
Andrew Munoz	BUS	Fort Worth, TX	Dec. 08-10, 2008
Pete Gonzalez	Finance	San Antonio, TX	Dec. 03-05, 2008
Sam Ortega	Fire	Fort Worth, TX	Nov. 22-26, 2008
Javier Quiroga	Fire	Fort Worth, TX	Nov. 22-26, 2008
Esther Garza	Fire	Fort Worth, TX	Nov. 22-26, 2008
Norma Urrutia	Fire	Fort Worth, TX	Nov. 22-26, 2008
Desiderio Tristan	Fire	Fort Worth, TX	Nov. 22-26, 2008
Sherri Wooding	Health	Corpus Christi, TX	Nov. 21, 2008
Hernan G. Sandoval	Health	Corpus Christi, TX	Nov. 21, 2008
Josue Vasquez	Planning	San Antonio, TX	Dec. 07-10, 2008
Victor Maldonado	Planning	Austin, TX	Nov. 19-20, 2008

Ms. Norma A. Zamora, Brownsville Urban System Director, will attend the “*TTA Board Meeting*”, sponsored by the Texas Transit Association, on December 09, 2008, in Austin, Texas.

Ms. Rochelle M. Garza, Grants and Project Outreach Manager, and Mr. Andrew Munoz, Assistant Director, will attend the “*Federal Transit Administration’s Region VI FY 2008 Triennial Review Workshop*”, sponsored by U.S. Department of Transportation Federal Transit Administration (FTA) on December 08-10, 2008, in Fort Worth, Texas.

Mr. Pete Gonzalez, Deputy City Manager/CFO will attend the “*Public Funds Investment Act (PFIA) Workshops*”, sponsored by the Texas Municipal League, on December 03-05, 2008, in San Antonio, Texas.

Assistant Fire Chief, Samuel Ortega, Lt. Firefighter Training Officer EMS, Javier Quiroga, FireFighters/EMT-P, Desidereo Tristan and Norma Urrutia, Fire/EMS Billing Office Supervisor, Esther Garza, will attend “*Texas EMS Conference 2008*”, sponsored by the Texas Department State Health Services, on November 22-26, 2008, in Fort Worth, Texas.

Dr. Sherri Wooding, Veterinarian, and Mr. Hernan G. Sandoval, Animal Control Officer I, will attend a “*Meeting with Public Health Officials and Representatives from the Gulf Coast Humane Society,*” on November 21, 2008, in Corpus Christi, Texas.

Mr. Josue Vasquez, Housing Inspector, will attend the “*Lead Inspector-Initial Course*”, sponsored by American Environmental, Health, and Safety Consulting Services & Training Inc. (AEHS), on December 07-10, 2008, in San Antonio, Texas.

Mr. Victor Maldonado, Homeless Coordinator, will attend the “*2009 Emergency Shelter Grants Program Workshop (ESGP)*”, sponsored by the Texas Department of Housing and Community Affairs, on November 19-20, 2008, in Austin, Texas.

c) APPROVAL on SECOND and FINAL READING of Ordinance Number 2008-1450-A, amending Chapter 66, Section 66-14, of the City of Brownsville Code of Ordinances, to increase the court cost for the Municipal Court Juvenile Case Manager Fund.

At the request of Fire Chief Lenny Perez, and upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Anthony P. Troiani and carried unanimously, Agenda Item 17 was moved out of sequence for action.

PURCHASES/BIDS/CONTRACTS:

- 17. Consideration and ACTION to enter into a contract with Cameron County Emergency Service District No. 1 to furnish ambulance and emergency medical services to the unincorporated area of Cameron County designed by Zone No. 1, on the official Fire Protection Service Zone Map of the CCESD No.1 [TABLED 10/21/2008]**

Upon motion by Commissioner Edward C. Camarillo, seconded by Commissioner Anthony P. Troiani and carried unanimously, the City of Brownsville Fire Department was **authorized** to enter into a contract with Cameron County

Emergency Service District No. 1 to furnish ambulance and emergency medical services to the unincorporated area of Cameron County, designed by Zone No. 1, on the official Fire Protection Service Zone Map of the CCESD No. 1.

BOARDS AND COMMISSIONS:

5. Consideration and ACTION to appoint one (1) member to the Airport Advisory Committee. [TABLED Nov. 18, 2008].

Commissioner Ricardo Longoria, Jr. moved that this item be **tabled**. The motion was seconded by Commissioner Edward C. Camarillo and carried unanimously.

