

**FEBRUARY 14, 2000**

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD MONDAY, FEBRUARY 14, 2000 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE AT 6:00 P.M.

**CITY COMMISSION MEMBERS PRESENT:**

Charlie Wilson, City Commissioner  
 Rene "Mr. V" Villarreal, 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  
 Ruben Perez, Special Counsel  
 Dora Byington, Director of Purchasing  
 Juan M. Bosquez, Finance Director  
 Felipe Garza, Chief of Police  
 Corando Garza, Fire Chief  
 Cesar Garcia, Personnel Director  
 Ricardo Guzman, Director of Public Works  
 Stanley Fees, Director of Planning  
 Roel Cavazos, Captain, Fire Department  
 Dianne Leubert, Recycling Manager  
 Judy Hayes, Lieutenant, Kingsville Police Department

**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. Lloyd Butler, an Eagle Scout, led the Pledge of Allegiance.

Mayor Filemon "Phil" Esquivel, Jr. presented a proclamation to Lloyd Butler who recently obtained the rank of Eagle Scout with Boys Scout Troop #144.

Constable Oscar Reyes presented two flags to Mayor Esquivel and Fire Chief Corando Garza. The flags were donated by the Woodmen of the World and are to be flown at Central Fire Station and Fire Station #2.

**MINUTES OF PREVIOUS MEETING(S) - REQUIRED BY LAW.**

The Commission was presented with the minutes of the Regular Meetings held Monday, December 13, 1999, January 10, 2000, and January 24, 2000, and the Special Meetings held on Monday, November 29, 1999 and Tuesday, January 18, 2000.

There being no corrections, a motion was made by Commissioner Arturo Pecos and seconded by Commissioner Rene "Mr. V" Villarreal to approve the minutes as presented. The motion passed by a unanimous vote.

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

1. QUARTERLY REPORT BY KINGSVILLE CONVENTION & VISITOR'S BUREAU. (DIRECTOR OF TOURISM).

Mrs. Carol Ann Anderson, Director of the Kingsville Convention & Visitor's Bureau made a presentation to the City Commission. She gave an update on different projects the Bureau is currently working on. She stated that the entire report was in the packet and informed the Commission that she would answer any questions the Commission may have.

Upon a question raised by Mayor Esquivel, Ms. Anderson responded that she is currently working with the Finance Director to have an accurate report, and there should not be any discrepancies in the hotel/motel tax revenue report in the future.

Mrs. Anderson informed the Commission on the highlights of her report. She spoke about the Winter Texas Program that was implemented this year as well as the South Texas Ranching Heritage Festival. She stated that there will also be a cricket match this weekend, and several visitors from out-of-town will be in Kingsville.

Mayor Esquivel stated that the Board of Directors would soon decide whether or not to fund any monies for a Regional Softball Tournament. He stated that money used for a softball tournament is money that is well spent. He also stated that the Blue Angels will be at Naval Air Station Kingsville on March 18<sup>th</sup> & 19<sup>th</sup>.

Mayor Esquivel introduced the Board Members of the Kingsville Convention & Visitor's Bureau that were present. He thanked them for their time and efforts dedicated to the Board.

Commissioner Al Garcia also thanked all the volunteers that help at the Visitor's Depot.

### **III. PETITIONS, GREIVANCES, REMONSTRANCES.**

1. Update from staff on following questions at the request of the Mayor and Commissioners.

- A. UPDATE FROM MR. BILLY PARKS, DISTRICT ENGINEER, TEXAS DEPARTMENT OF TRANSPORTATION, REGARDING PROPOSED RAILROAD OVERPASS. (MAYOR ESQUIVEL).

Mr. Billy Parks, District Engineer, Texas Department of Transportation addressed the Commission. He stated that there will be projects funded in April, 2000. He also stated that he is very pleased with the work performed by Mr. Cris Caron and Mr. Mike Flores, with the Texas Department of Transportation area and local offices.

Mr. Parks stated that with the outcome of the January 15<sup>th</sup> election, he needs to know if the Commission intends to continue with the loan from the Texas Department of Transportation. He stated that there are other projects in the area that could certainly use the funds. Mr. Parks stated that it is important to know if the City of Kingsville is still going to support 1.5 million dollars for this project because he has three million set aside for the proposed overpass project.

