

February 23, 2004

A REGULAR CITY COMMISSION MEETING OF THE CITY OF KINGSVILLE, TEXAS WAS HELD ON MONDAY, FEBRUARY 23, 2004 AT 6:00PM IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL, 200 EAST KLEBERG AVENUE.

**City Commission Present:**

Charles E. Wilson, City Commissioner  
Al Garcia, City Commissioner

**City Staff Present:**

Carlos Yerena, City Manager  
Courtney Alvarez, City Attorney  
Dora Byington, Purchasing Director  
Corando Garza, Asst. City Manager/Fire Chief  
John Garcia, Garage Superintendent  
Joel Saenz, Code Enforcement Officer  
George Bejarano, Finance Director  
Stanley Fees, City Engineer  
Irene Ramirez, City Secretary

**I. Preliminary Proceedings.**

The meeting was opened at 6:00 PM.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Presiding Officer)**

**MINUTES OF PREVIOUS MEETING(S) – Required by Law**

None

**II. Public Hearing - (Required by Law).<sup>1</sup>**

None.

**III. Public Comment on Agenda Items<sup>3</sup>**

*(Recording of meeting began at this point.)*

A citizen addressed the commission regarding problems in voting registers. She cited a need for procedures to remove deceased persons from the registration rolls and for cleaning up the addresses.

Ms Kathryn Evans, 808 W. Alice, addressed the commission as a member of the Kingsville Centennial Committee and stated they were bringing forth a budget and would be asking the City Commission to consider providing \$2,500 for expenses.

**IV. Petitions, Grievances, and Presentations.<sup>2</sup>**

**1. Present Proclamation designating the month of March 2004 as "Purchasing Month". (Presiding Officer).**

Commissioner Wilson asked Ms Dora Byington to come forward and recognized her efforts in organizing activities such as the Purchasing Month Scavenger Hunt and swap meet and for distributing a survey to employees in an effort to improve operations in her department.

Ms Byington stated that because it is Purchasing Month, she wanted to do something a little extra to let others know what her department does and that the survey was an effort to improve or make necessary changes.

Commissioner Wilson then read the proclamation.

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

City Manager Yerena told the Commission that two items were to be addressed. First, he gave an update on the work being done at the Warehouse. The second item was concerning KWOP and demolition of houses, which he turned over to Chief Corando Garza.

Chief Garza stated that he had before and after pictures of the progress made at the Warehouse and that the departments had all pulled together and thanked all who helped. He said a lot had been turned over to Mr. John Garcia and that he had done a good job. Concerning the vehicles, Chief Garza said that instead of having the vehicles sitting at the Warehouse, departments will be notified when parts come in so they can bring in the vehicles and that a rotation schedule has been set up for the vehicles.

The KWOP discussion was turned over to Mr. Joel Saenz. Mr. Saenz stated that the last time the Historical Board met, they reviewed 9 of the 18 properties for the job. He said he had received a fax from Pat Carter that the other 9 had been approved bringing the total to 18 projects with 22 structures to be demolished. He added that they should be starting somewhere around March 2 – March 12. He said that Jim Liberman would be in charge and would be in Kingsville on March 1. He also said that he and Roel Cavazos would be doing a walk-through tomorrow to make sure everything was in order. Mr. Saenz also stated that the National Guard had sent a final memo of understanding and that he had gotten together with Ms Byington regarding bids and Ms Dianne Leubert about the disposal.

Commissioner Garcia asked about the continuing effort of removing abandoned vehicles from properties. Mr. Saenz responded that the temporary secretary was not familiar with process of getting legal descriptions from the Appraisal District but he is working with her and she should be getting 20 – 30 letters out tomorrow or the next day. He added that he still is continuing the process.

Chief Garza then stated that on KWOP, he estimated that it would take 100 loads at \$45 per load for a \$4,500 total cost for removal of these structures. He added that he is already getting calls for demolition of second round of properties and is advising property owners that they will probably be starting again in the middle of June or first part of July. Commissioner Garcia stated that when the project is completed, he wants to have a meeting with all participants so they can be recognized.

Mr. John Garcia gave an update on the beautification project. The project is scheduled for March 13<sup>th</sup> from 8am – 12noon. The target area is Santa Gertrudis to Corral. He said that several fraternities and sororities had inquired about it but is unsure of how much participation they will have since this project is scheduled during Spring Break. He then extended an invitation to anyone in the community to volunteer.

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

Ms Courtney Alvarez reminded everyone that Municipal Court would be held at 4pm on Tuesday and 9am on Wednesday along with a special session on Thursday at 4pm, therefore the chambers will be in session.

She also reported that there will be a meeting on the Railroad Depot status update on Thursday.

Ms Alvarez said she had received a call about the Precinct 1 petition drive and that the City is not involved in that and people can contact the Chamber of Commerce.

Finally, she announced that questions regarding early voting for the March 9 Primary for state and county seats should be directed to the county courthouse.

### **4. City Commission's Reports. (City Commission).**

Commissioner Garcia stressed the importance of keeping up with the minutes. He said the City is hanging by a thread. To give an example of the importance, he said that Kleberg Bank is holding back on approving a project because they need minutes. He added that he had already discussed this with the City Manager and that minutes are also needed for audits. He said that otherwise everything else is going well.

