

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

Anthony P. Troiani, At-large Commissioner “A”
Ricardo Longoria, Jr., District Commissioner 1
Melissa A. Zamora, District Commissioner 3

Rose M.Z. Gowen, M.D., At-large Commissioner “B”
Charlie Atkinson, District Commissioner 2
Edward C. Camarillo, District Commissioner 4

Pat M. Ahumada, Jr., Mayor

**NOTICE OF A PUBLIC MEETING OF THE
CITY COMMISSION OF THE CITY OF BROWNSVILLE**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City Commission of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, will convene **an Executive Session, and a Regular Meeting, on Tuesday, January 19, 2010 at 5:45 p.m. and 6:00 p.m.** 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, 78520.

* * * * *

EXECUTIVE SESSION: 5:45 P.M.

- A) Discussion with Legal Counsel pursuant to Section 551.071, of the Texas Government Code, regarding pending litigation. (Mark Sossi – City Attorney – 15 min.)

* * * * *

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE: *UNITED STATES PLEDGE * TEXAS PLEDGE*

INVOCATION:

* * * * *

ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:

- A) Discuss and Action regarding items of pending litigation as discussed with Legal Counsel in Executive Session. (Mark Sossi – City Attorney)

1. MAYOR'S REPORT: MPO Report (Mayor Ahumada, Chair); Humanitarian Efforts for Haiti; Downtown Revitalization; Brownsville PAWS Report; Weir Project Status; Plastic Bag Report; Mayor's Activities
Announcement of Mayor Pro-tem and Deputy Mayor Pro-tem.

2. COMMISSIONERS' REPORTS:

Commissioner Charlie Atkinson District 2
Brownsville Sports Park
Brownsville Public Utilities Board

Commissioner Melissa Zamora Toy Drives
Old Port Isabel Road
Trails

Commissioner Edward C. Camarillo Cleanup
Green Minute
Westside Meeting

Commissioner Rose Gowen Health

3. PROCLAMATIONS: *Texas Senator Eddie Lucio, Jr. - Day*
(Commissioner Charlie Atkinson)

William "Billy" Garza
(Mayor Pat M. Ahumada, Jr.)

4. CONSENT AGENDA ITEMS:

All consent Agenda Items listed are considered to be routine by the City Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Commissioner so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

ITEMS No. "a" through "b"

a) Approval of the Minutes of the Regular Meeting of January 05, 2010.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Sigfredo C. Cantu	BOEMHS	San Antonio, TX	Feb. 15-18, 2010
Leonardo Perez	Fire	Galveston, TX	Feb. 20-25, 2010
Arturo Rodriguez	Health	Laredo, TX	Jan. 27-28, 2010
Roberto Avitia	Police	Corpus Christi, TX	Feb. 10-11, 2010
Jeffrey Gunselman	Police	Corpus Christi, TX	Feb. 10-11, 2010
Carlos L. Garcia	Police	San Antonio, TX	Feb. 14-19, 2010

* * * * *

BOARDS AND COMMISSIONS:

5. Consideration and **ACTION** to appoint or re-appoint one (1) member to the Airport Advisory Board. (Larry A. Brown – Airport)
6. Consideration and **ACTION** to appoint or re-appoint three (3) new members to the Brownsville Public Library Advisory Board. (Jerry Hedgecock – Library)

* * * * *

PUBLIC HEARINGS:

7. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-1100.48** to amend Ordinance Number 1100 by readopting the Heritage Plan; and dealing with related matters including \$2000.00 penalties. (Peter L. Goodman – Heritage)
8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2009-042-S** to allow a Professional Office Specific Use (Daycare Center) in Dwelling “G”, in Section II for Lots 1 & 2 of Block 17 of Valle De Oro Subdivision, located at 4733 Morningside Road. (Ben Medina – Planning)
9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2009-043** to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) .52 acres out of Lot 1 of J.T. Canales Subdivision No. 1, located at 10040 US Military Highway 281. (Ben Medina – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2009-045** to rezone from Medium Industrial “J” (8CJ) to Light Industrial “J” (7CJ) for .90 acres out of Block 55 of Tract II for Los Ebanos Properties, located at 1925 S. Price Road. (Ben Medina – Planning)
11. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2009-046** to rezone from Dwelling “G” (DG) to Apartment “G” (AG) 2.5 acres out of Block 27 for El Jardin Subdivision, located at 3347 Coffeeport Road. (Ben Medina – Planning)
12. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 235-2009-604-CU** to allow a conditional use permit to sell on-premise alcohol (Bar) for Lot 4 of Block 1 of Omni Pavilion Subdivision, located at 1900 N. Expressway 77/83 Suite A. (Ben Medina – Planning)