#### IV. PUBLIC COMMENT ON AGENDA ITEMS.

Mr. Enrique Alvarado, 915 East Yoakum, addressed the Commission regarding an article that recently came out in the El Defensor newspaper. He stated that the accusations specified in the article are some of the things that have been going on with police officers. He informed the Commission that all of the Commission members should read the article.

Mr. Ernesto "Buddy" Flores, Hospital Administrator of Christus Spohn Kleberg Memorial Hospital stated that when the issue regarding the overpass was voted on in January, he believes the citizens were confused with the ballot wording and did not vote properly. He stated that the proposed overpass perhaps might alleviate with the traffic congestion and may some day save a life.

Mr. Lloyd Butler addressed the Commission regarding the condition of 2<sup>nd</sup> Street. Mayor Esquivel responded that the City is looking at different ways to repair this street. However, there is a lot of damage with the pipes underneath the street. Mayor Esquivel stated that City staff is continuing to explore different alternatives to make the necessary repairs to 2<sup>nd</sup> Street.

Mr. Kirby Wilson, a representative of KME Fire Apparatus, addressed the Commission regarding agenda item number three. He stated that he recently submitted a bid to the City of Kingsville for a fire pumper truck. He said that at the bid opening he learned that he did not receive two addendum's that were mailed out by the Purchasing Department, and therefore his bid was not in compliance with the specifications. Mr. Wilson requested that the Commission direct staff to re-bid the package for the pumper truck. He felt there were some irregularities with this bidding process that were not fair to all the vendors.

Ms. Michelle Perez, 1905 Bilvan, addressed the Commission regarding the overpass issue. She stated that she did not appreciate the comments in a recent newspaper article stating that people were not sure how they voted in the January Special Election. She said that the citizens should have been better informed and felt that the citizens that did vote, knew for a fact which way they were voting.

Mr. Albert Reeder, 920 Escondido, addressed the Commission regarding agenda item number two. He urged the Commission to award the bid for the new police cars. Mr. Reeder stated that the cars are definitely needed by the patrol officers.

Dr. Jose Ugarte, a local physician, addressed the Commission regarding the overpass issue. He commended Mayor Esquivel in his efforts in trying to find the revenues needed to construct the overpass. Dr. Ugarte stated that because most of the people stayed away from the election and did not vote is no reason this issue should be stopped. The issue remains the same regarding safety and people trying to get to the hospital in a timely manner. Dr. Ugarte stated that he was present at this meeting to support all the efforts and to urge the Commission to continue the plans for the proposed overpass. He stated that if there is a legal way to place this issue on the ballot once again, it should be considered.

Mr. Johnny Goodman, Texas Fuel & Asphalt Materials from Corpus Christi, addressed the Commission regarding agenda item number five. He stated that he is requesting a price increase be granted on the current annual contract with the City of Kingsville. Mr. Goodman stated his company has supplied asphalt materials to the City for many years. This is the first time they have ever come to the City for consideration in a price increase on the contract. He tries to bid a fair price during the bidding process, however this year is rare that the prices have increased.

Mr. Julian Calzada, 1208 East Kenedy, stated that he has lived in Kingsville for seventy-seven years, and has paid taxes for at least sixty years. He stated that as far as the overpass issue, the citizens have spoken. He asked why the Mayor should bring this issue up again. Mr. Calzada stated that Mayor Esquivel should respect the wishes of the people. He stated that the citizens that worked either "for" or "against" the overpass, worked hard, and should not have to go through that trouble again.

Mr. Joel Gant, 803 Hoffman, addressed the Commission regarding the railroad overpass. He stated that he has spoken to several people and most of them indicated that they did not understand the ballot wording. Mr. Gant stated that if there is a proposition on the ballot that the citizens can vote either yes or no to the overpass, he felt would be less confusing for the voters.

Mr. Stanley Laskowski, 1904 Kelly Street, addressed the Commission regarding the overpass issue. He asked why the Mayor did not look at other funding alternatives to construct the overpass. Mr. Laskowski asked that the City to show the citizens the money first. He asked that the Commission honor the outcome of the special election on January 15<sup>th</sup>. He stated this was an important issue and many people worked very hard to go through the legal issues to make this election happen. Mr. Laskowski requested that the Commission respect the vote of the people.

