

JULY 09, 2001

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD MONDAY, JULY 09, 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
 Mary Valenzuela, Executive Secretary
 Ruben Perez, City Attorney
 Victor Salas, Finance Director
 Dianne Leubert, Solid Waste Superintendent
 Sammy Maldonado, Utilities Superintendent
 Corando Garza, Assistant City Manager / Fire Chief
 Artemio Alvarez, Risk Manager
 Stanley Fees, Director of Planning
 Sam Granato, Chief of Police

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING:

Mayor Filemon "Phil" Esquivel, Jr., led the Commission and members of the audience in an invocation. Immediately thereafter, Mr. Corando Garza, Assistant City Manager / Fire Chief, led the Pledge of Allegiance.

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

The Commission was presented with the minutes of the Special Meeting held on May 07, 2001 and the Regular Meetings held on Monday, May 14, 2001 and Tuesday, May 29, 2001. There being no corrections, a motion was made by Commissioner Villarreal and seconded by Commissioner Pecos, to approve the minutes as presented.

II. PUBLIC HEARING – (REQUIRED BY LAW).

1. None.

III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. PRESENTATION OF LEGISLATIVE REVIEW OF CITY COMMISSION ACTIONS FROM AUGUST 2000 TO MAY 2001. (MAYOR ESQUIVEL).

Commissioner Rene "Mr. V" Villarreal stated that after reviewing the information provided in the legislative review, he noted that a couple of meetings that he did not attend, the report indicated that he voted in favor of the agenda items. City Attorney Ruben Perez responded that all absences would be reviewed to make sure the votes were documented properly in the legislative review. Mr. Perez also stated that he would continue to review this material for other mistakes as well.

No other discussion took place regarding the legislative review.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

Ms. Lisa Tucker, 406 Alexander, addressed the Commission. She complained about loud stereo sounds from vehicles driving throughout the City. She stated that these individuals should be ticketed for driving with loud sounds. Police Chief Sam Granato requested that she document the vehicle license plate number and a description of the vehicle in order to process a complaint.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. INTRODUCTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,305,000 CITY OF KINGSVILLE, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2001; AND APPROVING ALL OTHER MATTERS RELATED TO THE ISSUANCE OF THE CERTIFICATES OF OBLIGATION. (CITY MANAGER).

Mr. Hinojosa stated that the proposed ordinance authorizes the issuance of 3.3 million dollars of certificates of obligations for the construction of the landfill. He stated that on June 11th, the Commission authorized the City Secretary to give notice of intent to issue the certificates to be published in the Kingsville Record. Mr. Hinojosa stated that the total landfill project is approximately \$2,796,958; and the equipment to purchase is \$460,000. He stated there would be a fee assessed to issue the certificates of obligations.

There was a discussion regarding the appraised values of properties as well as possible interest rates. Mr. Hinojosa stated that on Wednesday, July 11th, representatives from Moody's Investor's would be in Kingsville for a bond rating presentation.

Mayor Esquivel stated this was an introductory item only and final passage would be considered on July 23rd.

2. CONSIDER A RESOLUTION ADOPTING A FINANCIAL POLICY TO ESTABLISH GENERAL FUND ENDING BALANCES TO A LEVEL EQUAL TO TWO MONTHS OPERATING EXPENDITURE TOTAL AND ENSURE THAT ACCEPTABLE LEVELS ARE MAINTAINED IN FUTURE YEARS. (FINANCE DIRECTOR).

Mr. Victor Salas, Director of Finance stated that the City of Kingsville General Fund does not currently have a reserve established to cover unforeseen situations that require expenditures of funds that were not budgeted. Mr. Salas stated that as the Commission and Staff prepare the development of its FY 2001-02 budget, the timing is appropriate to consider the establishment of a reserve in the General Fund.

Mayor Esquivel requested that a paragraph "E" be added stating, "Encourage and promote economic development within the City limits by retaining and recruiting industry and increasing housing opportunities."

Commissioner Laskowski stated that two new businesses in Kingsville have recently requested a tax abatement. He stated that business recruitment should be made with businesses that will not ask for anything, especially tax abatements.

A motion was made by Commissioner Laskowski and seconded by Commissioner Villarreal to approve Resolution #R-2001-22, adopting a financial policy to establish general fund ending balances to a level equal to two months operating expenditure total and ensure that acceptable levels are maintained in future years. The motion passed by a unanimous vote.

3. APPROVING THE REALLOCATION OF \$5,000 FOR OTHER RECREATIONAL USES AS APPROVED BY THE COUNTY FROM THE \$15,000 PARK & RECREATION FUNDS PREVIOUSLY ALLOTTED FOR USE AS A SKATE PARK. (COMMISSIONER PECOS).

Commissioner Pecos stated that Mr. Eli Perez, Director of Power House located on 6th and Caesar is doing a great job with the youth of this City. He stated that this organization has assisted many children that have problems at home or that are in trouble. Commissioner Pecos stated that he agrees that the Commission should ratify an agreement with Kleberg County and provide the financial assistance of \$5,000 to Power House.

Mr. Perez, City Attorney stated that Kleberg County would have to be the contracting body. He said that an agreement was negotiated with Kleberg County for \$15,000 of Park and Recreation Funds to be used for the skate park. Mr. Perez stated that the City could agree to reallocate \$5,000 of those funds for Power House; however, it would be up to Kleberg County to disburse the funds.

A motion was made by Commissioner Pecos and seconded by Commissioner Garcia to approve the reallocation of \$5,000 for other recreational uses as approved by the County from the \$15,000 Park and Recreation Funds previously allotted for use as a Skate Park. The motion passed by a unanimous vote.

