

MAY 14, 2001

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, MAY 14, 2001 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 200 EAST KLEBERG AVENUE.

COMMISSION MEMBERS PRESENT:

Stanley Laskowski, City Commissioner
Filemon "Phil" Esquivel, Jr., Mayor
Arturo Pecos, City Commissioner
Al Garcia, City Commissioner

CITY COMMISSIONER MEMBERS ABSENT:

Rene "Mr. V" Villarreal, City Commissioner

CITY STAFF PRESENT:

Hector M. Hinojosa, City Manager
Diana F. Valadez, City Secretary
Ruben Perez, City Attorney
Victor Salas, Finance Director
Dora Byington, Director of Purchasing
Guadalupe Garcia, Fire Marshal
Artemio Alvarez, Risk Manager
Sam Granato, Police Chief
Joe Casillas, Water Plant Supervisor
Sammy Maldonado, Utilities Superintendent
Corando Garza, Assistant City Manager / Fire Chief
Joel Saenz, Code Enforcement Officer

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING:

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, a member of the audience led the Pledge of Allegiance.

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

The Commission was presented with the minutes of the Regular Meetings held on Monday, February 26, 2001, March 12, 2001, March 26, 2001, and April 09, 2001.

A motion was made by Commissioner Stanley Laskowski and seconded by Commissioner Al Garcia to approve the minutes as presented.

Mayor Filemon "Phil" Esquivel, Jr. requested that an amendment be made to page five of the April 9th meeting. He stated that he specified during that meeting that he would be willing to forego any other travel, only if the Commission requested him to do so.

After the discussion regarding Mayor Esquivel's request, Commissioner Laskowski made an amendment to his motion and was seconded by Commissioner Pecos, that the minutes should be corrected to read: Mayor Esquivel stated that he would be willing to forego any other travel, if the Commission requested him to do so.

The Commission proceeded to vote on the amended motion, and it was passed by a 4/0 vote. Commissioner Villarreal was absent from the meeting.

The Commission then proceeded to vote on the original motion to approve the minutes, and it was approved by a 4/0 vote.

II. PUBLIC HEARING – (REQUIRED BY LAW).

1. PUBLIC HEARING REGARDING APPROVAL OF A WATER SUPPLY CONTRACT WITH SOUTH TEXAS WATER AUTHORITY. (CITY MANAGER).

Mayor Esquivel opened the public hearing at 6:13 p.m. He stated that the purpose of the hearing was to inform the citizens about the proposed contract agreement with the South Texas Water Authority.

Mrs. Carolla Serrato, Executive Director of the Water Authority addressed the Commission. She explained the need for the Special Election to pass on August 11th. She stated that if the tax is approved by the voters, the tax would be used for maintenance and operation costs associated with operating the Water Authority.

Mr. Oscar Castillo, Board Member of the Water Authority stated that it is very important to allow the Water Authority to be a taxing entity and for their customers to buy plenty of water.

There was a discussion regarding the amount of the proposed tax rate. Commissioner Laskowski stated that he recommended the tax rate be nine cents rather than five cents because under the "take or pay" contract, it would provide the City with an additional \$300,000 in revenues. There was also a discussion regarding the pass through costs associated with the Ricardo Water Supply Contract.

Mayor Esquivel closed the public hearing at 6:55 p.m.

2. PUBLIC HEARINGS REGARDING CONDEMNATION OF HOMES/STRUCTURES; 826 EAST RICHARD, 1241 EAST AVENUE A, FRONT AND REAR STRUCTURES AT 508 EAST ALICE, 318 EAST RICHARD, 308 EAST RICHARD, 229 EAST RICHARD, AND 1116 SOUTH CIRCLE DRIVE. (FIRE MARSHAL).

Mr. Guadalupe Garcia, Fire Marshal, stated that three of the structures are located on East Richard Street. One structure is on Avenue A, Alice and South Circle Drive. Mr. Garcia stated that the owner of the structure located at 1241 East Avenue A was present in the audience. He also stated that the property at 826 East Richard is currently involved in a lawsuit dispute due to delinquent property taxes.

There was a discussion regarding the properties located on Richard Street and whether or not the Historical Board required condemnation approval since the structures are located in the Historical District. Mayor Esquivel stated that an opportunity should be given to the members of the Historical Board to try to save the history of the neighborhood.

Mayor Esquivel closed this public hearing at 7:20 p.m.

III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. PRESENTATION BY COASTAL BEND BAYS AND ESTUARIES PROGRAM, INC. REGARDING REQUEST FOR PROPOSALS FOR KINGSVILLE SOUTH WASTEWATER TREATMENT FACILITY – ASSOCIATED DOWNSTREAM WETLAND. (CITY MANAGER).

Mr. David R. Tilley and Mr. Leo Trevino with the Coastal Bend Bays and Estuaries Program addressed the Commission regarding a grant proposal to construct a pond to clean the effluent water from the South Wastewater Treatment Plant before it goes into the creek.