Mr. Sixto Sandoval, 1810 Annette, stated that he spoke to several people after the election. He stated that many were confused with the ballot. He said that several members of the citizens group objecting to the overpass were very vindictive people, and many citizens were afraid to express their opinions on this issue. There were public officials that did not want to express their opinions because they would be voted out of office. Mr. Sandoval stated that he challenges every candidate and elected official of this City, County and School District, to come out and express their opinion on how they feel about this overpass issue. There should be a lot of people concerned about this issue. He stated that the Commission needs to fight this decision.

Ms. Mary Jane Cortez Reeder, 429 East Avenue C, stated that she is highly offended about the recent article regarding the overpass issue. People that did not want the overpass should be insulted because the people had a choice. Mrs. Reeder stated that every person has a right to vote and obviously many chose not to vote on this issue. However, the Commission should honor the wishes of those that did take the time to vote. She stated that additional equipment for the Fire and Police Department is desperately needed. Mrs. Reeder asked that the Commission invest their time in other areas of town, such as Tranquitas Creek, especially for the safety of the citizens of Kingsville.

Mr. Rudy Galvan, 1908 Kelly Street, stated that he opposed to the construction of the proposed overpass. He stated that the overpass issue needs to be put aside, and the Commission needs to take care of other projects that are needed. Mr. Galvan stated that it is really nice to have new projects, but if we can not pay for it, we do not need it. He informed the Mayor that there were a lot of people that worked hard on the overpass election and these same people would work against him.

Mayor Esquivel responded that the Commission has taken a strong role in I-69 issues, and have also worked in developing an enterprise zone. He said this Commission is not sitting still and certainly looking towards the future of Kingsville.

Ms. Barbara Geotsch, 717 General Cavazos, stated that she is against the overpass because she lives on General Cavazos. She said that being in the Commission Chambers this evening makes her feel like she doesn't live in a democratic City.

Mr. Bill Straiton, 1502 Ailsie, addressed the Commission regarding the proposed overpass. He stated that according to the election results of January 15<sup>th</sup>, it is obvious that the citizens of Kingsville do not want the overpass. He stated that with the election results, it killed the funding for the overpass. Mr. Straiton requested that the City spend the monies on street improvements, garbage trucks, fire equipment, police equipment, trash pickups, and upgrades to the water systems. He stated that City crews repair many water leaks each day in Kingsville, and the monies that were going to be used for the overpass should be used for a water line replacement project.

Mayor Esquivel responded that the City has been working to have quality fire and police departments. He said that the City recently received a \$300,000 grant for water improvements and repairs will soon be made to the water tanks. Mayor Esquivel stated that the Commission is striving to do the best for the City of Kingsville.

J.H. Peterson, 4000 S. Brahma Boulevard, addressed the Commission regarding the overpass issue. He stated that he lived on the west side of Kingsville for fifteen years and now lives on the east side. He stated that in his opinion he does not think the overpass is needed.

## **V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.**

### **1. CONSIDER APPROVAL OF MEMBERSHIP APPLICATION TO THE UNITED STATES CONFERENCE OF MAYORS. (MAYOR ESQUIVEL).**

Mayor Esquivel stated that he has attended two meetings that have been sponsored by the United States Conference of Mayors. He said that the meetings have been informative because he meets with federal people, and has had the opportunity to meet with Mayors from all over the Nation. He said they gather support for projects such as Spaceport. Mayor Esquivel recommended approval of the membership application. He stated that the cost for the first year membership for the City of Kingsville would be \$533.00.

**Upon a motion by Commissioner Garcia and second by Commissioner Wilson, the Commission unanimously approved the membership application to the United States Conference of Mayors.**

**2. CONSIDER AWARDING BID FOR POLICE CARS. (BID #20-38). (DIRECTOR OF PURCHASING).**

Mrs. Dora Byington, Director of Purchasing, stated this item authorizes the purchase of ten fully equipped patrol cars for the Police Department. This action will expend \$339,200 for ten units. Mrs. Byington recommended that the bid be awarded to Southwest Ford Company from Weatherford, Texas.

