

AUGUST 11, 2008

**A REGULAR MEETING OF THE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 11, 2008 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL/200 EAST KLEBERG AVENUE AT 6:00 P.M.**

**CITY COMMISSION PRESENT:**

Charles E Wilson, Commissioner  
Arturo Pecos, Commissioner  
Stanley Laskowski, Commissioner

**CITY COMMISSION ABSENT:**

Sam R Fugate, Mayor  
Al Garcia, Mayor Pro-tem

**CITY STAFF PRESENT:**

Carlos Yerena, City Manager  
Edna S Lopez, City Secretary  
Courtney Alvarez, City Attorney  
Frank Garcia, Wastewater Supervisor  
Armando Gutierrez, City Engineer  
Robert Rodriguez, Library Director  
Al Lopez, Fire Chief  
Ricardo Torres, Police Chief  
Diana Gonzales, Human Resource Director  
Mark Rushing, Finance Director  
Bill Donnell, Public Works Director  
Joe Casillas, Water Production Supervisor  
Jason Torres, Health Inspector

**I. Preliminary Proceedings.**

**OPEN MEETING**

Commissioner Wilson called the meeting to order in the Commission Chambers at 6:00 P.M. and announced quorum as present.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

The invocation was delivered by City Manager Yerena, followed by the Pledge of Allegiance and the Texas Pledge.

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

Commissioner Wilson called for consideration of the minutes of the regular meeting of July 28, 2008. **Commissioner Laskowski made a motion to accept the minutes, as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting “FOR”. Fugate, Garcia “ABSENT”.**

**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.”*

City Manager Yerena reported on the award of a tax credit project to the Kingsville Housing Authority.

Ms Alvarez reminded Staff about the photo session for the website and announced the schedule for the Diversity in the Workplace training class. She also announced that the next regular scheduled meeting will be on August 25<sup>th</sup>.

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

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

Commissioner Wilson called for comments on all agenda and non-agenda items. There were no comments.

Commissioner Wilson called for consideration of the items on Consent Agenda Item #1. Commissioner Laskowski made motion to remove Agenda Item #1 from the Consent Agenda, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR". Fugate, Garcia "ABSENT".

#### **V. Consent Agenda**

1. Motion to approve out of state travel on August 25<sup>th</sup> – 29<sup>th</sup>, 2008 for Task Force members to attend the Annual Motor Vehicle Criminal Interdiction, Intelligence Networking, & Training Conference in Kansas City, Missouri. Travel expenses will be reimbursed by DIAP/ EPIC. (City Manager).

City Manager Yerena stated the conference will be held in Kansas City Missouri and expenses will be reimbursed.

Upon a question from Commissioner Laskowski, Commander Gonzales responded there would be four (4) members traveling. He stated this is a National Conference and further explained the information that would be shared with other entities. He stated the \$2,000,000 seizure will be discussed. He added that the tractor trailer involved in that seizure is being utilized around the nation for training.

Commissioner Laskowski made a motion to authorize the out of state travel for four of the Task Force members to Kansas City, Missouri, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR". Fugate, Garcia "ABSENT".

### **REGULAR AGENDA**

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

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

2. Consider authorizing the purchase of 30 Panasonic CF 30 Toughbooks and related equipment for the Police Department. (Police Chief).

Chief Torres provided information on the equipment. He stated that these upgrades are being made due to current laptops in the field having reached their lifespan of approximately 5 to 6 years. He stated that the units are approximately 7 years old and they do not have enough RAM to work well with the current RMS/CAD system and create problems for the officers. The total expenditure is \$188,740.00 and will be covered by Federal Forfeiture Funds.

Commissioner Laskowski made a motion to authorize the purchase of the laptops, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR". Fugate, Garcia "ABSENT".

3. Consider certification of 2007 excess debt collections and the certification of 2008 anticipated collection rate, pursuant to Section 26.04(b) of the Texas Property Tax Code. (City Manager).

City Manager Yerena stated the next three items are tied together. Ms Melissa DelaGarza, Kleberg County Tax Assessor Collector. Ms DelaGarza read the information certifying the Certification of 2008 Anticipated Collection Rate, City of Kingsville Interest & Sinking Fund and the Certification of 2007 Excess Debt Collections, City of Kingsville Interest & Sinking Fund.

