

JULY 12, 2003

A SPECIAL MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD SATURDAY, JULY 12, 2003 AT 4:30 P.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE.

CITY COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

John Garcia, Interim City Manager
 Courtney Alvarez, City Attorney

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Esquivel)

Mayor Esquivel, led the Commission and members of the audience in an invocation. Immediately thereafter, Commissioner Wilson led the Pledge of Allegiance.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None

II. PUBLIC HEARING- (Required by Law).

None

III. PUBLIC COMMENT ON AGENDA ITEMS.

Stanley Laskowski, 1900 Kelly, stated that his comments were directed to three of the Commissioners seating before him. He stated that the faith of Sam Granato, Chief of Police, was decided months ago. He also said that Mr. Hector Hinojosa, previous City Manager was asked to terminate Chief Granato and Mr. Hinojosa would not do so. He further stated that they tried to get Corando Garza, Fire Chief/Asst. City Manager, to terminate the Chief of Police and he refused. He further stated that each of the Commissioners have spoken about their commitment to law enforcement and the safety of the community, but yet with the consideration of terminating the Police Chief. He stated that Sam Granato has brought in pride and true commitment and leadership to the Kingsville Police Department. He stated that the Commission leadership is less than self-serving and compared to that of a hurricane with its course being unpredictable but destroys everything in its path. He asked the Commission to put their personal vendetta aside and listen to the people and make the right decision.

Mayor Esquivel asked Courtney Alvarez, City Attorney to read out the rules of decorum.

Mrs. Alvarez read to the Commission and members of the audience Section 3-113, Code of Ordinances.

Oscar Castillo, 1620 Annette, stated that he strongly conveys with the dismissal of Chief Granato and stated his reasons.

Susan Smith, 813 E. Hoffman, stated that the community is satisfied with the job performance of Chief Granato. She further stated that Chief Granato has made a big impact on the community by removing drugs from the streets.

Faustino Erebia, Jr., 2901 S. Brahma Blvd., stated that he is in full support with what ever decision the elected officials make.

Max Castillo, 405 Nelda, stated that the past several months have been very interesting. He stated that the city has been split in half due to all that is going on with the Commission.

Rene Canales, 433 S. 17th St., stated that over a year ago the Kingsville Housing and Kingsville Police Department Chief of Police had a meeting to try to come into an agreement for policing the Kingsville Housing and failed. There was a contract for many years between the Kingsville Housing and Kingsville Police Department up until Chief Granato took the position of Chief of Police.

Patricia Espinoza, 600 E. General Cavazos, stated that she wants for the City of Kingsville to progress.

Mr. Granato's Attorney stated that having a meeting on a Saturday at 4:30 p.m. seems as if the situation is being handled in an emergency like basis. He stated that the Commission has already made up their mind in regards to the Chiefs fate no matter what anybody in the audience says. He further stated that this is not a fair way to run the government with already having their minds made up before the meeting with people making comments in regards to Chief Granato. He also stated that this meeting should have taken place on a regular scheduled meeting and not a special meeting on a Saturday.

Jose Blanco, 623 W. Alice, stated that Kingsville was partly too blame for the nineteen illegals that unfortunately passed away in Victoria. He also stated that this situation needs to be addressed so it will never happen again. He further stated that many of the current issues are dividing the community into two.

Homer Castillo, 109 5th St., stated that the Commission has the authority to do what they are about to do and with support from some of the citizens of Kingsville. He further stated that recently drug activity has become more prevalent then the past two years and nothing is being done to correct the problem.

Eva Castillo, 1114 Howard Lane in Belair, TX, stated that the latest act that put the City of Kingsville on national news was from a single act that could have been prevented. She further stated that she does not hold Chief Granato personally responsible for it, but as a leader of any organization he should be held accountable for the violent act that took place in Victoria. She stated that due to the dispatcher not knowing Spanish, they hung up on the person calling for help not once but twice. She further stated that she had heard about this situation on CNN.

Mary Lou Gomez, 523 Frances, stated that the Kingsville Police Department has improved since Chief Granato has taken the position of Chief of Police.

Carolyn Fees, stated that for the first time in forty-three years citizens have something positive to say about the Kingsville Police Department.

Gary Herrera, 114 Maple Cr., asked the Commission that if the decision they were about to make would cost the citizens of Kingsville more money.

Homer Villarreal, 608 Indiana, Robstown, TX addressed the Commission on his concerns for the City of Kingsville.

IV. PETITIONS, GRIEVANCES, AND PRESENTATIONS.

1. INTERIM CITY MANAGER'S REPORT. (INTERIM CITY MANAGER).

John Garcia, Interim City Manager stated that the only report he had was the meeting that took place yesterday in regards to the hurricane.

2. CITY ATTORNEY'S REPORT (CITY ATTORNEY).

No report at this time.

3. MAYOR AND CITY COMMISSIONER'S REPORT. (CITY COMMISSIONER).

Commissioner Wilson requested that in the future whenever there is a meeting scheduled as the one on Friday, he would like to be notified so he may attend and be briefed on the readiness of the city. He further stated that there has been a continuing problem about meetings that are held where he is not being called for or given the opportunity to be present.