Mr. Hinojosa stated that Mr. Donald Gonzales, the City's Financial Advisor, is currently working on a financing package for the funding of these units. The leasing package is ready to be presented to the City Commission at the next meeting.

**Upon a motion by Commissioner Villarreal and second by Commissioner Garcia, the Commission unanimously awarded the bid for the police cars as recommended by staff.**

**3. CONSIDER AWARDING BID FOR FIRE PUMPER TRUCK. (BID #20-41). (DIRECTOR OF PURCHASING).**

Mrs. Byington stated this item authorizes the purchase of one fully equipped fire pumper truck for the Fire Department. She recommended that the bid be awarded to Siddons Fire Apparatus, Inc. from Houston, Texas.

Mr. Roel Cavazos, Fire Captain, discussed the difference between the bids that were submitted for the fire truck. Some of the requested items were not met in all the bids submitted. Captain Cavazos recommended the purchase of the Pierce pumper truck from Siddons Fire Apparatus, Inc.

Upon a question raised by Mayor Esquivel, Mr. Ruben Perez, City Attorney responded that there has been a claim made that some of the addendums were not properly mailed out. If the Commission feels that our bidding process was not fair, our process is still fair as long as we correctly followed our process. Mr. Perez stated that there could many reasons why the bidder did not receive the addendums. He said it is solely up to the Commission to determine whether they feel that the bidding process was followed.

**A motion was then made by Commissioner Villarreal and seconded by Commissioner Garcia to award the bid for the fire pumper truck as recommended by staff.**

Upon a question raised by Commissioner Garcia, Mrs. Byington responded that as far as she knows, there were no other companies that reported to her that they did not receive the addendum's that were mailed out.

Mr. Kirby Wilson, representing KME Fire Apparatus stated this was not a fair bidding process and urged the Commission to consider re-bidding this package. He suggested that in the future the addendum's be sent by a certified letter to have proof that the vendors received the addendum's.

Mr. John Yates, a fireman with Alice Fire Department addressed the Commission regarding the bid. He stated that even if Mr. Wilson had received the addendum, the chassis still would not have met the bid specifications.

**The Commission proceeded to vote on the motion to award the bid as recommended by Staff. The motion passed by a unanimous vote.**

**4. CONSIDER AWARDING BID FOR WATER STORAGE TANKS. (BID #20-42). (DIRECTOR OF PURCHASING).**

Mrs. Byington stated this item authorizes the replacement of two water storage tanks located at Well #14 on West Kenedy Street and Well #19 at the old Police Department grounds. She stated this action will expend \$127,000 and the funds will be paid from the \$3,000,000 Certificates of Obligation, Series 1998. Mrs. Byington recommended the bid be awarded to Halloway Company, Inc. from Houston, Texas.

**A motion was then made by Commissioner Garcia and seconded by Commissioner Wilson to award the bid for the water storage tanks as recommended by staff. The motion passed by a unanimous vote.**

**5. CONSIDER A REQUEST FROM TEXAS FUEL & ASPHALT COMPANY FOR CANCELLATION OF THEIR ANNUAL CONTRACT FOR ASPHALT ROAD OILS DUE TO UNFORESEEN PRICE INCREASES IN THE INDUSTRY. (DIRECTOR OF PURCHASING).**

Mrs. Byington stated that the vendor is requesting a price increase of .17 cents per gallon for AC-5, .16 cents per gallon for MC-30 and RC-250, and .10 cents per gallon for CRS-2 asphalt oils. She stated that the price increase will expend approximately \$10,000 more for these products. Mrs. Byington recommended that the vendor be allowed to cancel his contract and allow the City to obtain bids by bidding them out competitively.

Mayor Esquivel stated that he realizes that there has been a price increase with fuel and asphalt that the vendor bid on, however the contract should be fulfilled for one year. He stated that it is only business sense that a one year contract should be fulfilled.

Mr. Johnie Goodman, a Sales Representative with Texas Fuel & Asphalt addressed the Commission. He stated that the price for these materials have recently increased tremendously. He said that the prices will continue to increase in the future.

Upon a question raised by Commissioner Garcia, Mr. Goodman responded that if the City re-bids these materials, his company would bid competitively. He said he would have to bid with an anticipated price increase in the future.

