

FEBRUARY 10, 2003

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD MONDAY, FEBRUARY 10, 2003 AT 5:30 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Diana Valadez, City Secretary
 Courtney Alvarez, City Attorney
 Stanley Fees, Director of Engineering
 Dora Byington, Director of Purchasing
 Dianne Leubert, Solid Waste Superintendent
 Corando Garza, Fire Chief/Asst. City Manager

I. PRELIMINARY PROCEEDINGS.

Workshop session opened at 5:30 p.m.

**Convene into Petitions, Grievances, and Presentations – Item IV
 - #1 / Workshop Session with Texas Department of
 Transportation.**

Stanley Fees, Director of Engineering, briefed the City Commissioners on the drainage system on Carlos Truan and U.S. Hwy. 77.

Chris Caron, a representative of Texas Department of Transportation, stated that with the city doing a drainage analysis, which Mr. Fees has already done, now they can go back and figure out how to improve the drainage systems.

Commissioner Castillo asked if the span on the overpass is sufficient to accommodate the future drainage structures.

Mr. Fees stated that it is sufficient to accommodate that drainage system.

A lengthy discussion took place on the drainage system.

Workshop session closed at 6:00 p.m.

INVOCATION / PLEDGE OF ALLEGIANCE – (MAYOR ESQUIVEL).

Regular session opened at 6:00 p.m.

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, Ms. Marcott led the Pledge of Allegiance.

Mayor Esquivel recognized the Master Gardeners and briefed the City Commission and members of the audience what this group does for our community.

Ms. Marcott also briefed the City Commission on the gardens that have grown in the city.

II. PUBLIC HEARING (REQUIRED BY LAW).

Public hearing opened at 6:05 p.m.

1. Public hearing regarding the proposed amendment to Chapter XV, Land Usage, Article 3, Subdivisions, Section 15-3-53 to adopt guidelines to implement a residential development incentives program to promote residential development within the City of Kingsville. (Director of Development Services).

Ms. Jennifer Detloff, Director of Development Services, stated that this item is a request from staff to make a change to Section 15-3-53 paragraph F-1, Water and Sewer Utility section of the subdivision regulations. She stated that these changes should only be in place for a period of two years or a maximum of seventy-five platted lots. This is not a permanent change for the city.

Dick Messbarger, 341 Brenda Lane, Greater Kingsville Economic Council, briefed the City Commission on the unemployment figures for Kleberg County is 4.6%. He further stated that Kingsville is losing citizens to surrounding areas due to low housing.

Mr. Cade, 1710 John, stated that he left Kingsville about three years ago due to how things are being done in the city. He further stated that he doesn't do any work in the city.

III. PUBLIC COMMENTS ON AGENDA ITEMS.

Ricardo Vega, 805 E. Kleberg, stated that with owning several properties in the city, he feels that property taxes are too high already.

Rudy Galvan, 1908 Kelly, stated that he feels the city should meet with the County and discuss the drainage system.

Otis Myers, 1417 Brenda, briefed the Commission on his thoughts on the drainage system.

IV. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. INTERIM CITY MANAGER'S REPORT. (INTERIM CITY MANAGER).

Mr. Corando Garza, Interim City Manager, stated that Ms. Ann Barger will be here on November 24, at 11:00 a.m. He further stated that the brush crew is working on zone 12 for the next two weeks then they will move onto zone 13.

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

Ms. Courtney Alvarez, thanked Ms. Tina Flores and her staff of the Kleberg County Appraisal District for a productive meeting. She further stated that she has received a request pursuant to Article 5, Section 32 for a public hearing regarding suspension of City Manager, Hector Hinojosa, therefore the city has twenty to thirty days from the date of receipt to conduct the public hearing.

3. MAYOR AND CITY COMMISSIONER'S REPORT. (CITY COMMISSION).

Commissioner Castillo stated that he had asked the previous City Manager with no success for a monthly report from each department head, therefore I am requesting a monthly report from all department heads.

Commissioner Pecos stated that he agrees with the citizens that the drainage needs further study. He stated that he would like for staff to schedule a workshop

with the Kleberg County and Texas Department of Transportation to discuss the drainage system.

Mayor Esquivel stated that the meeting with the Spaceport Consortium was successful.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

- 1. Consider authorizing Interim City Manager to enter into a profession services contract with Southern Ecology Management, Inc. for groundwater and gas monitoring at the City landfill for regulatory compliance. (Solid Waste Superintendent).**

Dianne Leubert stated that the contract is pretty cut and dry. This contract is only for one year.

Motion made by Commissioner Pecos seconded by Commissioner Garcia. The motion passed by a unanimous vote.

- 2. Consider final passage of an ordinance amending Chapter XI, Article 4, Section 11-4-11, Games and Amusement Devices, requiring a permit for establishments operating certain game and amusement devices; and requiring payment of fee prior to issuance of permit. (Director of Development Services).**

Ms. Jennifer Detloff, Director of Development Services, stated that staff is recommending changing the actual table on 11-4-11, A, reads for over seventy machines the cost would be \$20,000. She further stated that staff recommends to change the ordinance to read for every additional ten machines the additional cost will be \$2,500.

