

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

**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 I, Blanca S. Vela, Mayor of the City of Brownsville, Texas, in accordance with Article V, Section 12, of the Charter of said City, do hereby call an executive session and regular meeting of the City Commission of the City of Brownsville, to convene on **Tuesday, October 16, 2001, at 5:30 pm and 6:00 pm**, respectively, in the Commission Chambers, on the 2nd Floor of City Hall/Market Square, Brownsville, Cameron County, Texas, 78520.

**EXECUTIVE SESSION – 5:30 PM**

- a. Discussion pursuant to Section 551.072, Title 5 of the Texas Government Code, regarding pending litigation styled and numbered Ferrell vs. City of Brownsville, et al., B-99-062; and Oakerson vs. City of Brownsville, et al., B-99-197. (J. Arnold Aguilar, Special Counsel – 10 min)
  
- b. Deliberation pursuant to Section 551.074, Title 5 of the Texas Government Code, regarding the evaluation of the following candidates for Police Chief for the City of Brownsville: Charlie Cabler, Carlos L. Garcia, and William R. Kingsbury. (Lanny Lambert, City Manager -15 min)

**REGULAR MEETING– 6:00 PM**

*PLEDGE OF ALLEGIANCE*

*INVOCATION*

*PROCLAMATIONS:*            Los Fresnos Fire Department  
  UTB-TSC Veterans Day Celebration  
  National Catholic Daughters of Americas Day

*PUBLIC COMMENT PERIOD: At this time, any person with business before the Commission, not scheduled on the agenda as a public hearing, may speak to the Commission. No formal action can be taken on these items at this meeting. There is a three-minute time limit per speaker.*

*MINUTES:*

1. September 18, 2001; Regular Meeting  
September 19, 2001; Special Meeting  
September 24, 2001; Special Meeting  
September 25, 2001; Regular Meeting  
September 26, 2001; Special Meeting  
September 27, 2001; Special Meeting  
October 2, 2001; Regular Meeting  
October 3, 2001; Special Meeting

*CONSENT AGENDA:*

2.
  - a. Consideration and action on SECOND and FINAL READING of Protested Ordinance Number 235-2001-042, to rezone from Dwelling “A” classification to Light Retail “A” classification for the rear ½ of Lot 8 of Sherwood Place, Section I, located near Old Port Isabel Road and Alan-A-Dale Drive.
  - b. Consideration and action on SECOND and FINAL READING of Protested Ordinance Number 235-2001-042-S, to allow a General Retail specific use (retail sale and storage of merchandise) in a Light Retail use district, for all of Lot 8 of Sherwood Place, Section I, located near Old Port Isabel Road and Alan-A-Dale Drive.
  - c. Consideration and action on SECOND and FINAL READING of Ordinance Number 235-2001-050, to rezone from Medium Commercial (Sixth Commercial) “G” classification to General Retail (Fourth Commercial) “G” classification, Lot 10 of Block 2, El Valle Subdivision, Section I, located near FM 3248 and proposed Morrison Road.
  - d. Consideration and action on SECOND and FINAL READING of Ordinance Number 235-2001-051, to rezone from Medium

Commercial (Sixth Commercial) “G” classification to General Retail (Fourth Commercial) “G” classification, Lot 10 of Block 15, El Valle Subdivision, Section I, located near FM 3248 and proposed Morrison Road.

- e. Consideration and action on SECOND and FINAL READING of Ordinance Number 235-2001-052, to rezone from Medium Commercial (Sixth Commercial) “G” classification to Medium Retail (Third Commercial) “G” classification, Lots 11-14 of Block 2, El Valle Subdivision, Section I, located near FM 3248 and proposed Morrison Road.
- f. Consideration and action on SECOND and FINAL READING of Ordinance Number 2001-1382, to abandon and close a 10-foot City-owned utility easement located on the south side of Lot 9, Block 3, Parkview Subdivision, Phase I, Section 2. (Eddie Santillan, Engineering)

*PUBLIC HEARINGS:*

- 3. Public hearing on Protested Ordinance Number 235-2001-040-S, to allow an Apartment specific use (apartments) in a Dwelling use district, for Lot 12 of Block 27-A of Stillman Subdivision located near West Madison Street and West First Street. (Continued from 10/2)

Consideration and action on FIRST READING of Protested Ordinance Number 235-2001-040-S. (Ben Medina, Planning)

- 4. Public hearing on Ordinance Number 235-2001-044-S, allowing an Apartment specific use (apartments) in a Dwelling use district for Lot 19 of Block 1 of Belaire Heights Addition, located near State Highway 48 and Vera Avenue.

Consideration and action on FIRST READING of Ordinance Number 235-2001-044-S. (Ben Medina, Planning)

- 5. Public hearing on Ordinance Number 235-2001-063, rezoning from Dwelling “A” classification to General Retail (Fourth Commercial) “A” classification, 1.03 acres (0.87 acres out of Tannehill & Russell Tract, and

0.16 acres out of Brownsville Land and Improvement Company Plat), located near Media Luna Road and Central Boulevard.

