

DECEMBER 11, 2000

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD MONDAY, DECEMBER 11, 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
 Ruben Perez, City Attorney
 Stanley Fees, Director of Planning
 Maria Robles, Accountant
 Victor Salas, Finance Director
 Isabel Valdez, Personnel Director
 Dora Byington, Director of Purchasing
 Corando Garza, Assistant City Manager / Fire Chief
 Dianne Leubert, Sanitation Superintendent
 Sam Granato, Chief of Police
 Sammy Maldonado, Utilities Superintendent

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. Carl Anderson, a Kingsville Volunteer Fire Fighter, led the Pledge of Allegiance.

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

There were no minutes available for approval.

II. PUBLIC HEARING - (REQUIRED BY LAW).

1. None.

III. PEITIONS, GRIEVANCES, AND PRESENTATIONS.

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

- A. UPDATE ON STATUS OF CITY JOURNAL.

Mr. Hector M. Hinojosa, City Manager informed the Commission that the City Journal has not been printed again because it was eliminated from the budget. He stated that during budget discussions it was the consensus of the Commission to discontinue the printing of this publication.

Mayor Filemon "Phil" Esquivel, Jr., stated that he felt the publication of the journal was an excellent tool to communicate with the citizens. He stated that he would like to conduct town hall meetings on a quarterly basis since this publication would no longer be printed.

B. UPDATE ON STATUS OF REPAIRS TO SOUTH WASTEWATER TREATMENT PLANT AND REPORT ON NORTH WASTEWATER TREATMENT PLANT. (CITY MANAGER).

Mr. Hinojosa stated that Mr. Sammy Maldonado, Utilities Superintendent would brief the Commission on the status of the plants.

Mr. Maldonado informed the Commission that the south plant should be operating by the end of this week. He also stated that there were some problems at the north plant, and an engineering firm is currently accessing the problems there. Mr. Maldonado stated that he is in the process of completing a three-year plan for needed improvements to both plants.

Upon a question raised by Commissioner Al Garcia, Mr. Maldonado responded that if repairs are done to the north plant, then the plant could possibly survive another ten or fifteen years.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

Sgt. Barry Blackstock, 1700 East King, requested that the Commission approve the Collective Bargaining Agreement. He stated that majority of the association membership approved the proposed agreement. He also advised the Commission that the budget for the Police Department in November showed a decrease in overtime. Sgt. Blackstock stated that reducing the overtime has continued to be a priority for the Commission.

Mrs. Cathy Henry, 1210 West Lee, addressed the Commission regarding the funds for the Conner Museum. She stated that the museum offers programs for the children and urged the Commission to continue the funding for a facility that has served the community for many years.

Mr. Joe Cisneros, Executive Director of the Kingsville Chamber of Commerce updated the Commission on the Cactus Pro Football Game. He urged members of the community to support this event and attend the game on January 12th.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDERATION 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 VISITOR'S BUREAU. (CITY ATTORNEY).

1A. CONSIDER RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE KINGSVILLE CONVENTION AND VISITOR'S BUREAU, INC. (CITY ATTORNEY).

Mr. Ruben Perez, City Attorney stated that the Board of Director's of the Kingsville Convention and Visitor's Bureau (KCVB) has not approved the proposed agreement. He stated that the agreement would not be a valid contract until the entire board approves it. Mr. Perez stated that the authority to transfer money from one account to another is specified in the proposed agreement.

Upon a question raised by Commissioner Garcia, Mr. Perez responded that the issue of transferring money from one account to another has to do with control. The contract specifies who has the authority of transferring money from one line item to another.

Upon a question raised by Commissioner Stanley Laskowski, Mr. Perez responded that the agreement could be changed to allow money to be transferred to different line items as long as the money is not transferred to the salary and benefits section of the budget.

Mr. Perez stated that only the Board should approve budget revisions, however no money should ever be transferred into the salary and benefits line items. He also stated that the Commission could table this item until the Board has reviewed and approved the proposed agreement.

