

**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 16, 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 pursuant to Section 551.072 of the Texas Government Code to discuss delinquent tax properties struck off to Cameron County for itself and other entities from a tax resale held on November 03, 2009. (Pete Gonzalez – Finance – 10 min.)

\* \* \* \* \*

**REGULAR MEETING: 6:00 P.M.**

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

**INVOCATION:**

\* \* \* \* \*

***ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION:***

A) Discussion and **ACTION** on **Resolution Numbers 2010-006 through 2010-016**, regarding the approval of bids received at a tax resale held on November 03, 2009, for the following foreclosed properties: (Pete Gonzalez – Finance)

Legal Descriptions:

- .059 acre, more or less, being the Northwest 21.5 feet of Lot 2, Block 100, Original Town-site Addition, City of Brownsville
- Lot 22, Block 12, Garden Park Subdivision, City of Brownsville
- Lot 34, Stewart Subdivision, situated in Block 28, El Jardín Subdivision out of share 28, Espiritu Santo Grant
- Lot 50, Block 8, Milpa Verde Subdivision, Section II
- Lot 14, Block 2, West Banker Addition, an Addition to the City of Brownsville
- Lot 23, Block 8, Colonia Alta Vista, Cameron County, Texas
- Lot 13, Block 2, Portway Place Subdivision, an addition to the City of Brownsville
- Lot 7, Block 2, El Valle North Subdivision
- Lot 25, Block 8, La Posada South Subdivision, Section 3
- Lot 12, Block 2, Bel-Aire Heights Addition, City of Brownsville
- Lots 309 and 310, Colonia Victoria an addition to the City of Brownsville, Cameron County, Texas.

**1. *MAYOR’S REPORT:***

Mayor’s activities	Donation to Haiti
Multimodal Project report	BPUB report
Scout Government Day	East Morrison Road
West Rail Project	Dog Park
Public Comments Report	

**2. *COMMISSIONER’S REPORT:***

Commissioner Charlie Atkinson	Brownsville Sports Park District 2
Commissioner Rose M.Z. Gowen	Wellness
Commissioner Edward C. Camarillo	Green Minute Westside Meeting Brownsville Against Graffiti Keep Brownsville Beautiful

Commissioner Melisa Zamora

City Manager’s Softball Tournament  
State Kickball Tournament  
Sueños Y Talentos Soccer  
Dana Road Update

**3. PROCLAMATIONS:**

***Brownsville Pee Wee All-Star Football Team***  
(Commissioner Melissa A. Zamora)  
(Commissioner Charlie Atkinson)

**4. PRESENTATION:**

***Duramed Futures Tour***  
(Charlie Cabler, City Manager)

**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 “e”***

a) Approval of the Minutes of the Regular Meeting of February 02, 2010.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Leonel Garza	Building	Corpus Christi, TX	Feb. 21-26, 2010
Annie Gonzales	BUS	Austin, TX	Mar. 02-04, 2010
Minerva G. Flores	BUS	Austin, TX	Mar. 02-04, 2010
Norma H. Zamora	BUS	Washington, D.C.	Mar. 09-11, 2010
Jorge Santillan	Finance	Austin, TX	Feb. 25-26, 2010
Sherri Wooding	Health	Columbus, OH	Feb. 24-Mar. 01, 2010
Hernan Sandoval	Health	Columbus, OH	Feb. 24-Mar. 01, 2010
Ben Medina	Planning	Fort Worth, TX	Mar. 03-05, 2010
Ramiro Gonzalez	Planning	Austin, TX	Mar. 23-26, 2010
Noe Puga	Planning	Austin, TX	Mar. 23-26, 2010
Carlos L. Garcia	Police	El Paso, TX	Mar. 30-Apr. 01, 2010

c) **APPROVAL** on **SECOND** and **FINAL 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)

d) **APPROVAL** on **SECOND** and **FINAL READING** of **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)

- e) **APPROVAL** on **SECOND** and **FINAL 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)

\* \* \* \* \*

***BOARDS AND COMMISSIONS:***

6. Consideration and **ACTION** to appoint one (1) member to the Brownsville Animal Regulation and Care (BARC) Advisory Committee. (Arturo Rodriguez – Health)
7. Consideration and **ACTION** to increase the membership of the Environmental Advisory Committee by four additional members. (Commissioners E.C. Camarillo and R. Longoria)
8. Announcement of two mayoral appointments to the Brownsville Housing Authority. (Pat M. Ahumada, Jr., Mayor)

