

FEBRUARY 11, 2002

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, FEBRUARY 11, 2002 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
 Filemon "Phil" Esquivel, Jr., Mayor
 Arturo Pecos, City Commissioner
 Al Garcia, City Commissioner (**arrived after meeting was in session)

CITY COMMISSION MEMBER(S) ABSENT:

Rene "Mr. V" Villarreal, City Commissioner

CITY STAFF PRESENT:

Corando Garza, Assistant City Manager / Fire Chief
 Diana F. Valadez, City Secretary
 Ruben Perez, City Attorney
 Stanley Fees, City Engineer
 Dianne Leubert, Solid Waste Superintendent
 Coeta Montgomery, Director of Personnel
 Victor Salas, Director of Finance
 Dora Byington, Director of Purchasing
 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, a group of local veterans led the Pledge of Allegiance.

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

The Commission was presented with the minutes of the Regular Meetings held Monday, October 22, 2001, and Monday, November 13, 2001 and the Special Meeting held Monday, October 15, 2001.

There being no corrections, a motion was made by Commissioner Stanley Laskowski and seconded by Commissioner Arturo Pecos to approve the minutes as presented. The motion passed by a 3/0 vote. Commissioner Al Garcia was not present at this time and Commissioner Rene "Mr. V" Villarreal was absent from the meeting.

II. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. PRESENTATION REGARDING GULF COAST STRATEGIC HIGHWAY SYSTEM. (CITY MANAGER).

Mr. Dick Messbarger, Executive Director of the Economic Development Council stated that Mr. Gary Bushell works with the I-69 Coalition and they have been working on the Strategic Highway Plan for the State of Texas. Mr. Bushell then briefed the Commission on the proposed plan.

2. STATUS REPORT REGARDING UTILIZATION AND FINANCIAL ANALYSIS OF THE CITY OF KINGSVILLE HEALTH BENEFIT PLAN. (DIRECTOR OF FINANCE).

Mr. Victor Salas, Director of Finance, briefed the Commission on the status of the self-insurance fund. He stated that overall the fund is in good standing, however he was only reporting the activity for the first four months.

IV. PUBLIC COMMENTS ON AGENDA ITEMS.

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

Mr. Bill Aldrich, 236 Pasadena, addressed the Commission regarding agenda item number five. He asked if item number five concerned the recent abatement agreement approved with Lowe's. Mayor Esquivel responded that the item concerned only the tax abatement agreements with Proco Company and Calling Solutions.

Mr. Jose Arevalo, 120 West Avenue D., addressed the Commission regarding agenda item number four. He stated that local veterans are requesting financial assistance to purchase a van to transport local veterans for their medical needs. He urged the Commission to approve the funding for this special need.

Mr. Chico Favela, 202 South 26th Street, also addressed the Commission regarding agenda item number four. He stated that they recently requested financial assistance from the Kleberg County Commissioner's Court to purchase a vehicle. Mr. Favela stated that the Commissioner's Court committed to some financial assistance, pending the same contribution from the City of Kingsville.

There was a discussion on the need, use, and the cost associated with purchasing the van as well as the ownership of the van once it is purchased.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER FINAL PASSAGE OF AN ORDINANCE ORDERING THE CITY OF KINGSVILLE GENERAL ELECTION ON MAY 04, 2002, DESIGNATING VOTING PRECINCTS AND POLLING PLACES, ESTABLISHING ELECTION PROCEDURES, AND APPOINTING EARLY VOTING CLERK. (CITY SECRETARY).

Mrs. Diana F. Valadez, City Secretary, stated that the proposed ordinance orders the City General Election. She stated that it also identifies the polling places to be used on Election Day. Mrs. Valadez recommended approval of the proposed ordinance.

Upon a motion by Commissioner Laskowski and seconded by Commissioner Pecos, the Commission unanimously approved Ordinance #ORD-2002-07, ordering the City General Election on May 04, 2002, designating voting precincts and polling places, establishing election procedures, and appointing Early Voting Clerk.

It was the consensus of the Commission to discuss agenda item number two, six, and seven, all at the same time.

