

OCTOBER 27, 2003

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, OCTOBER 27, 2003 AT 6:00 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS AT CITY HALL, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

John A. Garcia, Interim City Manager
 Irene Ramirez, City Secretary
 Courtney Alvarez, City Attorney
 Corando Garza, Assistant City Manager / Fire Chief
 Julian Cavazos, Interim Chief of Police
 Dora Byington, Purchasing Director
 Yolanda Vasquez, Municipal Court Supervisor
 Diana Gonzalez, Human Resource Director
 Caron Vela, Interim Finance Director
 Vilma Castillo, Collections Manager
 Jennifer Detloff, Director of Development Services
 Stanley Fees, City Engineer
 Robert Rodriguez, Library Director
 Roel Cavazos, Interim Fire Marshal
 Sammy Maldonado, Utilities Superintendent
 Chito Hinojosa, Streets Supervisor
 Joe Casillas, Water Field Supervisor
 Tina Galvan, Field Supervisor Solid Waste Collections
 Art Alvarez, Risk Manager
 Johnny Campos, KPD Officer
 Trey Weatherford, KPD Officer
 Ted Rosales, KPD Detective
 Billy McCoy, KPD Officer

I. Preliminary Proceedings.

OPEN MEETING

The meeting was called to order by Mayor Esquivel at 6:00 p.m.

INVOCATION / PLEDGE OF ALLEGIANCE - (Mayor Esquivel)

Mayor Phil Esquivel, Jr. asked Mrs. Byington to lead everyone in prayer, followed by the Pledge of Allegiance led by Commissioner Wilson, and the Texas Pledge by Commissioner Pecos.

MINUTES OF PREVIOUS MEETING(S) - Required by Law

A motion was made by Commissioner Pecos and seconded by Commissioner Castillo to approve the minutes of October 16, 2003 and October 21, 2003 as presented. Motion carried, 4/0/1, with Commissioner Garcia abstaining.

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

None.

III. Public Comment on Agenda Items.3

None.

IV. Petitions, Grievances, and Presentations.2

1. Interim City Manager's Report.

Mr. John Garcia informed the commission about a meeting with Integrity Development Group, status of the trench burner, and the fence work at the landfill.

2. City Attorney's Report.

Ms Alvarez informed the commission about a master advance funding agreement through TXDOT, the verdict in the George Crocker and K.L.E.A. cases, and about the status of the annexation study.

3. Mayor and City Commissioner's Reports.

Commissioner Garcia commented about his lack of knowledge regarding the recent raid on 8-liner establishments on Saturday evening initiated by the District Attorney's office prior to their occurrence.

3.2 Presentation of award to Halo Flight, Inc.

The Mayor and Commissioners presented Mr. Randy Rowe of Halo Flight with a check in the amount of \$10,000 in support of their non-profit ambulance service that facilitates our city. Mr. Rowe and Ms. Debbie Vickery expressed their thanks to the Commission.

3.1 Presentation of award to Kleberg County Human Services - Senior Citizens.

The Mayor and Commissioners presented Mr. Arturo Pecos, Kleberg County Human Services Director, with a check in the amount of \$25,000 to provide assistance for meals and transportation to the elderly in our community. Mr. Pecos thanked the Commission for the generous support of their program.

3.3 Presentation of award to South Texas Military Task Force.

The Mayor and Commissioners presented Mr. Dick Messbarger, Director of Economic Development, with a check in the amount of \$5,000 to support our naval air base through the next round of BRAC hearings.

V. Items for consideration by Commissioners.4

1. Consider awarding bid for pick-up trucks. (Bid #24-20). (Director of Purchasing).

Ms Byington recommended awarding Bid #24-20 to the two lowest bidders: Access Chevrolet in the amount of \$26,262 and Red McCombs Dodge in the amount of \$33,746.93 for a total bid package of \$60,008.93. She stated the local vendor was approximately \$4,700 higher than the low bidders.

Commissioner Castillo asked if Eddie Yaklin Ford's bid was within the 3% of the lowest bid, to which Mrs. Byington replied "yes".

A motion was then made by Commissioner Castillo and seconded by Commissioner Garcia to award Bid #24-20 to Eddie Ford Yaklin, local dealer, in the amount of \$64,218.99. Motion carried, 5/0.

2. Discuss joint submission with South Texas Water Authority of an application to the Texas Water Development Board for a Research and Planning Fund Grant for Regional Water Supply and Wastewater Facilities Planning. (Interim City Manager).

Ms Carola Serrato, Director of the South Texas Water Authority, reported to the Commission about a joint submission with them for a research and planning fund grant for regional water supply and wastewater facilities planning to the Texas Water Development Board. Ms Serrato stated the application is due in Austin by November 12, 2003 and she will provide the Commission with more information at the November 10, 2003 meeting.

