

JUNE 26, 2000

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD MONDAY, JUNE 26, 2000 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

Stanley Laskowski, City Commissioner
 Rene "Mr. V" Villarreal, City Commissioner
 Filemon "Phil" Esquivel, Jr., Mayor
 Arturo Pecos, City Commissioner
 Al Garcia, City Commissioner

CITY STAFF PRESENT:

Hector M. Hinojosa, City Manager
 Diana F. Valadez, City Secretary
 Ruben Perez, City Attorney
 Stanley Fees, Director of Planning
 Dora Byington, Director of Purchasing
 Victor Salas, Director of Finance
 Ricardo Guzman, Director of Public Works
 Cesar Garcia, Director of Personnel
 Dianne Leubert, Recycling Manager
 Maria Robles, Accountant
 A.L. Noyola, Director of Health
 Corando Garza, Assistant City Manager/Fire Chief
 Estella Garcia, Director of Collections
 John Garcia, Garage Superintendent

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING:

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, Mr. Ben Quintanilla, a member of the audience, led the Pledge of Allegiance.

Mayor Filemon "Phil" Esquivel, Jr. and Mr. Hector M. Hinojosa, City Manager presented a plaque and a gift to Chief Felipe Garza in honor of his recent retirement as Chief of Police from the Kingsville Police Department.

Chief Garza also said a few words and expressed his gratitude to the members of the City Commission and City Staff. He also thanked his family members.

Mayor Esquivel stated that he wanted to clear some misconceptions regarding two recent out-of-state trips. He stated that he had an opportunity to travel to Washington, D.C. and to Seattle, Washington and accomplishments were made during these two meetings. Mayor Esquivel stated that during the U.S. Conference of Mayors he introduced a resolution in support of the Spaceport Project. He said this was an accomplishment that he is very proud of, and there is still a lot of work that needs to be done regarding the Spaceport Project.

Mayor Esquivel stated that he recently met with representatives of the Coastal Bend Council of Governments (COG). He stated that the COG would soon be reimbursing the overpayment of dues to its member cities. He requested that the dues being allocated to the City of Kingsville be reallocated to the South Texas Spaceport Consortium. Mayor Esquivel requested that the City Attorney draft a resolution supporting this endeavor.

MINUTES OF PREVIOUS MEETING(S) - REQUIRED BY LAW.

The Commission was presented with the minutes of the Special Meetings held Friday, May 05, 2000, Tuesday, May 09, 2000, and Thursday, May 11, 2000 and the Regular Meeting held Monday, May 22, 2000.

There being no corrections, a motion was made by Commissioner Rene "Mr. V" Villarreal and seconded by Commissioner Stanley Laskowski to accept the minutes as presented. The motion passed by a unanimous vote.

II. PUBLIC HEARING - (REQUIRED BY LAW).

1. **PUBLIC HEARING REGARDING PROPOSED REZONING OF PROPERTY LOCATED AT 303 SOUTH 5TH STREET (DIRECTOR OF PLANNING).**

Mayor Esquivel declared the public hearing opened at 6:25 p.m.

Mr. Stanley Fees, Director of Planning, stated that Mr. Dean Polland has requested the proposed rezoning. He said that one property owner voiced some concern, however the Planning and Zoning Commission still recommended approval of the proposed rezoning.

Mr. Dean Polland addressed the Commission. He stated that the application is being made on behalf of The Wildlife Collection, rather than himself. Mr. Polland stated that he is part owner of this business and requested that the Commission give favorable consideration to the proposed rezoning.

There being no further discussion, Mayor Esquivel closed the public hearing at 6:31 p.m.

III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. **UPDATE FROM STAFF ON FOLLOWING QUESTIONS AT THE REQUEST OF THE MAYOR AND COMMISSIONERS.**

A. **PRESENTATION REGARDING PLAN OF ACTION ON BLITZ CLEAN UP PROJECT, CODE ENFORCEMENT, AND NUISANCE ABATEMENT PROGRAM. (CITY MANAGER).**

Mayor Esquivel stated that the City Commission is committed to cleaning the entire City and is prepared to spend additional revenues in order to accomplish this task.

