

OCTOBER 23, 2000

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, OCTOBER 23, 2000 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

Stanley Laskowski, 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
 Mary Valenzuela, Executive Secretary
 Ruben Perez, City Attorney
 Victor Salas, Finance Director
 Dianne Leubert, Sanitation Superintendent
 Sammy Maldonado, Utilities Superintendent
 Artemio Alvarez, Risk Manager
 Estella Garcia, Collections Superintendent
 Dora Byington, Purchasing Director
 Stanley Fees, Director of Planning
 Joel Saenz, Inspector
 Maria Robles, Accountant

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. Travis Pollard, an Eagle Scout, led the Pledge of Allegiance.

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

The Commission was presented with the minutes of the Regular Meeting held Monday, September 11, 2000 and the Special Meetings held Thursday, August 31, 2000 and Monday, September 18, 2000.

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

II. PUBLIC HEARINGS - (REQUIRED BY LAW).

1. **CONDUCT A PUBLIC HEARING TO RECEIVE FINAL PUBLIC COMMENT REGARDING THE COMPLETION OF THE 1999 TEXAS CAPITAL FUND PROGRAM - REAL ESTATE IMPROVEMENTS ON BEHALF OF CALLING SOLUTIONS, CONTRACT NO. 719242. (CITY ATTORNEY).**

Mayor Filemon "Phil" Esquivel, Jr., declared the public hearing opened at 6:18 p.m. He stated that the purpose of the hearing is to allow for final public comment regarding the completion of the 1999 Texas Capital Fund Program -

Real Estate Improvements on behalf of Calling Solutions. Mayor Esquivel asked if there was anyone in the audience that wanted to address the Commission.

Mr. Dick Messbarger, Executive Director of the Economic Development Council stated that Calling Solutions currently employs over five hundred individuals. He stated that it was a team effort by all entities involved that made the opening of Calling Solutions possible.

Mrs. Kim Lacey, from Municipal Development Services informed the Commission that the City of Kingsville used monies from the Texas Economic Development Capital Fund to assist with the funding for Calling Solutions to open their doors. She stated that she has never had a contract close out in less than a year, and this contract is closing out in seven months. She commended City staff and the Commission for all the work that has made this project a success.

Mayor Esquivel thanked State Representative Irma Rangel for her involvement with the Calling Solutions Project.

Upon a question raised by Commissioner Al Garcia, Mr. Messbarger responded that the company has had up to 700 individuals employed at one time. He stated that their employment figures fluctuate.

Mayor Esquivel closed the public hearing at 6:30 p.m.

III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. UPDATE FROM STAFF ON FOLLOWING QUESTIONS AT THE REQUEST OF THE MAYOR AND COMMISSIONERS.

A. None.

IV. PUBLIC COMMENTS ON ITEMS AND NON AGENDA ITEMS.

Mr. Homer Castillo, 105 North 5th Street, addressed the Commission. He stated that he was not at this meeting to defend Ricardo Guzman, Felipe Garza or Cesar Garcia. He said that the three individuals had been terminated and were good and dedicated employees. Mr. Castillo stated that it was not to his benefit that he voice his concerns about the terminations. He stated that he feels he has an obligation to this community and regardless of all the obstacles, he is staying in Kingsville. Mr. Castillo stated that in reference to work he has done at the landfill, he has a contract signed by Ricardo Guzman. He stated that if City staff is concerned that the contract may not be valid, they should not have authorized payments to be made to his firm under that contract.

Mrs. Susan Ivy, Director of the Kleberg County Parks Department stated that this Saturday, members of the community would be making improvements to Flato Park. She asked if anyone was interested in participating to contact the Parks Department or to drop by Flato Park on Saturday.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER AWARDING BID FOR THE INSTALLATION OF LIGHTS FOR THE DOWNTOWN LIGHTING PROJECT. (BID #20-58). (DIRECTOR OF PURCHASING).

