

**MARCH 26, 2001**

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, MARCH 26, 2001 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 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  
 Victor Salas, Finance Director  
 Dianne Leubert, Solid Waste Superintendent  
 Corando Garza, Fire Chief / Assistant City Manager  
 Isabel Valdez, Personnel Director  
 Dora Byington, Director of Purchasing  
 Stanley Fees, Director of Planning  
 Carol Ann Anderson, Director of Tourism  
 Sam Granato, Chief of Police

**I. PRELIMINARY PROCEEDINGS.**

**OPEN MEETING:**

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, Dr. Humberto R. Bruschetta, 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. PETITIONS, GRIEVANCES, AND PRESENTATIONS.**

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

Mrs. Carol Ann Anderson reviewed and presented some of the highlights of the quarterly report. She stated that at the Mayor's request, included in the report was a list of everyone that has logged onto the KCVB web page. Mrs. Anderson stated that overall, advertising, tours, and visitor counts have all increased.

There was a discussion regarding the Cactus Bowl and whether or not the City should continue to contribute to this event. It was determined that the investment was a good investment and the entire community benefited from the game being played in Kingsville.

Mayor Filemon "Phil" Esquivel, Jr. thanked all of the volunteers that spent many hours of their time assisting the KCVB.

2. PRESENTATION BY NUECES RIVER AUTHORITY REGARDING CONDUIT FINANCING FOR LANDFILL PROJECT. (DIRECTOR OF FINANCE).

Mr. Victor Salas, Director of Finance, introduced Mr. James Dobson with the Nueces River Authority. He stated that Mr. Dobson would be making the presentation regarding conduit financing.

Mr. Dobson stated that Nueces River Authority could assist with any project, including a solid waste project. He said that the River Authority sold bonds in the amount of eighteen million dollars to fund the Mary Rhodes Pipeline Project. Mr. Dobson stated that the landfill project could be financed with the assistance of First Southwest Company.

Ms. Ann Burger, Financial Advisor with First Southwest Company addressed the Commission. She explained the duties of the financial advisor, bond counsel, and the financing process.

Mayor Esquivel stated that the Commission needs to hear presentations from any other competitors, especially from our local banks.

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

A. STATUS REPORT ON NEGOTIATIONS REGARDING RENEWAL OF SOUTH TEXAS WATER SUPPLY CONTRACT.

Mr. Hector M. Hinojosa, City Manager stated that City staff has met with representatives from South Texas Water Authority. They discussed the amount of the monthly payment paid to the Water Authority by the City of Kingsville and possible ways of reducing that monthly payment.

There was a lengthy discussion regarding the operations of the Water Authority.

**IV. PUBLIC COMMENT ON AGENDA ITEMS.**

Sheriff Tony Gonzalez addressed the Commission and invited the public to attend a public hearing on Wednesday, March 28, 2001. He stated that the purpose of the public hearing is to receive input about the proposed detention facility for Kleberg County.

Mr. Mike Stevenson, 2901 South Brahma Boulevard, addressed the Commission regarding the landfill issue. He stated that the Commission needs to determine whether or not it is worth staying in the landfill business. He stated that citizens must be willing to pay to get rid of their garbage.

The Commission took a short recess at this time - 8:11 p.m.

The Commission reconvened back into open session at 8:23 p.m.

**V. ITEMS FOR CONSIDERATION BY COMMISSIONERS**

1. DISCUSSION AND REVIEW OF CURRENT SOLID WASTE COLLECTION EFFORTS AND LANDFILL OPERATIONS. REVIEW OF ALTERNATIVE OPTIONS FOR EXPANSION OF TYPE 1 AND TYPE 4 DISPOSAL CELLS, PROVISION OF A TEMPORARY TRANSFER STATION, AND VARIOUS FUNDING SOURCES FOR CONSTRUCTION OF LANDFILL EXPANSION. (CITY MANAGER).

Mr. Hinojosa stated that City staff has been reviewing the different scenarios and the different options available. He said that he is leaning towards proceeding with the current permit with a Type 4 and Type 1 cell. The Type 4 cell is 5.4 acres and the Type 1 is eleven acres. Mr. Hinojosa stated that if the Commission authorizes an additional \$50,000, then the Type 4 could be used as a Type 1 cell with the permit modification. He stated that by authorizing this additional expenditure it would increase the life of the landfill by eight years.

Mr. Victor Salas, Finance Director advised the Commission of the effect on the tax rate for each option.

Upon a question raised by Mayor Esquivel, Mr. Hinojosa responded that the dollar difference between the 5.4 acres and the 4 acres would be approximately \$148,000, and Secor Engineering needs to be given some direction in order to complete the construction plans.

Mr. Hinojosa recommended that the Commission authorize staff to proceed with a Type 1 (11 acres) and a Type 4 (5.4 acres) cell with the increase of \$50,000 in the Type 4 for the leachate collection system to convert it to a Type 1 cell.

Upon a question raised by Commissioner Stanley Laskowski, Mr. Hinojosa responded that the addition of \$50,000 is to install the pump and the leachate collection system in the Type 4 to make it a Type 1 cell.

There was a discussion regarding the tax rate increase that would fund the landfill expansion project and the amount of money that would need to be financed. Commissioner Laskowski stated that even if the Commission decides to close the landfill, money is still needed for closure and post closure expenditures.

**A motion was made by Commissioner Laskowski and seconded by Commissioner Al Garcia to proceed with the Type 1 cell (11 acres) and a Type 4 cell (5.4 acres) with the increase of \$50,000 for the leachate collection system and modification. The motion passed by a 4/1 vote. Commissioner Pecos cast the dissenting vote.**

Commissioner Garcia stated that all members of the Commission have done their best to make the best decision for the citizens of Kingsville regarding the landfill issue. He commended and thanked Commissioner Laskowski for all his time and effort he has spent in studying and researching the landfill situation.

Mayor Esquivel emphasized and urged all the citizens to practice recycling more frequently.

#### 1.1 CONSIDER DIRECTING THE CITY MANAGER ON THE SELECTION OF THE FUNDING SOURCE FOR CONSTRUCTION OF THE LANDFILL EXPANSION.

Mr. Salas stated that under the certificates of obligations or bond issuance, there are certain fees that could be negotiated. He stated that the Commission could decide whether or not to use the conduit financing source or any other type of financing they would prefer.

Mayor Esquivel stated that all the financing options need to be considered and should be laid out and reviewed thoroughly. He suggested perhaps calling a special workshop session to discuss all of the financing options.

There was a discussion on whether or not to use the conduit financing option or to proceed with our current Financial Advisor, Mr. Donald Gonzales with Southwest Securities.

**A motion was then made by Commissioner Garcia and seconded by Commissioner Laskowski to proceed with the competitive bidding process for financing of the landfill expansion project with our current financial advisor.**

**1.2 CONSIDER AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO SECOR PROJECT NO. 90501 PROVIDING FOR ENGINEERING SERVICES FOR DESIGN AND CONSTRUCTION, INCLUDING QUALITY ASSURANCE, FOR A TYPE 4 SECTION 1 TASK.**

**A motion was made by Commissioner Laskowski and seconded by Commissioner Rene "Mr. V" Villarreal to approve a change order to Secor, providing for engineering services and design and construction quality assurance for a Type 4 Cell (5.4 acres). The motion passed by a unanimous vote.**

**2. APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION UNDER THE INFRASTRUCTURE PROGRAM FOR WATER AND WASTEWATER IMPROVEMENTS ON U.S. 77 BYPASS. (COMMISSIONER GARCIA).**

Commissioner Garcia stated that he placed this item on the agenda because there has been no money collected from the private sector, and it has taken up a lot of staff time.

Mayor Esquivel stated that the EDA Grant is a very important grant. He stated that he conducted a meeting with representatives from the School District, Water Authority, Chamber, Industrial Foundation, and City and County officials. He said that most of the individuals that attended felt there was a need to study this project. Mayor Esquivel stated that the City of Mathis was recently awarded a grant to develop an economic study. He stated that if the City of Kingsville applies and receives the funding, it could perhaps be used for improvements to the south wastewater treatment plant.

There was a discussion regarding the grant application and exactly what the funds could be used for and the cash match required by the City of Kingsville. Commissioner Garcia stated that the City could not afford the \$380,000 cash match required by the grant.

**A motion was made by Commissioner Arturo Pecos and seconded by Mayor Esquivel to authorize the submission of the application to the economic development administration under the infrastructure program. The motion failed by a 2/3 vote. Commissioner's Laskowski, Villarreal and Garcia cast the dissenting votes.**

**Another motion was made by Commissioner Garcia and seconded by Commissioner Villarreal to abandon the application to the economic development administration at this time. The motion passed by a 3/2 vote. Mayor Esquivel and Commissioner Pecos cast the dissenting votes.**

Mr. Hinojosa stated that staff did not support the submission of the application because of the lack of funding of the required \$380,000 grant cash match.

**3. CONSIDER RESOLUTION ACCEPTING GRANT NUMBER ED-00-J20-15073-02 FOR CONTINUATION OF THE TEEN COURT GRANT FROM THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, STATE OF TEXAS. (CHIEF OF POLICE).**

Mr. Hinojosa stated that it is time to renew the grant for the Teen Court Coordinator. This approves acceptance of the third year funding of \$11,002. Mr. Hinojosa recommended approval of the proposed resolution accepting the grant.

Upon a motion by Commissioner Garcia and second by Commissioner Villarreal, the Commission unanimously approved Resolution #R-2001-08, accepting Grant Number ED-00-J20-15073-02 for continuation of the Teen Court Grant from the Criminal Justice Division, Office of the Governor, State of Texas.

4. DISCUSSION AND UPDATE ON FIVE YEAR CAPITAL IMPROVEMENT PLAN. (CITY MANAGER).

Mr. Salas presented the proposed five-year capital outlay projection plan. It was reviewed and discussed in detail.

No action was taken on this item.

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

5.1 NOTICE OF PUBLIC MEETING WITH THE KINGSVILLE CONVENTION AND VISITOR'S BUREAU ON MARCH 27, 2001 AT THE KINGSVILLE VISITOR'S DEPOT ON HIGHWAY 77.

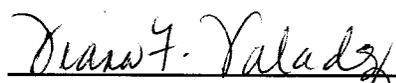
Mr. Hinojosa reminded the members of the Commission about the meeting scheduled with the Board of Director's of the Kingsville Convention and Visitor's Bureau on Tuesday, March 27<sup>th</sup>.

**VI. ADJOURNMENT.**

The meeting adjourned at 10:56 p.m.

  
Filemon "Phil" Esquivel, Jr.  
Mayor

**ATTEST:**

  
Diana F. Valadez, City Secretary