

City of Kingsville, Texas

AMENDED AGENDA **CITY COMMISSION**

MONDAY, MAY 21, 2012
SPECIAL MEETING

HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
6:00 P.M.

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

APPROVED BY:


Vincent J. Capell
City Manager

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, 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. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items³

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

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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)

1. Motion to approve final passage of an ordinance amending the Fiscal year 2011-2012 Budget for the General Fund Capital Projects Fund for \$5,000.00 for the beautification project on Yoakum St. to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on May 12, 2012. (City Secretary).

(CONSIDERE UNA RESOLUCIÓN Y ORDEN DE ESCRUTINIO DE LOS VOTOS DE LAS ELECCIONES, EN QUE SE DECLARAN LOS RESULTADOS DE LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, LLEVADAS A CABO EL 12 DE MAYO DE 2012.) (SECRETARIA MUNICIPAL).

3. Consider authorizing the purchase and installation of a Radio Dispatch Workstation for the Kingsville Police Department for \$62,749.00 from Fund 001-5-103.0-328.17 Claims – Police Department Communications as per staff recommendation. (Chief of Police).

VII. Adjournment.

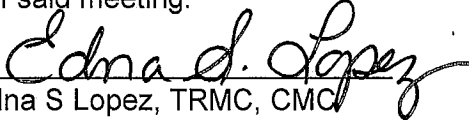
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizens comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail citysec@cityofkingsville.com for further information. Braille Is Not Available. The City of Kingsville reserves the right to convene into Closed Session under Government Code 551.071-551.074 and 551-086 regarding any item on this agenda.

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board in the City Hall, 200 East Kleberg, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

May 18, 2012 at 2:15 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.


Edna S Lopez, TRMC, CMC
City Secretary
City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: _____

By: _____
City Secretary's Office
City of Kingsville, Texas

MINUTES OF PREVIOUS MEETING(S)

MAY 14, 2012

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 14, 2012 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
Charles Wilson, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Naim Khan, City Engineer/Public Works Director
David Mason, Purchasing Director
Mark Rushing, Finance Director
Gary Fuselier, Landfill Supervisor
Bob Trescott, Downtown Manager
Yolanda Cadena, Health Director
Frank Garcia, Wastewater Supervisor
Robert Rodriguez, Library Director
Mike Kellam, Director of Development Services
Luke Stevens, Sanitation Supervisor
Bill Donnell, Asst Public Works Director
Roel Carrion, Interim Fire Chief
Ken Starr, Asst Task Force Commander
John Garcia, Risk Manager
Ricardo Torres, Police Chief
Caron Vela, Accounting Manager
Diana Gonzales, Human Resource Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 6:00 P.M. and announced quorum as present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mr. Mark Rushing 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, April 23rd, 2012. **Commissioner Laskowski made a motion to accept the minutes as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Wilson, Pecos, Laskowski voting “FOR”.**

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, 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, PublicInformation, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time."

Ms Alvarez announced the next special meeting of the City Commission is on Monday, May 21st to canvass the election; the swearing-in is on the 24th; and the next regular meeting of the City Commission is on the 29th. City office will be closed on Monday, May 28th for the Memorial Day holiday; and deadline for items for the next agenda is on Friday, May 18th. She congratulated Ms Valerie Valero, Engineering department employee on her recent graduation.

Commissioner Wilson congratulated the newly elected Commission and personally thanked all of Staff for all their hard work. He announced the Library Department has a free language class, called Mango and spoke on origin of fare winds and following seas, a nautical blessing. Lastly, he thanked his wife, daughter, and father, who were in the audience, for their support.

Commissioner Laskowski echoed Commissioner Wilson's comments. He thanked his wife and Staff.

Mayor Fugate presented Commissioner Wilson and Commissioner Laskowski with a proclamation and a City of Kingsville watch.

Mayor Fugate presented a proclamation for "National Curves Day".

Commissioner Laskowski presented a "Because You Care Awards" to Exxon Mobil Employees.

Commissioner Garcia spoke about always working closely with the outgoing Commissioners and thanked them for their services.

Commissioner Pecos commented that the outgoing Commissioners are taking a lot of experience and they will continue to do the best for the City.

Mayor Fugate commented in the last eight years he has never seen a hidden agenda and if there was a disagreement it was an honest disagreement.

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. There were no comments.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-6. **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, Garcia, Pecos, Wilson, Laskowski voting "FOR".**

V.