Consideration and action on FIRST READING of Ordinance Number 235-2001-063. (Ben Medina, Planning)

6. Public hearing on Ordinance Number 235-2001-065, rezoning from Light Retail (Second Commercial) “G” classification to Medium Retail (Third Commercial) “G” classification, Lot 22 of El Jardin Subdivision in Share 27 of the Espiritu Santo Grant, save and except 1.46 acres described in Warranty Deed filed in Volume 762, Page 206, of the Deed Records of Cameron County.

Consideration and action on FIRST READING of Ordinance Number 235-2001-065. (Ben Medina, Planning)

7. Public hearings and action on the following Ordinance(s) annexing certain territory to the City of Brownsville, Cameron County, Texas, and extending the boundary limits of said City so as to include such property within said City limits, and granting to all the inhabitants of such property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said City:
  - a. Ordinance Number 2001-1200.45 (in Espiritu Santo Grant [ESG] and San Pedro de Carricitos Grant near Expressway 77/83);
  - b. Ordinance Number 2001-1200.46 (in Share 14 of ESG west of FM 803);
  - c. Ordinance Number 2001-1200.47 (in and near National Wildlife Refuge west of FM 1421);
  - d. Ordinance Number 2001-1200.48 (near said Refuge);
  - e. Ordinance Number 2001-1200.49 (in and near said Refuge);
  - f. Ordinance Number 2001-1200.50 (in and near National Wildlife Refuge south of SH 100);
  - g. Ordinance Number 2001-1200.51 (in ESG and Santa Isabel Grant near SH 100);
  - h. Ordinance Number 2001-1200.54 (near Dana AVE);
  - i. Ordinance Number 2001-1200.55 (in Cameron Park Subdivision near Paredes Line RD);
  - j. Ordinance Number 2001-1200.56 (near FM 3248);

- k. Ordinance Number 2001-1200.57 (near Toledo ST);
- l. Ordinance Number 2001-1200.58 (near Robindale RD);
- m. Ordinance Number 2001-1200.59 (near Salida del Sol);
- n. Ordinance Number 2001-1200.60 (near Central AVE);
- o. Ordinance Number 2001-1200.61 (near Morrison RD);
- p. Ordinance Number 2001-1200.64 (near Southmost RD and Monsees RD);
- q. Ordinance Number 2001-1200.65 (near Southmost RD and FM 3068);
- r. Ordinance Number 2001-1200.66 (near FM 511 and Florida RD);
- s. Ordinance Number 2001-1200.67 (near FM 511 and City landfill);
- t. Ordinance Number 2001-1200.68 (near Browne AVE and El Naranjal Subdivision);
- u. Ordinance Number 2001-1200.69 (in ESG and San Martin Grant near SH 4);
- v. Ordinance Number 2001-1200.70 (near FM 313);
- w. Ordinance Number 2001-1200.71 (near City landfill and Travis RD);
- x. Ordinance Number 2001-1200.72 (near FM 511 and SH 4);
- y. Ordinance Number 2001-1200.73 (near SH 4 and Medford AVE);
- z. Ordinance Number 2001-1200.74 (near SH 4 and FM 1419);
- aa. Ordinance Number 2001-1200.75 (Citrus Hill Subdivision near SH 4);
- bb. Ordinance Number 2001-1200.76 (near Florida RD and Browne AVE);
- cc. Ordinance Number 2001-1200.77 (southwest of Dockberry RD and Browne AVE);
- dd. Ordinance Number 2001-1200.78 (in and near Lopez High School);
- ee. Ordinance Number 2001-1200.79 (near Southmost RD and Dakota AVE);
- ff. Ordinance Number 2001-1200.80 (near Expressway 77/83 and SH 100);
- gg. Ordinance Number 2001-1200.82 (near FM 1732 and National Wildlife Refuge);
- hh. Ordinance Number 2001-1200.83 (near SH 100 east of Expressway 77/83);
- ii. Ordinance Number 2001-1200.84 (near SH 100 and FM 803);
- jj. Ordinance Number 2001-1200.85 (near SH 100 and extension of FM 3069);
- kk. Ordinance Number 2001-1200.86 (east of Valley MUD #2);
- ll. Ordinance Number 2001-1200.87 (west of Valley MUD #2);

- mm. Ordinance Number 2001-1200.88 (near Stillman/Dennet RD);
- nn. Ordinance Number 2001-1200.89 (near Abelardo DR);
- oo. Ordinance Number 2001-1200.90 (in ESG and San Pedro de Carricitos Grant near main river levee);
- pp. Ordinance Number 2001-1200.91 (in ESG and San Pedro de Carricitos Grant near main river levee);
- qq. Ordinance Number 2001-1200.92 (in San Pedro de Carricitos Grant near Pennsylvania AVE);
- rr. Ordinance Number 2001-1200.93 (near Expressway 77/83 and SH 100);
- ss. Ordinance Number 2001-1200.94 (in Share 14 of ESG near SH 100);
- tt. Ordinance Number 2001-1200.95 (near FM 803 and SH 100);
- uu. Ordinance Number 2001-1200.96 (near FM 803 and Lomax RD);
- vv. Ordinance Number 2001-1200.97 (near SH 100 and FM 803);
- ww. Ordinance Number 2001-1200.98 (near SH 100 and Old Port Isabel RD);
- xx. Ordinance Number 2001-1200.99 (near SH 100 and National Wildlife Refuge);
- yy. Ordinance Number 2001-1200.100 (near SH 100 and Palo Alto Battlefield);
- zz. Ordinance Number 2001-1200.101 (in Share 22 of ESG near FM 511);
- aaa. Ordinance Number 2001-1200.102 (in Shares 1, 17, and 14 of ESG near SH 100);
- bbb. Ordinance Number 2001-1200.103 (near SH 100 and Iowa Gardens RD);
- ccc. Annexation Ordinance(s) (all of Brownsville's extraterritorial jurisdiction, minus the areas excluded in the newspaper notice published on September 20, 2001).

