

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, February 02, 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) Attorney consultation 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) Consideration and **ACTION** to take action on pending litigation as advised by Counsel in Executive Session. (Mark Sossi – City Attorney)

1. MAYOR’S REPORT

Weir Project	Texas Humane Legislative Network
Haiti Relief Efforts	Graffiti Report
PUB Meeting	Brownsville Housing Authority
Mr. Amigo	Valley Regional Chess Tournament
Freeze Report	Citizen Complaints
Legislative Trip to Washington, DC	

2. COMMISSIONER’S REPORT:

Commissioner Charlie Atkinson	District 2 Brownsville Sports Park
Commissioner Anthony P. Troiani	Trip to Mexico
Commissioner Edward C. Camarillo	Green Minute LRGVDC Westside Meeting

3. PROCLAMATIONS:

***Simon Rivera High School Cluster
Career & Technical Education Month***
(Mayor Pat M. Ahumada, Jr.)

Southmost Elementary School
(Commissioner Melissa A. Zamora)

4. PRESENTATIONS:

Employee of the Month
(February 2010)

5. 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 “h”

- a) Approval of the Minutes of the Regular Meeting of January 15, 2010.
- b) Authorization for the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Jeff Johnston	BOEMHS	San Antonio, TX	Feb.15-18, 2010
Minerva G. Flores	BUS	Myrtle Beach, SC	Feb. 04-08, 2010
Leonardo Perez	Fire	San Antonio, TX	Feb. 14-17, 2010
Ben Medina, Jr.	Planning	New Orleans, LA	Apr. 10-13, 2010

- c) **APPROVAL** on **SECOND** and **FINAL 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)
- d) **APPROVAL** on **SECOND** and **FINAL 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, Jr. – Planning)
- e) **APPROVAL** on **SECOND** and **FINAL 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, Jr. – Planning)
- f) **APPROVAL** on **SECOND** and **FINAL 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, Jr. – Planning)
- g) **APPROVAL** on **SECOND** and **FINAL 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 Coffeepport Road. (Ben Medina – Planning)
- h) **APPROVAL** on **SECOND** and **FINAL 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)

BOARDS AND COMMISSIONS:

6. Consideration and **ACTION** to appoint one (1) alternate member to the Board of Adjustments and Appeals. (Evaristo Gamez, Jr. – Building Inspections)
7. Consideration and **ACTION** to appoint or re-appoint one (1) member to the Parks Advisory Board Committee. (Christopher Patterson – Parks and Recreation)

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PUBLIC HEARINGS:

8. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-1519**, to amend Chapter 98 of the Brownsville City Code by introducing Section 98-13, Parking on Commercial Premises. (John Chosy – Assistant City Attorney)
9. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2010-1520** to amend Chapter 22 of the City of Brownsville Business Code by introducing Article XI, to require registration with the City for payday advance and lending, car title lending, and check cashing businesses. (Mark Sossi – City Attorney)
10. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-1521**, to amend Chapter 348 of the City of Brownsville Zoning Code by amending several sections to provide regulations for payday advance and lending, car title lending, and check cashing business. (Mark Sossi – City Attorney)

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

PLEASE NOTE THAT 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"** ARE LOCATED 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:

12. Presentation and **ACKNOWLEDGEMENT** of the Brownsville Convention & Visitors Bureau Quarterly Report (Charlie Cabler – City Manager)
13. Consideration and **ACTION** regarding the use of City streets at the end of Palm Boulevard at the intersection of Mexico Boulevard, in the former Amigoland area, for the 73rd Annual *Charro Days* 20th Century Rides Carnival from February 22 through March 09, 2010, for carnival equipment parking. (Charlie Cabler – City Manager)
14. Consideration and **ACTION** to authorize a sixty (60)-day review on the design and work progress of the Brownsville Multimodal Terminal (BMT) for the Brownsville Urban System. (Commissioners A.P. Troiani and R. Gowen)
15. Consideration and **ACTION** on the acknowledgement and receipt of Grant Funds from the Texas State Library and Archives Commission in the amount of \$51,246.00 for the provision of items for the Library System. (Jerry Hedgecock – Library)
16. Consideration and **ACTION** to authorize the Brownsville Police Department to accept the Edward Byrne Memorial Justice Assistance Grant Number SU-09-A10-22248-01 from the Office of the Governor, Criminal Justice Division for Fiscal Year 2010 in the amount of \$66,179.88. (Carlos L. Garcia – Police)
17. Consideration and **ACTION** to authorize Mr. Charlie Cabler, City Manager, to apply for the Texas Automobile Burglary and Theft Prevention Authority Supplemental Grant for Fiscal Year 2010. (Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

- 18. Consideration and **ACTION** to authorize Amendment Number five (5) to the Brownsville Urban System "BUS" site storm sewer utility package for the Brownsville Multimodal Terminal (BMT) Project. (Roberto C. Luna – Purchasing)
- 19. Consideration and **ACTION** to Reject bids received for a term contract for purchase and delivery of Trophies and Awards for City Departments for the City of Brownsville. (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 February 02, 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 29, 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