

**AUGUST 13, 2003**

**A SPECIAL EMERGENCY MEETING OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS WAS HELD WEDNESDAY, AUGUST 13, 2003 AT 10:00 A.M. IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, 200 EAST KLEBERG AVENUE.**

**CITY COMMISSION MEMBERS PRESENT:**

Filemon "Phil" Esquivel, Jr., Mayor  
 Charlie Wilson, City Commissioner  
 Horacio "Hoss" Castillo, City Commissioner  
 Al Garcia, City Commissioner  
 \*Arturo Pecos, City Commissioner Arrived at 11:01 a.m.

**CITY STAFF PRESENT:**

John Garcia, Interim City Manager  
 Courtney Alvarez, City Attorney  
 Stanley Fees, Director of Engineering

**I. PRELIMINARY PROCEEDINGS.**

**OPEN MEETING**

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Esquivel)**

The City Commission led the members of the audience in an invocation and immediately thereafter, 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.**

Josiebelle Manhymer stated that she is unhappy that there will soon be more 8-liner machines in October.

Glenda Webb stated that she was under the impression that two 8-liner businesses had applied for the downtown area but were denied.

Troy Elmore stated that parking is already a problem in the downtown area especially during lunchtime.

**IV. PETITIONS, GRIEVANCES, AND PRESENTATIONS.**

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

Mr. John Garcia stated that he has made contact with Mr. Michael Guerra's Office and left message for Mr. Guerra to return his call.

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

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

Commissioner Castillo stated that he was concerned about how permits got issued after the Commission had directed staff not to issue any permits without an oral or written legal opinion.

Mayor Esquivel stated that there is no discretion in accepting application in the current ordinance. He further stated that the County Attorney had given an opinion and was published in the Corpus Christi Caller Times.

**V. ITEMS FOR CONSIDERATION BY COMMISSIONERS.**

**1. Executive Session: Under Section 551.071 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to seek legal advice from the City Attorney regarding pending litigation concerning Carla Lee Suson vs. Irene Ramirez, City Secretary of the City of Kingsville, et. al. No. 13-03-00470-CV, In the Court of Appeals Thirteenth Judicial District of Texas. (City Attorney).**

The City Commission convened into executive session at 10:36 a.m.

The City Commission reconvened into open session at 10:50 a.m.

A five minute recess was taken to allow Commissioner Pecos to review documents.

**2. Consider hiring outside counsel for defense of Irene Ramirez, City Secretary of the City of Kingsville; Filemon Esquivel, Jr., Mayor of Kingsville; Horacio Castillo, Arturo Pecos, Charles Wilson, and Alfonso Garcia, Commissioners of the City of Kingsville in matter styled Carla Lee Suson vs. Irene Ramirez, City Secretary of the City of Kingsville, et. al. No. 13-03-00470-CV, In the Court of Appeals Thirteenth Judicial District of Texas. (Interim City Manager).**

Motion made by Commissioner Wilson seconded by Commissioner Garcia to hire John Jensen as lead counsel. Motion failed by a 3/2 vote with Mayor Esquivel and Commissioners Castillo and Pecos casting the dissenting votes.

Motion made by Commissioner Pecos seconded by Commissioner Castillo to hire Dunn, Weathered, Coffey, Riviera & Kasperits, P.C.. Motion passed by a 3/2 vote with Commissioner Wilson and Garcia casting the dissenting votes.

**VI. ADJOURNMENT**

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Filemon "Phil" Esquivel, Jr., Mayor

**ATTEST:**

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Irene Ramirez, City Secretary

**PRESENTED and ADOPTED by the Kingsville City Commission on this 27<sup>th</sup> day of April, 2004.**

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Charles E Wilson, Presiding Officer

**ATTEST:**

*Edna S Lopez*  
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Edna S Lopez, Interim City Secretary