2. CONSIDER DISCUSSION AND ADOPTION OF PROPOSED MISSION STATEMENT FOR THE CITY OF KINGSVILLE. (COMMISSIONER LASKOWSKI).

Commissioner Laskowski stated that approximately six months ago, the Commission conducted a workshop and worked on identifying the needs of the

community. He stated that adopting a mission statement and identifying this community's need are very important. Commissioner Laskowski discussed with the Commission a mission statement that he drafted. He stated that he would like to see it incorporated with the new employee handbook so that each employee could know what the Commission's mission and vision statement is.

Mayor Filemon "Phil" Esquivel, Jr., stated that he would like to submit the proposed mission statement to organizations such as the Chamber of Commerce and the Economic Development Council for their review and comments.

The Commission continued to discuss the proposed mission statement, and the following changes were recommended:

Commissioner Pecos – Item #2 / Live in a safe, secure and healthy environment: Include local veterans.

Mayor Esquivel – Item #3 / Live in a clean environment that enhances and protects the quality of their lives: Add recycling

Mayor Esquivel – Item #4 / Be enriched by a range of cultural arts and recreational opportunities provided through citywide initiatives and collaborative efforts with other governmental bodies and private concerns: Add – developing partnerships with federal entities, county, state, and local governmental entities.

Commissioner Laskowski – Add King Ranch.

Mayor Esquivel stated that a committee should be set up to review the proposed mission statement. He stated that he would prefer to approve the mission statement in two weeks to allow different organizations to offer their input.

A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to approve the Mission Statement with the recommended changes suggested above, and submit it to the Commission for approval in two weeks.

Commissioner Laskowski stated that the community must get involved in the development of a master plan because the plan helps the Commission set their priorities and gives the Commission an opportunity to budget properly. Commissioner Laskowski stated that he supports the development of a master plan, but would like to know what the cash match would be.

The Commission proceeded to vote on the motion. The motion passed by a unanimous vote.

6. CONSIDER ACTION TO FUND OR LEVERAGE WITH GRANT FUNDS A PROPOSED MASTER PLAN PROVIDING FOR DESIGN WITH USE OF IN-HOUSE STAFF OR PROFESSIONAL CONSULTANTS OR A COMBINATION OF BOTH. (MAYOR ESQUIVEL).

A motion was made by Commissioner Pecos and seconded by Commissioner Garcia to authorize the funds or leverage with grant funds a proposed master plan providing for design with use of in-house staff or professional consultants or a combination of both.

Upon a question raised by Commissioner Laskowski, Mayor Esquivel responded that if grant money is not obtained, the City is agreeing to pay for the plan. There was a discussion on how the funds could be obtained to pay for the master plan.

After this discussion, both Commissioner's Pecos and Garcia withdrew their motion.

Another motion was made by Commissioner Garcia and seconded by Commissioner Laskowski to authorize the City Manager to fund or leverage with grant funds a proposed master plan providing for design with use of in-house staff or professional consultants or a combination of both subject to final approval by the City Commission. The motion passed by a unanimous vote.

7. APPOINT CITY OF KINGSVILLE MASTER PLAN COMMITTEE AND NAMING TWO CITY OFFICIALS FOR KINGSVILLE AREA MASTER PLAN, I.E. CITY/COUNTY, STWA, TEXAS A & M UNIVERSITY KINGSVILLE, NAVAL AIR STATION KINGSVILLE, EDC, INDUSTRIAL FOUNDATION AND CHAMBER OF COMMERCE. (MAYOR ESQUIVEL).

Commissioner Laskowski recommended that six community members be appointed to serve on this committee.

There was a discussion on the number of individuals to appoint to this committee, as well as the organizations that should participate on the committee.

A motion was made by Commissioner Pecos and seconded by Commissioner Garcia to appoint a master plan committee consisting of the following: Two City Officials, Kleberg County Official, representative from South Texas Water Authority, Texas A & M University Kingsville, Naval Air Station Kingsville, Economic Development Council, Industrial Foundation, Celanese, Chamber of Commerce, King Ranch, Kingsville Independent School District, four non-business owners / citizen one each to be selected by the four taxing entities, City, County, STWA and KISD. The motion passed by a unanimous vote.

3. CONSIDER FINAL RE-PLAT OF LOT 1A, BLOCK 5, CLYDE ADDITION. (CITY ENGINEER).

A motion was made by Commissioner Garcia and seconded by Commissioner Pecos to table this agenda item. The motion passed by a unanimous vote.

