

JANUARY 30, 2012

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 30, 2012 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 5:30 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Al Garcia, Commissioner
Charles Wilson, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vincent J Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Yolanda Cadena, Health Director
Willie Vera, Task Force Commander
Frank Garcia, Wastewater Supervisor
Marco Jimenez, Water Supervisor
David Mason, Purchasing/Information System Director
Mark Rushing, Finance Director
Al Lopez, Fire Chief
Mike Kellam, Director of Development Services
Diana Gonzales, Human Resource Director
Naim Khan, City Engineer/Public Works Director
Bob Trescott, Downtown Manager
Robert Rodriguez, Library Director
Ricardo Torres, Police Chief
Diana Medina, Collections Director
John Garcia, Risk Manager
Joe Casillas, Water Production Supervisor
Caron Vela, Accounting Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 5:30 P.M., and announced quorum as present.

Mayor Fugate called for consideration of the minutes.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the regular meeting of Monday, January 23rd, 2012. **Commissioner Wilson made a motion to approve the minutes, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting “FOR”.**

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

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, Keep Kingsville Beautiful, 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, Main Street Downtown, Chapter 59 project, Financial Advisor presentation. No formal action can be taken on these items at this time."

City Manager Capell stated he had no Staff comments.

Ms. Alvarez reported on the deadline for agenda items for the next regular meeting is this Friday and next regular meeting of the Commission is on Monday, February 13th. She reminded everyone that later this week, school children will be out of school and asked that everyone be safe.

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. Steve Childers, 2522 North Private Road 1024 in North Kingsville, petitioned the Commission for basic city services for his home.

Mr. Lance Hamm, 912 South Creek, spoke about the aspects of the highway speed limit on Bypass 77 and stated that the resolution up for approval is vague.

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider approval of Kingsville Civil Service Rules and Regulations-Chapter 7 Classification. (Human Resources Director).

Human Resources Director Ms Diana Gonzales stated the Civil Service Commission met to review some changes requested by the Fire Department regarding the entry level requirements. The Commission voted on Chapter 7 – Classification which is another part of the update to the Civil Service rules. In particular, the section was 7.06 under the Fire Department entry level minimum requirements. The department has requested that entry level candidates must have their Texas Commission of Fire Protection certification or to be able to obtain it within 180 days, and that the EMT-P be registered with the National Registry of Emergency Medical Technicians.

The Police Department entry level minimum requirement remained the same.

Ms Gonzales called for questions. Commissioner Laskowski stated that at the present, the Fire Department hires without any type of certification and the City would pay them while they go to school. Ms Gonzales stated that was correct and the City would send them to get trained. The training for Fire Fighter has been expedited because they are able to take an on-line class and an in-service in order to receive their fire certification. For Paramedics, they go through the EMT program and recently there were changes to the Paramedic certification, which it requires a two year associates degree to become a Paramedic. She added that the City would lose out during that period of time if they hire someone with no prior education which increases the length of time to get a Paramedic on the road.

Fire Chief Al Lopez stated the Union is on board and this would save the city money.

Commissioner Pecos asked if Paramedics without an associate degree, were Grandfathered. Ms Gonzales replied that was correct, this change came about in January.

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

2. RESOLUTION NO. R2012-02 Consider resolution requesting the Texas Department of Transportation support a change in the speed limit on the US 77 By-Pass to 65 miles per hour from the northern city limit to the southern city limit of the City of Kingsville. (Commissioner Wilson).

Commissioner Wilson stated as Mr. Hamm stated in his remarks they have been working together for 3 to 4 weeks. He stated it did not seem reasonable to him that the City would have a speed limit change within the city limits, and he agrees with Mr. Hamm that it should be consistent from city limits to city limits. He added he doesn't necessarily agree with Mr. Hamm's comments that it is ambiguous or lacks definition. He stated that he would entertain Commissions' comments. Mayor Fugate and Commissioner Laskowski both agreed it looks pretty clear. City Manager Capell asked if the Commission would like to discuss the matter with TXDOT officials. Commissioner Wilson stated he wasn't interested and that he felt it was straight forward and gives them the information they need. Not speaking for law enforcement, he stated this is more consistent for them to go from 65 to 65, city limit to city limit, and this process would last longer.

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

3. Consider waiver of interest on demolition and weed liens for property located at 807-809 E. Johnston (Lot 2, Block 5, Retama Park) purchased at tax sale. (Commissioner Pecos).

Commissioner Pecos stated the owner of the property sold the property without knowing there was a lien for demolition and interest. The cost for the demolition and the interest is now more than what the property is worth. The owner is willing to pay for the cost of the demolition. The people that bought the property are building a house on the property, so this is a win/win situation. The amount the owner will pay is \$2,125 for demolition and weed liens. The city would be forgiving \$10,228.97 which is the interest total.

Commissioner Pecos made a motion to drop all interest and pay the amount for the demolition and weed lien amount, for a total of \$2,125, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Garcia, Pecos voting "FOR".

CONVENE INTO REPORTS FROM COMMISSION & STAFF – ITEM III- REGARDING PERSONNEL RELATED UPDATE.

The Commission convened into workshop at 5:50 P.M., City Manager Capell addressed the Commission. He stated he requested this work session due to the city experiencing high work turn-over because employees are going to work in oilfield work. The city is competing in terms of wages. There's several positions directly affected. Since this is early in the fiscal year, he stated it might be a good time to seek direction in terms of employee pay issues. The budget process should begin in about three months and he would like to put something together that the Commission would like to see. He requested the Commission provide some direction at this point, in terms of Staff putting together the budget which would be helpful. City Manager Capell stated he did not expect final decisions tonight but there are a couple of things that are time sensitive and if Staff could be pointed in a general direction then Staff could do study and come back to the Commission at a later date with more information.

