

# City of Kingsville, Texas

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## AGENDA CITY COMMISSION

MONDAY, OCTOBER 13, 2008  
REGULAR MEETING

HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS  
CITY HALL/200 EAST KLEBERG AVENUE  
6:00 P.M.

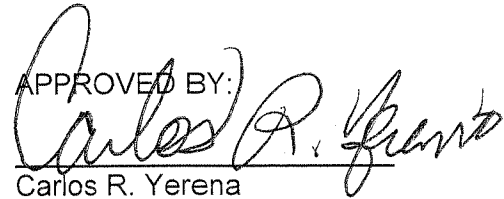
### I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

APPROVED BY:

  
Carlos R. Yerena  
City Manager

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

NONE

### III. Reports from Commission & Staff.<sup>2</sup>

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Convention and Visitor's Bureau, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration – Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations. No formal action can be taken on these items at this time."*

### IV. Public Comment on Agenda Items<sup>3</sup>

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

**V.**

**Consent Agenda**

**Notice to the Public**

*The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member or a citizen, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

**CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:**

*(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)*

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 2, Stopping, Standing and Parking, Prohibited in specified places in the right of way or in a yard; Providing for appropriate penalties, fines, and fees regarding the regulation thereof. (City Attorney).
2. Motion to approve final passage of an ordinance abolishing a certain classified service position; creating a certain classified service position; ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Police Department. (Police Chief).
3. Motion to approve expending funds from the City of Kingsville Employee Benefit Plan Trust for the City Health Fair. (Human Resource Director).

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

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

4. Consider resolution authorizing the City Manager to enter into a multiple use agreement with the Texas Department of Transportation for landscape & signage improvements on Spur 169 (University Blvd.) from the intersection of SH 141 (King Street) to Santa Gertrudis Blvd. to be performed by Texas A&M University-Kingsville. (City Attorney).
5. Consider authorizing the City Manager to enter into an Interlocal Agreement between the City of Kingsville and Texas A&M University Kingsville Relating to Signage on University Blvd. and Right-of-Way Islands on Santa Gertrudis Avenue. (City Attorney).
6. Consider awarding Bid No. 2009-07 for electrical repairs for Lift Stations and Wastewater Treatment Plants. (Purchasing Director).
7. Consider awarding Bid No. 2009-10 for materials ONLY for the water line improvements project. (Purchasing Director).

8. Consider introduction of an ordinance amending the Fiscal Year 2008-2009 Budget for the City of Kingsville to set up a General Fund Capital Projects Fund to come from Unrestricted General Fund Balance to be used on Capital Outlay and the Maintenance on Capital Outlay, to allocate funds from additional Municipal Court Fines for an alternate Municipal Court Judge, to accept a donation for Keep Kingsville Beautiful, and to budget the Tourism Fund. (Finance Director).
9. Consider accepting donation of \$500 for City's Keep Kingsville Beautiful program from Kingsville Action Network. (Finance Director).
10. Consider re-allocation of the monies remaining from the 2007 PFFCO for Sanitation Department equipment. (Public Works Director).
11. Discuss and consider action to take regarding Amendment to Article V of the Contract Between the City of Kingsville and Kleberg County Relating to the Jail. (City Attorney).
12. Consider introduction of an ordinance approving an electric power contract with Cities Aggregation Power Project, Inc. ("CAPP"), a political subdivision corporation for electric capacity and energy, approving the articles of incorporation and bylaws of CAPP; accepting membership in CAPP; providing capacity payments as public property finance contractual obligations of the city, pledging and levying an ad valorem tax to such payments, providing for energy payments for electric energy subject to annual appropriation by the city, providing for the assignment of such capacity payments to support debt issued by CAPP incurred to acquire electric capacity rights from Luminant Generation Company and related entities pursuant to a 24-year Power Purchase Agreement ("PPA"); authorizing the City Manager or other appropriate city officer or employee to execute and deliver the energy sales contract between CAPP and the City ("Member Contract"); further authorizing the City Manager or other appropriate city officer or city employee to sign additional agreements arranged by STAP for electric power needed by the City in the period 2009-2013 in excess of the amount obtained under the Member Contract; acknowledging, authorizing and directing the City Manager or appropriate City Officer or City Employee to sign and return CAPP's disclosure letter; further authorizing the City Manager or appropriate City Officer or other City Employee to accept conforming changes to the Member Contract dependent on the final terms of the CAPP PPA; providing for validity and sufficiency of City Employee's or City Officer's signature if the Officer or Employee leaves office or employment prior to the delivery of the Member Contract; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act. (City Manager).
13. Consider resolution authorizing the South Texas Aggregation Project, Inc. (STAP) to negotiate an electric supply agreement for deliveries of electricity and necessary, related services effective January 1, 2009; approving STAP contracting with FPL Energy and Direct Energy and authorizing the Mayor or other designated City Official to sign a contract with STAP for the City's electricity needs for the period beginning January 1, 2009 and extending up to December 31, 2013; committing to budget for energy purchases and to honor the City's commitments to purchase power through STAP for its electrical needs for the period beginning January 1, 2009, and extending up to December 31, 2013. (City Manager).

**VII. Adjournment.**

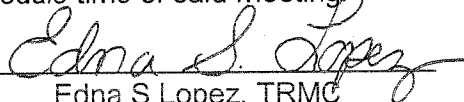
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes.
4. Items being considered by the Commission for action except citizens comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail citysec@cityofkingsville.com for further information. Braille Is Not Available. The City of Kingsville reserves the right to convene into Closed Session under Government Code 551.071-551.074 and 551-086 regarding any item on this agenda.

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board in the City Hall, 200 East Kleberg, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

October 10, 2008 at 3:30 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.

  
Edna S Lopez, TRMC  
City Secretary  
City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: \_\_\_\_\_

By: \_\_\_\_\_

City Secretary's Office  
City of Kingsville, Texas