\* \* \* \* \*

***PUBLIC HEARINGS:***

9. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-601-CU** an ordinance to allow a conditional use permit to sell on-premise alcohol (Restaurant) at Lots 17 (W ½), 18 and 19 of Block 2, of Summit Place Addition, located at 2809 E. 14<sup>th</sup> Street. (Ben Medina, Jr. – Planning)
10. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2010-1518** an ordinance of the City of Brownsville amending Chapter 18, Building and Building Regulations of the code of Ordinances by amending Article XI Energy Conservation Code by adding Division I-Wind Energy Systems; Section 18-750 thru Section 18-758; and dealing with related matters. (Ben Medina, Jr. – Planning)
11. Public Hearing and **ACTION** on the relocation of Central Avenue Park to a park in the immediate vicinity. (Ben Medina, Jr. – Planning)
12. Public Hearing and **ACTION** on **Ordinance Number 2010-1522** to amend Chapter 22 of the City Code of Ordinances by adding Article XII Sexually Oriented Businesses, Sections 22-640 through 22-646. (Mark Sossi - City Attorney)

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

**THE PUBLIC COMMENT PERIOD IS DESIGNATED FOR HEARING CONCERNS REGARDING CITY OF BROWNSVILLE PUBLIC POLICY OR CITY OF BROWNSVILLE BUSINESS.**

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, ON THE DAY OF THE MEETING, **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 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:***

14. Consideration and **ACTION** to name Morningside Park Softball Complex Field Number 4 in memory of Parks and Recreation employee, Jorge Daniel Hurtado, who passed away on Sunday, February 7, 2010. (Chris Patterson – Parks)
15. Consideration and **ACTION** to acknowledge the City’s delinquent ad valorem tax collections report from October 01, 2008 through September 30, 2009, presented by representatives of Linebarger Goggan Blair & Sampson, LLP, the City’s delinquent ad valorem tax collections legal firm. (Pete Gonzalez – Finance)

16. Consideration and **ACTION** to adopt an Inter-Local Agreement with Military Highway Water Supply Corporation to collect garbage fees, City Maintenance Fees, and the federal unfunded mandatory compliance environmental fees from customers it serves that are not served by the Brownsville Public Utilities Board (BPUB). (Pete Gonzalez – Finance)
17. Consideration and **ACTION** to adopt an Inter-Local Agreement with Olmito Water Supply Corporation to collect garbage fees, City Maintenance Fees, and the federal unfunded mandatory compliance environmental fees from customers it serves that are not served by the Brownsville Public Utilities Board (BPUB). (Pete Gonzalez – Finance) [Tabled: 12-15-2010]
18. Consideration and **ACTION** to adopt budget amendment **Resolution Number 2010-003** to amend the General Fund Budget by \$362,300.00 to provide funding for a portion of the costs incurred by Lowe’s Home Centers, Inc., for City infrastructure improvements as per contract. (Pete Gonzalez – Finance)
19. Consideration and **ACTION** on **Resolution Number 2010-002** to establish a Community Revitalization Plan of Public Housing of the Housing Authority of the City of Brownsville, including the Public Housing Developments known as Poinsettia, Citrus Gardens, Citrus Gardens Annex, and Buena Vida. (Ben Medina, Jr. – Planning)
20. Consideration and **ACTION** on **Resolution Number 2010-005** on an Inter-Local Agreement between the City of Brownsville, County of Cameron, Texas and the Brownsville Independent School District to construct sidewalks along Vermillion Road, from SH 4 to 4,000 Linear feet north, along Eddie Lucio, Jr. Middle School and El Jardin Elementary School. (Santana Torres – Public Works)

\* \* \* \* \*

***PURCHASES/BIDS/CONTRACTS:***

21. Consideration and **ACTION** to award a contract for the West Brownsville Storm Sewer Treatment Improvements Project. (Roberto C. Luna – Purchasing)
22. Consideration and **ACTION** to authorize a term contract for Procurement Card Services (“P-Card”) through the State of Texas Comptroller of Public Accounts to JP Morgan Chase. (Roberto C. Luna – Purchasing)
23. Consideration and **ACTION** to Reject Bids received for Pay Parking Improvements for the Brownsville South Padre Island International Airport. (Roberto C. Luna – Purchasing)

24. Consideration and **ACTION** to award a contract the purchase, delivery and installation of Pay Parking Equipment for the Brownsville South Padre Island International Airport. (Roberto C. Luna – Purchasing)

\* \* \* \* \*

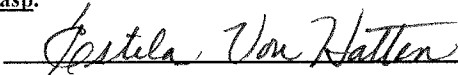
***ADJOURNMENT:***

**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 16, 2010, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on February 12, 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](http://www.cob.us/agendas.asp).

  
\_\_\_\_\_  
Estela Von Hatten, City Secretary