

SEPTEMBER 15, 2015

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, SEPTEMBER 15, 2015 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 1:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Dianne Leubert, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY COMMISSION ABSENT

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
Diana Gonzales, Human Resources Director
Melissa Perez, Risk Manager
Jessica Storck, Legal Assistant
Thelma Trevino, Administrative Assistant

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the City Commission at 1:03 p.m. with four City Commission members present. Commissioner Pecos being absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

Mayor Fugate waived the preliminary proceedings.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

NONE

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

1. NONE

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

"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, Tourism, 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, Water and Wastewater Rate Study presentation. No formal action can be taken on these items at this time."

Mayor Fugate stated that if the rest of the Commission members agree, he would like for staff to schedule a Special City Commission for Monday, September 21, 2015 at 12:00 p.m. for consideration to adopt the budget and tax rate.

Mrs. Alvarez commented that in reviewing the Tax Code and phoned the Comptroller's Office but they pointed us to the two sections that staff was already aware of, but essentially we would need to have, if it's going to be something other than effective rate, that rate would need to be adopted tomorrow. Anything beyond tomorrow would cause us to default to the effective rate. Due to conflicts within the two statutes, the one that was discussed 26.05 and 26.06.

Mayor Fugate asked for clarification.

Mrs. Alvarez stated that if it's going to be something other than the effective rate, it would need to be tomorrow.

Mayor Fugate asked if that is what the budget is proposed on, the effective rate.

Mrs. Alvarez stated that is proposed on \$.84220, the effective rate is \$.83216. Alvarez further stated that we can't set the tax rate without a budget. Procedurally you will have the budget adopted and then that sets the tax rate.

Mayor Fugate asked if there was an ordinance or state law that would allow it.

Mrs. Alvarez stated that the budget that the governing body adopts is what determines what the tax rate will be.

Mayor Fugate asked if the City Commission could call for an emergency meeting for tomorrow.

Mrs. Alvarez responded that this could be done.

IV. Public Comment on Agenda Items³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Executive Session: Under Section 551.074, Texas Government Code, Personnel Matters. The City Commission shall convene in executive session to interview City Manager applicants, Darla Jones, Jesus Garza, and David Vela and to deliberate the appointment and employment of said individuals for the position of City Manager and may include from time to time recesses as needed. (Mayor Fugate).

Mayor Fugate announced and convened the meeting into executive session at 1:08 p.m.

Mayor Fugate called for first interviewee to come into closed session at 1:18 p.m.

First interview ended at 1:45 p.m.

Mayor Fugate recessed the executive session at 1:45 p.m.

Mayor Fugate reconvened into executive session at 2:23 p.m.

Mayor Fugate called for second interviewee to come into closed session at 2:24 p.m.

Second interview ended at 3:14 p.m.

Mayor Fugate recessed the executive session at 3:14 p.m.

Mayor Fugate reconvened into executive session at 3:16 p.m.

Mayor Fugate recessed the executive session at 3:44 p.m.

Mayor Fugate reconvened into executive session at 3:53 p.m.

Mayor Fugate called for third interview to come into closed session at 3:53 p.m.

Third interview ended at 5:00 p.m.

Mayor Fugate recessed the executive session at 5:00 p.m.

Mayor Fugate reconvened into executive session at 5:05 p.m.

Mayor Fugate reconvened the meeting into open session at 5:10 p.m.

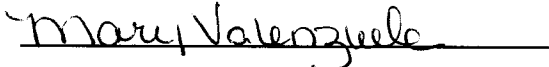
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:10 p.m.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, TRMC, City Secretary