Mr. Hinojosa briefed the Commission regarding the plan of action for the clean up project. He stated that after reviewing different options and visiting several other cities in the South Texas region, staff identified other factors that should be considered as part of the city wide clean up efforts. The factors include: 1) Simplifying the zones for clean up and scheduling City services in each area. This would provide for easier administration and communication to the public regarding brush clean up efforts. 2) Establish a Nuisance Abatement Officer with the responsibility to address citizen complaints, monitor violations and compliance, and coordinate special community clean up efforts. 3) Explore the advantages of using a 5 day 8 hour schedule in the Sanitation Department versus the current 4 day 10 hour schedule. 4) Coordinate with other Public Works Departments to complete the initial clean up in each quadrant and then follow with an aggressive code enforcement program to prevent future violations.

Mr. Corando Garza, Assistant City Manager, stated that he met with City Staff from the City of Edinburg. He stated that the initial clean up is a major task, and will take a strict code enforcement after the initial clean up.

Mayor Esquivel stated that staff has the support from the City Commission regarding this project, and asked that the citizens get involved and help keep their area clean.

There was a discussion regarding the cost of the initial clean up and how long it will take to accomplish the project. There was also a discussion regarding the possibility of bidding out this service to a private contractor.

Commissioner Al Garcia expressed some concern regarding the possibility of illegal dumping that could take place by private building contractors.

B. UPDATE ON PUBLICATION OF CITY JOURNAL.
(COMMISSIONER LASKOWSKI).

Mr. Hinojosa briefed the Commission regarding the proposals he received for the publication of the *City Journal*. He stated that the low bid was received from Mr. James Barnhardt.

Mr. Hinojosa stated that as of this date, he has instructed Mr. Barnhardt to proceed with the publication for the July edition of the *City Journal*.

Upon a question raised by Commissioner Laskowski, Mr. Hinojosa responded that the total cost for the publication is approximately \$4,300.00.

Upon a question raised by Mayor Esquivel, Mr. Hinojosa responded that a member of the City Commission would not be writing a column in this edition. Mayor Esquivel disagreed and stated that any member of the Commission should be allowed to write an article informing the citizens on upcoming events.

Commissioner Garcia stated that he opposes the publication of the journal, and preferred that a full page be published in the *Kingsville Record* and circulated instead.

Commissioner Arturo Pecos stated that at this point, the City has made a commitment to print the July issue and should move forward. He stated that perhaps the publication and the cost of another issue could be discussed during the budget workshop sessions.

C. DISCUSSION ON 2000 PRELIMINARY VALUES FOR THE CITY OF KINGSVILLE PERTAINING TO PROPERTY VALUATIONS, EXEMPTIONS, AND NET TAXABLE VALUES, AND POSSIBLE EFFECT ON 2000-2001 ANNUAL BUDGET AND TAX RATE. (MAYOR ESQUIVEL).

Mayor Esquivel stated that he requested this item be placed on the agenda so the members of the Commission could know what to expect regarding the proposed tax rate for the next fiscal year. He stated that the appraised values increased by 35 million and that would have an impact on the tax rate. Mayor Esquivel stated that the Commission could possibly leave the tax rate as it is currently or could also consider lowering the rate for this next fiscal year.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

Mr. Billy Parks, District Engineer reported to the Commission that the 14th Street reconstruction project has been completed. He also requested the Commission give him some direction regarding the General Cavazos overpass issue. Mr. Parks stated that a final decision needs to be made regarding the construction of the overpass.

Mrs. Mary Jane Cortez Reeder, 429 East Avenue C, addressed the Commission regarding agenda item number five. She stated that she is opposed to the contribution being considered for the Parks and Recreation Department. Mrs. Reeder also addressed the Commission regarding the clean up project. She stated that there are many senior citizens that want to clean their properties, but are ill and can not keep them clean.

Ms. Antonia Suarez, an employee of the Sanitation Department, addressed the Commission regarding the clean up project. She stated that she is not in favor of changing the work schedule of the Sanitation Department employees. She said they currently work a four day week and would like to continue with that schedule.

