

SEPTEMBER 03, 2002

A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD TUESDAY, SEPTEMBER 03, 2002 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

Charles E. Wilson, City Commissioner
 Horacio (Hoss) Castillo, 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
 Courtney Alvarez, City Attorney
 Sammy Maldonado, Utilities Superintendent
 Dora Byington, Director of Purchasing
 Corando Garza, Assistant City Manager / Fire Chief
 Artemio Alvarez, Risk Manager
 Jennifer Detloff, Director of Development Services
 Caron Vela, Accountant
 Stanley Fees, City Engineer
 Daniel Almeida, Wastewater Plant Supervisor
 Tina Galvan, Solid Waste Supervisor
 Vilma Castillo, Director of Collections
 Sam Granato, Chief of Police

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. Artemio Alvarez, Risk Manager, 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. MAYOR AND CITY COMMISSIONER'S REPORTS. (CITY COMMISSION).

Commissioner Horacio (Hoss) Castillo stated that he was approached by a member of the Historical Development Board regarding a historic building being demolished at the corner of King Avenue and 5th Street. He stated that this building was demolished with no authorization from the Historical Development Board.

Mayor Filemon "Phil" Esquivel, Jr., informed the Commission that he attended a press conference regarding the possibility of an Olympic Training Center being built in Kingsville.

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

Mr. Hector M. Hinojosa, City Manager stated that the Public Library was awarded a technology grant in the amount of \$84,185. He commended the library staff in submitting this grant application.

In other matters, Mr. Hinojosa stated that at the next meeting he would present budget amendments to the Commission to balance the current budget.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

1. COMMENTS ON ALL AGENDA AND NON-AGENDA ITEMS.

There were no comments made at this time.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER INTRODUCTION OF AN ORDINANCE ADOPTING CHAPTER XI, ARTICLE 4, GAMES AND AMUSEMENT DEVICES, PROVIDING FOR A PERMIT FEE FOR CERTAIN GAME AND AMUSEMENT DEVICES. (CITY MANAGER).

Mr. Hinojosa stated that during the budget process, the Commission directed staff to explore alternative revenue sources. He stated that the proposed ordinance is a revenue source that would require a fee for each 8-liner machine.

There was a discussion regarding the amount of the fee being assessed per machine as well as enforcement of the machines awarding cash prizes.

Mayor Esquivel requested that staff conduct a workshop at the next meeting to allow the owners and operators of 8-liner machines to attend and voice their concerns.

Mayor Esquivel also stated this was an introductory item only and the Commission was planning to consider the final passage at the next meeting after the workshop was conducted.

2. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER V, ARTICLE 3, WATER, PROVIDING FOR FEES FOR TAMPERING WITH METERS, DAMAGING CUT-OFF VALVE, DISCONTINUING CUT-OFF VALVE, CERTAIN SERVICE CALLS, STREET CUTS AND LATE FEE CHARGES, AND A CHANGE IN THE PENALTY FOR LATE PAYMENTS. (CITY MANAGER).

Mr. Hinojosa stated that the proposed ordinance authorizes certain fees be assessed to property owners that tamper with water meters and certain other service calls. He stated that these fees have not been charged before, but should be charged because an employee is always dispatched to service the call. Mr. Hinojosa recommended approval of the proposed ordinance.

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

3. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER V, ARTICLE 4, WATER AND SEWER MAIN EXTENSIONS, PROVIDING FOR A CHANGE IN THE AMOUNT CHARGED FOR CONNECTIONS TO WATER AND SEWER MAINS AND ALTERNATIVE METHODS. (CITY MANAGER).

Mr. Hinojosa stated that the proposed ordinance sets the fee for water and sewer main extensions on the actual cost per front foot of the entire frontage of the lot or tract of land. He recommended approval of the proposed ordinance.

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

4. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER V, ARTICLE 2, SEWERS, PROVIDING FOR AN INCREASE IN SEWER AND SEWER TAP RATES, THE ADDITION OF A DUPLEX CLASSIFICATION AS WELL AS AFTER HOURS TURN ON CHARGE AND LABOR FEE. (CITY MANAGER).

Mr. Hinojosa stated that sewer rates have not been increased for several years and recommended approval of the proposed ordinance.

Upon a question raised by Commissioner Charles E. Wilson, Mr. Hinojosa responded that hotel/motel owners had not been contacted regarding the increase in fees.

Mayor Esquivel requested that hotel/motel owners be contacted and invited to a workshop session at the next meeting. **He stated this was an introductory item and final passage would be considered at another meeting.**

5. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER V, ARTICLE 2, SEWERS, PROVIDING FOR A CHANGE IN THE SEPTIC TANK OR LIQUID WASTE DISPOSAL RATES. (CITY MANAGER).

Mr. Hinojosa stated that the proposed ordinance charges a fee for septic tank or liquid waste disposal on a per gallon basis rather than a per load basis. He recommended approval of the proposed ordinance.

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

6. CONSIDER RESOLUTION SUPPORTING THE CONSTRUCTION OF A WATER PIPELINE FROM THE SOUTH SIDE OF KINGSVILLE, TEXAS TO RICARDO, TEXAS BY THE RICARDO WATER SUPPLY CORPORATION. (COMMISSIONER PECOS).

Commissioner Pecos requested this item be tabled at this time.

Upon a motion by Commissioner Arturo Pecos and second by Commissioner Al Garcia, the Commission voted unanimously to table this agenda item.

7. 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 SUPPLY CONTRACT. (CITY MANAGER).

The Commission began the executive session at 7:10 p.m. and concluded at 8:07 p.m.

The Commission reconvened into open session.

8. CONSIDER RESPONSE TO STWA CONTRACT NEGOTIATIONS PROPOSING EQUITABLE MODIFICATIONS TO CURRENT WATER SUPPLY CONTRACT. (CITY MANAGER).


No action was taken on this item.

9. CONSIDER SOUTH TEXAS WATER AUTHORITY REQUEST FOR PAYMENT OF ESCROW MONEYS. (COMMISSIONER CASTILLO).

A motion was made by Commissioner Pecos and seconded by Commissioner Garcia authorizing the request by the South Texas Water Authority for payment of escrow moneys including interest. The motion passed by a 3/1/1 vote. Commissioner Wilson voted against the motion, and Mayor Esquivel abstained from voting.

VI. ADJOURNMENT.

The meeting adjourned at 8:12 p.m.


Filemon "Phil" Esquivel, Jr.
Mayor

ATTEST:

Diana F. Valadez
City Secretary