4. CONSIDER A RESOLUTION ADOPTING AN EMERGENCY SERVICES POLICY (POLICY 12.14) TO ESTABLISH THE RESPONSIBILITIES OF CITY EMPLOYEES BEFORE, DURING, AND AFTER DISASTERS TO ENSURE THAT CITY EMPLOYEES FUNCTION AS A TEAM IN RESTORING CITY SERVICES. (RISK MANAGER).

Mr. Hinojosa stated that several City Department Heads have been meeting to draft the proposed policy. He recommended approval of the policy. Mr. Hinojosa stated that some employees would be used at the command center in the event of a disaster.

A motion was made by Commissioner Pecos and seconded by Commissioner Villarreal to approve Resolution #R-2001-23 adopting an emergency services policy (Policy #12.14) to establish the responsibilities of City employees before, during, and after disasters to ensure that City employees function as a team in restoring City services. The motion passed by a unanimous vote.

5. CONSIDER THE PURCHASE OF A SEIZED VEHICLE, 2001 GMC YUKON DENALI, THE PAYMENT OF ANY OUTSTANDING LIENS IN THE AMOUNT NOT TO EXCEED \$33,000 FROM OTHER SUMS SEIZED AND DESIGNATED FOR LAW ENFORCEMENT PURPOSES OF THE KINGSVILLE POLICE DEPARTMENT. (CHIEF OF POLICE).

Chief Granato stated that the 2001 GMC Yukon Denali was seized by the South Texas Specialized Crimes and Narcotics Task Force. The sale price of the vehicle is \$48,000 with a balance of \$33,000 owed to GMAC. He stated that a total of \$494,000 in U.S. currency was also seized in the traffic stop. Chief Granato said that the Kingsville Police Department's share is at least \$160,000. He requested that \$33,000 of the KPD share be used to pay the amount owed to GMAC for the Yukon Denali.

A motion was made by Commissioner Villarreal and seconded by Commissioner Pecos, to authorize the purchase of a seized vehicle, 2001 GMC Yukon Denali, the payment of any outstanding liens in the amount not to exceed \$33,000 from other sums seized and designated for law enforcement purposes of the Kingsville Police Department. The motion passed by a unanimous vote.

6. CONSIDER AWARDING A CONTRACT TO TEXAS AUTO TITLE & REGISTRATION CONSULTANTS, INC. FOR THE PROFESSIONAL SERVICES OF NOTIFICATION AND ADMINISTERING MANDATORY PROCEDURES FOR THE PUBLIC AUCTION OF ABANDONED MOTOR VEHICLES. (CHIEF OF POLICE).

Chief Granato stated that he would like to auction off vehicles that have been parked for a while at the Police Department. He said that the money could be used for drug fund issues. Chief Granato stated that the vehicles are abandoned by individuals that are stopped with drugs. He recommended approval of the proposed agreement.

A motion was made by Commissioner Villarreal and seconded by Commissioner Laskowski to award a contract to the Texas Auto Title & Registration Consultants, Inc. for professional services of notification and administering mandatory procedures for the public auction of abandoned motor vehicles. The motion passed by a unanimous vote.

7. CONSIDER OUT-OF-STATE TRAVEL FOR CHIEF OF POLICE TO ATTEND A PERF CONFERENCE BEYOND THE RHETORIC – CONFRONTING THE CHANGING FACE OF ORGANIZED CRIME IN CHICAGO, AUGUST 6-9, 2001. (CHIEF OF POLICE).

Chief Granato requested authorization to attend the PERF Conference in Chicago. He stated that the conference would keep him informed of the latest technology in fighting organized crime.

A motion was made by Commissioner Villarreal and seconded by Commissioner Pecos to authorize Chief Granato's out-of-state travel request. The motion passed by a unanimous vote.

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

8.1 UPDATE ON REVITALIZATION AND PRESERVATION OF RICHARD STREET NEIGHBORHOOD AND HISTORICAL DISTRICT. (MAYOR ESQUIVEL).

Mayor Esquivel stated that a company, Fannie Mae would give a presentation on how to restore a historical district

8.2 UPDATE ON SERIES 2001 – CITY OF KINGSVILLE CERTIFICATES OF OBLIGATION BOND RATING.

Mr. Hinojosa stated that the bond rating presentation was scheduled to begin at 9:30 a.m. on Wednesday, July 11, 2001. He requested that members of the City Commission make necessary plans to be present on this day.

8.3 REVIEW OF CONSULTING ENGINEER'S REPORT REGARDING THE ANALYSIS OF THE CITY'S SOLID WASTE CAPITAL IMPROVEMENT PROGRAM AND FORECASTS OF THE LANDFILLS REVENUES AND EXPENDITURES.

Mr. Hinojosa stated that the proforma study by Secor Engineering gives a full description on the landfill expansion project. He said that this study would be used during the bond rating presentation.

There was a brief discussion regarding the current operations at the landfill.

8.4 STATUS REPORT ON ESTABLISHING A MASTER COMPREHENSIVE PLAN FOR THE CITY OF KINGSVILLE.

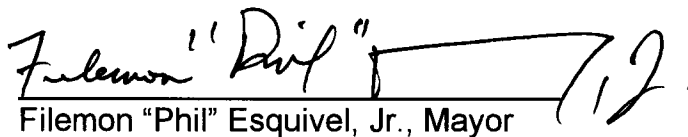
Mr. Hinojosa stated this item would be discussed at the next meeting.

9. 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 PROGRESS AND ADMINISTRATION OF WATER DISTRIBUTION SYSTEM PROGRAM CONTRACT NO. 720401 FUNDED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. (CITY ATTORNEY).


The Executive Session began at 8:09 p.m. and concluded at 8:42 p.m.

VI. ADJOURNMENT.

The meeting then adjourned at 8:44 p.m.


Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:



Diana F. Valadez, City Secretary