

NOVEMBER 03, 2003

A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, NOVEMBER 03, 2003 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

Filemon "Phil" Esquivel, Jr., Mayor
 Horacio "Hoss" Castillo, City Commissioner
 Al Garcia, City Commissioner
 Arturo Pecos, City Commissioner
 Charles E. Wilson, City Commissioner

CITY STAFF PRESENT:

John A. Garcia, Interim City Manager
 Courtney Alvarez, City Attorney
 Irene Ramirez, City Secretary
 Augustin Rivera, Jr., Contract Attorney
 Stanley Fees, City Engineer
 Caron Vela, Interim Finance Director
 Sammy Maldonado, Utilities Superintendent
 Tina Galvan, Solid Waste Field Supervisor
 Joe Casillas, Field Water Supervisor
 Dora Byington, Purchasing Director
 Jennifer Detloff, Dir. Of Development Services
 Dianne Leubert, Recycling Supervisor
 Diana Gonzalez, Human Resource Director
 Julian Cavazos, Interim Chief of Police
 David Garza, KPD Officer
 Macario Mayorga, Water Supervisor
 Rene Quintanilla, Fire Lieutenant

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING

The meeting was opened at 6:00 p.m. by Mayor Esquivel.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Esquivel)

Ms Dora Byington to lead everyone in prayer, followed by the Pledge of Allegiance led by Commissioner Wilson and the Pledge to the Texas flag was led by Commissioner Castillo.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None available.

II. PUBLIC HEARING - (REQUIRED BY LAW).¹

None.

III. PUBLIC COMMENT ON AGENDA ITEMS.³

None.

IV. Petitions, Grievances, and Presentations.²

1. Interim City Manager's Report. (Interim City Manager).

Mr. John Garcia stated city crews are doing preparation work on the Ailsie Street project and should be completed prior to the end of the end, and then the contractor will take over.

2. City Attorney's Report. (City Attorney).

Ms Courtney Alvarez informed the commission of H.B. 1204, which passed during the 78th Legislative Session, modifies several provisions of Chapter 242. The bill states cities and counties need to reach a mutual agreement so that one or the other regulates plats that are in within the ETJ by January 1, 2006 and if no agreement is reached they must go into arbitration.

3. Mayor and City Commissioner's Reports. (City Commission).

Commissioner Garcia stated his concern for minutes not being available for review.

Mayor Esquivel stated the CBCOG approved resolutions for grant funding for a community master plan and support for the Irma Rangel School of Pharmacy. He also stated he was invited by Governor Rick Perry to attend a luncheon this week with President Vicente Fox of Mexico.

V. Items for consideration by Commissioners.⁴

1. **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 pending litigation concerning Carla Lee Suson vs. Irene Ramirez, City Secretary of the City of Kingsville, et. al. No. 13-03-00470-CV, in the Court of Appeals Thirteenth Judicial District of Texas. (City Attorney).**

Pursuant to Section 551.071 of the Texas Open Meetings Act, the City Commission convened into executive session at 6:05 p.m. to seek legal advice from Mr. Augustin Rivera, Jr. regarding pending litigation of Case No. 13-03-00470-CV, Suson vs. Ramirez.

The Commission reconvened into open session at 6:38 p.m.

2. **Discuss and consider authorizing attorney Augustin Rivera, Jr. to take further legal action on behalf of the City of Kingsville. (Mayor Esquivel).**

A motion was made by Commissioner Castillo and seconded by Commissioner Pecos to authorize legal advisor Augustin Rivera, Jr. to pursue the legal defense of the city's policy regarding the interpretation of the city charter on recall elections. Motion passed, 3/2, with Commissioners Wilson and Garcia voting against the motion.

3. **Review 1973 Master plan Study to give staff direction to begin to revisit, change accordingly, and bring up-to-date. (Mayor Esquivel).**

After a brief discussion by Mayor Esquivel, a motion was made by Commissioner Castillo and seconded by Commissioner Wilson to direct the interim city manager and staff to revisit, change accordingly and bring up to date the 1973 master plan study by Carter and Burgess. Motion carried, 5/0.

VI. Adjournment.

A motion was made by Commissioner Wilson and seconded by Commissioner Pecos to adjourn the meeting at 6:46 p.m.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Irene Ramirez, City Secretary

PRESENTED and ADOPTED by the Kingsville City Commission on this 12th day of April, 2004.

Charles E Wilson, Presiding Officer

ATTEST:


 Edna S Lopez, Interim City Secretary