Mr. Robert Kelly, a representative of Hunt Building Corporation, addressed the Commission regarding agenda item number four. He requested the Commission consider approval of the proposed plat. Mr. Kelly stated that he would answer any questions the members of the Commission may have.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER FINAL PASSAGE OF AN ORDINANCE REZONING LOTS 19-21, BLOCK 3, PENNY SUBDIVISION, 1259 EAST YOAKUM FROM CLASS "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO CLASS "R-4" GENERAL RESIDENTIAL DISTRICT. (DIRECTOR OF PLANNING).

Mr. Fees stated that Mr. Joe Zamora, applicant is proposing to rezone the property to "R-4" General Residential District. He said that the Planning and Zoning Commission approved the rezoning request and recommended approval.

Upon a motion by Commissioner Villarreal and second by Commissioner Pecos, the Commission unanimously approved Ordinance #200012, rezoning Lots 19-21, Block 3, Penny Subdivision, from Class "R-1" Single Family Residential District to Class "R-4" General Residential District.

2. CONSIDER FINAL PASSAGE OF AN ORDINANCE REZONING LOTS 11-12, BLOCK 66, ORIGINAL TOWNSITE SUBDIVISION, 303 SOUTH 5TH STREET FROM CLASS "C-2", RETAIL DISTRICT TO CLASS "C-3" CENTRAL BUSINESS DISTRICT. (DIRECTOR OF PLANNING).

Mr. Fees stated that the applicant is requesting the rezoning of his property to Class "C-3" Central Business District. He stated that the Planning and Zoning Commission approved the rezoning as requested with a Special Use Permit for cabinet or furniture upholstery shop or similar light manufacturing process uses. Mr. Fees also recommended approval of the proposed rezoning and special use permit as requested.

Upon a motion by Commissioner Garcia and second by Commissioner Villarreal, the Commission unanimously approved Ordinance #200013 rezoning Lots 11-12, Block 66, Original Townsite Subdivision, 303 South 5th Street from Class "C-2", Retail District to Class "C-3" Central Business District.

3. CONSIDER AWARDING ANNUAL CONTRACT FOR CHLORINE. (BID #21-01). (DIRECTOR OF PURCHASING).

Mr. Hinojosa stated that during this time of the year all annual contracts are renewed and submitted to the City Commission for approval.

Mrs. Dora Byington, Director of Purchasing, stated this item authorizes execution of an annual contract for chlorine. She said that based on estimated usage, approximately \$7,113.00 would be expended under this contract. Mrs. Byington recommended that the contract be awarded to AOC from Kingsville.

Upon a motion by Commissioner Villarreal and second by Commissioner Laskowski, the Commission unanimously awarded the annual contract for chlorine as recommended by staff.

4. CONSIDER FINAL PLAT APPROVAL OF HUNTERS COVE SUBDIVISION. A 22.25 ACRE TRACT OF LAND OUT OF FARM LOT 5 & 6, SECTION 22, K.T. & I. SUBDIVISION. (DIRECTOR OF PLANNING).

Mr. Fees stated that the proposed subdivision fronts on General Cavazos Boulevard and water and wastewater utilities are available along FM 1717 to provide service to the subdivision. He stated that a new waterline will be looped through the subdivision to provide eight additional fire hydrants. This will provide adequate fire protection and an additional connection will be made to the existing waterline in the Trant Road dedicated right-of-way. Mr. Fees stated that drainage would be conveyed across the property to the northeast corner to a lift station. This lift station will pump the drainage into a pipeline that will discharge into the ditch along the west side of US 77 Bypass. The runoff will then continue draining to the south along US 77 Bypass to Santa Gertrudis Creek.

Mr. Fees stated that the Planning and Zoning Commission recommended approval of the proposed plat.

Upon a motion by Commissioner Garcia and second by Commissioner Pecos, the Commission unanimously approved the final plat of Hunters Cove Subdivision.

5. CONSIDER CONTRIBUTION OF \$5,000 TO KLEBERG COUNTY PARKS AND RECREATION DEPARTMENT FOR PONY LEAGUE GIRLS SOFTBALL REGIONAL AND ZONE TOURNAMENTS. (CITY MANAGER).

Mr. Hinojosa stated that the wording on this agenda item should have specified that an increase of \$5,000 was being requested in the line item that the City budgets to the County Parks Department, rather than a contribution. He stated that the City already allocates funds in an amount of \$200,000 to the Parks Department, and this request is to simply increase that amount to \$205,000. Mr. Hinojosa stated that the tournament would tremendously benefit the City, especially since most of the teams will be using hotel rooms. He recommended the Commission increase the line item by \$5,000 to the County Parks Department.