Mayor Esquivel stated that during his time as a member of the City Commission, a request such as this one has never happened before. Mr. Goodman responded that this did happen in the early 80's when a price increase in oils and fuels happened.

Upon a question raised by Commissioner Villarreal, Mr. Perez responded that the reason for the escalation clause is so that you do not have to go out for bids all the time. Mr. Perez stated that the only thing than can be done is to either cancel the contract or hold the vendor to the contract. The Commission does not have to vote on the increase request.

Mayor Esquivel recommended this item be tabled to obtain additional information.

Commissioner Wilson stated that in most instances there is a risk that the vendor takes that the prices may increase. He said that the City has a relationship with some vendors and some have consistently kept their prices low. Commissioner Wilson stated that the City is not in the reward business, but is in the business of awarding the contract to the lowest, responsible bidder. He stated that the State of Texas does not allow an escalation clause, they simply do away with the contract. Commissioner Wilson also recommended this item be tabled to obtain information from the General Services Commission.

Commissioner Garcia stated that if the contract is released, and the City later receives a bid from a qualified bidder, and the prices go up again, then this process will start all over again.

**A motion was then made by Commissioner Wilson and seconded by Commissioner Pecos to table this item at this time. The motion passed by a unanimous vote.**

**6. CONSIDER INTRODUCTION OF AN ORDINANCE AUTHORIZING AND ALLOWING UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE. (DIRECTOR OF PERSONNEL).**

Mr. Cesar Garcia, Director of Personnel, stated this item will allow the City to credit employees that have worked with other governmental agencies that need additional time to complete the twenty years or the ten year mark to become vested. This will not cause the employee to increase their retirement funds it will simply increase the employees seniority credit.

Upon a question raised by Commissioner Wilson, Mr. Garcia responded that he was not sure of how many employees this action will actually effect. Mayor Esquivel requested that information be submitted to the Commission regarding the number of employees this will effect.

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

**7. CONSIDER INTRODUCTION OF AN ORDINANCE CLOSING AND ABANDONING ALL OF ELIZABETH AVENUE IMMEDIATELY NORTH OF LOTS 177 AND 178 IN SOUTHMORE ACRES SUBDIVISION. (DIRECTOR OF PLANNING).**

Mr. Stanley Fees, Director of Planning, stated that the proposed abandoned street has never been improved. The Public Works Department and utility companies were notified about the issue and no one has a problem with abandoning this property. This will be sent back to tax rolls if the Commission approves the abandonment.

Upon a question raised by Mayor Esquivel, Mr. Fees responded that the owner has not been paying taxes on this property because the property is considered a right of way.

Upon a question raised by Commissioner Wilson, Mr. Fees responded that the appraised value of this section would be about 80 cents per square foot because it will be used for a parking lot area.



Commissioner Garcia asked why the City is not selling the property to the owner rather than abandoning the portion to the owner.

Mr. Perez responded that the property separately is not suited for building. It is worth \$2,800 with the adjoining property, but not by itself. The property owner is prepared to pay the cost for platting the property and also permit fees. This is an appropriate valuation for this tract of land. There are other surveys and title policy searches that have been done that did not reflect the easement. This portion has to be closed to receive the proper title.

**Mayor Esquivel stated this is an introductory item only and final passage will be considered at the next regular meeting.**

**8. CONSIDER INTRODUCTION OF AN ORDINANCE ORDERING THE CITY GENERAL ELECTION FOR MAY 06, 2000, DESIGNATING VOTING PRECINCTS AND POLLING PLACES, ESTABLISHING ELECTION PROCEDURES, AND APPOINTING EARLY VOTING CLERK. (CITY SECRETARY).**

Mayor Esquivel stated that the proposed ordinance orders the City General Election for May 06, 2000. He recommended approval. Mayor Esquivel stated that he would like to add a proposition to that ballot, regarding the proposed overpass at General Cavazos and 6<sup>th</sup> Street.

Mr. Perez responded that a committee of five people along with the proper petitions would have to submit to the City a request that this item be placed on the next ballot.

Upon a question raised by Commissioner Wilson, Mr. Perez responded that this item would strictly be a non-binding issue, and the Commission would not be bound by anyway to the results of the election.

