

FEBRUARY 22, 2010

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 22, 2010 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
Arturo Pecos, Commissioner
Stanley Laskowski, Commissioner
Charles E Wilson, Commissioner

CITY COMMISSION ABSENT:

Al Garcia, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Mark Rushing, Finance Director
Dora Byington, Purchasing Director
Yolanda Cadena, Health Director
Al Lopez, Fire Chief
Ricardo Torres, Police Chief
Robert Trescott, Downtown Manager
Bill Donnell, Public Works Director
Ken Clark, Director of Development Services
John Garcia, Risk Manager
Gary Fuselier, Landfill Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 6:03 P.M. and announced quorum as present, with Commissioner Garcia, absent.

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 Monday, February 8th, 2010. **Commissioner Laskowski made a motion to approve the minutes, as presented, seconded by Commissioner Wilson and Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Laskowski, Wilson, Pecos voting "FOR". Garcia "ABSENT".**

II. Public Hearing - (Required by Law).¹

NONE

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, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Chapter 59 project. No formal action can be taken on these items at this time."

City Manager Yerena reported on working with the University on a land use plan and communicating with them on the creation of a Tax Increment Financing Zone and rezoning of the property.

Ms Alvarez reported on receiving the Notice of Intent to negotiate with the Police Union on their collective bargaining contract; and that the next Commission meeting is scheduled for March 8th, 2010.

Commissioner Laskowski presented a "BECAUSE YOU CARE" award to the owner of "A & F Auto Sales located at 6th and Miller Street.

Commissioner Wilson welcomed Boy Scouts Troop 186, who are working on their merit badge.

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.

Mr. Eliseo Garcia, II, from Troop 186, Rivera, Texas, spoke on being present to work with scouts on merit badge.

Mr. Jack Curtis Lutenbacher, III, Ricardo, Texas, spoke on his position with Troop 186 and asked a question about transporting inmates.

Mayor Fugate called for consideration of the Consent Agenda, Items 1 & 2. **Commissioner Laskowski made a motion to accept the consent agenda, as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Pecos, Wilson, Laskowski voting "FOR". Garcia "ABSENT".**

V. Consent Agenda

1. **Motion to approve reappointing Mr. Frank Ureno, Mr. Otis Myers, Ms Joni B. Harrel, and Dr. Amy Hubert to the City-County Health Board to each serve another three (3) year term. (Health Director).**
2. **Motion to approve out of state travel for Police Corporal Mark Frost to attend Federal Trial in Knoxville, Tennessee pursuant to Federal Subpoena. (Police Chief).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. **Consider awarding Bid No. 10-29 authorizing approval of a contract to haul debris from demolished houses located throughout the City. (Purchasing Director).**

Ms Byington stated this item authorizes approval of a contract to haul debris from demolished houses located throughout the city. It is recommended the bid be awarded to Munoz Trucking Company from Kingsville. This action will cost approximately \$97,680.00; funds for these services will be expended from the 001-5-160.3-512.00 account.

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

4. **Consider introduction of an ordinance amending the Fiscal Year 2009-2010 Budget for the City of Kingsville to complete the Fire Station – Bay Addition. (Finance Director).**

Mr. Rushing provided some history, stating that last year the Commission appropriated \$135,000 for the completion of the fire station bay. At the end of 9/30/09 it expended \$119,481, with a balance of \$15,519 for the completion. He stated the last year's funds were appropriated from Fund 091 -Construction fund. He stated that this year the estimated revenues from the Alexander Billing service by \$15,519 and would still be safe for this year's estimate. He added it could be contained within the balance of Fund 001-General fund.

Upon a question from Commissioner Pecos, Mr. Rushing stated this will be for the construction to finish the bay. Fire Chief Lopez further explained the work that was left; stating the work needed is mostly finish work, two restrooms and storage. Upon a question from Mayor Fugate, Fire Chief Lopez replied the work is still being done in-house. Mr. Rushing stated the Fire Chief has a projection that outlines the material needed. Upon a question from Commissioner Laskowski, Mr. Rushing explained that the monies, \$135,000 was pulled from the Undesignated fund balance for several projects. He stated that the thought is that the monies can be absorbed from the general operating budget.

INTRODUCTION ONLY

5. Consider resolution authorizing the City Manager to enter into a Letter Agreement between the City of Kingsville and the American Red Cross for the purpose of collecting financial donations to benefit the American Red Cross and authorizing the City to participate in donation collection. (City Manager).

City Manager Yerena stated this agreement would allow the ability to assist in the coordination of donations to benefit the people of Haiti. Locations would be set up at City Hall, Police Department and other mobile locations for monetary donations. Upon a question from Commissioner Pecos, City Manager Yerena replied the agreement is very detailed oriented and the Finance Director will be coordinating the financial transactions. Upon a question from Commissioner Pecos, City Manager Yerena replied the City is looking at participating for a couple of weeks, the deadline is March 31st. Mr. Rushing stated the event is for forty-five (45) days from the point that it starts.

Mayor Fugate called for further questions. As a matter of housekeeping, Commissioner Wilson commented on not seeing a start date and end date, and asked if there is a 45 day window if that should be part of the resolution. Mr. Rushing stated this was a template that was provided; the City will only be allowed forty-five (45) days from the start date.

Upon a question from Mayor Fugate, Ms Alvarez replied that at the third "Whereas", the City desires to assist the Red Cross in its collection efforts, she would add for a period of forty-five (45) days.

City Manager Yerena stated this would require the City to set up an account at the Kleberg Bank and set up a separate fund.

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

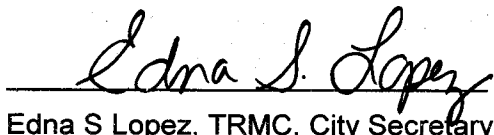
VI. Adjournment.

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



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, City Secretary