Mrs. Susan Ivy, Director of the Kleberg County Parks and Recreation Department, stated that the largest expense with the tournament is the cost of trophies and paying the officials. She also requested the Commission give favorable consideration to this request.

Mayor Esquivel stated that making this investment would increase the sales opportunities for the businesses in Kingsville and in turn would increase sales tax revenues, and also increase the hotel-motel tax revenues. Mayor Esquivel urged the Commission to consider approval of this request.

Commissioner Garcia stated that one tournament is expected to bring in ninety teams and the second tournament will bring in fifty additional teams.

Commissioner Villarreal stated that the Commission has already set up guidelines on how money will be distributed to non profit organizations, and the Commission needs to be fair to the entire community. He recommended that the line item to the County Parks Department be increased rather than making a contribution.

Upon a question raised by Commissioner Laskowski, Mr. Hinojosa stated that the additional revenues could be paid from the current fund balance.

Mayor Esquivel stated that the Kingsville Convention and Visitor's Bureau has contributed to the advertising, and has done their part in promoting this tournament.

A motion was then made by Commissioner Villarreal and seconded by Commissioner Garcia to direct the City Manager to increase the budgeted line item for the City contribution to the County Parks and Recreation Department in the amount of \$5,000. The motion passed by a 4/1 vote. Commissioner Laskowski cast the dissenting vote.

6. CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR ENGINEERING SERVICES FOR THE 2001/2002 TEXAS COMMUNITY DEVELOPMENT PROGRAM. (CITY MANAGER).

Mr. Hinojosa stated that staff is in the process of applying for funds for the next funding cycle with the Texas Community Development Program. He requested authorization to advertise for engineering services.

Mayor Esquivel stated that last year Mr. Hoss Castillo, Engineer, applied for a waterline replacement project and was awarded the grant in the amount of \$300,000. He stated this is the beginning process to apply for another grant.

Upon a motion by Commissioner Pecos and second by Commissioner Laskowski, the Commission unanimously authorized the City Manager to advertise for engineering services for the 2001/2002 Texas Community Development Program.

7. CITY MANAGER'S REPORT. (CITY MANAGER).

A. REQUEST BY SOUTH TEXAS WATER AUTHORITY FOR A JOINT MEETING.

Mr. Hinojosa stated that the South Texas Water Authority has requested that a joint meeting or workshop be held to discuss their long term plan. He stated this meeting will be set up and the Commission will be informed on the scheduled date.

B. CITY OF KINGSVILLE SAFETY WEEK, JUNE 26-30, 2000.

Mr. Hinojosa reminded the members of the City Commission that safety meetings have been scheduled for each day during the week of June 26-30th. He invited everyone to attend at least one meeting.

In other informational items, Mayor Esquivel stated that on July 1st a 4th of July celebration is scheduled at Naval Air Station Kingsville. He invited all the citizens of Kingsville to attend.

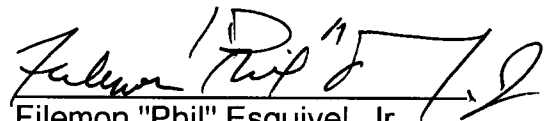
Mr. Hinojosa also introduced Mr. Victor Salas as the new Finance Director for the City of Kingsville.

8. EXECUTIVE SESSION. UNDER SECTION 551.074, TEXAS GOVERNMENT CODE, CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO DELIBERATE THE APPOINTMENT, REASSIGNMENT, OR REORGANIZATION OF VARIOUS CITY DEPARTMENTS WITH RESPECT TO EFFORTS FOR THE CITYWIDE CLEAN UP.

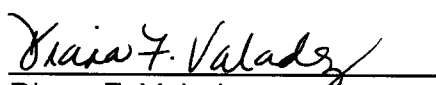
The Commission began the Executive Session at 8:16 p.m. and concluded at 8:50 p.m.

VI. ADJOURNMENT.

The meeting then adjourned at 8:51 p.m.


Filemon "Phil" Esquivel, Jr.
Mayor

ATTEST:


Diana F. Valadez
City Secretary