

DECEMBER 21, 2004

A SPECIAL MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON TUESDAY, DECEMBER 21, 2004 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL / 200 EAST KLEBERG AVENUE AT 12:00 NOON.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Charles E Wilson, Commissioner
Al Garcia, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
George Bejarano, Asst. City Manager
Mary Valenzuela, Legal Secretary
Dora Byington, Purchasing Director
Jennifer Cantu, Director of Development Services
Stanley Fees, City Engineer
Diana Gonzales, Human Resource Director
Caron Vela, Accountant
Al Lopez, Interim Fire Chief
Joe Casillas, Water Production Supervisor

**I. Preliminary Proceedings.
OPEN MEETING**

Mayor Fugate called the meeting to order in the City Commission Chambers of City Hall at 12:00 noon.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Ms Dora Byington, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for approval of the minutes of the regular meeting of the City Commission held on December 13, 2004. **Commissioner Laskowski made a motion to accept the minutes as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".**

II. Public Hearing - (Required by Law).¹

None

III. Petitions, Grievances, and Presentations.²

1. City Manager's Report. (City Manager).

Mayor Fugate called for the City Manager's report. City Manager Yerena asked Mr. Chris Caron, TXDOT Representative to make a brief presentation regarding the General Cavazos project. Mr. Caron provided a brief update giving information on the amount budgeted and spent for the project. He continued to say that there wasn't enough money left for Phase B, but that they are looking for monies to budget the rest of the project. Mr. Caron also stated that the set of plans delivered by the City to TXDOT had a number of errors and omissions which had to be addressed by TXDOT. The agreement between TXDOT and

the City states that the City would address the errors and omissions at the City's expense.

City Manager Yerena clarified that the plans came from a third party agency, and that plans were provided to TXDOT within their process. He then reported on the entrance level testing for Fire and Police, a press release to notify citizens of a different electrical service provider, holiday schedule for City Hall, and the Toys for Tots drive. He congratulated Staff, the Mayor and Commission on the goals that were accomplished this year.

2. City Attorney's Report. (City Attorney).

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on working with Entrust for the final contract. She also reported that the insurance broker was unavailable for today's meeting but sent an e-mail stating that Carlisle is in agreement with the insurance broker contract that is in the packet for City Commissions' approval. She reported that she would be out of the office on Thursday, and on TCEQ's approval for the disclaimer of the chlorination public notice.

3. City Commission's Reports. (City Commission).

Mayor Fugate called for the City Commission's report. Commissioner Laskowski reported that tickets for the Cactus Bowl are on sale.

IV. Public Comment on Agenda Items³

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

Ms Carolyn Fees, 1506 Santa Cecilia, commented on several reasons for the situation at General Cavazos.

Mayor Fugate called for consideration of the consent agenda (Items 1 & 2)

V. Consent Agenda

1. Motion approving reallocation of 2002 & 2002A Certificates of Obligation monies for the awning repairs at City Hall. (Finance Director).

2. Motion approving awarding bid to Maltby Builders from Kingsville for the awning repairs at City Hall. This action will expend \$44,260.00. Funding will be provided under 2004-2005 Budget Account No. (001-5-102.0-511.00) \$25,000.00 and \$19,260.00 from 2002-2002A Certificates of Obligation that were left over from the first floor air conditioner replacement. (Bid No. 25-25) (Director of Purchasing).

Commissioner Laskowski made a motion to remove from the Consent Agenda (Items 1 & 2), seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Laskowski, Wilson voting "FOR".

REGULAR AGENDA

VI. Items for consideration by Commissioners.⁴

Mayor Fugate asked that Item #2 be discussed before approving Item #1.

2. Motion approving awarding bid to Maltby Builders from Kingsville for the awning repairs at City Hall. This action will expend \$44,260.00. Funding will be provided under 2004-2005 Budget Account No. (001-5-102.0-511.00) \$25,000.00 and \$19,260.00 from 2002-2002A Certificates of Obligation that were left over from the first floor air conditioner replacement. (Bid No. 25-25) (Director of Purchasing).

City Manager Yerena stated that due to the historical aspect of the awning, Mr. Fees had prepared the plans and specifications. Mr. Fees provided a brief explanation on the type of awning that would replace the present one.

Commissioner Laskowski stated he wanted to make sure it was historically correct. Mr. Fees stated that plans will be presented to the historical board for their approval.

Commissioner Wilson made a motion to approve awarding the bid to Maltby Builders with the approval of the Historical Commission, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Laskowski, Garcia, Pecos, Wilson voting "FOR".

1. Motion approving reallocation of 2002 & 2002A Certificates of Obligation monies for the awning repairs at City Hall. (Finance Director).

Mayor Fugate asked for a motion to approve the reallocation of the Certificates of Obligation (Item #1).

Asst. City Manager Bejarano stated the actual cost for the awning repairs is \$44,260.

Commissioner Garcia made a motion to approve the reallocation of the 2002 & 2002A Certificates of Obligation monies, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Laskowski, Wilson, Pecos, Garcia voting "FOR".

3. Consider authorizing the City Manager to execute an Administration Services Agreement Contract & related documents with Entrust, Inc. for the contract administrative services for the City of Kingsville Employee Benefit Plan Trust. (City Manager).

City Manager Yerena requested Ms Alvarez provide information on this agenda item. Ms Alvarez stated that this has been a true team effort and that she had worked on the clean up language referenced in the memo provided. She touched on the changes made, Entrust will provide the City an itemized monthly statement for review, the termination fee will not be penalized if contract is terminated for cause, and marketing fees were negotiated.

City Manager Yerena stated that the savings was utilized to provide additional benefits for the employees. Ms Gonzales provided information on the additional benefits, employees will now pay \$5.00 for generic drugs, doctor visit charge was increased from \$150 to \$200, and the co-pay for name brand medications is now 25% of the cost.

Commissioner Laskowski asked if the insurance company would be providing quarterly reports to the Commission, Ms Alvarez replied that was correct.

Commissioner Laskowski made a motion to authorize the City Manager to execute an Administrative Services Agreement Contract related documents with Entrust, Inc., seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Pecos, Garcia, Laskowski voting "FOR".

4. Consider authorizing the City Manager to execute an Insurance Broker Professional Services Agreement with Carlisle Insurance. (City Manager).

Commissioner Laskowski made a motion to authorize the City Manager to execute an Insurance Broker Professional Services Agreement with Carlisle Insurance, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Garcia, Laskowski voting "FOR".

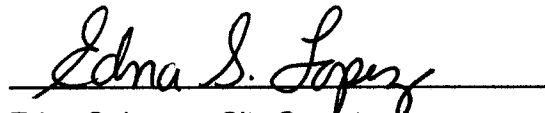
VI. Adjournment.

There being no further business to come before the Commission, Mayor Fugate adjourned the meeting at 12:30 P.M. on December 21, 2004.



Sam R. Fugate, Mayor

ATTEST:



Edna S. Lopez, City Secretary