Commissioner Garcia had some concerns in regards to the charitable organizations.

Motion made by Commissioner Castillo seconded Commissioner Pecos. Motion passed by 4/1 vote with Commissioner Garcia casting the dissenting vote.

- 3. Consider final passage of an ordinance rezoning a tract of land out of Kingsville 25 Acres Ltd. Subdivision located as 2300 Block of Brahma Boulevard from Class "C-2" Retail Commercial to Class "C-2" Retail Commercial District with a Special Exception Permit to allow a 120' monopole telecommunications tower to be constructed. (Director of Development of Services).**

Ms. Detloff stated that this ordinance is in its second reading for final approval.

No discussion took place.

Motion made by Commissioner Pecos seconded by Commissioner Garcia. Motion passed by a unanimous vote.

- 4. Consider final passage of an ordinance rezoning an 8.77 acre tract out of Farm Lot 9, Section 17, K.T. & I. Subdivision from Class "R-1" Single Family District to Class "C-2" Retail Commercial District and a 25.8 acre tract out to Farm Lot 9, Section 17, K.T. & I. Subdivision from Class "R-1" Single Family Residential District to Class "C-4" Commercial District fronting along the 1600-1900 block ranges of East Ailsie Avenue. (Director of Development Services).**

Ms. Detloff stated that this ordinance is in its second reading for final approval. She further gave a quick brief to the Commission on this ordinance.

Motion made by Commissioner Castillo seconded by Commissioner Pe
Motion passed by a unanimous vote.

5. Consider introduction of ordinance amending Chapter XV, Article 3, Subdivision Regulations, amending Section 15-3-53(F), Subdivider may seek assistance for extension of water and sewer utilities. (Director of Development Services).

Ms. Detloff stated that this ordinance is to provide an economic stimulus to enhance development in Kingsville and also spoke about some changes on the proposed guidelines.

Introduction item only, no action was taken.

6. Consider awarding bid purchase of sedans and SUV's. (Bid #23-19). (Director of Purchasing).

Mrs. Dora Byington, Director of Purchasing, briefed Commission on their options of vendors to purchase the sedans and SUV's.

Mayor Esquivel stated he would like for the city to purchase a cherry picker.

Corando Garza and John Garcia briefed the Commission on how other cities are using this equipment.

6.1 Consider authorizing the reallocation of funds from the certificates of obligation for the purchase of two SUV's for the Police Department and one for the Fire Department.

Motion made by Commissioner Wilson seconded by Commissioner Garcia to approve items #6 and item #6.1 to award bid to Eddie Yaklin Ford Motors for the purchase of fourteen fully equipped sedans and three service vehicles, two to be allocated to the Kingsville Police Department, one to be allocated to the Fire Department for the total of \$363,168.63. Motion passed by a unanimous vote.

7. Consider awarding bid for the purchase of a street sweeper. (Director of Purchasing).

Mrs. Byington stated that staff recommends option A awarding bid to Houston/Galveston Area Council of Governments for the purchase of a street sweeper from Industrial Disposal Supply Company of San Antonio for the amount of \$120,696.58.

Motion made by Commissioner Pecos seconded by Commissioner Garcia to approve staff recommendation. Motion passed by a unanimous vote.

8. Consider approving the Texas Department of Transportation's Local Government Project Procedures for Construction and Engineering Services for the Railroad Depot Renovation Project. (Director of Purchasing).

Mrs. Byington stated that staff recommends to approve option A to approve TX.Dot's Project Procedures for Construction and Engineering Services and satisfy Tx.Dot's requirements.

Motion made by Commissioner Pecos seconded by Commissioner Garcia based on staff recommendations. Motion passed by a unanimous vote.

9. Discuss and act on City of Kingsville Newsletter. (Mayor Esquivel).

Mayor Esquivel recommends that this newsletter continues so it may keep the citizens of Kingsville up to date on issues within their community.

Mr. Corando Garza, Interim City Manager read a memo from Mrs. Dora Byington in regards of collecting information for the newsletter.

**Motion made by Commissioner Pecos seconded by Commissioner Castillo.
Motion passed by a unanimous vote.**

10. Executive Session: Under Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the duties of the City Manager and Project Director of the South Texas Specialized Crimes and Narcotics Task Force. (Mayor Esquivel).

The City Commission entered into executive session at 8:12 p.m.

City Commission reconvened into open session at 8:35 p.m.

11. Discuss and act on job description for position of City Manager. (Mayor Esquivel).

No action was taken on this item.

Meeting adjourned at 8:36 p.m.

12. Consider reallocating SUV's on capital outlay purchase.

VI. ADJOURNMENT.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Diana Valadez, 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