Commissioner Wilson stated that if anyone is interested in running for City office, they should contact the City Secretary from 8am – 5pm and encouraged anyone to run and become involved.

He also stated that the Library was celebrating 95 years in service and read a brief history of the Kleberg County and City of Kingsville Library.

Commissioner Wilson asked Jaime Cantu to come forward along with Smiley Garza and Oscar Gonzalez as representatives of the Kingsville Boxing Club. He presented them with a cash grant and thanked them for taking the time and effort to take care of those who go to the Boxing Club and for providing a safe place for wholesome activities.

### **V. Items for consideration by Commissioners.<sup>4</sup>**

#### **1. Consider authorizing funding for the Old Settler's BBQ to be sponsored by the Women's Club of Kingsville for the City's centennial celebration. (Commissioner Wilson).**

Commissioner Wilson said he had met with Kathryn Evans and discussed some of the needs they would have specific to the actual celebration events on July 4<sup>th</sup>. Mrs. Evans then gave a presentation on the proposal and need for funds. She stated the total expenses are

\$5,500 and they expect to get back \$3,000 on the BBQ, so they are asking for \$2,500 from the City of Kingsville.

Commissioner Garcia asked about the coordination of the Centennial Committee and Ms Evans said it was made up of different groups and anyone interested can participate.

City Manager Yerena said they have some money in the Centennial Fund and they will be trying to bring in additional funding later in the agenda.

**Commissioner Garcia made a motion to approve funding the \$2,500, seconded by Commissioner Wilson. Motion passed unanimously.**

**2. Discuss and consider support of consultant for the Texas Water Development Board's Research and Planning Fund Grant for Regional Water Supply and Wastewater Facilities Planning obtained through joint grant application with the South Texas Water Authority and the Ricardo Water Supply Corporation. (City Manager).**

City Manager Yerena explained that at this point, the South Texas Water Authority is in the process of procuring a consultant to help them with the grant application for a regional water supply study. Ms Carola Serrato then came forward with a brief presentation. She said they STWA had actually obtained the grant from the Texas Water Development Board for a total project amount of \$96,000. This includes \$48,000 from the Texas Water Development Board, \$10,000 in-kind from the City of Kingsville, \$6,000 in-kind from STWA and \$32,000 cash from STWA. She asked the Commission to consider entering into a contract with the Water Development Board which would name STWA as the contractor and the consultant as the sub-contractor with STWA having responsibility to select the consultant. She stressed that because it is such an important study, she felt it was imperative to get feedback from both the Ricardo Water Supply Corporation and the City Council with the understanding that the final responsibility falls to the STWA's board. She stated that staff's recommendation is to hire the services of HDR Engineering Inc. She also said that they had assisted in submitting the grant application to the Texas Water Development Board and if not for their assistance in fine-tuning and polishing up the application, they may not have received the grant. She said that Ricardo had submitted a letter to STWA supporting the selection of HDR.

Commissioner Garcia stated that he had read the background the company looks like they have plenty of experience and he had no objection with supporting them.

City Manager Yerena said the matter had been discussed in previous staff meeting and staff agrees.

Commissioner Garcia made a motion to extend support by form of a letter that represents that we concur with HDR as sub-contractor to STWA. Commissioner Wilson seconded the motion. The motion passed unanimously.

**3. Consider resolution supporting the Texas Tropical Trail Region in their application to become the next Texas Trail Region designated by the Texas Historical Commission. (City Manager).**

City Manager Yerena gave a brief background stating that this is a project the Kingsville Convention and Visitor's Bureau is undertaking. He said it is a way to promote the area through a trail and hopefully entice visitor to the area to stay here and dine here and increase sales tax.

Ms Carol Ann Anderson stated this is a joint effort between TXDOT and the Texas Historical Commission. TXDOT created some trails across Texas several years ago and now with the increasing popularity of in heritage tourism, they decided to revive these trails. She added that this is the seventh trail they have done and Kingsville is on the Chisolm Trail. The Texas Historical Commission will do a matching grant of \$50,000 per year. There are twenty counties involved and contributions will be based on population which would mean \$200 for the City of Kingsville to commit for three years which may come out of KCVB budget but she will be looking at that closer because they may need more money eventually. She stated that what she needs at this point is a resolution. She said that this will increase tourism. She added that the Chisolm Trail brochure had flown out of other visitors centers and they have seen 20% increase of people following these trails. She said that she had been asked about Kingsville housing the project trail manager which would mean that they would need a small office free of charge. This would put Kingsville on two of these trails.

Commissioner Garcia asked if the trail goes to northern Mexico. She explained that some of the cattle came from northern Mexico and that Captain King had over 1 million head of longhorn up the Chisolm Trail and that made Kingsville one of the last cities on the map. She added that the brochure had been unveiled at the Ranch Hand Breakfast year before last.

Commissioner Wilson read the resolution. Commissioner Garcia made a motion to accept the resolution, seconded by Commissioner Wilson. Motion passed unanimously.