4. CONSIDER CITY PARTICIPATION IN AN AMOUNT NOT TO EXCEED \$5,000 TO ASSIST KLEBERG COUNTY IN PROVIDING TRANSPORTATION SERVICES FOR LOCAL VETERANS. (COMMISSIONER PECOS).

Commissioner Pecos stated he requested this item be placed on the agenda however did not specify the \$5,000 amount. He stated that his request is that the City contribute at least half the cost of the purchase of a van. Commissioner Pecos stated that the Kleberg County Commissioner's Court have agreed to contribute to this cause, only if the City participates with an equal share. He stated that the four local veteran's group would claim ownership of the van and pay the cost for the insurance.

There was a discussion regarding the transportation needs for local veterans and the approximate cost of the van.

A motion was made by Commissioner Pecos and seconded by Commissioner Laskowski to table this agenda item until the next meeting, to allow the veterans group to obtain bids from local dealerships on the cost of a van. The motion passed by a unanimous vote.

5. REVIEW TAX ABATEMENT CONTRACTS WITH BUSINESSES AND THE CITY OF KINGSVILLE. (MAYOR ESQUIVEL).

5.1 DISCUSS FOLLOWING ITEMS:

- A. METHODS OF ACCOUNTABILITY
 - B. HOW DOES IT APPLY TO KINGSVILLE EMPLOYMENT
 - C. RATE OF RETURN ON ABATEMENT TO CITY OF KINGSVILLE
 - D. REVIEW OR DEVELOPMENT FORMULAS TO SUPPORT LOCAL ECONOMY
- 5.2 CONSIDER ACTIONS DIRECTING STAFF TO DEVELOP OR PURSUE WITH RESPECT TO TAX ABATEMENT CONTRACTS.

Mayor Esquivel stated that he has provided copies of the tax abatement agreements approved by the Commission for Proco and Calling Solutions. He requested that the Commission review these documents.

A motion was made by Commissioner Pecos and seconded by Commissioner Laskowski to table this agenda item. The motion passed by a unanimous vote.

8. REVIEW WEB PAGE FOR THE CITY OF KINGSVILLE. (MAYOR ESQUIVEL).

The Commission viewed the City's web page on the projector screen. Mayor Esquivel stated that the web page should be expanded. He stated that a University student could possibly do this or possibly contract it out to a company.

Commissioner Laskowski recommended that the City Manager should appoint one staff person, and have every department submit information to that staff person, in order to keep the web page current with information.

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

9.1 PLANNING DEPARTMENT ACTIVITY FOR 2001.

Mr. Corando Garza, Assistant City Manager, briefed the Commission on the Planning Department activity for the Year 2001. He stated that the Planning Department collected a total of \$148,109.14 in permit fees and a total of \$64,982.50 in license fees in the Year 2001.

The Commission discussed in Executive Session item number eleven and twelve. Item number ten was not discussed.

10. EXECUTIVE SESSION: UNDER SECTION 551.087 OF THE TEXAS OPEN MEETINGS ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO DISCUSS AND DELIBERATE THE OFFER OF FINANCIAL INCENTIVES TO BUSINESS PROSPECTS WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS. (CITY COMMISSION).

No discussion took place on this item.

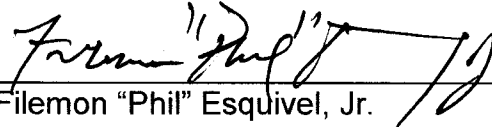
11. EXECUTIVE SESSION: UNDER SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO SEEK LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING POTENTIAL LITIGATION REGARDING ADMINISTRATION AND ENFORCEMENT OF CITY OBLIGATIONS UNDER THE SOUTH TEXAS WATER AUTHORITY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

12. 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 AFFECTING PROPERTY VALUATION AND TAXATION OF CITY PROPERTY. (MAYOR ESQUIVEL).

The Executive Session began at 8:10 p.m. and ended at 9:03 p.m.

VI. ADJOURNMENT.

The meeting adjourned at 9:05 p.m.


Filemon "Phil" Esquivel, Jr.
Mayor

ATTEST:

Diana F. Valadez, City Secretary