

OCTOBER 6, 2003

A SPECIAL MEETING OF THE KINGSVILLE CITY COMMISSION WAS HELD IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL / 200 EAST KLEBERG AVENUE ON MONDAY, OCTOBER 06, 2003 AT 12:00 NOON

CITY COMMISSION PRESENT:

Filemon "Phil" Esquivel, Jr., Mayor
 Horacio "Hoss" Castillo, Commissioner
 Al Garcia, Commissioner
 Arturo Pecos, Commissioner
 Charles E Wilson, Commissioner

CITY STAFF PRESENT:

John Garcia, Interim City Manager
 Courtney Alvarez, City Attorney
 Irene Ramirez, City Secretary
 Corando Garza, Asst City Manager/Fire Chief
 Stanley Fees, City Engineer
 Vilma Castillo, Director of Collections
 Caron Vela, Interim Finance Director
 Sammy Maldonado, Utilities Superintendent
 Tina Galvan, Solid Waste Field Supervisor
 Joel Saenz, Code Enforcement Officer
 Dora Byington, Purchasing Director
 Jennifer Detloff, Director of Development Services
 Dianne Leubert, Solid Waste Superintendent
 Diana Gonzales, Human Resource Director
 Art Alvarez, Risk Manager
 Julian Cavazos, Interim Chief of Police
 Yolanda Vasquez, Municipal Court Supervisor
 Roel Cavazos, Interim Fire Marshal
 Corporal Gonzalez – PD
 Daniel Almeida, Wastewater Field Supervisor
 A L Noyola, Health Director

I. Preliminary Proceedings.

Mayor Esquivel opened the meeting at 12:00 noon.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Esquivel)

Mayor Esquivel asked Ms Dora Byington to lead everyone in prayer, followed by the Pledge of Allegiance by Mr. Corando Garza and the Texas Pledge by Commissioner Pecos.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None available.

II. Public Hearing - (Required by Law).¹

1. None.

III. Public Comment on Agenda Items.³

1. Comments on all agenda and non-agenda items.

None

IV. Petitions, Grievances, and Presentations.²

1. Workshop: To discuss clean up of Kingsville.

At the request of the Mayor, staff gave lengthy report identifying key personnel and their prospective roles to launch a citywide clean up Kingsville effort. The following staff members addressed the Commission: Corando Garza, Courtney Alvarez, John Garcia, Yolanda Vasquez, Tina Galvan, Joel Saenz, Roel Cavazos, Corporal R. Gonzalez, A. L. Noyola and Dianne Leubert.

Mr. Saenz, Mr. Cavazos, and Corporal Gonzalez addressed the clean sweep program, also known as Kingsville Wipe Out Program (KWOP). After hearing from everyone, the Mayor directed the Interim City Manager to provide the City Commission with a plan to clean up the community as the team players have now been identified, and he thanked everyone participating in the workshop.

2. Interim City Manager's Report. (Interim City Manager).

Mr. Garcia thanked the various departments who assisted in the clean up last Friday for the King Ranch's 150th anniversary celebration. He stated there would be a tailgate party on Saturday for the Texas A&M game.

3. City Attorney's Report. (City Attorney).

Ms Alvarez informed the Commission that her office received a total of six (6) open record requests in the past seven (7) days. In response to a comment made by Commissioner Castillo with regard to an email from Judge Dyson, Ms Alvarez stated that although her department is busy working on numerous issues, she was not aware of any hindering cases in municipal court.

4. Mayor and City Commissioner's Reports. (City Commission).

Commissioner Castillo asked about the amusement redemption machine premise permit fees collected so far. Ms Detloff stated she had received six (6) new business applications and stated that she would provide a report at the next regular Commission meeting. Commissioner Castillo asked Ms Detloff about the recent letter of resignation by the plumbing inspector and she briefed the Commission as to who will be making inspections.