Upon a question raised by Mayor Esquivel, Mr. Anse Windham, President of the KCVB responded that the Board of Directors has authorized the expenditures allocated to the George Strait events be reallocated to the Cactus Bowl advertisements.

A motion was made by Commissioner Rene "Mr. V" Villarreal and seconded by Commissioner Laskowski to table this item at this time. The motion passed by a unanimous vote.

1B. CONSIDER APPROVAL OF MODIFIED FY 2000-2001 BUDGET, DESIGNATING FUNDS FOR THE WHATABURGER CACTUS BOWL AND DECREASING BUDGET BY THE AMOUNT DESIGNATED FOR ARTS AND HISTORY. (CITY ATTORNEY).

Mr. Perez stated this item was necessary only if expenditures had to be approved for the Cactus Bowl. However, if the money is being reallocated as specified earlier, then approval for that expenditure is not necessary at this time. Mr. Perez stated that approval is necessary to change the manner in which money is currently provided to the Conner Museum. He stated that the City sends a check to the KCVB and the KCVB in turn sends a portion to the museum. Mr. Perez recommended that the City send the check directly to the museum.

Commissioner Laskowski requested that the KCVB review their budget and perhaps they could assist with the Cactus Bowl.

Mr. Perez stated that in the KCVB budget there is a monthly payment made to the City for the building. He stated that the City could waive that payment for one month, and use those revenues for the Cactus Bowl. Mr. Perez requested this item be tabled at this time, and an item placed on the next agenda waiving this payment from the KCVB.

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

2. CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE KINGSVILLE LAW ENFORCEMENT ASSOCIATION FOR THE PERIOD COVERING OCTOBER 01, 2000 TO SEPTEMBER 30, 2003. (CITY ATTORNEY).

Mr. Perez explained to the Commission some of the details of the proposed agreement. He stated that the contract specifies a one year grace period in the event that the association and the City can not enter into a contract.

Commissioner Pecos expressed some concerns in the manner in which the salary increases were going to be granted. He stated that the raises should be given all at one time rather than splitting the increases in two different portions.

Mr. Victor Salas, Finance Director, stated that if the salary increases are awarded according to the contract it would allow him an additional six months to investment some money.

A motion was then made by Commissioner Villarreal and seconded by Commissioner Garcia to approve Resolution #200051, authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville and the Kingsville Law Enforcement Association. The motion passed by a unanimous vote.

3. CONSIDER RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, STATE OF TEXAS, FOR THE PURPOSE OF REQUESTING FUNDS FOR GRANT YEAR 2001-2002 FOR THE SOUTH TEXAS SPECIALIZED CRIMES & NARCOTICS TASK FORCE GRANT. (CITY MANAGER).

Mr. Hinojosa stated that the task force is in the process of submitting a grant to the Governor's Office for funding the operation of the task force for one more year. He recommended approval of the proposed resolution.

Upon a motion by Commissioner Laskowski and second by Commissioner Villarreal, the Commission unanimously approved Resolution #200052, authorizing the City Manager to submit an application to the Criminal Justice Division for the purpose of requesting funds for grant year 2001-2002.

4. CONSIDER RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE SOUTH TEXAS SPECIALIZED CRIMES & NARCOTICS TASK FORCE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE COUNTIES OF KLEBERG, BROOKS, JIM WELLS, AND KENEDY INCLUDING OTHER MUNICIPALITIES. (CITY MANAGER).

Mr. Hinojosa stated this item is necessary in order to allow the task force agents to enter those counties that surround Kleberg County, as well as Kleberg County. He stated this agreement is necessary in order to submit the grant application.

Mayor Esquivel stated that he wants the agreement to specify that a City Commissioner shall serve on the Board of Director's of the Task Force. He stated that he preferred that Commissioner Villarreal serve on the Board since he has prior law enforcement experience.