6. Consideration and ACTION to remove one (1) member and appoint a replacement member to the Greater Brownsville Incentives Corporation.

Commissioner Charlie Atkinson moved that Mr. William Conner, be **removed** from the Greater Brownsville Incentives Corporation Board of Directors and that Mr. James Milton Kaechele, Jr., be appointed as his replacement. The motion was seconded by Commissioner Leonel T. Garza and carried by the following vote:

Ayes: Mayor Ahumada, Commissioners Garza, Atkinson, and Longoria;

Nays: Commissioner Troiani, Cisneros, and Camarillo

7. Consideration and ACTION to appoint one (1) member to the Animal Shelter Advisory Committee.

Commissioner Anthony P. Troiani moved that **Ms. Shirley Ann Wells** be appointed to the Animal Shelter Advisory Committee. The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

8. Consideration and ACTION to remove and appoint one (1) member to the Planning and Zoning Commission.

Commissioner Leonel T. Garza moved that Mr. David Polín be removed from the Planning and Zoning Commission and that **Mr. Michael L. Young** be appointed as his replacement.

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

PUBLIC HEARINGS:

9. Public Hearing and ACTION on Ordinance Number 2007-1479-A amending Section 332-169 of the City of Brownsville Municipal Code regarding park land dedication requirements.

Mr. Ben Medina, Director of Planning and Community Development, reviewed the amendments to the proposed ordinance.

Upon motion by Commissioner Ricardo Longoria, Jr., seconded by Commissioner Carlos A. Cisneros and carried unanimously, the public hearing was **closed**.

Commissioner Carlos A. Cisneros moved that Ordinance Number 2007-1479-A be **approved** on first reading, to amend Section 332-169 of the City of Brownsville Municipal Code regarding park land dedication requirements.

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

10. Public Hearing and ACTION on the Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report. (CAPER).

In response to Commissioner Edward C. Camarillo, Mr. Ben Medina, Director of Planning and Community Development, noted that energy saving measures are being incorporated in the housing program.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Ricardo Longoria, Jr., and carried unanimously, the public hearing was **closed**.

Commissioner Edward C. Camarillo moved that the Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER) be **approved** as presented.

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

11. PUBLIC COMMENT PERIOD:

Mr. Roberto Uresti addressed the Commission in reference to city travel expense and expressed concern regarding the Health Department not responding to calls for removal of dead dogs on the street.

Mr. Fernando Ruiz expressed his opinion regarding the composition of the Charter Review Committee.

Commissioner Charlie Atkinson left the meeting

ACTION ITEMS:

12. Consideration and ACTION to approve a Memorandum of Understanding, with Brownsville Historical Association, for construction of a facility for the Porfirio Diaz limousine.

Mr. John E. Chosy, Assistant City Attorney, noted that the Brownsville Historical Association requested permission to use existing bond funds for the proposed construction of a facility for the referenced limousine.

Commissioner Ricardo Longoria, Jr., moved that a Memorandum of Understanding with the Brownsville Historical Association be **approved**, for the construction of a facility for the Porfirio Diaz limousine.

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

13. Consideration and ACTION to approve a Memorandum of Understanding, between the City and Valley Zoological Society, regarding implementation of procedures for a Texas Parks and Wildlife Department grant.

Dr. Patrick Burchfield, Gladys Porter Zoo Director, noted that the Memorandum of Understanding, associated with the grant received, provided funding for development of the South Texas Discovery Center at the zoo. He briefly reviewed the conditions of the grant.

Commissioner Anthony P. Troiani moved that a Memorandum of Understanding, between the City and Valley Zoological Society, be **approved** for implementation of procedures for a Texas Parks and Wildlife Department grant.

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

14. Consideration and ACTION on Resolution Number 2008-097 establishing a Volunteer Service Organization for the City of Brownsville.

Commissioner Edward C. Camarillo noted that the proposed Volunteer Service Organization would include participation of youth, adults, and intern students from the Public Policy Program at the University of Texas at Brownsville.

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2008-097 be **adopted**, to establish a Volunteer Service Organization for the City of Brownsville.

The motion was seconded by Commissioner Carlos A. Cisneros and carried unanimously.