Commissioner Garcia stated that the Commission minutes need to be caught up and should be a priority. Mayor Esquivel stated he concurred with Commissioner Garcia and stated he wanted to be clear for the record that the minutes are backlogged to September 2002, which includes the previous City Secretary's minutes. He stated he would like to see an ordinance in place to have audio and visual minutes of all meetings as well. Mr. Garcia stated that the minutes would be provided at the next meeting.

Mayor Esquivel thanked everyone who participated in the clean up along King Avenue for the King Ranch's celebration. He stated that Governor Perry, Senator Kay Bailey Hutchinson, and Senator Stevenson, Chair of the Appropriations Committee were among those in attendance this weekend.

Mayor Esquivel stated he recently picked up a copy of the comprehensive master plan study done by Carter and Burgess in 1973 at the CBCOG's office and asked Ms Detloff to provide the Commissioners with the executive summaries included in each of the binders. He stated he is headed to Washington, D.C. today to attend the South Texas Military Facilities Task Force base closure meetings.

V. **Items for consideration by Commissioners.**⁴

1. Consider introduction of an ordinance ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, and nominating Lowe's Companies, Inc. to the Office of the Governor Economic Development and Tourism (EDT) through the Economic Development Bank as an Enterprise Project. (City Attorney).

Ms Alvarez stated that this item is an introduction only. She stated that when Lowe's decided to come to Kingsville over a year ago, they asked to be designated as an Enterprise Zone Project and in order to do so an ordinance is necessary to meet the Texas Capital Fund criteria. A public hearing is scheduled for Monday, October 13, 2003, as advertised in the Record. Ms Kim Lacey of Municipal Development Services will make a presentation to the Commission at that time. The Mayor asked for a copy of the abatement agreement with Lowe's.

2. Consider final passage of an ordinance amending Chapter VII, Article 5, Traffic Schedules reducing speed limit on certain areas of US Highway 77 to 55 miles per hour. (City Engineer).

Mr. Fees stated that the speed limit will be reduced to 55 mph from the San Fernando Creek south one-half mile to Santa Gertrudis Street.

A motion was made by Commissioner Pecos, seconded by Commissioner Castillo to reduce the speed limit as requested by TXDOT. Motion carried, 5/0.

Commissioner Wilson stated that he would like an explanation in writing from TXDOT as to why a radar gun speed sign has been erected prior to passage of the ordinance by the City Commission.

3. Consider approval for the emergency purchase and installation of a concentration box at the 1MGD wastewater plant. (Utilities Superintendent).

Mr. Sammy Maldonado stated that this item would allow us to purchase and install a concentration box at the 1MGD Wastewater Plant, expending \$26,400 from the CAP 98 Certificates of Obligation series. They are having problems at the plant with the blowers going off and some rehab work, including electrical work needs to be done as soon as possible.

A motion was made by Commissioner Pecos, seconded by Commissioner Garcia to approve the emergency purchase and installation of the concentration box. Motion carried, 5/0.

4. Discuss status and consider appointment of a City Manager. (Commissioner Garcia).

Commissioner Garcia stated that Interim City Manager John Garcia has been in place for the past six (6) months with Mr. Corando Garza also serving as interim for six (6) weeks prior to Mr. Garcia's appointment, and in his opinion it is time that a permanent City Manager is hired. He stated he has seen a decline in morale among employees and further stated "it is too much for the Mayor and two Commissioners to be City Manager and Commissioners at the same time".

Commissioner Garcia made a motion, seconded by Commissioner Wilson to appoint Gil Rodriguez as the new City Manager.

Commissioner Castillo stated that he had hoped to have an executive session to discuss the Commission's options prior to hiring a new City Manager. Commissioner Pecos called the question.

Motion failed 2/3, with Commissioner Castillo, Commissioner Pecos and Mayor Esquivel voting against the motion.

Commissioner Wilson stated he concurred with Commissioner Castillo and he too would like to see an executive session item on every agenda until a new City Manager is hired. Mayor Esquivel stated he was very disappointed by the unprofessional comments made by Commissioner Garcia.

VI. Adjournment.

A motion was made by Commissioner Pecos and seconded by Commissioner Wilson to adjourn at 1:30 P.M.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Irene Ramirez, City Secretary