Consent AGENDA

1. **ORDINANCE NO. 2012-24 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund in the amount of \$5,000.00 for the request from the Parks Department for the Brookshire Pool renovations. (Finance Director).**
2. **ORDINANCE NO. 2012-25 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the Municipal Court Technology Fund Computer Equipment Supplies in the amount of \$3,553.00. (Finance Director).**
3. **ORDINANCE NO. 2012-26 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the Utility Fund Capital Projects Fund 054 for the Water Production Department Well #19 Pump House to Fund 062 CO2005 in the amount of \$12,987.00. (Finance Director).**
4. **ORDINANCE NO. 2012-27 Motion to approve final passage of an ordinance amending Chapter VII, Article 5, Traffic Schedules, temporarily setting a construction speed zone of 55 miles per hour to be in effect when signs are displayed within the construction project on US Highway 77, from 4,300 feet north of Caesar Avenue to 8,500 feet south of Caesar Avenue, with the completion and/or acceptance of each project cancelling the provisions of the ordinance and causing the removal of any remaining construction speed zone signs. (City Engineer/Public Works Director).**
5. **RESOLUTION NO. 2012-20 Consider resolution authorizing participation in Local Border Security Program FY2012 with the Texas Department of Public Safety for Law Enforcement Personnel overtime and operational costs; Authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).**
6. **RESOLUTION NO. 2012-21 Consider resolution authorizing the Task Force Commander to enter into an Interlocal Cooperation Agreement between the City of Kingsville – Kingsville Specialized Crimes and Narcotics Task Force and the City of Krum – Krum Police Department for loan of Law Enforcement Services Canine. (Task Force Commander).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. Consider authorizing the transfer of donated funds (\$333.03) from the nonexistent Task Force Explorer Post #700 to the existing Kingsville Border Patrol Explorer Post #531. (Task Force Commander).

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

8. RESOLUTION NO. 2012-22 Consider resolution in support of Senate Bill 1917 by Zaffirini relating to the Hotel Occupancy Tax Exemption. (Commissioner Laskowski).

Commissioner Laskowski stated the City of George West is having a problem due to oil field workers filling their hotels and if you are trying to fund tourism with hotel/motel taxes you don't have any. The City of George West has seen a reduction of about 85% of their hotel/motel tax collections. This supports the introduction of the legislation asking that they requirement for the exemption of 30 day be taken out of the hotel/motel tax legislation.

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

9. RESOLUTION NO. 2012-23 Consider resolution authorizing the City Manager to enter into a revised Water Utility Supply Contract (GOV. Contract #N69450-12-C-0011) between the City of Kingsville and the Federal Government for Naval Air Station-Kingsville. (City Engineer/Public Works Director).

Mr. Khan stated this item was previously presented to the Commission and it was approved conditionally that it needed to be revised regarding the section about the rates. Instead of revising, they would like to remove that wording. Staff discussed and agrees that under clause 52.241-7 (a)(2) on page 12 refers to the same wording about the rate increase.

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

10. RESOLUTION NO. 2012-24 Consider resolution authorizing the Mayor to enter into an Interlocal Cooperation Agreement between the City of Kingsville and

Texas A&M University-Kingsville relating to Engineering design work for Kleberg Avenue between the Kleberg County Courthouse and Third Street. (City Engineer/Public Works Director).

Mr. Khan stated the need for this design work Kleberg Street was presented to the Commission during a workshop session on January 23rd and the proposal was approved on February 27th, now this is an Interlocal that needs to be approved in order to start the work.

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

11. Consider authorizing additional funding in the amount of \$39,227.93 to TxDOT for Caesar Ditch Improvement project. (City Engineer/Public Works Director).

Mr. Khan stated this item was approved on August 28, 2011 but the cost estimate has increased by \$39,227.93. Upon a question from Commissioner Laskowski's request, Mr. Khan explained the spending of \$400,000 on Caesar Street. Commissioner Laskowski stated this will help tremendously to increase the volume of water that can be handled in Caesar ditch and get it moved across Hwy 77.

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

12. Consider authorizing the cost sharing agreement with Franklin Welding Service, Inc. for the extension of 8" water line on Young Drive, for a total cost of \$25,554.47 for project including materials, sampling, labor and equipment, with each party paying half (\$12,777.24) of said cost as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this company is expanding their building and they don't have any fire hydrants close to their property which is very dangerous. After several discussions it was decided that the total cost is split in half.

Commissioner Laskowski asked if actual hours spent on project are noted and charged to the company if there is extra time spent on project. Mr. Khan stated normally there is record of actual hours kept, but this was not discussed with the company. Commissioner Laskowski suggested the company be charged if the project takes longer to complete.

Commissioner Laskowski made a motion to move forward with this project, with the understanding that any cost increase above and beyond the actual estimated cost be shared equally 50/50 with the City of Kingsville and Franklin Welding, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

13. Consider authorizing the purchase of one front end loader with a grapple for the Landfill in the amount of \$93,440.60 from Fund 087-5-170.2-711.00 Solid Waste Capital Projects as per staff recommendation. (Purchasing Director).

Mr. Mason stated this is a HGAC quote. This action will expend \$93,440.60 which is less than the \$120,000 allocated for this purchase.

Commissioner Laskowski made a motion to authorize the purchase the front-end loader, as recommended by Staff, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

14. Consider authorizing the purchase of one truck with refuse body for the Sanitation Department for \$230,728.00 with cost after trade-in of \$200,728.00 from Fund 087-5-170.2-711.00 Solid Waste Capital Projects as per staff recommendation. (Purchasing Director).