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

**9. CONSIDER RESOLUTION CREATING AND DELETING CERTAIN NON-CLASSIFIED SERVICE POSITION; AND CLASSIFYING SUCH POSITION. (DIRECTOR OF PERSONNEL).**

Mr. Hinojosa stated that currently the Recycling Center has the custodian position vacant, and because of the increase in the workload of the center, an operator's position is needed rather than the custodian. Mr. Hinojosa stated that the operator would be required to operate the forklift. He recommended approval of the proposed resolution.

**A motion was then made by Commissioner Villarreal and seconded by Commissioner Pecos to approve Resolution #20004, creating and deleting certain non-classified service position and classifying such position at the recycling center. The motion passed by a unanimous vote.**

**10. CITY MANAGER'S REPORT. (CITY MANAGER).**

Mr. Hinojosa commended the City employees that assisted with the Employee Christmas Party and the individuals that helped with the door prizes and decorating the hall. Mr. Hinojosa expressed his appreciation to those individuals.

Mayor Esquivel informed the Commission that he sent out letters to surrounding Mayors inviting them to a meeting here in Kingsville. He said that different issues will be discussed and should benefit everyone that attends the meeting.

11. Executive Session: Pursuant to Section 551.071, Texas Government Code, City Commission shall convene in Executive Session to seek legal advice from the City Attorney regarding litigation in Brenda Broadwater vs. City of Kingsville, et al and a lawsuit styled City of San Benito, et al., vs. PG&E Gas Transmission, Texas Corporation. (City Attorney).

Pursuant to Section 551.074, Texas Government Code, Personnel Matters, the City Commission shall convene in Executive Session to review application/contract of City Attorney applicant, Mr. Ruben Perez. (Mayor Esquivel).

The Commission went into Executive Session at 9:16 p.m. and concluded 9:25 p.m.

**RECONVENE INTO OPEN SESSION:**

12. CONSIDER INTRODUCTION OF AN ORDINANCE GRANTING A PERMIT AND CONSENT TO MAINTAIN, USE AND OPERATE CERTAIN NATURAL GAS AND/OR NATURAL GAS LIQUIDS TRANSMISSION PIPELINES ALONG, ACROSS, AND UNDER PUBLIC PROPERTY AND RIGHTS OF WAY IN THE CITY OF KINGSVILLE. (CITY ATTORNEY).

Mr. Perez stated that the City is currently participating in and awaiting payment in a class action lawsuit. As part of the court order the City may continue to participate in the settlement or have the option of withdrawing the prior consent. Mr. Perez recommended approval of the proposed ordinance.

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

13. CONSIDERATION AND APPROPRIATE ACTION, IF ANY, RATIFYING THE SETTLEMENT AGREEMENT BETWEEN CLAIMANT, MS. BRENDA BROADWATER, AGAINST THE CITY OF KINGSVILLE AND ALL ITS OFFICIALS AND EMPLOYEES, AND RESOLVING ALL LEGAL AND EQUITABLE CLAIMS. (CITY ATTORNEY).

Mr. Hinojosa recommended approval of ratifying the settlement agreement between Ms. Brenda Broadwater, against the City of Kingsville.

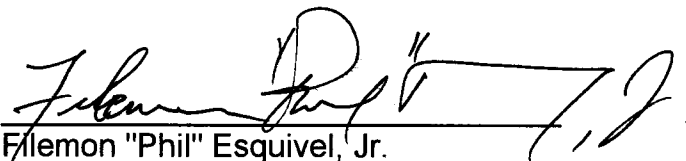
**Upon a motion by Commissioner Garcia and second by Commissioner Pecos, the Commission unanimously approved the proposed settlement agreement.**

14. ANNOUNCE THE SELECTION OF THE NEW CITY ATTORNEY FOR THE CITY OF KINGSVILLE. (MAYOR ESQUIVEL).

Mayor Esquivel stated that the City of Kingsville was very fortunate to have been working with Mr. Ruben Perez on a retainer basis. He stated that Mr. Perez was chosen to be the new City Attorney.

**VI. Adjournment.**

The meeting then adjourned at 9:28 p.m.

  
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Filemon "Phil" Esquivel, Jr.  
Mayor

**ATTEST:**

  
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Diana F. Valadez, City Secretary