City Manager Capell stated at the first workshop they talked about using one-time money. When talking about using one-time money usually you are talking about one-time expenses, for example in replacing equipment and repairing building. Those expenses generally occur periodically. He stated that employee pay is somewhat similar; an employee pay plan should not be walked away from. It needs to be revisited and adjusted frequently in order to keep the employee pay plan working for the city. The city wants to reduce as best they can the employee turnover. He stated since he's been here a short while, he's not sure the attention that was given to the employee pay plan. The city has a pretty good structure but if not visited frequently it will get out of date not only internal equity wise by comparing one position within in the city to another position in the city but also with the market. He stated that the Commission will be provided some information tonight. He stated he is trying to see what their response is in terms of proceeding with further study, as well with proceeding with the budget that will put together soon.

He stated a package of materials was sent to the Commission. To simplify, tab 1, is a one-time expenditure for the Human Resource package. Tab 1 has a recommendation to purchase a HR

package that would interface with the Incode general ledger and budgeting software package. Right now, the City doesn't have interface with some of the information and in order to generate the budget the City has spreadsheets which have to be manually entered into the budget to get information to the Commission. Another one-time expenditure would be if City Commission is at all interested to hire an outside company to do a compensation classification study which is quite expensive. He added it is not required to have an outside firm do that, actually Ms Gonzales has compiled quite a bit of good information.

Mayor Fugate stated that the City Manager already knew how he felt about that. He stated that he did not think that this Commission needs to be validated in this regard, look at other cities and compare.

City Manager Capell stated whether it is done externally or internally this needs to be done in order to find out where the city stands. He stated that the city doesn't have to get there in one single leap, but if the City knows what the target is then we can determine how fast we want to get there, how much money we want to devote to that on an annual basis and get there incrementally. He stated doing a study doesn't force the City Commission really to anything, it's only information. But if Staff is going to the effort, then several options can be on how to get there. He stated that the City's sales tax is looking good, as is Municipal Court revenues. This will give the City Commission some latitude to help get the pay plan where it needs to be. Basically, he is asking if the Commission wants Staff to do the work and present them with that information. Mayor Fugate stated it's whether or not the City can afford it. Commissioner Laskowski stated he would like to see comparisons which include everything, including benefits, a complete package. Mayor Fugate stated he would like to see a comparison from a city in North Texas.

City Manager Capell stated the Commission has given direction with regard to Tab 1, the HR study and software. He further explained the software package for finance. He stated this software would help provide more information. Commissioner Garcia asked if this would be a module to add-on. City Manager Capell replied this is a module to add-on to interface. One advantage of Incode is that it has a lot of capability to interface with other packages.

Human Resource Director, Ms Diana Gonzales addressed the Commission and explained the software package for the Human Resource department. City Manager Capell stated he would like to pursue this. He stated his understanding is that Staff had direction on the consensus of the Commission to do an internal study of the compensation plan and provide more information on the HR software.

City Manager Capell stated he requested from HR, information on positions that get hired away to other Cities. This study relates to Public Works employees and two job titles in the Health Department. This represents 94 positions. In comparison to salaries and compensation to other cities in the area, it is quite expensive, as much as \$45,000 in an annual basis, which is \$235,000 in the general fund and \$200,000 in the utility fund for a total of \$435,000. This is just to move those positions to be comparable in other cities positions, if you try to get there all in one jump. Plan B would get the city there at a cost of \$234,000, which is \$135,000 in the general fund and \$220,000 in the utility fund. Since the initial turnover, the city has been able to hire. Ms Gonzales stated since October 1st, the City has had 23 vacancies. The City spends money to do physicals, drug screens, to train and they leave to higher paying jobs, elsewhere.

City Manager Capell stated if the City would try to deal with this issue now, basically 94 employees, this are the cost figures. He added the study and analysis is needed. He stated the fund balance is wise, budget is strong and maybe the next step is to focus on the compensation pay structure and to try to stay competitive. Mayor Fugate suggested the City Manager bring the Commission some options. Commissioner Laskowski stated \$235,000 is 4 cents increase on the tax rate. City Manager Capell stated it will be incremental and agrees with the Mayor's suggestion of bringing them back some options. He stated another choice is try to refrain from growing city services, for instance, free brush pick up and two day service for garbage.

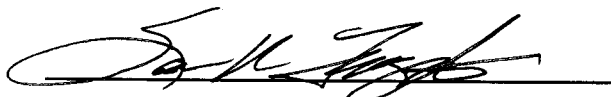
Commissioner Pecos stated he would like Staff to see the areas of the employees leaving and making the least money. City Manager Capell stated that's the right place to start. Mayor Fugate stated he would like for the City Manager to look at the City's numbers.

Lastly, City Manager Capell stated he had made some pay proposals in last year's budget and he would like to incorporate those in the overall city study. He plans to address employees in every city context, in terms addressing internal equity and market competitiveness. He stated he wouldn't leave out any employees, so the employees that he proposed in the budget he would include them as well. Commissioner Laskowski suggested if a study was being done it should be done from top to bottom. City Manager Capell agreed with Commissioner Laskowski. City Manager Capell called for questions.

Commissioner Garcia asked for information on the turnover at the Police department. Police Chief Ricardo Torres addressed the Commission, stating he is losing his employees to the State Attorney General office and other federal offices. Commissioner Garcia stated this issue has been addressed in past years. Chief Torres stated the City will never be able compete.

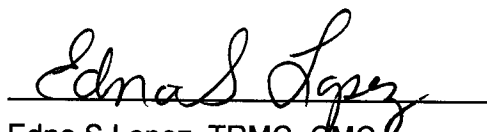
VII Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:35 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary