

July 14, 2003

A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE WAS HELD ON MONDAY, JULY 14, 2003 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Filemon "Phil" Esquivel, Mayor
Horacio "Hoss" Castillo, Commissioner
Charles E Wilson, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

John Garcia, Interim City Manager
Courtney Alvarez, City Attorney
Irene Ramirez, City Secretary
Dora Byington, Director of Purchasing
Stanley Fees, City Engineer
Julian Cavazos, Interim Police Chief
Corando Garza, Asst. City Manager/Fire Chief
Jaime Garza, Commander Task Force

I. PRELIMINARY PROCEEDINGS.

OPEN MEETING

The meeting was opened at 6:00 P.M.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Esquivel)

Ms Dora Byington lead everyone in prayer, Commander JJ Morrow the Pledge of Allegiance, and Commissioner Garcia the Texas Pledge.

Mayor Esquivel presented Commander J J Morrow with a key to the City. He thanked him for his service, dedication and contributions made to the City of Kingsville.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None

II. PUBLIC HEARING - (Required by Law).¹

1. Texas Department of Agriculture/Office of Rural Community Affairs Texas Community Development Program Texas Capital Fund Grant Applications for infrastructure for Eddie Yaklin Ford, Lincoln, Mercury; Eddie Yaklin Nissan; and Neessen Chevrolet, Buick, Pontiac, GMC.

The public hearing opened at 6:10 P.M.

Mr. Dick Messbarger, from the EDC addressed the commission, stating that this was the same type of Texas Capital Fund Grant which the City had applied for with Calling Solutions and Lowe's. He stated Kim Lacey, Consultant with Municipal Development Services has been in charge of coordinating this grant.

Ms. Kim Lacey addressed the commission, and presented an overview of the grant.

Mr. Messbarger stated that this grant will help utilize the funds from the state to allow infrastructure for the next businesses coming in to the City.

Ms Lacy stated that each application has to address the minimum necessary requirements for one company. She stated that the Engineers are working on the cost estimates for the project.

There were no comments or questions from the public regarding this public hearing.

III. PUBLIC COMMENT ON AGENDA ITEMS.³

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

None.

IV. PETITIONS, GRIEVANCES, AND PRESENTATIONS.²

1. Presentation by Kim Lacey on Texas Capital Fund Infrastructure Grant Applications for Eddie Yaklin Ford, Lincoln, Mercury; Eddie Yaklin Nissan; and Neessen Chevrolet, Buick, Pontiac, GMC. (Interim City Manager).

Upon a question raised by Commissioner Garcia regarding having enough infrastructure to hold whatever improvements are going in between the two projects going up, Ms Lacy stated the State will look at the minimum necessary, but the City can pay for the difference.

Mr. Stanley Fees, City Engineer stated that the estimates will be done by the end of the week. Mr. Fees stated that there would be no problem with other businesses going in to the area.

Mr. John Garcia, Interim City Manager stated not all the \$750,000.00 would be used on this project which would allow the City of use in upgrading sewage lines in area.

Upon a question raised by Commissioner Castillo, Ms Lacey stated both applications will be looked at separately.

Ms Lacey stated monies can be used in any type of improvements needed for these projects.

2. Presentation by Teresa Mayorga on Kingsville/Kleberg Animal Control Advisory Committee By-Laws. (Interim City Manager).

Ms. Dianne Leubert made presentation in the absence of Ms Teresa Mayorga. Ms Leubert stated she could answer any questions. She stated that if the City had no problems with the by-laws, it was going to be presented to the Health Board.

Upon a question raised by Mr. Garcia, Ms Leubert stated that the County had given their blessings.

Mayor Esquivel stated he would like to see what the Health Board has to say.

Upon a question raised by Commissioner Wilson regarding clearing up the language specifying that the meeting will be conducted in accordance with the Texas Open Meetings Act, Ms Courtney Alvarez stated it could be specified more clearly on the draft that goes to the Health Board.

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

Mr. Garcia stated that he held a meeting regarding the storm in the Gulf. He stated the Mr. Corando Garza, Asst. City Manager would brief the public.

Mr. Garza gave a report regarding the latest preparations for the storm. He stated that over 1000 bags of sand were distributed to Kingsville residents.