Mr. Hector M. Hinojosa, City Manager, stated this item authorizes the installation of lights on the west and east sides of the intersection of 6th and Kleberg Avenue. He stated this action will expend \$60,134 for the two islands and the Heart of Kingsville Association has provided funds for the project. Mr. Hinojosa recommended the bid be awarded to Bracco Construction Corporation from Corpus Christi.

Upon a question raised by Commissioner Arturo Pecos, Mr. Hinojosa responded that although the Heart of Kingsville Association is paying for the project, the City bid the project out because the property belongs to the City.

Upon a motion by Commissioner Villarreal and second by Commissioner Pecos, the Commission voted unanimously to award the bid for the installation of lights for the downtown street lighting project as recommended by the City Manager.

2. CONSIDER AWARDING A THREE MONTH CONTRACT FOR ASPHALT OILS. (BID #21-22). (DIRECTOR OF PURCHASING).

Mrs. Dora Byington, Director of Purchasing, stated this item authorizes the execution of a three-month contract with two companies for asphalt. She stated this contract would not exceed \$31,250 for a three-month period. Mrs. Byington recommended the contract be awarded to two different companies, Eagle Asphalt Products and Performance Grade Asphalt, both from Corpus Christi.

Upon a motion by Commissioner Villarreal and second by Commissioner Pecos, the Commission voted unanimously to award a three month contract for asphalt oils as recommended by staff.

Mayor Esquivel recessed the meeting for a short break at this time.

The Commission then reconvened the meeting.

3. DISCUSSION OF PROFESSIONAL SERVICES CONTRACT WITH KINGSVILLE CONVENTION AND VISITORS BUREAU, INC.; PROPOSED AMENDMENTS TO ALLOCATIONS OF THE HOTEL OCCUPANCY TAX AND OTHER REVENUES; PROCESS FOR BOARD APPOINTMENTS; REVIEW OF BYLAWS AND COMPREHENSIVE PROGRAM; AND ANNUAL APPROVAL OF BUDGET FOR KINGSVILLE CONVENTION AND VISITORS BUREAU.

Mr. Ruben Perez, City Attorney stated that the proposed contract is only a draft. He requested that the Commission members review the document and submit recommended changes to him. He stated that he included in the contract some controls on the budget and appointments to the Board of Director's.

Mayor Esquivel requested that a provision be placed in the contract that requires the KCVB Board of Directors to meeting quarterly with the City Commission.

Commissioner Garcia stated that in his opinion the board requirements are too strict because the members must be selected by a category such as a restaurant, business, and/or hotel/motel.

Mr. Perez stated this item would be considered at another meeting.

4. CONSIDER APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE KINGSVILLE CONVENTION AND VISITOR'S BUREAU. (KCVB EXECUTIVE DIRECTOR).

Mr. Hinojosa stated that Mr. Steve Nevares, owner of Casa de Tacos and Dr. Tom Jackson, Associate Vice President of Student Affairs for TAMUK have both expressed an interest in serving on the Board of Directors. He stated that Mr. Nevares would assume the seat vacated by Ms. Kelly Manning, and Dr. Jackson will assume the seat vacated by Mrs. Mary Marroquin. Mr. Hinojosa recommended approval of the two appointments.

Upon a motion by Commissioner Garcia and second by Commissioner Pecos, the Commission voted unanimously to approve the appointments as recommended by the City Manager.

5. CONSIDER RESOLUTION CREATING A POSITION FOR CODE ENFORCEMENT OFFICER AND CLASSIFYING SUCH POSITION. (CITY MANAGER).

Mr. Hinojosa stated there was an error in the proposed resolution regarding the title for the position. He said that the correct title should be Litter Abatement Officer rather than Code Enforcement Officer. He recommended approval of the resolution with the noted correction.

Upon a motion by Commissioner Villarreal and second by Commissioner Laskowski, the Commission unanimously approved Resolution #200041, creating a position for a Litter Abatement Officer and classifying such position.

