

MARCH 25, 2002

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, MARCH 25, 2002 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, Mayor Pro Tem
Arturo Pecos, City Commissioner
Al Garcia, City Commissioner

CITY COMMISSION MEMBER(S) ABSENT:

Filemon "Phil" Esquivel, Jr., Mayor (**attending COG Conference in Washington, D.C.)

CITY STAFF PRESENT:

Hector M. Hinojosa, City Manager
Diana F. Valadez, City Secretary
Ruben Perez, City Attorney
Artemio Alvarez, Risk Manager
Stanley Fees, City Engineer
Dianne Leubert, Solid Waste Superintendent
Coeta Montgomery, Director of Personnel
Jennifer Detloff, Director of Development Services
Sammy Maldonado, Utilities Superintendent
Roel Cavazos, Fire Department Captain
Barry Blackstock, Police Department Lieutenant
Bill Quellhorst, Task Force Assistant Commander
Dora Byington, Director of Purchasing

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. Sammy Maldonado, Utilities Superintendent led the Pledge of Allegiance.

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

The Commission was presented with the minutes of the Regular Meeting held Monday, December 10, 2001 and the Special Meeting held Monday, December 17, 2001.

Commissioner Al Garcia requested that a correction be made to the minutes of the Regular Meeting held December 10th. He requested that a statement he made on agenda item number seven be printed on the minutes verbatim.

A motion was then made by Commissioner Stanley Laskowski and seconded by Commissioner Garcia to approve the minutes as presented with the noted correction on the minutes of December 10th. The motion passed by a 4/0 vote. Mayor Esquivel was not present.

City Secretary Diana F. Valadez stated that she would resubmit the minutes of December 10th to the Commission for approval to reflect Commissioner Garcia's correction.

II. PUBLIC HEARING – (REQUIRED BY LAW).

1. PUBLIC HEARING REGARDING A REQUEST TO REZONE 14.338 ACRES OUT OF FARM LOT 13, SECTION 17, K.T. & I. SUBDIVISION FROM CLASS "AG" AGRICULTURAL DISTRICT TO CLASS "C-4" COMMERCIAL DISTRICT. (CITY ENGINEER).

Mayor Pro Tem Rene "Mr. V" Villarreal opened the public hearing at 6:06 p.m.

Mr. Dave Cummings representing Lowe's requested that the rezoning request for multi-family be withdrawn from their application. He stated that they are requesting that only the portion of the property for the actual store be rezoned for commercial use.

There being no other individuals present in the audience to discuss this item, Mayor Pro Tem Villarreal closed the public hearing at 6:09 p.m.

III. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. PRESENTATION BY REPRESENTATIVES OF THE UNIVERSITY OF TEXAS – SAN ANTONIO (UTSA), AND PRESENTATION OF A PROCLAMATION. (CITY MANAGER).

Dr. Jude Valdez representing the University of Texas San Antonio (UTSA) addressed the Commission. He stated that he had been in Kingsville at the High School to encourage students to attend UTSA.

Mayor Pro Tem Villarreal then presented a proclamation to Dr. Valdez expressing thanks and deepest appreciation to UTSA.

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

Mr. Anse Windham, President of the KCVB Board of Director's informed the Commission on certain projects they have been working on. He stated that the air show was scheduled for April 6th and 7th at NAS Kingsville. He encouraged everyone to attend.

Commissioner Laskowski commended and thanked all of the volunteers that operate the Visitor's Depot on Highway 77 on a daily basis.

IV. PUBLIC COMMENT ON AGENDA ITEMS.

1. COMMENTS ON ALL AGENDA AND NON-AGENDA ITEMS.

There were no comments made at this time.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING SECTIONS 5-1-3 AND 5-1-57, DESIGNATING THE FIRST AND THIRD SATURDAY AS EXEMPT FROM FEES FOR RESIDENTS OF THE CITY OF KINGSVILLE. (CITY MANAGER).

Mr. Hector M. Hinojosa, City Manager, stated that the proposed ordinance allows for the use of the landfill by Kingsville residents free of charge on the first and third Saturday of every month. He recommended approval of the proposed ordinance.

A motion was made by Commissioner Arturo Pecos and seconded by Commissioner Garcia to approve Ordinance #ORD-2002-08, amending Sections 5-1-3 and 5-1-57, designating the first and third Saturday as exempt from fees for residents of the City of Kingsville in an amount not to exceed 1,000 pounds per day. The motion passed by a unanimous vote.

2. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 14.338 ACRES OUT OF FARM LOT 13, SECTION 17, K.T. & I. SUBDIVISION FROM "AG" AGRICULTURAL DISTRICT TO CLASS "C-4" COMMERCIAL DISTRICT, AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION. (CITY ENGINEER).

Mr. Stanley Fees, City Engineer, stated that the Planning and Zoning Commission approved the rezoning for commercial zoning. He stated that the developer for Lowe's has made a request to withdraw the rezoning for the multi-family development. He recommended approval of the proposed rezoning request.

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

3. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, ADOPTING THE 2000 VERSION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS. (CITY ENGINEER).

Mr. Fees stated that the 2000 International Residential Code for one and two family dwellings needs to be adopted to allow the City of Kingsville and local contractors to use the most current codes available. He stated that the State has also required the adoption of this code. Mr. Fees 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.

