

DECEMBER 21, 2009

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 21, 2009 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  
Al Garcia, Commissioner  
Stanley Laskowski, Commissioner

**CITY COMMISSION ABSENT**

Charles E Wilson, Commissioner  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Carlos Yerena, City Manager  
Edna S Lopez, City Secretary  
Courtney Alvarez, City Attorney  
Ken Clark, Director of Development Services  
Naim Khan, City Engineer  
Yolanda Cadena, Health Director  
Mark Rushing, Finance Director  
Diana Gonzales, Human Resource Director  
Grace Garcia, Interim Task Force Commander  
Dianne Leubert, Solid Waste Superintendent  
John Garcia, Risk Manager  
Joe Casillas, Water Production Supervisor  
Al Lopez, Fire Chief

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate called the meeting to order in the City Commission Chambers at 6:09 P.M. and announced quorum as present, with three members 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**

Mayor Fugate called for consideration of the minutes of the regular meeting of Monday, December 14<sup>th</sup>, 2009. **Commissioner Laskowski made a motion to approve the minutes as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting “FOR”. Wilson, Pecos “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, Health Plan Update, Tax Increment Zone*

*Presentation, Pan American School infrastructure presentation. No formal action can be taken on these items at this time."*

City Manager Yerena reported on a successful Kingsville Wipe-Out Program (KWOP); on City offices closing for the Christmas holiday on Thursday & Friday, December 24<sup>th</sup> & 25<sup>th</sup>, 2009 and the New Year Day holiday on Friday, January 1<sup>st</sup>, 2010. He congratulated Staff for a successful Safety Incentive Banquet. A presentation of a "Certificate of Appreciation" for participation on the Toys for Tots Campaign was presented to Ms Teresa Cavazos, Planning Department Clerk. The next Commission meeting will be on January 11<sup>th</sup>, 2010. City Manager Yerena introduced the new Collections Manager, Ms Diana Medina.

Mayor Fugate congratulated Mr. John Garcia, Risk Manager on the successful Safety Incentive banquet. Commissioner Garcia wished everyone a Merry Christmas and a Happy New Year. Commissioner Laskowski thanked Staff for everything they have done throughout the year.

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

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.

#### V. Consent Agenda

NONE

#### REGULAR AGENDA

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

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

1. Consider approval of preliminary replat of Brownvilla. (Director of Development Services).

Mr. Clark stated this housing will be demolished and rebuilt. He added that the question that was asked about the storm drainage has been discussed and necessary measures were taken to make changes. Mr. Clark stated that the plans will satisfy the City's requirements.

Mayor Fugate called for further comments or questions.

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

2. Consider approval of final replat of Brownvilla. (Director of Development Services).

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

3. RESOLUTION NO. R2009-64 Consider approval of a resolution supporting the King High Historical Foundation's efforts to preserve the old H. M. King High School Building located at Kleberg Avenue and North 3<sup>rd</sup> Street and convert it into a new city hall. (Mayor Fugate).

Mayor Fugate stated the resolution is worded in a way not to commit the City, but to work with the Foundation.

Commissioner Laskowski made a motion to approve the resolution supporting the King High Historical Foundation's efforts to preserve the old H.M. King High School building, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Wilson, Pecos "ABSENT".

**4. Consider request from KCVB to participate in a New Year's event called Elegance Glitz & Glamour by providing liability insurance for the event which is to be held at the Henrietta Memorial Center from 8pm to 1am on Thursday, December 31, 2009. (City Manager).**

Mr. Garcia stated that during the evening the Boxing Club will be selling alcohol beverages and this will not be covered, but everything else will. Mr. Eddie Aguilera, KCVB, stated the Tourism department will be pulling the beverage license. The premium for providing liability insurance is \$100.00.

Commissioner Laskowski made a motion to approve the request from the KCVB to participate in the New Year's Eve event called Elegance Glitz & Glamour by providing the liability insurance for the event, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Wilson, Pecos "ABSENT".

**5. Consider introduction of an ordinance amending the Fiscal Year 2009-2010 Budget for the City of Kingsville to accept donations for Keep Kingsville Beautiful. (Finance Director).**

Mr. Rushing stated this is the first reading of a donation, the donation is for the bricking around the trees in the downtown area. The donation is from the Heart of Kingsville Restoration Beautification Project in a total of \$1,609.06.

#### INTRODUCTION ONLY

**6. RESOLUTION NO. R2009-65 Consider a resolution authorizing the submission of an application to the Coastal Bend Council of Governments for the purpose of requesting grant funding for storm warning sirens. (City Manager).**

Mayor Fugate stated this is self explanatory because the current sirens are not working. Commissioner Garcia suggested re-educating the public as to what the sirens sounds signify. Mr. John Garcia explained the City's plan.

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

**7. RESOLUTION NO. R2009-66 Consider a resolution authorizing the submission of an application to the Coastal Bend Council of Governments for the purpose of requesting grant funding for a generator package and automatic transfer switch for the Kingsville Police Department. (City Manager).**

Mayor Fugate stated this is needed to help provide enough electricity for the Police Department. Mr. John Garcia provided further information as to other items being requested. The cash match is a possible 20 – 25%.

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

**8. RESOLUTION NO. R2009-67 Consider a resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to Communities in Schools for a drug and alcohol prevention program. (City Manager).**

City Manager Yerena stated this would allow funding authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to Communities in Schools for a drug and alcohol prevention program in the amount of \$5,000.

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

**9. RESOLUTION NO. R2009-68 Consider a resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to Communities in Schools for a drug and alcohol prevention program. (City Manager).**

City Manager Yerena stated this is the same as the prior agenda item.

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

Mayor Fugate announced the Executive Session. The Commission convened into executive session at 6:40 P.M.

**10. 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 regarding contemplated litigation concerning a property located at 919 W. Avenue I. (City Attorney).**

The Commission reconvened into regular session. Mayor Fugate announced there was no action taken during executive session.


**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:00 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, City Secretary