*ACTION ITEMS:*

- 8. Consideration and action confirming the City Manager's recommended appointment for Police Chief of the City of Brownsville. (Lanny Lambert, City Manager)
- 9. Consideration and action approving a lease for the Capitol Theatre and the Del Walt Hotel between the City of Brownsville and the Brownsville

- Society for the Performing Arts. (Peter Goodman, Downtown Development Manager)
10. Consideration and action authorizing the Brownsville Adult Literacy Center to use Washington Park for the second annual “Symphony in the Park” on Saturday, April 6, 2002, including assistance from the Public Works and Police Departments, and a waiver of the alcohol prohibition in the park. (George Cox, Brownsville Literacy Council)
  11. Consideration and action concerning settlement and resolution of pending litigation styled and numbered Ferrell vs. City of Brownsville, et al., B-99-062; and Oakerson vs. City of Brownsville, et al., B-99-197. (J. Arnold Aguilar, Special Counsel)
  12. Consideration and action on a lease to Verizon Wireless for approximately 2500-square-feet in the north part of Block 44, Brownwell Tract, Share 28 of the Espiritu Santo Grant, located at the City Public Works Yard. (Larry Brown, Acting Assistant City Manager)
  13. Consideration and action adopting a City Commission meeting schedule for the months of November and December. (Sarah M. Reed, City Secretary)
  14. Consideration and action to approve a Wells Fargo Bank corporate resolution authorizing the City to open a self-funded insurance program checking account to process all medical insurance claims approved by New Horizon Benefit Administration, the City’s third party administrator; designating the President of New Horizon Benefit Administration, the City Manager and the City Finance Director as authorized officers to deposit or withdraw funds from this checking account; and dealing with related matters. (Pete Gonzalez, Finance)
  15. Consideration and action approving a contract between the City of Brownsville and Cameron County Emergency Services District No. 1 for emergency medical services. (Leonardo Perez, Fire)
  16. Consideration and action on Resolution Number 2001-076, supporting an Urban and Community Forestry Program grant by the Texas Forest Service. (Carlos Ayala, Public Works)

17. Consideration and action authorizing the following individuals to incur travel expense:

<u>Employee</u>	<u>Department</u>	<u>Destination</u>	<u>Dates</u>
a. David Ivory	Public Works	Waco, Texas	10/23-27/01
b. Larry Brown	City Manager	Washington, DC	10/17-19/01
c. Jesse Lopez	Police	Austin, Texas	10/21-22/01
J.J. Trevino	Police	Austin, Texas	10/21-22/01
d. Norma Zamora	BUS	San Antonio, Texas	10/18-19/01
e. Graciela Aldaco	Planning	Corpus Christi, Texas	11/6-8/01
f. Jesus Garza	Planning	San Antonio, Texas	10/24-26/01
Lucy Garza	Planning	San Antonio, Texas	10/24-26/01

*PURCHASES/BIDS/CONTRACTS:*

18. Consideration and action awarding a contract for the purchase of round and rectangular tables to be used by the Brownsville Events Center. (Jorge Santillan, Purchasing/Corine Parris, Events Center)
19. Consideration and action authorizing the City Manager to execute a contract for storm water compliance consulting at the landfill. (Carlos Ayala, Public Works)

*DISCUSSION ITEMS:*

20. Discussion regarding a utilization plan for the Old Federal Courthouse. (Ben Medina, Planning)
21. Presentation of recommendations regarding a proposed reprogramming statement and prioritizing proposed projects. (Ben Medina, Planning)
22. Discussion regarding development of a Youth Council for the City of Brownsville. (Commissioner Joseph A. Zavaletta)
23. Discussion regarding the appointment of members of the Commission to the following boards: Airport Advisory Board; Animal Shelter Advisory Committee; Brownsville Convention and Visitors Bureau; and Heritage Council Nominating Committee. (Lanny Lambert, City Manager)

*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 with the ADA Coordinator at 956/548-6058 (voice or Relay TX) by Monday, no later than 5:00 pm, to make proper arrangements.

By: Blanca S. Vela  
Mayor of the City of Brownsville

POSTED this 12th day of October, at \_\_\_\_\_ pm, at the Brownsville City Hall  
by Sarah M. Reed, City Secretary.

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