Mr. Bill Quellhorst, Assistant Commander of the task force stated that he would contact the Governor's Office and verify if a City Commissioner could serve on the Board of Director's of the Task Force.

A motion was made by Commissioner Villarreal and seconded by Commissioner Laskowski to approve Resolution #200053, authorizing the Mayor to enter into the South Texas Specialized Crimes & Narcotics Task Force Interlocal Agreement between the City of Kingsville and the Counties of Kleberg, Brooks, Jim Wells, and Kenedy, and other municipalities. The motion passed by a unanimous vote.

5. CONSIDER RESOLUTION SUPPORTING THE PURCHASE OF AN EMERGENCY NOTIFICATION SYSTEM BY THE COASTAL BEND COUNCIL OF GOVERNMENTS. (CITY MANAGER).

Mr. Hinojosa stated that at the last meeting a presentation was made regarding this emergency notification system. During that meeting, Mayor Esquivel requested that a resolution be drafted supporting the purchase of this system. Mr. Hinojosa recommended approval of the proposed resolution.

Upon a motion by Commissioner Laskowski and second by Commissioner Garcia, the Commission unanimously approved Resolution #200054, supporting the purchase of an emergency notification system by the Coastal Bend Council of Governments.

6. CONSIDER RESOLUTION PROVIDING FOR EXEMPTION OF CERTAIN VEHICLES FROM REQUIREMENTS OF CHAPTER 721 OF THE TEXAS TRANSPORTATION CODE THAT REQUIRES THE PLACEMENT OF AN INSCRIPTION ON ALL VEHICLES OWNED BY A MUNICIPALITY. (CITY MANAGER).

Mr. Hinojosa recommended approval of the proposed resolution. He stated that the resolution specifies a person's title that is authorized to obtain these license plates rather than a person's name.

Upon a motion by Commissioner Garcia and second by Commissioner Villarreal, the Commission unanimously approved Resolution #200055, providing for exemption of certain vehicles from requirements of Chapter 721 of the Texas Transportation Code.

7. CONSIDER RESOLUTION AMENDING CHAPTER VII, SECTION 1, OF THE CITY OF KINGSVILLE PERSONNEL RULES AND REGULATIONS - HOLIDAYS. (DIRECTOR OF PERSONNEL).

Mr. Hinojosa recommended approval of the proposed holiday schedule for the year 2001.

Upon a motion by Commissioner Villarreal and second by Commissioner Laskowski, the Commission unanimously approved Resolution #200056, amending Chapter VII, Section 1, of the City of Kingsville Personnel Rules and Regulations - Holidays.

Mayor Esquivel stated that during the holidays, he wants to make sure that all the trash is picked up throughout the City.

8. DISCUSSION ON A PROPOSED ORDINANCE ABANDONING AN ALLEY AND RETAINING AN EASEMENT FOR UTILITY PURPOSES IN BLOCK 5 OF CLYDE ADDITION. (DIRECTOR OF PLANNING).

Mr. Hinojosa stated that an ordinance would be introduced at the next meeting that will abandon the alley between Whataburger and the adjacent car lot. He stated this item is only for discussion purposes only.

No action was taken on this item.

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

Mr. Hinojosa spoke about the National League of Cities conference he and members of the City Commission attended in Boston, Massachusetts. He stated that they all had an opportunity to attend a dedication of the USS Constitution's Galley in honor of Ronchester Santiago while attending this conference.


10. EXECUTIVE SESSION:

PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING POTENTIAL LITIGATION CONCERNING THE PROVISION OF UTILITY SERVICES TO UNPLATTED PROPERTY. (CITY ATTORNEY).


The Commission convened into an executive session at 8:16 p.m. and concluded at 8:56 p.m.

VI. **ADJOURNMENT.**

The meeting then adjourned at 8:57 p.m.


Filemon "Phil" Esquivel, Jr.
Mayor

ATTEST:


Diana F. Valadez, City Secretary