

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 a **Workshop**, and a **Regular Meeting**, on **Tuesday, July 20, 2010 at 5:40 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: 5:40 P.M.

- a) Discussion regarding City of Brownsville Park Rules. (Commissioners M. A. Zamora and R. Gowen – 20 min.)

REGULAR MEETING: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

UNITED STATES PLEDGE * TEXAS PLEDGE

INVOCATION:

1. MAYOR’S REPORT:

Mayor’s Activity Report
Welcome to Hon. Alejandro Nava Soto, Mayor Huejutla de Reyes, Hidalgo, Mexico and the delegation.

2. COMMISSIONER’S REPORT:

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|--------------------------------|---------------------------------------------------------|
| Commissioner Charlie Atkinson | District 2 Update Brownsville Sports Park Activities |
| Commissioner Melissa A. Zamora | Kidfish Health Fair |

3. **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 July 06, 2010.

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

| <u>Employee</u> | <u>Department</u> | <u>Destination</u> | <u>Date</u> |
|--------------------|-------------------|---------------------|--------------------|
| Doroteo Garcia | Engineering | San Antonio, TX | Aug. 1 – 5, 2010 |
| Jerry Garcia | Finance | Chicago, IL | Aug. 1 – 7, 2010 |
| Luis S. Salinas | Finance | Chicago, IL | Aug. 1 – 7, 2010 |
| Lupe Granado | Finance | Austin, TX | July 25-30, 2010 |
| Leonardo Perez | Fire | College Station, TX | July 22 – 24, 2010 |
| Javier Quiroga | Fire | College Station, TX | July 25 – 31, 2010 |
| Joel Rodriguez | Fire | College Station, TX | July 25 – 31, 2010 |
| Rodolfo Gamez | Fire | College Station, TX | July 25 – 31, 2010 |
| Oscar Garcia | Fire | College Station, TX | July 25 – 31, 2010 |
| Jaime Ibarra | Fire | College Station, TX | July 25 – 31, 2010 |
| James McCoy | Library | Dallas, TX | July 28 – 31, 2010 |
| Martino V. Trevino | Public Works | San Antonio, TX | Aug. 02-05, 2010 |

PUBLIC HEARINGS:

4. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-1525**, to authorize the issuance, sale and delivery of approximately \$11,310,000.00, in aggregate principal amount of "City of Brownsville, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2010A," securing the payment thereof by authorizing the levy of an annual ad valorem tax; and pledging of certain surplus revenues of the City's municipal landfill system; and 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)
5. Public Hearing and **ACTION** on **FIRST READING** of **Ordinance Number 2010-1526**, amending Chapter 46, Article III, Noise, by amending Section 46-76 – "Definitions"; Section 46-77 – "Unreasonable Noise Prohibited"; Section 46-78 – "Enumeration of Excessive Sound Levels"; and abolishing and reserving existing Sections 46-79 and 46-80, thus repealing Ordinance No. 99-1347. (Mark Sossi – City Attorney)

