

SEPTEMBER 10, 2001

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, SEPTEMBER 10, 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  
 Arturo Pecos, City Commissioner  
 Al Garcia, City Commissioner

**CITY COMMISSION MEMBER(S) ABSENT:**

Filemon "Phil" Esquivel, Jr., Mayor

**CITY STAFF PRESENT:**

Hector M. Hinojosa, City Manager  
 Diana F. Valadez, City Secretary  
 Ruben Perez, City Attorney  
 Victor Salas, Director of Finance  
 Dora Byington, Director of Purchasing  
 Sammy Maldonado, Utilities Superintendent  
 Artemio Alvarez, Risk Manager  
 Stanley Fees, Director of Planning  
 Corando Garza, Assistant City Manager / Fire Chief  
 Vilma Castillo, Director of Collections  
 John Garcia, Garage Superintendent  
 A.L. Noyola, Health Director

**I. PRELIMINARY PROCEEDINGS.**

**OPEN MEETING:**

In the absence of Mayor Filemon "Phil" Esquivel, Jr., Mayor Pro Tem Rene "Mr. V" Villarreal opened the meeting.

Mrs. Dora Byington, Director of Purchasing, led the Commission and members of the audience in an invocation. Immediately thereafter, City Commissioner Stanley Laskowski 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. **QUARTERLY REPORT BY KINGSVILLE CONVENTION AND VISITOR'S BUREAU. (DIRECTOR OF TOURISM).**

Mrs. Carol Ann Anderson, Director of Tourism, addressed the Commission regarding activities her department has been working on during the last three months. She reported on the events that will take place through December. Mrs. Anderson stated that visitor counts are up by 14% for the same time period last year. She said that both the Wildlife Festival and the Cactus Bowl will be bigger and better this year.

Upon a question raised by Commissioner Arturo Pecos, Mrs. Anderson responded that the Cactus Bowl and the King Ranch Hand Breakfast are the events that are attended by more people than the other events.

#### IV. PUBLIC COMMENT ON AGENDA ITEMS.

##### 1. CITIZEN'S OPPORTUNITY TO COMMENT ON ALL AGENDA OR NON-AGENDA ITEMS.

There were no comments made at this time.

#### V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

##### 1. CONSIDER BOARD APPOINTMENT TO KINGSVILLE CONVENTION AND VISITOR'S BUREAU BOARD OF DIRECTORS. (DIRECTOR OF TOURISM).

Mr. Anse Windham, President of the Board of Director's of the Kingsville Convention and Visitor's Bureau, recommended that the Commission appoint Mr. Roger Carby of Economy Inn to fulfill the hotelier board seat on the Board.

**Upon a motion by Commissioner Stanley Laskowski and second by Commissioner Pecos, the Commission voted 4/0 to appoint Mr. Carby to the Board of Director's. Mayor Esquivel was absent from the meeting.**

##### 2. CONSIDER APPROVAL OF FY 2001-2002 ANNUAL BUDGET AND MEDIA PLAN FOR THE KINGSVILLE CONVENTION AND VISITOR'S BUREAU. (DIRECTOR OF TOURISM).

Mr. Windham informed the Commission that the Bureau increased their line item for advertising. He stated that the budget includes approximately forty percent for administrative expenses and also that a large portion of their budget is spent on advertising. Mr. Windham stated that the KCVB continues to promote Kingsville in a positive way.

Mr. Victor Salas, Director of Finance, informed the Commission that the City is submitting a budget for the KCVB in the amount of \$210,000, and the KCVB has submitted their budget with an amount of \$220,000. He said there is a difference of \$10,000 however he is keeping the same projected amount on the hotel/motel tax revenues. Mr. Salas stated that if revenues do not come in as projected, then line items would have to be identified in order to stay within budget.

**A motion was then made by Commissioner Al Garcia and seconded by Commissioner Laskowski to approve the 2001-2002 Annual Budget and Media Plan for the Kingsville Convention and Visitor's Bureau. The motion passed by a 4/0 vote.**

##### 3. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 2, STOPPING, STANDING AND PARKING, PROHIBITED IN SPECIFIED PLACES ON SOUTH BRAHMA BOULEVARD IN THE VICINITY OF H.M. KING HIGH SCHOOL. (POLICE DEPARTMENT).

Police Chief Sam Granato stated that contact was made with the Principal of the High School and he is in support of the proposed ordinance. He stated that parents would be notified in writing regarding this change. Chief Granato recommended approval of the ordinance.

Upon a question raised by Commissioner Garcia, Chief Granato responded that enforcement of the ordinance would begin about mid October.

Upon a motion made by Commissioner Pecos and second by Commissioner Laskowski, the Commission passed by a 4/0 vote Ordinance #ORD-2001-17, amending Chapter VII, Article 2, Stopping, Standing and Parking, prohibited in specified places on South Brahma Boulevard in the vicinity of H.M. King High School.

4. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, TRAFFIC SCHEDULES, REDUCING SPEED LIMIT ON CERTAIN AREAS OF SANTA GERTRUDIS (IN THE VICINITY OF TEXAS A & M UNIVERSITY KINGSVILLE) TO 20 MILES PER HOUR; PROVIDING FOR APPROPRIATE PENALTIES, FINES, AND FEES REGARDING THE REGULATION THEREOF. (DIRECTOR OF PLANNING).

Mr. Stanley Fees, Director of Planning, stated that the request to lower the speed limit was initiated by the University. He recommended approval of the proposed ordinance.

Upon a motion by Commissioner Garcia and second by Commissioner Laskowski, the Commission passed by a 4/0 vote, Ordinance #ORD-2001-18, amending Chapter VII, Article 5, Traffic Schedules, reducing the speed limit on certain areas of Santa Gertrudis (in the vicinity of Texas A & M University Kingsville) to 20 miles per hour; providing for appropriate penalties, fines, and fees regarding the regulation thereof.

5. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING SECTION 5-1-55 PROVIDING FOR THE AMENDMENT OF RESIDENTIAL AND COMMERCIAL MONTHLY CHARGES AND A MONTHLY LANDFILL CHARGE IN THE AMOUNT OF \$3.00 FOR EACH RESIDENTIAL AND COMMERCIAL ACCOUNT. (CITY ATTORNEY).

Mr. Ruben Perez, City Attorney, recommended approval of the proposed ordinance. He stated that the ordinance authorizes the total charge of \$3.00 for each residential and commercial account. Mr. Perez stated that the current charge is \$2.00.

Upon a motion by Commissioner Pecos and second by Commissioner Laskowski, the Commission voted 4/0 to approve Ordinance #ORD-2001-19, amending Section 5-1-55, providing for the amendment of residential and commercial monthly charges and a monthly landfill charge in the amount of \$3.00 for each account.

6. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING SECTION 5-1-3 AND 5-1-57, DESIGNATING THE FIRST AND THIRD SATURDAY AS EXEMPT FROM LANDFILL FEES FOR RESIDENTS OF THE CITY OF KINGSVILLE AND PROVIDING FOR INCREASES IN OTHER LANDFILL USE FEES. (CITY ATTORNEY).

Mr. Perez stated that the proposed ordinance addresses the rates that are charged to customers using the landfill. There was a discussion on whether or not to eliminate the first 200 pounds being disposed at no cost and the cost of \$25.50 being pro rated according to the weight amount.

Commissioner Laskowski stated that if the \$25.50 would be pro rated, then he recommended that the first two hundred pounds free of charge be eliminated from the ordinance.

A motion was then made by Commissioner Villarreal and seconded by Commissioner Garcia to approve Ordinance #ORD-2001-20, by amending Section 5-1-3 and 5-1-57, designating the first and third Saturday as exempt from landfill fees for residents of the City of Kingsville, by also pro rating the \$25.50 charge according to the weight amount, and eliminating the first two hundred pounds free of charge. The motion passed by a 4/0 vote.

7. CONSIDER AWARDING ANNUAL CONTRACT FOR WATER METERS. (BID #22-10). (DIRECTOR OF PURCHASING).

Mrs. Dora Byington, Director of Purchasing, stated this item authorizes the execution of an annual contract for water meters and will expend approximately \$30,628 for a twelve month period. Mrs. Byington recommended the contract be awarded to Badger Meter, Inc. from Dallas, Texas.

**A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to award the annual contract for water meters as recommended by staff. The motion passed by a 4/0 vote.**

8. CONSIDER AWARDING ANNUAL CONTRACT FOR CHLORINE. (BID #22-12). (DIRECTOR OF PURCHASING).

Mrs. Byington stated this item authorizes execution of an annual contract for chlorine. She recommended the contract be awarded to DPC Industries from Corpus Christi, Texas.