3. Consider resolution authorizing the City Manager to jointly submit with the South Texas Water Authority an application to the Texas Water Development Board for a Research and Planning Fund Grant for Regional Water Supply and Wastewater Facilities Planning. (Interim City Manager).

After some discussion a motion was made by Commissioner Castillo to table this item, seconded by Commissioner Pecos. Motion carried, 4/0/1, with Mayor Esquivel abstaining.

4. Consider appointments to the Library Board. (Library Director).

A motion was made by Commissioner Castillo and seconded by Commissioner Wilson to appoint Mrs. Janice Becker and Mrs. Judith Cox to the Library Board to fill two unexpired terms. Motion carried, 5/0.

5. Consider nominating a Commission member as a candidate for appointment to the Collective Bargaining Committee for the City of Kingsville. (Mayor Esquivel).

Mayor Esquivel stated he initially asked for the item to consider appointment of a Commissioner to the collective bargaining committee, but has since changed his mind and did not want to take any action on same.

6. Consider final passage of an ordinance changing the zoning map in reference to 13 acres out of Farm Lot 1, Section 20, K.T. & I. Subdivision from "AG", Agriculture District to "MH" Mobile Home District. (Director of Development Services).

A motion was made by Commissioner Pecos and seconded by Commissioner Wilson to approve the rezoning of a 13 acre tract from Class AG to Class MH for a new mobile home park subdivision. Motion carried, 5/0.

Mayor Esquivel asked the City Manager to look into the feasibility of applying for a grant to install sanitary sewer services to this area. A preliminary estimate by the city engineer shows the cost would be in excess of \$80,000 to install sanitary sewer.

7. Consider final passage of an ordinance changing the zoning map in reference to .1607 acres out of Farm Lots 17 & 18, Section 10, Original Townsite from "R-1", Single Family District to "C-2" Retail Commercial District. (Director of Development Services).

A motion was made by Commissioner Pecos and seconded by Commissioner Castillo to approve rezoning of this property from Class R-1 to Class C-2, Retail Commercial to open a drive-thru tamale shop. Motion carried, 5/0.

8. Consider final passage of an ordinance changing the zoning map in reference to 1.082 acres out of Farm Lot 3, Section 22, K.T. & I. Subdivision from "AG", Agriculture District, to "C-2", Retail Commercial District. (Director of Development Services).

A motion was made by Commissioner Garcia and seconded by Commissioner Pecos to approve rezoning of this property from Class AG to Class C-2, Retail Commercial for a new Chili's restaurant location on Bypass 77. Motion carried, 5/0.

9. Consider final passage of an ordinance amending Chapter VII, Article 7, Traffic Calming Devices; providing for authority to install, definitions, and project eligibility requirements and design of traffic calming devices. (City Engineer).

A motion was made by Commissioner Wilson and seconded by Commissioner Pecos to adopt the traffic calming devices (speed bump) ordinance prepared by Mr. Stanley Fees and Mrs. Courtney Alvarez.

The document outlines a process for citizens to petition the city commission for speed bump devices. Commissioner Al Garcia brought up the question of whether the "petitions" should be printed in English and Spanish. After an interruption by a citizen regarding the use of a bilingual form, Mayor Esquivel directed staff to print the petition forms in English and Spanish.

Motion carried, 5/0.

10. Executive Session: Under Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the appointment, employment of applicants for the position of City Manager. (Mayor Esquivel).

Pursuant to Section 551.074 of the Texas Open Meetings Act, the City Commission convened into executive session at 7:07 p.m. to consider the employment of applicants for the city manager position. Mayor Esquivel asked the City Attorney, Human Resource Director and the Interim City Manager to remain for the discussion.

The commission reconvened into open session at 8:13 p.m.

11. Consider appointment of City Manager. (Commissioner Garcia).

A motion was made by Commissioner Garcia and seconded by Commissioner Wilson to hire Mr. Gil Rodriguez as the next City Manager of Kingsville. Motion failed 2/3, with Mayor Esquivel and Commissioners Castillo and Pecos voting against the motion.

A motion was made by Commissioner Castillo, seconded by Commissioner Pecos, to hire Mr. Carlos Yerena as the new City

Manager effective November 17, 2003.

Mayor Esquivel read Mr. Yerena's bio, stating he is highly qualified and has no doubt Carlos Yerena is the person that is going to lead our city in a positive direction. He asked staff and the community to work with Mr. Yerena to improve the quality of life for everyone.

Motion carried, 3/2, with Commissioners Garcia and Wilson voting against the motion.

VI. ADJOURNMENT.

A motion was made by Commissioner Wilson and seconded by Commissioner Garcia to adjourn at 8:20 p.m.

Filemon "Phil" Esquivel, Jr. Mayor

ATTEST:

Irene Ramirez, City Secretary