Mr. Garcia reminded the commission of the budget meetings to be held during the week.

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

Ms Alvarez stated that postings were up for the budget workshop to be held on July 17th and 18th at 10:30 AM. She stated all departments are listed on both agendas in case workshops go faster the expected. She also stated she put out a memo regarding her talk with the Criminal Justice Division regarding the Task Force.

5. MAYOR AND CITY COMMISSIONER'S REPORT. (CITY COMMISSION).

Commissioner Wilson stated he would like to know what type of format would be used for the budget forms.

Ms Caron Vela, Interim Finance Director stated sheets are on accounting software.

V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.⁴

1. Consider resolution approving an application for funding through the Texas Department of Agriculture/Office of Rural Community Affairs Texas Capital Fund Infrastructure Grant Program to benefit Neessen Chevrolet, Buick, Pontiac, GMC. (Interim City Manager).

Mr. Garcia stated Ms Lacey would address the commission.

Ms Lacey stated that this was a resolution only authorizing them to submit an application for these funds.

Commissioner Garcia made a motion to approve resolution, seconded by Commissioner Wilson. The motion carried, 4/0.

2. Consider resolution approving an application for funding through the Texas Department of Agriculture/Office of Rural Community Affairs Texas Capital Fund Infrastructure Grant Program to benefit Eddie Yaklin Ford, Lincoln, Mercury and Eddie Yaklin Nissan. (Interim City Manager).

Commissioner Wilson made a motion to adopt the resolution as presented, seconded by Commissioner Castillo. The motion carried, 4/0.

3. Consider awarding bid for the purchase of sixteen radars for the vehicles in the Police Department. (Bid No. 23-41) (Purchasing Director).

Ms Dora Byington, Purchasing Director stated this item authorizes the purchase of sixteen radars for vehicles. She added this action will expend \$24,160.00. She stated that recommendation is to award this bid to the second lowest bidder, Decatur Electronics, Inc. from Decatur, Illinois. She stated that the Interim Police Chief is recommending this because the lowest bidder does not meet specifications.

Commissioner Garcia made a motion to approve, seconded by Commissioner Castillo. The motion carried, 4/0.

4. Consider awarding bid for the installation of police vehicle equipment for vehicles in the Police Department. (Bid No.23-42) (Purchasing Director).

Ms Byington stated this item authorizes the installation of police vehicle equipment such as flashers and sirens for the vehicles. She stated the lowest bid meets all specifications. She also stated that the equipment would be installed in Corpus Christi at the vendor's facilities. Ms Byington stated this action would expend

\$9,594.00. She stated the bid be awarded to Industrial Communications from Corpus Christi.

Commissioner Castillo made a motion to approve staff recommendation, seconded by Commissioner Garcia. The motion carried, 4/0.

5. Consider awarding bid for a twenty-four month contract to provide uniforms for all departments except the Police and Fire departments. (Bid No. 24-01) (Purchasing Director).

Ms Byington stated this item authorizes execution of a twenty-four month contract to provide uniforms for all departments except the Police and Fire Departments. She stated that deliveries would be made to the Public Works Service Center, the Landfill, the Wastewater Treatment Plant, the Recycling Center and the Health Department once per week.

Ms Byington stated this action will expend approximately \$33,573.00 annually or approximately \$67,250.00 during the term of the contract. She stated staff is recommending that the bid be awarded to the lowest qualified bidder, Unifirst from Corpus Christi.

Commissioner Garcia made a motion to approve staff recommendation, seconded by Commissioner Castillo. The motion carried, 4/0.

6. Consider appointment of Rodolfo (Rudy) R. Calderon for a three-year term on the Civil Service Commission. (Mayor Esquivel).

Mayor Esquivel stated he recommended Mr. Rodolfo (Rudy) R. Calderon to fill the vacancy by Dr. Alberto Olivarez whose term expired in January 2003. Mayor Esquivel read Mr. Calderon's resume.

Commissioner Castillo made a motion to approve appointment, seconded by Commissioner Garcia. The motion carried, 4/0.

7. Consider introduction of an ordinance abandoning an alley and retaining an easement for utility purposes in Block 5 of the Clyde Addition. (City Engineer).