**A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to award the annual contract for chlorine as recommended by staff. The motion passed by a 4/0 vote.**

9. CONSIDER AWARDING ANNUAL CONTRACT FOR LUBRICANTS AND OILS. (BID #22-15). (DIRECTOR OF PURCHASING).

Mrs. Byington stated this item authorizes execution of a twelve month contract for lubricants and oils. She recommended the contract be awarded to Oil Patch Petroleum, Inc. and Coastal Unilube. Mrs. Byington stated that based on estimated usage, approximately \$15,000 would be expended under these two contracts.

**A motion was made by Commissioner Laskowski and seconded by Commissioner Garcia to award the annual contract for lubricants and oils as recommended by staff. The motion passed by a 4/0 vote.**

10. CONSIDER INTRODUCTION OF AN ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2001 AND ENDING SEPTEMBER 30, 2002. (CITY MANAGER).

There was a brief discussion regarding the proposed ordinance and budget. Mr. Hector Hinojosa, City Manager, stated that the budget includes a three percent salary increase for all City employees, except police and fire department personnel, also includes an 11.33% increase in insurance costs and the \$1.00 additional charge to each utility account. He recommended approval of the ordinance.

Mr. Hinojosa also stated that the proposed budget is supported by a tax rate of seventy cents.

**Mayor Pro Tem Villarreal stated this item was an introductory item only and final passage would be considered at the next meeting.**

11. CONSIDER INTRODUCTION OF AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2001 AND ENDING SEPTEMBER 30, 2002, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED. (CITY MANAGER).

Mr. Hinojosa stated that the proposed ordinance adopts a tax rate of \$.70145 based on 100% of the fair market value. He recommended approval of the proposed ordinance.

**Mayor Pro Tem Villarreal stated this was an introductory item only and final passage would be considered at the next meeting.**

12. CONSIDER OUT-OF-STATE TRAVEL FOR MEMBERS OF THE CITY COMMISSION AND STAFF TO ATTEND THE NATIONAL LEAGUE OF CITIES 78<sup>TH</sup> CONGRESS OF CITIES & EXPOSITION IN ATLANTA, GEORGIA, DECEMBER 3-8, 2001. (CITY MANAGER).

Mr. Hinojosa stated that several members of the Commission have expressed an interest in attending the National League of Cities Congress of Cities Exposition in Atlanta, Georgia in December. He recommended approval and urged the Commission members interested in attending to notify him as soon as possible.

**A motion was made by Commissioner Pecos and seconded by Commissioner Garcia to authorize the out-of-state travel for members of the City Commission and staff to attend the National League of Cities 78<sup>th</sup> Congress of Cities & Exposition in Atlanta, Georgia. The motion passed by a 4/0 vote.**

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

A. REPORT ON SOLID WASTE COLLECTION SCHEDULES.

Mr. Hinojosa stated that the sanitation route schedule would be changing beginning October 1<sup>st</sup>. He stated that the new schedule allows for a garbage pickup the day immediately following a holiday. He stated that employees are being changed to an eight hour day, five days a week schedule.

B. REVIEW ENFORCEMENT OF ARTICLE 2: TRAILERS AND TRAILER PARKS.

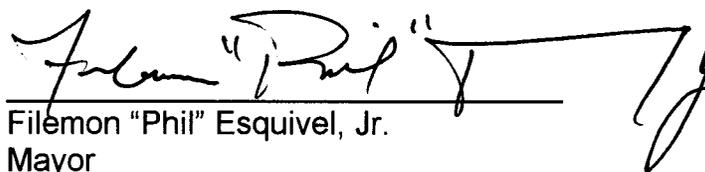
Mr. Corando Garza, Assistant City Manager, stated that the City's Code Enforcement Team comprised of the Health, Fire, Police, and Planning Departments would be visiting all trailer parks regarding all parks being cleaned.

14. EXECUTIVE SESSION: UNDER SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT, THE CITY COMMISSION SHALL CONVENE IN EXECUTIVE SESSION TO DELIBERATE THE EVALUATION OF THE FOLLOWING APPOINTED POSITIONS: CITY MANAGER, CITY ATTORNEY, AND MUNICIPAL JUDGE. (MAYOR ESQUIVEL).

The executive session began at 7:30 p.m. and concluded at 8:10 p.m.

## VI. ADJOURNMENT.

The meeting adjourned at 8:12 p.m.

  
Filemon "Phil" Esquivel, Jr.  
Mayor

ATTEST:

  
Diana F. Valadez, City Secretary