Mr. John Garcia stated that the advisory list he received was given to him by Tomas Sanchez, Emergency Management but he will add all City Commissioners to the list.

Commissioner Garcia stated that he agrees with Commissioner Wilson in regards to being notified for any scheduled meetings. He further stated that when Corando Garza was Interim City Manager, he would keep the City Commission informed via email, but since Mr. Garcia has taken the position of Interim City Manager he has not been kept informed of any situations with the City.

Mayor Esquivel stated that he would like to accept responsibility for not contacting some of the Commission members of any meetings that have taken place, but that in the future he will make sure all members of the Commission are notified of any emergency meetings. He further briefed the Commission and members of the audience in regards to the emergency meeting that took place on Friday.

Commissioner Wilson stated that he would like to apologize to Mr. Garcia but with in difference to him. He stated that he has not received a briefing of the meeting that Mayor Esquivel has held until now. He further asked that out of courtesy he would like for the Commission to inform each other so in return they may communicate with citizens of the community on what preparations are being made. He further stated that who ever is responsible for this needs to have a clear understanding that all the City Commissioners have equal power. He further stated that there will be times that the Mayor will have exceeding powers.

Mayor Esquivel read a letter he wrote to the City Commission and members of the audience.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.

1. Executive Session: Pursuant to Section 551.074, Texas Government Code, the City Commission shall convene in executive session to deliberate the employment, discipline or dismissal of the Chief of Police. (Interim City Manager).

Executive session was held in open session by request of Sam Granato, Chief of Police.

Mr. John Garcia stated that he would like to express his reasons for the termination of Chief Granato. He further stated that on April 29, he had requested for Chief Granato to look into the actions taken by Sgt. George Crocker. He further stated that on May 5, he reminded Chief Granato to look into the incident. He stated that on June 20, he requested the information from Chief Granato to be delivered to the City Manager's Office by noon on Monday. On June 23, Chief Granato delivered a memo to Mr. Garcia stating that the investigation was complete and he would be taking some type of action but could not share the information with the Interim City Manager. He further stated that on May 5th he directed Chief Granato not to communicate with anyone from the media without approval from the Interim City Manager. He stated that on May 14th Chief Granato had contacted him about the trailer incident that involved some illegal immigrants. Mr. John Garcia continued to voice his concerns in regards to Chief Granato's job performance. He further stated that he would like for the Commission to conquer with his decision.

Commissioner Wilson asked if Mr. Garcia had written an evaluation that Chief Granato would receive, sign and understand the concerns that Mr. Garcia had in regards to his job performance from April 29 to July 8 that would be filed in his jacket folder with the Police Department or in his Personnel file. He further asked questions as to why Mr. Garcia feels that Chief Granato should be terminated.

Mayor Esquivel stated that all department heads should be evaluated. He also stated that Mr. Garcia's concerns also concerned him and that all employees are at will employees.

Commissioner Wilson stated that this would look to some as if this is a pre-ordained event.

Commissioner Garcia stated that he feels it is not right for an Interim City Manager to terminate another department head.

Mr. Garcia stated that there are other reasons for the termination of the Chief of Police but only stated a few.

Commissioner Garcia stated that by being Interim City Manager for three to four months, he believes that Mr. Garcia does not have enough experience as City Manager to make this type of decision.

Mr. Garcia stated that the Chief of Police's actions have affected the City.

Commissioner Garcia asked Mr. Garcia if when he was appointed as Interim City Manager, was he approached by anyone to terminate the Chief of Police.

Mr. Garcia stated that he was never approached and that his decision to terminate the Chief of Police would be the right thing to do.

Mayor Esquivel stated the he told Mr. Garcia to do what's best for the City of Kingsville. He further stated that he is impressed with the job Mr. Garcia has done since he became Interim City Manager. He stated that Mr. Garcia meets with staff weekly to keep everybody updated on situations that are going on with the City.

Commissioner Garcia stated that he feels that Mr. Garcia is rushing into this decision.

Commissioner Castillo stated that it is no secret on how he feels about Chief Granato. He stated that Chief Granato is a negative influence to the community and that he had told Mr. Garcia that he was disappointed with the Chief's job performance.

Commissioner Garcia stated that he only wanted to know if Mr. Garcia had ever been approached by anyone to terminate Chief Granato.

Executive Session ended at 6:15 p.m.

2. Consider employment, discipline, and/or dismissal of the Chief of Police. (Interim City Manager).

Motion made by Commissioner Pecos seconded by Commissioner Castillo to terminate Sam Granato, Chief of Police. Motion passed by a 3/2 vote with Commissioners Wilson and Garcia casting the dissenting votes.

VI. ADJOURNMENT.

Meeting adjourned.

Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Irene Ramirez, City Secretary

PRESENTED and ADOPTED by the Kingsville City Commission on this 12th day of April, 2004.

Charles E Wilson, Presiding Officer

ATTEST:



Edna S Lopez, Interim City Secretary