**4. Consider authorizing signatories for the City of Kingsville checking accounts with Kleberg First National Bank, Kingsville Bank, and MBIA. (Finance Director).**

Mr. George Bejarano said that this resolution would change signatory powers within city management to include Commissioner Wilson, City Manager Yerena and Mr. Bejarano and would outline the powers of each.

Commissioner Garcia made a motion to authorize signatories, seconded by Commissioner Wilson. Motion passed unanimously.

**5. Consider sale of city-owned property located at South ½ of Lots 23-32, Block 18, Third Addition more particularly described as the north portion of Lots 23-27, Block 18, Third Addition and property located at South ½ of Lots 17-22, Block 18, Third Addition. (City Engineer).**

Mr. Stanley Fees said that this request for City property was presented to City staff by a property owner in the area some time back and that it is being brought forth to have it removed from City ownership and put back on tax roll. There are no utilities on the property. Staff recommendation is to sell the property.

Ms Courtney Alvarez said that purchase of property would be by sealed bid or live auction at the determination of the City Manager and Purchasing Director as to what is most efficient for the City.

Commissioner Garcia made a motion to put this City owned property up for sale. He then asked about reserving mineral rights and City Manager Yerena stated that would be to the City's advantage. Mrs. Alvarez stated that she could examine that and see what is in the best interest of the City and make a determination based on what is found. Commissioner Wilson asked that that be included in the sales contract.

**Commissioner Wilson seconded the motion. Motion passed unanimously.**

**6. Consider final passage of an ordinance amending the fiscal year 2003-2004 budget for the City of Kingsville for the TAMUK Black Heritage Committee. (Finance Director).**

Mr. Bejarano said this item had been discussed before. It is for an increase on expenditures and a decrease in expenditures within the current budget of the City of Kingsville and needs to be done in order to provide funds for this item.

**Commissioner Garcia made a motion to adopt final passage of the ordinance, seconded by Commissioner Wilson. Motion passed unanimously.**

**7. Consider final passage of an ordinance abandoning a 60 foot wide street right of way on Doddridge Avenue between 6<sup>th</sup> Street and the railroad tracks in the Fourth Addition. (City Engineer).**

Mr. Fees said this would allow the City to get rid of a street have now between the railroad and 6<sup>th</sup> Street on Doddridge. It is a dedicated street but is not an improved street and there are no utilities in the area. He said he had contacted all utility companies and none had a problem with the City abandoning this right of way. Staff recommendation is to approve abandoning the right of way.

Commissioner Garcia asked if there is any kind of roadway in that right of way. Mr. Fees stated that there is a driveway to the two adjacent businesses but added that this action would not hamper access to the businesses. Commissioner Garcia asked if the businesses were aware that the City was doing this and Mr. Fees responded that this had been presented by one of the property owners. Commissioner Wilson asked if when abandoned, the property would be split down the middle and half would go to each property owner to which Ms Alvarez answered that she believed this is what would happen and that is what has been done in the past.

Commissioner Garcia made a motion to consider final passage of the ordinance, Commissioner Wilson seconded. Motion passed unanimously.

**8. Consider introduction of an ordinance amending the fiscal year 2003-2004 budget for the City of Kingsville for the Centennial Celebration Fund. (Finance Director).**

Mr. Bejarano stated that this is the amount budgeted for the Centennial Celebration fund. It includes an increase in expenditures by \$10,000 and decrease in City Special of \$5,000 and decrease in Code Enforcement of \$5,000. He thanked the departments for being cooperative in allowing him to remove funds from their budgets to provide them for the celebration.

Commissioner Garcia asked if Code Enforcement would be okay with the \$5,000 reduction. Mr. Bejarano stated that they currently have \$15,000 for demolition and removal. Chief Garza added that it they would be ok with \$10,000 because with \$4,500 they will be able to demolish more structures than before.

Commissioner Wilson stated that this item was just introduction.

**9. Consider introduction of an ordinance amending the fiscal year 2003-2004 budget for the City of Kingsville for Election Expenses. (Finance Director).**

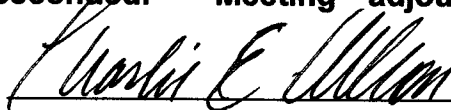
Mr. Bejarano said that this ordinance for election expense. There was a \$15,000 increase city special for election procedures. He again thanked the Personnel, Legal, Planning, Landfill, Engineering and Garage departments for being cooperative in providing funds to meet this expense.

Commissioner Wilson stated that this item was just introduction.

**VI. Adjournment.**

Commissioner Wilson reminded everyone to contact Irene Ramirez if interested in running for office.

Commissioner Garcia made a motion to adjourn the meeting. Commissioner Wilson seconded. Meeting adjourned at unknown time.

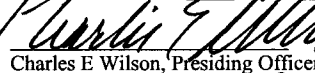


Charles E. Wilson, Presiding Officer

ATTEST:

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Irene Ramirez, City Secretary

PRESENTED and ADOPTED by the Kingsville City Commission on this 24<sup>th</sup> day of May, 2004.



Charles E. Wilson, Presiding Officer

ATTEST:



Edna S Lopez, Interim City Secretary