Upon a question raised by Commissioner Laskowski, Mr. Trevino responded that the May 4th deadline is simply an invitation date to present the grants. It is not a mandatory deadline date.

The Commission took a short recess at this time, 7:45 p.m.

The Commission reconvened at 7:53 p.m.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

There were no comments made at this time.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER REMOVAL FROM THE TABLE THE FOLLOWING AGENDA ITEM. (CITY COMMISSION).

A motion was made by Commissioner Laskowski and seconded by Commissioner Arturo Pecos to remove from the table the following agenda item. The motion passed by a 4/0 vote.

1.1 CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH KLEBERG COUNTY PROVIDING UP TO \$7,500 IN FUNDING TO SHARE IN OPERATING AND MAINTENANCE COSTS OF AN INTEGRATED ALERT NOTIFICATION AND INFORMATION SYSTEM. (CITY MANAGER).

Mr. Hector M. Hinojosa, City Manager stated that Nueces County and the City of Corpus Christi have entered into an interlocal agreement to operate a joint emergency communications and dispatch center known as MetroCom. He stated that Kleberg County and the City of Corpus Christi have previously entered into an interlocal agreement to share operating and maintenance costs of the system.

A motion was then made by Commissioner Laskowski and seconded by Commissioner Pecos to approve the interlocal agreement with Kleberg County by providing up to \$7,500 in funding to share in operating and maintenance costs of the alert notification and information system. The motion passed by a 4/0 vote.

2. ADOPTING CERTAIN FINDINGS, REVIEWING EVIDENCE AND TESTIMONY OF WITNESSES, DECLARING THAT CONDITIONS EXIST WHICH RENDER CERTAIN BUILDINGS OR STRUCTURES UNSAFE WHICH CANNOT BE CORRECTED WITHOUT SUBSTANTIAL RECONSTRUCTION, AND DECLARING THE FOLLOWING BUILDINGS AND STRUCTURES TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING THEIR DEMOLITION OR SUCH OTHER ACTION TO ABATE SUCH PUBLIC NUISANCE. (FIRE MARSHAL).

- 2.1 - 826 East Richard
- 2.2 - 1241 East Avenue A
- 2.3 - 508 East Alice
- 2.4 - 318 East Richard
- 2.5 - 308 East Richard
- 2.6 - 229 East Richard
- 2.7 - 1116 South Circle Drive

There were two separate motions made regarding this agenda item.

A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to approve the condemnation of the structures located at 826 East Richard, 1241 East Avenue A, 508 East Alice (front and rear structures), and 1116 South Circle Drive. The motion passed by a 4/0 vote.

Another motion was made by Commissioner Pecos and seconded by Commissioner Laskowski to table for thirty days the condemnation of the structures located at 318 East Richard, 308 East Richard, and 229 East Richard. This motion also passed by a 4/0 vote.

3. CONSIDER APPROVAL OF A RESOLUTION APPROVING FUNDING FROM THE FY-2001 COPS IN SCHOOLS GRANT PROGRAM IN AN AMOUNT UP TO \$407,700 FOR FOUR FULL-TIME SCHOOL RESOURCE OFFICERS' SALARIES AND BENEFITS OVER A THREE-YEAR PERIOD AT KISD SCHOOLS, WITH NO LOCAL CASH MATCH. (CHIEF OF POLICE).

Mr. Sam Granato, Chief of Police, stated that if the Kingsville Police Department is awarded this grant, he plans to address issues such as the school drop out rate, drug trafficking and implement a student mentoring program.

Mayor Esquivel stated that the Police Department organizational chart should be changed to increase the number of officers prior to approving the proposed resolution. He stated that if the grant were approved, it would increase the number of officers in the department.

Chief Granato responded that if the grant is approved, then the organizational chart could be changed at a later date. He stated that the resolution simply authorizes staff to submit the application for funding.

Commissioner Pecos commended Chief Granato and his staff for submitting grant applications and for pursuing funding alternatives to benefit the Kingsville Police Department.

A motion was then made by Commissioner Garcia and seconded by Commissioner Pecos to approve Resolution #R-2001-13, approving the funding from the FY-2001 COPS in Schools Grant Program in an amount up to \$407,700 for four school resource officers at KISD Schools over a three year period. The motion passed by a 4/0 vote.

4. INTRODUCTION OF A RESOLUTION APPROVING A WATER SUPPLY CONTRACT WITH THE SOUTH TEXAS WATER AUTHORITY FOR THE PURCHASE OF A TREATED WATER SUPPLY FOR THE CITY OF KINGSVILLE; PROVIDING FOR THE FINANCING OF MAINTENANCE AND OPERATING EXPENSES; AND PROVIDING FOR AN INITIAL TERM OF 25 YEARS WITH OPTIONS TO EXTEND FOR FIVE ADDITIONAL FIVE-YEAR RENEWAL TERMS. (CITY MANAGER).

