

MAY 18, 2009

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 18, 2009 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 6:00 P.M.**

**CITY COMMISSION PRESENT:**

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

**CITY COMMISSION ABSENT:**

Sam R Fugate, Mayor

**CITY STAFF PRESENT:**

Edna S Lopez, City Secretary  
Courtney Alvarez, City Attorney  
Mark Rushing, Finance Director  
Yolanda Cadena, Health Director  
Joe Casillas, Water Production Supervisor

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Pro-tem Garcia called the meeting to order in the City Commission Chamber at 6:00 P.M. and announced quorum as present.

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

The invocation was delivered by Commissioner Wilson, followed by the Pledge of Allegiance and the Texas Pledge.

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

Mayor Pro-tem Garcia announced there were no minutes to consider.

**II. Public Hearing - (Required by Law).<sup>1</sup>**

Mayor Pro-tem Garcia announced there were no public hearings.

**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, Entrust Health Insurance Fund Presentation, Texas A&M University-Kingsville on improvement project. No formal action can be taken on these items at this time.”*

Ms Alvarez reported on the City Manager having a family medical emergency. She explained that she received a phone call regarding Agenda Item #1, scenario #4, and stated a resolution for a notice of redemption of the 2001 Certificates of Obligation will be on the agenda at the next meeting of Tuesday, May 26<sup>th</sup>. She reported on receiving notice from the 5<sup>th</sup> Circuit Court of Appeal on the dismissal for the Gloria Garcia case.

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

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

Mayor Pro-tem Garcia called for comments on all agenda and non-agenda items.

V. **Consent Agenda**

NONE

**REGULAR AGENDA**

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

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

**1. ORDINANCE ORD2009-11 Consider passage of an ordinance authorizing the issuance of \$1,865,000 City of Kingsville, Texas General Obligation Refunding Bonds, Series 2009; A Purchase Contract; A Paying Agent/Registrar Agreement; and approving all other matters related thereto. (City Manager).**

Ms Alvarez noted that the amount of the original draft ordinance at the time of preparing the agenda was \$1,865,000, but the actual funding for consideration for the final ordinance today is \$1,890,000. Ms Entrekin provided an update as to what the market looks like. She stated the rating reflects the City's consistent tax base expansion, strong financial position with healthy reserves, and stable local economy, which is tied to military services and agribusiness. She stated that the City's financial position remains strong and the City's management practices are considered good under Standard & Poor's Financial Management Assessment. She stated the insurance premium was 57.0 basis points about 3 basis points higher than the last premium, and the amount, \$12,542.19. She further explained the information in the handout. She stated that the City decided on going with scenario #4, which is refunding only the 1998 CO, the par amount of \$1,845,000, the maturities were not extended and were kept at 2010 – 2018, the coupons – 4.60% - 4.90% are currently callable. She stated that for Commissions' consideration the bond issue is \$1,890,000, the maturities – 2010-2018, at a True Interest Cost – 3.017%, Gross Debt Service Savings - \$79,716, Net Present Value Debt Service Savings - \$83,764; Present Value Benefit as a Percent – 4.540%, FYE 2010 Interest and Sinking Fund Tax Rate Increase – None; Gross Savings in Target Year 2010 - \$123,063; Reduction to General Fund Balance – None. Ms Entrekin recommended to the Commission that they accept the transaction.

Commissioner Garcia asked about the underwriter's discount. Ms Entrekin explained the three components; the takedown, the expenses, management fee. She added that this is customary for this size of transaction.

Mayor Pro-tem Garcia called for further questions or a motion. **Commissioner Wilson made a motion to authorize the issuance of \$1,890,000 City of Kingsville, Texas General Obligation Refunding Bonds, Series 2009, seconded by Commissioner Pecos. Ms Alvarez clarified that the motion included, A Purchase Contract; A Paying Agent/Registrar Agreement. The motion was passed and approved by the following vote: Garcia, Laskowski, Pecos, Wilson voting "FOR". Fugate "ABSENT".**

**2. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XIII, Article 2, Weapons control, Adopting §13-2-30(D) providing for discharge of firearms at indoor shooting galleries and pistol ranges, but not at trap shooting and skeet shooting establishments. (City Attorney).**

Ms Alvarez stated after discussion from the last meeting, the Commission was not interested in permitting trap shooting and skeet shooting establishments in the City limits. She stated based on that conversation this ordinance will be amended taking those galleries out.

**INTRODUCTION ONLY**

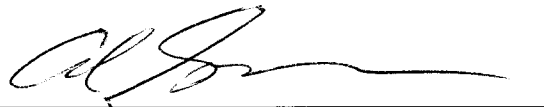
**3. ORDINANCE ORD2009-12 Consider final passing of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 6, Appendix A, Land Use Categories; Addition of shooting galleries and pistol ranges. (City Attorney).**

Ms Alvarez stated at the last meeting this was introduced, but when interest changed, the trap shooting/skeet shooting establishments was omitted, and added a specific land use description for the shooting galleries and pistol ranges (indoor). Commissioner Laskowski asked where C2 is located. Ms Alvarez replied this is commercial property general on the major thorough fares.

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

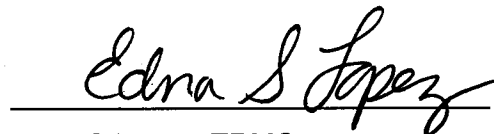
**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:25 P.M.



Al Garcia, Mayor Pro-tem

ATTEST:



Edna S Lopez, TRMC  
City Secretary