

OCTOBER 15, 2001

A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, OCTOBER 15, 2001 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 200 EAST KLEBERG AVENUE.

**CITY COMMISSION MEMBERS PRESENT:**

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

**CITY COMMISSION MEMBERS ABSENT:**

Arturo Pecos, City Commissioner

**CITY STAFF PRESENT:**

Hector M. Hinojosa, City Manager  
Diana F. Valadez, City Secretary  
Ruben Perez, City Attorney  
Coeta Montgomery, Director of Personnel  
Yolanda Moran, Director of Development Services  
Victor Salas, Director of Finance  
Dianne Leubert, Solid Waste Superintendent  
Corando Garza, Assistant City Manager / Fire Chief  
Artemio Alvarez, Risk Manager  
Sammy Maldonado, Utilities Superintendent  
Dora Byington, Director of Purchasing  
Sam Granato, Chief of Police  
A.L. Noyola, Health Director

**I. PRELIMINARY PROCEEDINGS.**

**OPEN MEETING:**

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, Mrs. Yolanda Moran, Director of Development Services, led the Pledge of Allegiance.

**MINUTES OF PREVIOUS MEETING(S) – REQUIRED BY LAW.**

There were no minutes available for approval.

**II. PUBLIC HEARING – (REQUIRED BY LAW).**

1. None.

**III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.**

1. None.

**IV. PUBLIC COMMENT ON AGENDA ITEMS.**

1. CITIZENS OPPORTUNITY TO COMMENT ON ALL AGENDA OR NON-AGENDA ITEMS.

There were no comments made at this time.

## V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER INTRODUCTION OF AN ORDINANCE ABOLISHING ONE POSITION OF POLICE LIEUTENANT, CLASSIFICATION RANGE 5 AND CREATING AN ADDITIONAL POSITION OF POLICE OFFICER, CLASSIFICATION RANGE 1 IN THE POLICE COMPENSATION PLAN. (CHIEF OF POLICE).

Mr. Hector M. Hinojosa, City Manager stated that the proposed ordinance eliminates one position of police lieutenant, and creates an additional police officer position, increasing the number of police officers to thirty-two. He stated this was an introductory item.

**Mayor Filemon "Phil" Esquivel, Jr., stated that final passage would be considered at the next meeting.**

2. CONSIDER INTRODUCTION OF AN ORDINANCE MAINTAINING TEN-YEAR VESTING FOR EMPLOYEES OF THE CITY OF KINGSVILLE, TEXAS WHO ARE MEMBERS OF THE TEXAS MUNICIPAL RETIREMENT SYSTEM TMRS. (DIRECTOR OF FINANCE).

Mr. Hinojosa requested that no action be taken on this agenda item. The Commission proceeded to the following item.

3. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3-7-4 EMPLOYEE HEALTH BENEFIT FUND AND ESTABLISHING A SEPARATE FUND TITLED CITY OF KINGSVILLE EMPLOYEE BENEFIT PLAN TRUST FOR THE ADMINISTRATION OF THE CITY EMPLOYEE GROUP HEALTH PLAN. (PERSONNEL DIRECTOR).

Mrs. Coeta Montgomery, Director of Personnel stated that the proposed ordinance allows for a name change for the self-insured medical plan. She recommended approval of the ordinance.

Upon a question raised by Mayor Esquivel, Mr. Victor Salas, Director of Finance responded that the amount of interest this new plan would earn depends on the amount of the claims filed on a monthly basis.

**Mayor Esquivel stated this was an introductory item only and final passage would be considered at the next meeting.**

4. CONSIDER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADMINISTRATIVE SERVICES AGREEMENT CONTRACT WITH ENTRUST, INC. FOR THE CONTRACT ADMINISTRATION SERVICES FOR THE CITY OF KINGSVILLE EMPLOYEE BENEFIT PLAN TRUST. (CITY MANAGER).

Mr. Hinojosa stated that the proposed agreement with Entrust would cost a total of \$163,980 for one year for administration services for the employee benefit plan trust. He recommended approval.