Mr. Hinojosa presented the Commission with a revised resolution that simply endorses and supports the tax election of the Water Authority for maintenance and operations of the Water Authority.

Mayor Esquivel requested that when the City approves a new contract with the Water Authority, that the contract include a provision that the Commission be authorized to appoint a board member to the Board of Director's.

Upon a motion by Commissioner Laskowski and second by Commissioner Pecos, the Commission approved Resolution #R-2001-14, endorsing and supporting action by the South Texas Water Authority to call an operation and maintenance tax election. The motion passed by a 4/0 vote.

5. CONSIDER APPROVAL OF RESOLUTION APPROVING THE PARTICIPATION OF THE CITY OF KINGSVILLE AS A MEMBER OF THE SOUTH TEXAS AGGREGATION PROJECT, INC., A POLITICAL SUBDIVISION CORPORATION; ACCEPTING MEMBERSHIP IN SAID CORPORATION; APPOINTING THE CITY MANAGER TO SERVE AS REPRESENTATIVE; AND APPROVING THE ARTICLES OF INCORPORATION AND BYLAWS. (CITY MANAGER).

Mr. Hinojosa stated that on March 23rd representatives of cities served by Central Power and Light Company decided to create a non-profit political subdivision corporation for the purpose of aggregating the electric load of municipalities in the CP&L service territory. It was agreed that the new corporation would be referred to as the South Texas Aggregation Project (STAP). Mr. Hinojosa stated that the City's cost for being a member of this organization would be approximately \$2,500.

Upon a motion by Commissioner Pecos and second by Commissioner Garcia, the Commission approved Resolution #R-2001-15, approving the participation in the South Texas Aggregation Project, Inc., a political subdivision corporation; accepting membership in said corporation; appointing the City Manager to serve as representative and approving the articles of incorporation and bylaws. The motion passed by a 4/0 vote.

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

6.1 UPDATE ON OVERFILL OPERATIONS AT LANDFILL AND DISCUSSION WITH EL CENTRO REGARDING THE CONTRACT FOR TEMPORARY DISPOSAL OF SOLID WASTE.

Mr. Hinojosa stated that he spoke to representatives from El Centro Landfill about the City of Kingsville taking only one load a day to their landfill and another load to our own landfill. He stated that they did not have a problem with the City using that method for our daily disposal of garbage.

In other landfill business, Mr. Hinojosa informed the Commission that bids for the construction of the landfill project would be opened on June 12th. To date, eleven firms have requested information regarding the bid package.

There was a discussion regarding the actual cost per ton that needs to be charged at the landfill in order to cover all costs associated with operating the landfill. There was also a discussion on whether or not City employees should be allowed to do some of the work at the landfill.

6.2 UPDATE ON USE OF HOTEL/MOTEL TAX REVENUES FOR RAILROAD DEPOT MAINTENANCE IN COLLABORATION WITH KLEBERG COUNTY HERITAGE FOUNDATION.

Mr. Hinojosa stated that a recent article in the TML Magazine outlined the uses of hotel/motel taxes and how that money could be spent. He said it was an informative article and encouraged the members of the City Commission to read the article.

Mr. Hinojosa also stated that at the next meeting, the Commission would be presented with resolution to support the railroad depot renovation project being submitted to the Texas Department of Transportation Enhancement Program by the Kleberg County Heritage Foundation.

6.3 UPDATE ON ALLOWING SHERIFF'S DEPARTMENT TO PURCHASE FUEL FROM CITY FACILITIES ON A TEMPORARY BASIS.

Mr. Hinojosa informed the Commission that the Kleberg County Sheriff's Department had continued using the City facilities on a temporary basis to fuel their vehicles. He stated that the Sheriff's Department would continue to use the fuel pumps for about thirty days.

6.4 STATUS REPORT ON DEVELOPMENT OF REQUEST FOR PROPOSAL FOR PROFESSIONAL SERVICES FOR DEVELOPMENT OF THE CITY OF KINGSVILLE MASTER PLAN.


Mr. Hinojosa stated that he is in the process of obtaining proposals from different companies for the development of the City Master Plan.

6.5 UPDATE ON PENDING REQUEST OF RAILROAD INDUSTRY REQUEST TO DOUBLE THE LENGTH OF TRAIN LENGTHS.

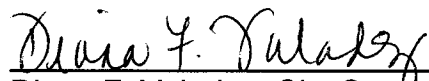
Mr. Hinojosa stated that staff has been trying to obtain information regarding a request by the railroad to obtain authorization to double the length of the train passing through Kingsville. He stated that to date, staff has not been able to find out any information to verify if this is a valid request. Mr. Hinojosa stated that staff would continue to inquire if in fact this has been a formal request made by the railroad.

VI. ADJOURNMENT.

The meeting then adjourned at 8:50 p.m.


 Filemon "Phil" Esquivel, Jr.
 Mayor

ATTEST:


 Diana F. Valadez, City Secretary