Mr. Stanley Fees, City Engineer stated that Whataburger is requesting that the 20' wide alley in Block 5 of the Clyde Addition be closed. He stated all utility companies had been previously contacted, and none indicated an objection.

Upon a question raised by Mayor Esquivel, Mr. Fees stated he would make contact with the people at the corner of 15th & Huisache.

No action was taken, introduction only.

8. Consider introduction of an amendment to §11-3-5 of the Code of Ordinances providing for variances for on-premise and off-premise consumption to allow the sale of alcoholic beverages within 1000 feet of a church, public or private school, daycare or child care facility or public hospital. (City Attorney).

Ms Alvarez stated that this is a revised version of the city ordinance regarding variances required for the sale of alcoholic beverages within 1000 feet of a church, public or private school, daycare or child care facility or public hospital. She stated that the current ordinance does not distinguish between on-premise consumption and off-premise consumption. She also stated she had spoken to the person in charge of licensing at the local TABC office, and some additional recommended changes have been included in the ordinance.

No action was taken, introduction only.

9. Consider approval of budget amendment for the Kingsville Police Department pending award of Chapter 59 Funds to the Kingsville Police Department from the Office of the Governor Criminal Justice Division for continued funding of South Texas Specialized Crimes and Narcotics Task Force. (Chief of Police).

Mr. Jaime Garza passed out some information to the commission.

There was a 10 minute recess in order to allow the commission to review the information they had just received.

Mayor Esquivel requested Mr. Garcia and Ms Alvarez call Mr. Tim Nowell, from the Governor's Office to see if they would reconsider grant if all signatures are received.

Mayor Esquivel stated the budget needed to show more education for children.

Discussion followed regarding quarterly reporting instead of annually reporting.

Commander Garza stated that they participate in career day at different locations.

Discussion followed on committing officers to work on education.

Upon a question raised by Commissioner Castillo regarding creating a department for the Task Force employees, Ms Alvarez stated they are already included in the compensation plan adopted last October. She stated the commander is in the Management Level compensation plan. She also stated that the organizational

chart would have to be looked at. She stated the Police Department carries their commissions.

Commander Garza stated that their objective and goal was to continue the Task Force in the deceit funding. He stated that in January he would like to send another grant proposal.

Commissioner Castillo suggested this item be tabled until Friday.

Ms Alvarez stated this item could be passed.

Upon a question raised by Commissioner Castillo regarding adopting plan on Friday being contingent on full funding from the Governor's office and if denied than we have to go to plan B, Ms Alvarez stated that was correct.

Mr. Garcia stated it is up to the Governor's office is the City receives any money.

Commissioner Wilson stated that this is a unique group of individuals. He also stated the city move forward with this funding in order to keep our kids safe.

Commissioner Wilson made a motion to approve the budget, pending funding from the Governor's office, seconded by Commissioner Garcia.

Commissioner Castillo stated that this item is written as a budget amendment, and that request be made that at Friday's meeting to approve the plan of the Task Force.

Mayor Esquivel stated the project objectives needed to be approved before the dollar amount.

Mayor Esquivel made an amendment to the previous motion to add to the out put measures of the South Texas Narcotic Task Force to work closely with all agencies to make as many drug cases as possible and to work with all agencies to help educate our children in Kingsville, seconded by Commissioner Castillo.

Commissioner Garcia amended his second to Commissioner Wilson's motion.

The amended motion carried, 4/0. The original motion carried, 4/0.

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 Interim City Manager John Garcia. (Commissioner Garcia).

Commissioner Garcia requested this item be tabled since Commissioner Pecos was not present.

No action was taken.

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

No action was taken.

VI. ADJOURNMENT.

Commissioner Wilson made a motion to adjourn, seconded by Commissioner Castillo.

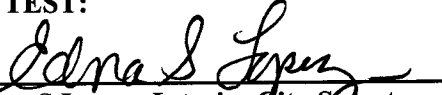
Filemon "Phil" Esquivel, Jr., Mayor

ATTEST:

Irene Ramirez, City Secretary

PRESENTED and ADOPTED by the Kingsville City Commission on this 27th day of April, 2004.

Charles E Wilson, Presiding Officer

ATTEST:


Edna S Lopez, Interim City Secretary