**Commissioner Pecos made a motion to approve, seconded by Commissioner Laskowski. The motion was passed and approved by the following vote: Wilson, Laskowski, Pecos voting "FOR". Fugate, Garcia "ABSENT".**

**4. Consider accepting certified total appraised, assessed, and taxable values of all property and total taxable values of new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (City Manager).**

City Manager Yerena stated this is a yearly item. Ms DelaGarza provided information on the Total 2008 Taxable Value on the 2008 Certified Appraisal Roll is \$638,767,459. She stated that the 2008 Total Taxable Value properties under protest \$9,461,860, the 2008 Values not under protest in the Certified Value \$319,140, for a grand total of the 2008 Total Taxable Value used in the calculations of \$648,548,459.

**Commissioner Laskowski made a motion to adopt the 2008 Values, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski, voting "FOR". Fugate, Garcia "ABSENT".**

**5. Consider a proposed tax rate; if proposed tax rate will exceed the effective tax rate or the rollback rate (whichever is lower), take record vote and schedule public hearings. (City Manager).**

City Manager Yerena stated at this time the City is not adopting a tax rate only looking at setting in motion a set of events to consider a proposed tax rate. Ms DelaGarza explained the Summary Schedules that were provided in the Commissions' packets. She stated that the effective tax rate for 2008 is \$.73814, a roll back tax rate is \$.80188 and the proposed tax rate is \$.80100 which is right below the City's roll back. She stated that last year's rate was \$.76781. She stated that a record vote was needed to set a proposed tax rate. She provided information on what will be published in the newspaper on Wednesday, August 13<sup>th</sup>. She further explained the Schedules A, B, & C. She explained the planning calendar and asked that the City notify her office if adjustments are needed.

Upon a question from Commissioner Wilson, City Manager Yerena replied that Staff feels comfortable with the calendar. Ms Alvarez stated that the calendar mirrors what has been done in the past. Commissioner Wilson stated this is not setting a tax rate; this is only giving the City an opportunity to start a calendar in motion to be able to continue the budget process and the public informed along the way.

**Commissioner Laskowski made a motion to adopt a proposed tax rate at \$.80187, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR". Fugate, Garcia "ABSENT".**

**Commissioner Laskowski made a motion to adopt the proposed calendar, as presented, to hold a public hearing on September 8<sup>th</sup> at 6:00 P.M. in the Council Chambers, a public hearing on September 15<sup>th</sup> at 6:00 P.M. in the Council Chambers, and a meeting to adopt the final tax rate on September 22<sup>nd</sup> at 6:00 P.M. in the Council Chambers, seconded Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR". Fugate, Garcia "ABSENT".**

**6. Consider whether or not to accept offer to donate land to the City for property located at 616 E Yoakum. (City Manager).**

City Manager Yerena stated Staff has reviewed the proposed offer and Staff's recommendation is not to accept the donation.

**Commissioner Laskowski made a motion to accept Staff's recommendation and decline the gift, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Wilson, Pecos, Laskowski voting "FOR" Fugate, Garcia "ABSENT".**

**7. Consider removing from the table approval of modification to City Manager's compensation. (Mayor Fugate). (TABLED 7/28/08)**

Commissioner Wilson stated that the last four agenda items are tied together. He stated that the Mayor and Commissioner Garcia are not present and that the Mayor had recommended the entire Commission to be present to voice their opinion. He stated it was his recommendation to leave on the table Agenda Items # 7 & 9, which would make Agenda Items #8 & 10 moot. He added that this basically requires no action.

Commissioner Wilson called for a motion. No motion was made.

**8. Consider approval of modification to City Manager's compensation. (Mayor Fugate).**

Commissioner Wilson stated this agenda item is moot.

**9. Consider removing from the table approving the final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, providing for the fiscal year 2007-2008 employee compensation plan. (Human Resource Director). (TABLED 7/28/08)**

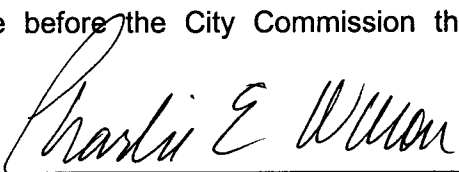
Commissioner Wilson called for a motion. No motion was made.

**10. Consider approving the final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, providing for the fiscal year 2007-2008 employee compensation plan. (Human Resource Director).**

Commissioner Wilson stated this item was moot.

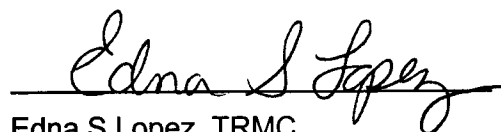
**VI. Adjournment.**

There being no further business to come before the City Commission the meeting was adjourned at 6:40 P.M.



Charles E Wilson, Commissioner

ATTEST:



Edna S Lopez, TRMC  
City Secretary