**A motion was made by Commissioner Stanley Laskowski and seconded by Commissioner Rene "Mr. V" Villarreal to authorize the City Manager to enter into an administrative services agreement contract with Entrust, Inc. for the contract administration services for the City of Kingsville Employee Benefit Plan Trust.**

Commissioner Al Garcia asked if staff would review the plan in ninety days for additional benefits that could be offered to the employees. Mr. Salas responded that the benefits would stay the same for a one-year period unless the Commission chooses to change the plan.

The Commission proceeded to vote on the motion. The motion passed by a 3/0/1 vote. Mayor Esquivel abstained from voting, and Commissioner Arturo Pecos was not present.

5. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING SECTIONS 3-7-1 AND 3-7-2 OF ARTICLE 7; PERSONNEL POLICIES PROVIDING FOR AMENDMENTS TO THE CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN AND CERTAIN BENEFITS AND INCENTIVES RELATED THERETO. (CITY MANAGER).

Mr. Hinojosa stated that the City Attorney, the Director of Personnel, and Department Heads have all been working on the new compensation and classification plan.

Mr. Ruben Perez, City Attorney stated that the proposed plan is simply a draft and majority of the text was provided by The Compliance Company. He stated that specifics of the plan would be discussed during the executive session, and final passage would be considered at the next meeting.

Upon a question raised by Mayor Esquivel, Mr. Perez responded that employees currently receiving the educational pay would have that money rolled into their salaries, however certification pay would continue to be paid as it is now paid. Mr. Perez also stated that the educational and certification pay for police and fire personnel would continue to be paid as stated in their respective collective bargaining contracts.

**Mayor Esquivel stated this was an introductory item only and final passage would be considered at the next meeting.**

6. CONSIDER RESOLUTION SUPPORTING THE PROCUREMENT AND ESTABLISHMENT OF REGIONAL COMMUNICATIONS FACILITIES AND RESOURCES FOR BIOHAZARD PREPAREDNESS OR ANY OTHER POTENTIAL TERRORIST THREAT OR INCIDENT. (MAYOR ESQUIVEL).

Mayor Esquivel stated that a meeting was held on October 11<sup>th</sup> regarding the homeland defense act. He stated that it was a very successful meeting and thanked City staff for making the necessary arrangements for the meeting. Mayor Esquivel stated that Congressmen Ruben Hinojosa and Solomon Ortiz' office staff were very impressed with the pro-active approach the City of Kingsville has taken regarding homeland defense.

**A motion was made by Commissioner Laskowski and seconded by Commissioner Garcia to approve Resolution #R-2001-38, supporting the procurement and establishment of a Regional Communications Facilities and Resources for biohazard preparedness or any other potential terrorist threat or incident. The motion passed by a 4/0 vote.**

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

7.1 REPORT ON STATUS OF ENROLLMENT TO NEW CITY HEALTH INSURANCE BENEFITS.

Mr. Hinojosa stated that the enrollment of City employees and dependents was held last week and it went very well including the transition phase.

In other items, Mr. Hinojosa stated that progress is being made at the landfill and the liner should be installed in about one or two weeks. He stated that the new entrance to the landfill will be the original entrance the landfill had many years ago.

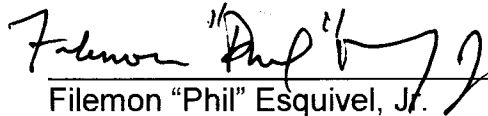
8. EXECUTIVE SESSION: UNDER SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO DELIBERATE THE EMPLOYMENT, EVALUATION OR DUTIES OF EMPLOYEES UNDER THE PROPOSED COMPENSATION AND CLASSIFICATION PLAN. (CITY ATTORNEY).

9. EXECUTIVE SESSION: UNDER SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO SEEK LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING POTENTIAL LITIGATION REGARDING ADMINISTRATION AND ENFORCEMENT OF CITY OBLIGATIONS UNDER THE SOUTH TEXAS WATER AUTHORITY WATER SUPPLY CONTRACT. (CITY ATTORNEY).

The Commission began both executive sessions at 7:06 p.m. and concluded at 8:30 p.m.

**VI. ADJOURNMENT.**

The meeting then adjourned at 8:32 p.m.

  
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Filemon "Phil" Esquivel, Jr.  
Mayor

**ATTEST:**

  
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Diana F. Valadez, City Secretary