13. Public Hearing and **ACTION** to authorize the issuance of a new taxi cab permit to Mr. Isaac Diamante for a 2003 Ford Taurus that will operate for American Taxi. (Carlos L. Garcia – Police)

* * * * *

14. ***PUBLIC COMMENT PERIOD:*** ***PLEASE NOTE:***

THE PUBLIC COMMENT PERIOD AND CONDUCT AT CITY COMMISSION MEETINGS IS GOVERNED BY CITY ORDINANCE NUMBER 2009-1090-F ADOPTED ON MARCH 3, 2009.

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO BE RECOGNIZED AND ADDRESS THE COMMISSION ON A SUBJECT THAT IS **NOT A PUBLIC HEARING**.
- **ADDRESS THE COMMISSION AS A WHOLE – DO NOT DIRECT YOUR COMMENTS TO ANY INDIVIDUAL MEMBER OF THE COMMISSION.**
- **THE PUBLIC COMMENT PERIOD IS A TOTAL OF 15 MINUTES.**
- THERE IS A **THREE (3)-MINUTE TIME LIMIT** PER SPEAKER.
- NO **FORMAL** ACTION CAN BE TAKEN.
- FOR THE RECORD, THE SPEAKER **MUST IDENTIFY BY NAME** BEFORE SPEAKING.
- “PUBLIC COMMENT FORMS” MAY BE REQUESTED FROM CITY SECRETARY STAFF ON THE SECOND FLOOR AT THE ENTRANCE OF THE COMMISSION CHAMBERS (on the day of the meeting).
- “PUBLIC COMMENT FORMS” MUST BE FILLED OUT AND PRESENTED TO THE CITY SECRETARY STAFF **NO LATER THAN 6:00 P.M.** TO BE CONSIDERED OR RECOGNIZED.
- “PUBLIC COMMENT FORMS” **ARE NOT ACCEPTED AFTER 6:00 P.M.**
- **POWERPOINT PRESENTATIONS ARE NOT CONDUCTED DURING THE PUBLIC COMMENT PERIOD.** [For further information, contact The Office of the City Secretary at 548-6001]

PRESENTATIONS:

PERSONS/GROUPS SCHEDULED TO CONDUCT A PRESENTATION OR DISTRIBUTING HANDOUTS ASSOCIATED WITH A PRESENTATION TO THE COMMISSION MUST PROVIDE A COPY OF SAME TO THE CITY SECRETARY FOR THE RECORD.

ACTION ITEMS:

15. Consideration and **ACTION** to acknowledge the Deputy City Manager/ Chief Financial Officer’s financial statements and cash investment report for the City of Brownsville for the first quarter ending December 31, 2009. (Pete Gonzalez – Finance)
16. Consideration and **ACTION** to provide an exception to the moratorium on payday lending, car title loan, and check cashing businesses outlined in Resolution 2009-073 to those areas within the City of Brownsville zoned General Retail (4C) or higher. (Mark Sossi – City Attorney)

17. Consideration and **ACTION** to authorize the Brownsville Fire Department to donate old and obsolete equipment to the Matamoros Fire Department. (Leonardo Perez – Fire)

* * * * *

PURCHASES/BIDS/CONTRACTS:

18. Consideration and **ACTION** to award a contract for construction of park restrooms at the North Brownsville Kickball Complex. (Roberto C. Luna – Purchasing)
19. Consideration and **ACTION** to authorize Amendment Number four (4) to the Brownsville Urban System “BUS” site storm sewer utility package for the Brownsville Multimodal Terminal (BMT) Project. (Roberto C. Luna – Purchasing)
20. Consideration and **ACTION** to award a contract for renovation of Sams Pool located at the Dean Porter Park. (Roberto C. Luna – Purchasing)

* * * * *


ADJOURNMENT:

NOTE: The City Commission of the City of Brownsville reserves the right to discuss any items in Executive Session whenever authorized under the Texas Open Meetings Act, Chapter 551, Title 5 of the Texas Government Code.

NOTE: The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at 956/548-6037 (voice or Relay TX) by Monday, no later than 5:00 P.M., to make proper arrangements.

By; Pat M. Ahumada, Jr.
Mayor of the City of Brownsville

I certify that a copy of the January 19, 2010, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on January 15, 2010. I further certify that the Agenda was posted on the City’s website and can be downloaded by accessing: www.cob.us/agendas.asp.



Estela Von Hatten, City Secretary