4. CONSIDER INTRODUCTION OF AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, ADOPTING THE 2000 VERSION OF THE INTERNATIONAL ENERGY CONSERVATION CODE. (CITY ENGINEER).

Mr. Fees stated this code should be adopted for the same reason as stated in the above agenda item.

Upon a question raised by Commissioner Laskowski, Mr. Fees responded that the codes would be in effect in September 2002.

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

5. CONSIDER RESOLUTIONS PROVIDING FOR THE ADOPTION OF HUMAN RESOURCE INITIATIVES FOR THE CITY OF KINGSVILLE. (DIRECTOR OF PERSONNEL).

- 5.1 POLICY 310 – POSTINGS
- 5.2 POLICY 320 – POSTING TIMETABLE FOR CIVIL SERVICE POSITIONS
- 5.3 POLICY 330 – RECRUITMENT & HIRING
- 5.4 POLICY 340 – PROFESSIONAL SEARCH & RECRUITMENT
- 5.5 POLICY 350 – U.S. CITIZENSHIP AND OTHER LEGAL REQUIREMENTS

- 5.6 POLICY 410 – ELIGIBILITY FOR PROMOTION, TRANSFER, OR REASSIGNMENT
- 5.7 POLICY 420 – NEPOTISM POLICY
- 5.8 POLICY 430 – U.S. CITIZENSHIP AND OTHER LEGAL REQUIREMENTS
- 5.9 POLICY 750 – FMLA LEAVE (FAMILY & MEDIAL LEAVE ACT)

Mrs. Coeta Montgomery, Director of Personnel, recommended that the above mentioned policies be adopted. She stated that certain changes were made to the policies after input was received from department heads.

A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to approve Resolution #R-2002-08 approving Policy #310, 320, 330, 340, and 350, and approved Resolution #R-2002-09, approving Policy #410, 420, 430, and 750. The motion passed by a unanimous vote.

6. CONSIDER RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, STATE OF TEXAS, FOR THE PURPOSE OF REQUESTING FUNDING FOR GRANT YEAR 2002-2003 FOR THE SOUTH TEXAS SPECIALIZED CRIMES AND NARCOTICS TASK FORCE.

Mr. Bill Quellhorst, Assistant Commander of the Task Force stated that the proposed resolution authorizes a budget adjustment that is necessary because the Criminal Justice Division approved a budget of \$511,187 rather than \$680,708, which is a shortfall of \$169,521.

A motion was made by Commissioner Laskowski and seconded by Commissioner Pecos to approve Resolution #R-2002-10. The motion passed by a unanimous vote.

7. CONSIDER RESOLUTION RESTRUCTURING AND RECLASSIFYING THE POSITION OF ENGINEERING TECHNICIAN. (DIRECTOR OF PERSONNEL).

Mrs. Montgomery stated the position of Engineering Technician has been re-evaluated. She stated that the proposed resolution modifies the position by adding supervisory responsibilities and changes the essential and marginal functions of the job. Mrs. Montgomery recommended that the position be reclassified to Grade ML-5 of the City of Kingsville Management Level Compensation Plan. She recommended approval of the proposed resolution.

Mr. Hinojosa also concurred with Mrs. Montgomery's recommendation.

A motion was made by Commissioner Laskowski and seconded by Commissioner Garcia to approve Resolution #R-2002-11, restructuring and reclassifying the position of Engineering Technician. The motion passed by a unanimous vote.

8. CONSIDER RESOLUTION APPROVING FUNDING FROM THE FY-2002 FIRE GRANT PROGRAM IN AN AMOUNT UP TO \$23,700 FOR FIRE RESCUE EQUIPMENT, ALLOCATING UP TO \$2,370 IN LOCAL MATCHING FUNDS, AND PROVIDING FOR APPROPRIATION OF SUCH FUNDS. (FIRE CHIEF).

Mr. Hinojosa stated that the Kingsville Fire Department is applying for a grant being administered by the Federal Emergency Management Agency (FEMA) and the United States Fire Administration. He stated that the fire equipment being requested in the grant include two thermal imagers, two carbon monoxide detectors, and one set of lift bags extrication. Mr. Hinojosa recommended approval of the proposed resolution.

Upon a motion by Commissioner Laskowski and seconded by Commissioner Garcia, the Commission unanimously approved Resolution #R-2002-12, approving funding from the FY-2002 Fire Grant Program in an amount up to \$23,700 for Fire Rescue Equipment; and allocating up to \$2,370 in local matching funds.

9. CONSIDER RESOLUTION APPOINTING ELECTION JUDGES, AND EARLY VOTING BALLOT BOARD JUDGE FOR THE CITY OF KINGSVILLE GENERAL ELECTION ON MAY 04, 2002. (CITY SECRETARY).

Mrs. Diana F. Valadez, City Secretary, stated that the proposed resolution officially appoints the election judges for the general election. She recommended approval of the proposed resolution.

Upon a motion by Commissioner Pecos and seconded by Commissioner Laskowski, the Commission unanimously approved Resolution #R-2002-13.

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

Mr. Hinojosa stated that representatives of the Texas Capital Fund completed a site review last week regarding the Lowe's project. He stated that there were certain items that the City would be submitting at their request.

Commissioner Pecos briefed the Commission on meetings Mayor Esquivel has attended while attending a conference in Washington, D.C.

VI. ADJOURNMENT.

The meeting adjourned at 7:14 p.m.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Diana F. Valadez, City Secretary