6. CONSIDER RESOLUTION ADOPTING AN INVESTMENT POLICY FOR THE MANAGEMENT AND INVESTMENT ACTIVITIES OF THE CITY, EXCLUDING PENSION FUNDS, WITH REGARD TO INVESTING THE FINANCIAL ASSETS OF FUNDS, INCLUDING GENERAL FUNDS, SPECIAL REVENUE FUNDS, ENTERPRISE FUNDS, INTERNAL SERVICE FUNDS AND CAPITAL IMPROVEMENT FUNDS.

Mr. Hinojosa stated that the proposed resolution adopts an investment policy for the City of Kingsville. He recommended approval of the proposed resolution and the policy.

Commissioner Laskowski expressed an interest in serving on the committee as specified in the policy.

A motion was then made by Commissioner Laskowski and seconded by Commissioner Villarreal to approve Resolution #200042 adopting an investment policy for the City of Kingsville.

7. INTRODUCTION OF AN ORDINANCE AMENDING ARTICLE 10: REVENUE AND FINANCE SECTION 3-10-1 TO 3-10-7 REGARDING THE PROVISION OF SPECIFIC GUIDELINES FOR THE INVESTMENT POLICY OF THE CITY OF KINGSVILLE.

Mr. Hinojosa stated that the proposed ordinance revises the current ordinance to reflect the guidelines adopted in the investment policy adopted in agenda item number six. He recommended approval.

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

8. CONSIDER AWARDING CONTRACT TO PROVIDE ENGINEERING SERVICES FOR THE REVIEW OF THE CURRENT PERMIT, CONSTRUCTION QUALITY ASSURANCE FOR MSW LANDFILL DISPOSAL CELL, COMPLIANCE AUDIT, PERMIT AMENDMENT AND OTHER ENGINEERING SERVICES FOR THE LANDFILL. (CITY MANAGER).

Mr. Hinojosa stated that at the last meeting the Commission authorized him to negotiate a contract with SECOR Engineering Company. He is now bringing forward the actual contract for Commission approval. He stated that the contract amount was originally \$600,000, however after negotiating with representatives of the company, the amount has dropped to \$469,000. Mr. Hinojosa stated that there are some concerns that the permit amendment is not needed now or could possibly wait for about three years.

There was a lengthy discussion regarding the costs associated with this contract and whether or not the City should remain in the landfill business.

Mayor Esquivel recommended that this agenda item be tabled because representatives from SECOR were not present to address the Commission.

A motion was then made by Mayor Esquivel and seconded by Commissioner Garcia to table this agenda item at this time. The motion passed by a unanimous vote.

9. CONSIDER RESOLUTION ESTABLISHING GUIDELINES FOR PREPARATION AND TRANSMISSION OF AGENDA MATERIALS, INFORMATION, AND REPORTS TO THE CITY COMMISSION.

Mr. Hinojosa stated that the proposed resolution allows staff to prepare the agenda packet on Thursday, rather than Wednesday. He recommended approval of the proposed resolution.

Upon a motion by Commissioner Villarreal and second by Commissioner Laskowski, the Commission unanimously approved Resolution #200043, establishing guidelines for the preparation and transmission of agenda materials, information, and reports to the City Commission.

10. DISCUSSION AND PRESENTATION REGARDING URANIUM MINING IN THE GOLIAD AQUIFER.

County Commissioner David Rosse made a presentation regarding uranium mining in Kleberg County. No action was taken on this item.


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

Mr. Hinojosa reminded the Commission about the ceremony celebrating Red Ribbon Week at the Police Department on Tuesday, October 24, 2000. He also reminded the Commission that he would be out of town the rest of the week attending a conference in Austin.

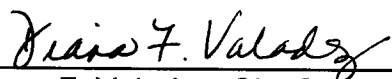
Mayor Esquivel expressed his condolences to the Santiago Family for the death of their son, Ronchester Santiago. Ronchester was a member of the USS Cole and was killed on the USS Cole in the Port of Aden in Yemen.

VI. ADJOURNMENT.

The meeting then adjourned at 9:35 p.m.


Filemon "Phil" Esquivel, Jr.
Mayor

ATTEST:


Diana F. Valadez, City Secretary