

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

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

Leonel T. Garza, At-large Commissioner “B”
Charlie Atkinson, District Commissioner 2
Edward C. Camarillo, District Commissioner 4

Pat M. Ahumada, Jr., Mayor

**NOTICE OF 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 a **Workshop, Executive Session, and Regular Meeting**, on **Tuesday, April 01, 2008, at 4:05 P.M., 4:55 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.

WORKSHOP: 4:05 P.M.

- a) Discussion regarding the Utility System Revenue Refunding Plan. (Mr. Leandro Garcia, Chief Financial Officer-BPUB – 15 min.)
- b) Discussion regarding alternative fuel. (Commissioner Charlie Atkinson – 15 min.)
- c) Status report on the Enterprise Modernization Project. (Commissioner Charlie Atkinson – 10 min.)
- d) Discussion regarding a “No Smoking” Ordinance for restaurants only. (Mayor Pat M. Ahumada, Jr. – 10 min.)

EXECUTIVE SESSION: 4:55 P.M.

- A) Discussion pursuant to Section 551.072, of the Texas Government Code, regarding real property. (Commissioner Edward C. Camarillo – 20 min)
- B) Discussion pursuant to Section 551.071, of the Texas Government Code, regarding pending litigation styled, Lamar v. City of Brownsville. (James R. Goza – City Attorney – 10 min.)

5. PUBLIC COMMENT PERIOD: PLEASE NOTE:

- THE “PUBLIC COMMENT FORM” IS DESIGNATED FOR SPEAKERS TO 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. (City Ordinance 2007-1090-D)**
- 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/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.**
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6. 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 March 18, 2008.

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

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Date</u>
Larry A. Brown	Aviation	Miami, FL	May 15 – 17, 2008
Joe Torres	Aviation	Los Angeles, CA	April 13 – 16, 2008
Minerva G. Flores	BUS	College Station, TX	April 08 – 10, 2008
Rodney Gomez	BUS	Waco, TX	April 11 – 13, 2008
Rosie Garza	BUS	Waco, TX	April 11 – 13, 2008

Diana Saldivar	BUS	Waco, TX	April 11 – 13, 2008
David Hinojosa	Fire	Live Oak, TX	April 03 – 05, 2008
Joseph Horn	Fire	San Antonio, TX	May 06 – 07, 2008
Sam Ortega	Fire	San Antonio, TX	May 06 – 07, 2008
Esther Garza	Fire	San Antonio, TX	May 06 – 07, 2008
James McCoy	Library	Dallas, TX	April 15 – 18, 2008
Marisol Vidales	Library	Dallas, TX	April 15 – 18, 2008
Juan Guerra	Library	Dallas, TX	April 15 – 18, 2008
David De Leon	Police	Austin, TX	April 08 – 14, 2008

c) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 2008-1488** to authorize the closure of a portion of Old Alice Road located north of Emilia Lane. (Dr. Delina Barrera – BCIC)

d) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-016** to rezone, from Dwelling “G” to General Retail “G” (4CG) Classification, 17.605 acres out of Share 12 of Espiritu Santo Grant located near FM 511 and Baker Road. (Ben Medina, Jr. – Planning)

e) **APPROVAL** on **SECOND** and **FINAL READING** of **Ordinance Number 235-2008-017-S** to allow a Medium Commercial Specific Use (car wash, 6C) in a General Retail “G” (4CG) area of Lot 30 Block 7 of Rose Garden Subdivision located at 4015 Old Highway 77, Brownsville, Texas 78521. (Ben Medina, Jr. – Planning)

BOARDS AND COMMISSION APPOINTMENTS:

7. Consideration and **ACTION** to appoint or reappoint one (1) member to the Brownsville Citizen’s Advisory Committee (BCAC). (Commissioner Camarillo) (TABLED 03/18/2008)
8. Consideration and **ACTION** to appoint members to the Charter Review Committee. (Commissioner Garza)
9. Consideration and **ACTION** to appoint or reappoint three (3) members to the Planning and Zoning Commission. (Ben Medina, Jr. – Planning)

PUBLIC HEARINGS:

10. Public Hearing regarding the filing of a New Freedom Grant Application with the Texas Department of Transportation (TxDOT) and **ACTION on Resolution Number 2008-042** to authorize the filing of the grant application.. (Norma H. Zamora – BUS)
11. Public Hearing and **ACTION on Ordinance Number 2008-1489** to authorize the issuance, sale and delivery of approximately \$6.5 million in aggregate principal amount of “City of Brownsville, Texas Combination Tax and Airport Revenue Certificates of Obligation, Series 2008B (AMT)””; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and pledging surplus airport revenues; approving and authorizing the execution of a paying agent/registrar agreement, a purchase contract, an official statement and all other instruments and procedures related thereto. (Pete Gonzalez – Finance)
12. Public Hearing and **ACTION on Ordinance Number 2008-1490** to authorize the issuance, sale and delivery of approximately \$14 million in aggregate principal amount of “City of Brownsville, Texas General Obligation Public Improvement and Refunding Bonds, Series 2008””; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and approving and authorizing the execution of a paying agent/registrar agreement, a bond purchase agreement, an escrow agreement, an official statement and all other instruments and procedures related thereto. (Pete Gonzalez – Finance)
13. Public Hearing and **ACTION on Ordinance Number 2008-1491** to authorize the issuance, sale and delivery of approximately \$17 million in aggregate principal amount of “City of Brownsville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008A””; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and approving and authorizing the execution of a paying agent/registrar agreement, a certificate purchase agreement, an official statement and all other instruments and procedures related thereto. (Pete Gonzalez – Finance)
14. Public Hearing and **ACTION on FIRST READING of Ordinance Number 2008-018** to rezone from Apartment “G” (AG) to Professional Office “G” (1CG) for Lot 9 Block 97 of Brownsville Original Townsite located near East Adams Street and 6th Street. (Ben Medina, Jr. – Planning)
15. Public Hearing and **ACTION on FIRST READING of Ordinance Number 2008-019** to rezone from Apartment “G” (AG) to Light Retail “G” (2CG) for .44 acres out of Block 2 of El Jardin Subdivision located at 1124 Morningside Road. (Ben Medina, Jr. – Planning)

16. Public Hearing and **ACTION on FIRST READING of Ordinance Number 2008-019-S** to allow a General Retail Specific Use (printing shop 4C) in Light Retail “G” (2CG) for .44 acres out of Block 2 of El Jardin Subdivision located at 1124 Morningside Road. (Ben Medina, Jr. – Planning)

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ACTION ITEMS:

17. Consideration and **ACTION on Resolution Number 2008-046** to authorize the renaming of Woodruff Ave. to Veterans Blvd. (Commissioner Edward C. Camarillo)
18. Consideration and **ACTION** to authorize Brownsville Urban System to accept a grant through the “*Easter Seals Project Action*” associated with the Mobility Planning Service (MPS) Institute of Washington, DC. (Norma H. Zamora – BUS)
19. Consideration and **ACTION on Resolution Number 2008-040** to amend the General Fund by \$463,111 which includes \$125,000 for land acquisition, sale of land for \$62,500 and cash transfer of \$400,611 to the Airport Construction Fund II. (Pete Gonzalez – Finance)
20. Consideration and **ACTION on Resolution Number 2008-041** to approve a plan of finance; to issue a series of certificates of obligation; to finance the purchase of land adjacent to or near the Brownsville Sports Park, and authorizing the City’s staff and professional advisors to prepare and distribute all documents and take all actions deemed necessary in connection with preparing, regarding for the issuance of such certificates of obligation. (Pete Gonzalez – Finance)
21. Consideration and **ACTION on Resolution Number 2008-043** to authorize the publication of notice of intention to issue certificates of obligation not to exceed \$3.2 million. (Pete Gonzalez – Finance)
22. Consideration and **ACTION on Resolution Number 2008-044** in support of the filing of a Criminal Justice Grant Project titled: “*Second Chance*”, for Fiscal Year 2008 and 2009, authorizing the City of Brownsville Municipal Court to act on behalf of the City in all matters related to the application; and pledging that, if a grant is received, the City of Brownsville will comply with the grant requirements of the Criminal Justice Grant Project. (Mayor Pat M. Ahumada, Jr.)

23. Consideration and **ACTION** on **Resolution Number 2008-045** in support of filing of a state grant funding application with the U.S. Environmental Protection Agency, Gulf of Mexico Program Office, for a Gulf of Mexico Alliance Regional Partnership Project. (Mayor Pat M. Ahumada, Jr.)

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PURCHASES/BIDS/CONTRACTS:

24. Consideration and **ACTION** to award a contract for the purchase and delivery of three (3) Type III ultra low sulfur diesel lifted-equipped ADA accessible transit vehicles for the Brownsville Urban System (BUS). (Roberto C. Luna – Purchasing)
25. Consideration and **ACTION** to award a term contract for vacant lot mowing services for the Brownsville Public Health Department. (Roberto C. Luna – Purchasing)
26. Consideration and **ACTION** to award a contract for the purchase, delivery and installation of modular furniture for the EMS Billing and Fire Prevention Divisions of the Brownsville Fire Department relocation to City Plaza. (Roberto C. Luna – Purchasing)

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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 April 01, 2008, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on March 28, 2008. 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