

September 6, 2005

A SPECIAL MEETING OF THE CITY OF KINGSVILLE, TEXAS, CITY COMMISSION WAS HELD ON TUESDAY, SEPTEMBER 6, 2005 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S. Lopez, City Secretary
Stanley Fees, City Engineer
Dora Byington, Purchasing Director
Ricardo Torres, Police Chief
Jennifer Cantu, Director of Development Services
Joe Casillas, Water Production
Al Lopez, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Commission Chambers on September 6, 2005 at 6:00 P.M.

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 consideration of the minutes of the Special Joint Meeting of August 18, 2005 and the Regular Meeting of August 22, 2005. **Commissioner Laskowski made a motion to approve 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

1. A Public Hearing on a proposed property tax rate increase from \$0.70196 to \$0.71000.

The public hearing was opened at 6:03 P.M.

Mayor Fugate called for comments. Ms Alvarez advised that the public hearing should be left opened for a few minutes to allow for any citizens that may be running late.

The public hearing was closed at 6:06 P.M.

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 reported on the efforts to facilitate to provide adequate shelters for the citizens of New Orleans; and reported that there would be no more evacuees sent to Kingsville in the immediate future. Commissioner Laskowski and Mayor Fugate commended the City Manager on a job well done with the evacuees.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on evacuee students needing school supplies; on a conference call regarding FEMA information; on desired needs for the evacuees; and on some volunteer encounters with the evacuees.

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

Mayor Fugate called for the City Commission's reports. Commissioner Laskowski reported on the operations at the shelter.

IV. Public Comment on Agenda Items³

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

NONE

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. **Discuss role and procedures for the City/County Health Board members. (Mayor Fugate).**

Mayor Fugate stated this was put on the agenda at his request because several people had contacted him about concerns at the Health department. It was noted that only two board members were in attendance. Mayor Fugate stated that a copy of the Health Board ordinance has been provided to the Board members, and the power is upon the members to see how business is conducted at the Health Department. He advised that issues with employee(s) arriving late to work and using vehicles for private use or benefit, is something that the Board needs to correct. He added that if an employee is ignoring State regulations and if Board members are not receiving proper instructions then this needs to be corrected by the Board.

Commissioner Laskowski asked questions concerning Boarding meetings and Board members' attendance at meetings. Mr. A. L. Noyola, Health Director replied the Board meets every other month, but the members decide when meetings are held. Regarding attendance at meetings, approximately four members attend. Commissioner Laskowski requested an attendance report.

There was discussion regarding terms and appointments for Board members.

Commissioner Laskowski advised that an assessment of the J K Northway by the Health department is needed.

Commissioner Wilson directed comments to the Board members. He stated that the ordinance does not allow flexibility for meetings, the Board must have a chairman and secretary, and the City and County should agree on every appointment. He stated that this Board has unique powers. This community relies on the Board's interest and concern for its well-being.

Commissioner Garcia commented on revamping the entire ordinance. Suggestion was made to seek information from TML.

Commissioner Laskowski asked about operation annual reports from the Health Director. Mr. Noyola replied these reports are done and turned into the City Manager and County Judge. He added that agendas are prepared under the direction of the Board, but monthly reports are not.

Ms Judy Anthony, Board Member, stated it would help her to know what she is supposed to be overseeing, and added that she is not sure of the laws she is supposed to be addressing. Ms Anthony was provided with resource information.

Mr. Leo Ramos, Board Member, stated that at the time of his appointment he had a concern regarding what his duties were, but since then he has frequent discussions with the Mr. Noyola. Mr. Ramos provided information on different topics discussed.

Mayor Fugate announced the next agenda item.

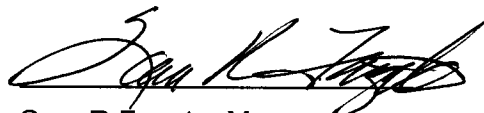
2. Executive Session: Under Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation of the City Manager, the City Attorney, and the Municipal Court Judge. (Mayor Fugate).

The City Commission convened into executive session at 6:43 P.M.

The City Commission reconvened into regular session at 8:02 P.M.

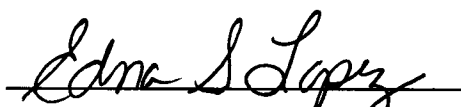
VII. Adjournment.

There being no further business to come before the City Commission the meeting was adjourned at 8:02 P.M. on September 6, 2005.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, City Secretary