

MARCH 3, 2008

A SPECIAL MEETING OF THE CITY COMMISSION WAS HELD ON MONDAY, MARCH 03, 2008 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 12:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Charles E Wilson, Mayor Pro-tem
Al Garcia, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Fidel Gonzalez, Task Force Commander
Richard Kirkpatrick, Task Force Agent
Mark Rushing, Finance Director
Gus Ruiz, Task Force Agent
Dora Byington, Purchasing Director
Diana Gonzalez, Human Resource Director
Ricardo Torres, Police Chief
Yolanda Cadena, Health Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 12:00 P.M., and announce quorum as present.

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 regular meeting of February 25, 2008. **Commissioner Laskowski made a motion to accept the minutes, seconded by Commissioner Pecos and 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

Mayor Fugate announced there no public hearings.

III. Reports from Commission & Staff²

“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. No formal action can be taken on these items at this time.”

Ms Alvarez reported on the schedule for the next NIMS courses and on a TXDOT meeting. Mayor Fugate urged Staffs’ attendance at this meeting. Commissioner Laskowski reported a

citizen's complaint of an alley. Mayor Fugate asked for Staff to provide information on cleaning up the entire city. He reported on his trip to Austin to attend the TML orientation and meeting.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called for comments on all agenda and non-agenda items. There were no comments made.

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. ORDINANCE ORD2008-12 Consider final passage of an ordinance amending the Fiscal Year 2007-2008 Budget for the City of Kingsville Task Force for vehicles and other equipment to come from awarded Chapter 59 Revenue. (City Manager).

City Manager Yerena stated this is final passage of this ordinance to allow funds to be placed for the purchase of vehicles and other equipment.

Mayor Fugate called for a motion. Commissioner Laskowski made a motion to adopt the final passage of this ordinance amending the Fiscal Year 2007-2008 budget, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

2. Consider authorizing the purchase of two (2) police package 2008 Chevrolet Tahoe vehicles through BuyBoard from Caldwell Country Chevrolet located in Caldwell, Texas, and one (1) 2008 Ford Mustang from Eddie Yaklin Ford located in Kingsville for the City of Kingsville Task Force. (Purchasing Director).

Ms Byington stated this item authorizes the purchase of two police package 2008 Chevrolet Tahoe vehicles through BuyBoard from Caldwell Country Chevrolet. She stated that prices were received from the Houston-Galveston Council of Governments but the same vehicle cost approximately \$1,600 more. She stated that informal bids were taken for the Ford Mustang which will be purchased from Yaklin Ford. Ms Byington stated this item will expend \$87,772.00 for the two Tahoe vehicles and one 2008 Ford Mustang. She stated that Staff recommends approval.

Mayor Fugate called for questions or comments. Commissioner Wilson made a motion to authorize the purchase of the said vehicles as Staff recommends, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Laskowski, Pecos, Garcia, Wilson voting "FOR".

3. Consider waiving building permit fees for property located at 629 E Lee, Ms Elida Moreno, applicant. (City Manager).

City Manager Yerena stated a citizen had come in and stated that a local lumber store has donated lumber to fix this house. Mayor Fugate stated that the applicant is an elderly lady and the porch on her house was about to collapse. He stated that Mr. Charlie Sosa had approached him about waiving the building permit fees because Mr. Soto had gotten local

lumber yards to donate material to fix Ms Moreno's home. He added that Mr. Sosa is a contractor and will be building the house. He stated this is kind of a habitat for humanity on Kingsville's scale. Mr. Gutierrez stated the amount of permits is \$250.00. All structures on this property will be demolished and a new house will be built.

Mayor Fugate called for a motion. Commissioner Laskowski made a motion to approve waiving the building permit fees for the property located at 629 E Lee, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

Mayor Fugate announced the Executive Session. The Commission went into Executive Session at 12:14 P.M.

4. 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 and outside counsel regarding pending litigation concerning the City of Kingsville v. South Texas Water Authority, No. 07-053-D, in the 105th District Court of Kleberg County, Texas. (City Attorney).

The Commission went back into Regular Session at 12:41 P.M.

5. Consider removing from the table to consider authorizing the hiring of expert witnesses for the City of Kingsville v. South Texas Water Authority, No. 07-053-D, in the 105th District Court of Kleberg County, Texas. (TABLED 02/25/08) (City Attorney).

Mayor Fugate called for a motion to remove this agenda item from the table.

No motion was made.

6. Consider authorizing the hiring of expert witnesses for the City of Kingsville v. South Texas Water Authority, No. 07-053-D, in the 105th District Court of Kleberg County, Texas. (City Attorney).

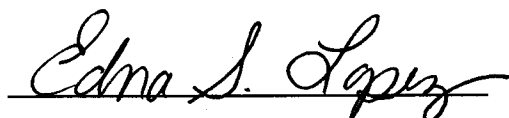
VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 12:42 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, City Secretary