15. Consideration and ACTION to authorize and execute an Interlocal Agreement between the City of Brownsville, Texas, the Cameron County Tax Assessors Office, Cameron County District Attorney's Office, the City of McAllen, Texas, the City of Pharr, Texas, and the City of Edinburg, Texas, regarding a Mutual Aid (Burglary and Theft of Motor Vehicle) Law Enforcement Task Force.

Commissioner Carlos A. Cisneros moved that an Interlocal Agreement, between the City of Brownsville, Texas, Cameron County Tax Assessor's Office,

Cameron County District Attorney's Office, the City of McAllen, Texas, the City of Pharr, Texas, and the City of Edinburg, Texas, be **approved**, for a Mutual Aid (Burglary and Theft of Motor Vehicle) Law Enforcement Task Force.

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

16. Consideration and ACTION on Resolution Number 2008-094 relating to establishing the City's intention to reimburse itself for the prior lawful expenditure of funds related to constructing various capital infrastructure improvements to the City's combined utility system from the proceeds of Tax-Exempt commercial paper notes to be issued by the City for authorized purposes; authorizing other matters incident and related thereto.

Mr. Larry Jordan, Financial Advisor with Estrada Hinojosa & Co., Inc., and representing the Brownsville Public Utilities Board, reviewed the resolution.

Commissioner Ricardo Longoria, Jr., moved that Resolution Number 2008-094, be **adopted** to establish the City's intention to reimburse itself for the prior lawful expenditure of funds use related to constructing various capital infrastructure improvements to the City's combined utility system from the proceeds of tax-exempt commercial paper notes to be issued by the City for authorized purposes; authorizing other matters incident and related thereto.

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

PURCHASES/BIDS/CONTRACTS:

18. Consideration and ACTION to award a contract for On-Site and Off-Site Scanning and Indexing Services for City of Brownsville.

Commissioner Anthony P. Troiani moved that a contract to Quality Data Imaging of Brownsville, Texas, for on-site and off-site scanning and indexing services for the City of Brownsville, be **approved** as presented.

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

19. Consideration and ACTION to award a contract for hauling of soil materials for the City of Brownsville.

Mr. Roberto Luna, Director of Purchasing and Contracting Services, noted that the proposed contract would be awarded to multiple contractors so that materials would be readily available to the City of Brownsville.

Commissioner Edward C. Camarillo moved that a contract for hauling of soil materials for the City of Brownsville Public Works department be **awarded** to the following companies as presented:

RML Hauling & Milling, Inc.
Brownsville, Texas

Quail Construction
Brownsville, Texas

Rudy Martinez Hauling
Brownsville, Texas

Whitewing Ranch
Brownsville, Texas

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

20. Consideration and ACTION to award a contract for an asphalt rejuvenating sealant system for the City of Brownsville.

Commissioner Leonel T. Garza moved that a contract for an asphalt rejuvenating sealant system, at \$1.00 per square yard, be awarded to **Pavement Restoration, Inc. of Boerne, Texas**, as presented.

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

21. Consideration and ACTION to award a contract for the purchase and delivery of ground chemicals and botanicals for the Brownsville Golf Center.

Upon motion by Commissioner Carlos A. Cisneros, seconded by Commissioner Edward C. Camarillo and carried unanimously, a contract was awarded to **BWI Companies, Inc., of Carrollton, Texas**, for ground chemicals and botanicals for the Brownsville Golf Center as follows:

Chemicals: \$102,089.76

Botanicals: \$36,545.07

22. Consideration and ACTION to award a contract for moderate home rehabilitation for the Planning and Community Development Department of the City of Brownsville.

Mr. Ben Medina, Director of Planning and Community Development, noted that electrical and construction contracts were being presented for moderate home rehabilitations in the City of Brownsville

Commissioner Ricardo Longoria, Jr., moved that contracts for moderate home rehabilitation, for the Planning and Community Development Department of the City of Brownsville, be **awarded** as presented to the following:


Construction Contract
J/O Construction
Brownsville, Texas

Electrical Service Contract
Torres Electrical
Brownsville, Texas

ADJOURNMENT:


There being no further business to come before the City Commission, the meeting adjourned at **7:25 p.m.**

Approved this 2nd day of December, 2008



Pat M. Ahumada, Jr.
Mayor

Attest:



Estela Von Hatten
City Secretary