- 6. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-012**: to rezone from Dwelling “Z” (DZ) to General Retail “G” (4CG) for Lots 7 thru 9, Block 105 of Olmito Original Townsite, located near Expressway 77/83 and Coma Street. (Ben Medina – Planning)
- 7. Public Hearing and **ACTION** on **FIRST READING** on **PROTESTED Ordinance Number 235-2010-013**: to rezone from General Retail “G” (4CG) to Dwelling “A” (DA) for 10. acres out of Survey No. 34, Share 19, Espiritu Santo Grant, located near Hudson Boulevard and FM 802. (Ben Medina – Planning)
- 8. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-014**: to rezone from Dwelling “Z” (DZ) to Medium Retail “G” (3CG) for Lot 3, Block 22 of Cameron Park Subdivision, located near Rancho Viejo Avenue and Paredes Line Road. (Ben Medina – Planning)
- 9. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-015**: to rezone from General Retail “G” (4CG) to Light Commercial “G” (5CG) for Lot 42, Section -3 of Linda Vista Subdivision, located at 3754 Southmost Road, Brownsville, Texas 78521. (Ben Medina – Planning)
- 10. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-016**: to rezone from Light Retail “V” (2CV) to Medium Retail “V” (3CV) for 1.5 acres out of Share 22 of Espiritu Santo Grant, located at 1600 FM 511, Brownsville, Texas 78521. (Ben Medina – Planning)
- 11. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-016-S**: to allow a Medium Industrial (8C) Specific Use (Concrete Batch Plant) in a Medium Retail (3C) for 1.5 acres out of Share 22 of Espiritu Santo Grant, located at 1600 FM 511, Brownsville, Texas 78521. (Ben Medina – Planning)
- 12. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-017-S**: to allow a Duplex/Dwelling “G” Specific Use in a General Retail “F” (4C) for Lot 3 Block 125 of Brownsville Original Townsite, located at 740 East Monroe Street, Brownsville, Texas 78520. (Ben Medina – Planning)
- 13. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 235-2010-018-S**: to allow a Medium Commercial (6C) Specific Use (Freight Terminal) in a General Retail (4C) for 4.28 acre tract out of Lot 15 and 16, Block 308 of El Jardin Subdivision, located near FM 511 and Utah Street. (Ben Medina – Planning)
- 14. Public Hearing and **ACTION** on **FIRST READING** on **Ordinance Number 2010-235.79** to amend Chapter 348 – Zoning, Article VIII – Specific Uses; Section 248 – 1419 Fees, of the Code of Ordinances, by amending and adding certain fees and dealing with related matters. (Ben Medina – Planning)

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15. **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 **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:

16. Consideration and **ACTION** to acknowledge the Brownsville Convention and Visitors Bureau’s quarterly report. (Charlie Cabler – City Manager)
17. Consideration and **ACTION** to extend the City’s depository contract to First National Bank to two additional Fiscal Years beginning October 1, 2010. (Pete Gonzalez – Finance)
18. Consideration and **ACTION** to authorize the acceptance and expenditure of the Texas Division of Emergency Management (TDEM) Fiscal Year 2010 Emergency Management Performance Grant (EMPG), awarded to the Brownsville Office of Emergency Management & Homeland Security, in the amount of \$43,749.00 (Jeff Johnston – BOEM)
19. Consideration and **ACTION** for the Brownsville Fire Department to donate old obsolete equipment to the Matamoros Fire Department. (Fire Chief Leonardo L. Perez)

- 20. Consideration and **ACTION** on **Resolution Number 2010-050**, to acknowledge a petition by the City of Brownsville from Entertainment District property owners, and further creating an Entertainment District Public Improvement Advisory Committee, outlining responsibilities of said committee, and dealing with related matters. (Ben Medina – Planning)
- 21. Consideration and **ACTION** to authorize the acceptance and execution of a grant, in the amount of \$192,571.00, from the Texas Department of State Health Services (TDSHS) (Christopher Patterson – Parks and Recreation)
- 22. Consideration and **ACTION** to authorize Mr. Charlie Cabler, City Manager, to accept Grant Number SA-T01-10041-11 from the Automobile Burglary and Theft Prevention Authority (ABTPA) for the South Texas Auto Theft Enforcement Task Force Project for Fiscal Year 2010-2011, in the amount of \$1,017,871.00, the Police Department’s share being \$504,512.00. (Chief Carlos L. Garcia – Police)

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PURCHASES/BIDS/CONTRACTS:

- 23. Consideration and **ACTION** to award a contract for Real Estate Acquisition Services for the Brownsville Planning Department. (Roberto C. Luna – Purchasing)
- 24. Consideration and **ACTION** to award a contract for Phase Two Roof Repairs at the Commemorative Air Force Facility (CAF), located at the Brownsville/South Padre Island International Airport. (Roberto C. Luna – Purchasing)
- 25. Consideration and **ACTION** to award a term contract for Temporary Employment Services on a rotation list for the City of Brownsville. (Roberto C. Luna – Purchasing)

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ADJOURN:

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 July 20, 2010, Agenda of items to be considered by the Brownsville City Commission was posted on the Bulletin Area at City Hall – Federal Building, on July 16, 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