

JANUARY 05, 2004

A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, JANUARY 05, 2004 AT 12:00 NOON 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

CITY COMMISSION MEMBERS ABSENT:

Charles Wilson, City Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Irene Ramirez, City Secretary
Caron Vela, Interim Finance Director
Stanley Fees, City Engineer
Joel Saenz, Code Enforcement Officer
John Garcia, Garage Superintendent
Sammy Maldonado, Public Utilities Director
Tina Galvan, Solid Waste Field Supervisor
Vilma Castillo, Collections Supervisor
Jennifer Detloff, Director of Development Services
Dianne Leubert, Solid Waste Management Superintendent
Joe Casillas, Field Water Supervisor

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING

The meeting was opened at 12:01 p.m. by Mayor Esquivel.

INVOCATION / PLEDGE OF ALLEGIANCE - (Mayor Esquivel)

Mayor Esquivel asked for a moment of silence in memory of Chester Kyle, and led everyone in prayer, followed by the Pledge of Allegiance led by John Garcia and the Pledge to the Texas flag led by Commissioner Hoss Castillo.

MINUTES OF PREVIOUS MEETING(S) - Required by Law

A motion was made by Commissioner Castillo, seconded by Commissioner Pecos to approve the minutes of December 04, 2003 as printed. Motion carried, 4/0.

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

None.

III. PUBLIC COMMENT ON AGENDA ITEMS. 3

None.

IV. PETITIONS, GRIEVANCES, AND PRESENTATIONS.2

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

City Manager Carlos Yerena briefed the Commission on the faith based initiative meeting scheduled for January 16, 2004, setting up a meeting

with the STWA negotiating team and stated city crews continue to clean the city. City Manager Yerena stated he spoke with Mr. Raul Rubio last week and is continuing to work with Mr. Arnoldo Mata on the EDA application. Mata will be forwarding some documentation to him toward the end of the week.

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

Ms Courtney Alvarez updated the commission on the infrastructure interlocal agreement with Integrity Development for Paulson Fall's subdivision. She sent out a draft to STWA and the county and is waiting to hear from both entities.

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

Mayor Esquivel commented on the upcoming faith-based initiatives meeting and on the Whataburger Cactus Bowl. He encouraged everyone to go out and support the community and thanked the volunteers who put the program together, recognizing Commissioner Wilson for his hard work.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.4

A motion was made by Commissioner Castillo and seconded by Commissioner Pecos to move agenda item #3 to agenda item #1. Motion carried, 4/0.

3. EXECUTIVE SESSION: UNDER SECTION 551.071 OF THE TEXAS OPEN MEETING ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO SEEK LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING PENDING LITIGATION CONCERNING THE CITY OF KINGSVILLE V. "CITIZENS FOR THE BETTERMENT OF KINGSVILLE," DANIEL J. SUSON AND CARLA LEE SUSON, CAUSE NO. 03-S87-D, IN THE DISTRICT COURT 10TH JUDICIAL DISTRICT KLEBERG COUNTY, TEXAS. (CITY ATTORNEY).

Pursuant to Section 551.071 of the Texas Open Meetings Act, the City Commission convened into executive session at 12:12 p.m. to receive legal advice from Mr. Augustin Rivera on pending Cause No. 03-587-0.

The City Commission reconvened into open session at 12:40 p.m.

Regular Agenda Resumed:

1. Consider approval of resolution supporting CBCOG Resolution #2506 for the reallocation of a domestic preparedness grant award. (Mayor Esquivel).

Mayor Esquivel stated the CBCOG created a multi-jurisdictional 12 county region for homeland security. Cities and counties were allocated funding to implement an interoperable communications control system for first responders.

A motion was made by Commissioner Garcia and seconded by Commissioner Pecos to approve the resolution supporting CBCOG Resolution #2506. Motion carried, 4/0.

2. Discuss City of Kingsville future growth. (Mayor Esquivel).

Mayor Esquivel stated he placed this item on the agenda after reading an article in the Kingsville Record on an interlocal agreement between the City of Corpus Christi and Kleberg County. He stated he is looking forward to the city's future growth and would like to see what the city needs to do to position ourselves for future annexations.

City Manager Carlos Yerena stated he recently contacted the City of Corpus Christi on the interlocal agreement and stated the subject property is located in Kleberg County in Corpus Christi's extraterritorial jurisdiction. The property does not lie within the city's ETJ.

Ms Courtney Alvarez, City Attorney, stated two issues were raised: 1) the new HB 1204 which allows cities to enter into interlocal agreements when property lies within their ET J and 2) the potential for annexing any portion of Padre Island within Kleberg County. Ms Alvarez stated she is not aware that the City owns any property on Padre Island and that nothing has been gifted to us either. Properties located within a 2-mile radius of the city can be considered for annexation.

Mayor Esquivel stated the City needs to move forward with annexing the Hawks landing property which was exempt from annexing in 1997 for a 5-year period. He asked for a formal presentation for the next meeting or for the meeting scheduled for the 26th. Mayor Esquivel stated we also need to look at Highway 77 which is becoming more commercialized, therefore the City needs to be prepared to take advantage of any new growth that develops, re-iterating the importance of creating a comprehensive master plan.

A question was raised by Mayor Esquivel about Escondido Estates. Mr. Stanley Fees, City Engineer, responded stating Mr. Thallman is trying to sell their water system and has asked STWA to take over the water well(s) without being annexed, but it is unlikely this will happen. Mayor Esquivel asked the city engineer to put together a cost analysis to determine the cost to maintain and operate their water and wastewater systems vs. annexation. Mayor Esquivel also inquired about a recent installation by the city which was put in place in case something was to happen to their water well system. Mr. Fees replied that he was not sure if the connection has been completed yet. The Mayor directed him and the City Manager to look into the matter.

VI. ADJOURNMENT.

Commissioner Castillo asked for an agenda item for the next meeting to either proceed with or cancel the recall election date based on a final determination by the state district judge.

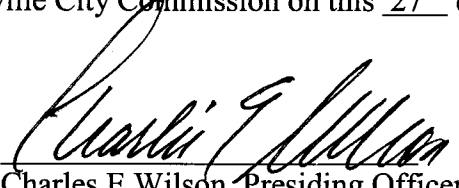
A motion was made by Commissioner Castillo and seconded by Commissioner Pecos to adjourn the meeting at 1:13 p.m.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Irene Ramirez, City Secretary

PRESENTED and ADOPTED by the Kingsville City Commission on this 27th day of April, 2004.


Charles E Wilson, Presiding Officer

ATTEST:


Edna S Lopez, Interim City Secretary