Mr. Mason stated this is a Kann Manufacturing Commercial Side Loader with the grabber option on a Peterbilt 320 Chassis. This would greatly assist the department. This is a HGAC quote. The 2004 International is being traded-in.

Commissioner Wilson made a motion to authorize the purchase as per Staff recommendation, seconded by Commissioner Laskowski. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

15. Consider authorizing a contract be awarded to Standard Cement Materials, from Houston, Texas in the amount of \$160,000.00 allowing for continuing project of upgrading manholes by priority of disrepair as funding allows from CO2005 Utility Fund as per staff recommendation. (Purchasing Director).

Mr. Mason stated this was done as a RFP to see if there were additional respondents. There were 2 respondents. Staff recommends the contract be awarded to Standard Cement Materials, Houston, Tx in the amount of \$160,000. I & I studies have shown this needs replacing.

Commissioner Wilson made a motion to authorize contract not to exceed \$160,000, seconded by Commissioner Laskowski and Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

16. Consider authorizing a contract be awarded to Radiant Industrial Solutions, Inc., from Houston, Texas in the amount of \$122,673.00 to upgrade UV Lighting and associated electrical panel at the 3mgd Wastewater Plant from CO2005 Utility Fund as per staff recommendation. (Purchasing Director).

Mr. Mason stated there are issues with the current UV lighting. This action will expend \$113,473 for lighting and \$9,200 for electrical installation totaling \$122,673. It is recommended the contract be awarded to Radiant Industrial Solutions, Inc. from Houston, Texas.

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

17. Consider authorizing the contribution of \$5,000.00 from Fiscal Year 2010-2011 Surplus Funds for the Keep Kingsville Beautiful landscaping project at Yoakum Street as per recommendation. (Mayor Fugate).

Mayor Fugate stated the City lacks \$5,000 to complete the \$22,000 project.

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

18. Consider introduction of an ordinance amending the Fiscal year 2011 2012 Budget for the General Fund Capital Projects Fund for \$5,000.00 for the beautification project on Yoakum St. to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).

Mayor Fugate stated this item is to make the accounting warrant for the previous agenda item.

INTRODUCTION ONLY

19. RESOLUTION NO. 2012-25 Consider resolution authorizing implementation of annexation procedures for Lot 9, Section 22, K.T.&I. Subdivision; setting dates, times and places of public hearings; and authorizing public hearing notices and any other requirements required by law. (Director of Development Services).

Mr. Kellam stated this is the Hawks Landing area, 1996 it was agreed not to annex for five (5) years and that period of time has since expired. The City is following through with what Staff feels is necessary for the City and we feel it is necessary to incorporate that into the City. The City already provides basic services and fire/police protection. Staff needs Commissions' blessing to continue. Commissioner Laskowski thanked its only 9 years late. Property on the tax rolls

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

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:02 P.M.

Sam R Fugate, Mayor

ATTEST:

Edna S Lopez, TRMC, CMC
City Secretary

PUBLIC HEARING(S)

**PETITIONS,
GRIEVANCES, &
PRESENTATIONS**

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 BUDGET FOR THE GENERAL FUND CAPITAL PROJECTS FUND FOR THE BEAUTIFICATION PROJECT ON YOAKUM ST. TO UTILIZE FISCAL YEAR 2010-2011 SURPLUS FUNDS.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2011-2012 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 001	General Fund				
<u>Capital</u>					
2		Fund Balance (FY 2011)	610.00		<u>5,000</u>
					<u>5,000</u>
<u>Expenses</u>					
690.0	Fund Exp/Trsfers	Transfer to Fund 091	394.91	<u>5,000</u>	
				<u>5,000</u>	

[To draw down and transfer FY 2011 General Fund balance reserves created from FY 2011 fiscal surplus.]

Fund 091	General Fund Capital Projects Fund				
<u>Revenues</u>					
4-000		Transfer from Fund 001	750.15	<u>5,000</u>	
				<u>5,000</u>	
<u>Expenses</u>					
160.1	Planning	Professional Services	314.00	<u>5,000</u>	
				<u>5,000</u>	

[To pay for the Development Services Planning Division's City contribution for KKB landscaping at Yoakum St.]

II.

THAT all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

THAT this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 14th day of May, 2012.

PASSED AND APPROVED on this the ___ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	Amount Available for Total Projects
Total of FY11 Surplus					1,530,216.00		\$ 1,530,216.00
				Deduct: Adjustment FY11 Surplus-FY11 Ambulance Billing correction	(137,726.00)		(137,726.00)
				Add: Adjustment FY11 Surplus-FY11 Property Taxes correction	43,260.00		43,260.00
				Add: Tentative Arbitrage Contingent Liability Savings	3,453.00	99,803.00	103,256.00
				Add: FY11 Inventory Adjustment (Note E)	(49,753.00)	56,735.00	6,982.00
				Add: Funding from Fund 062 CO 2005		50,000.00	50,000.00
				Add: Funding from Fund 054 Fund Balance		12,987.00	12,987.00
				Adjusted Total Funding Sources	1,389,450.00	219,525.00	1,608,975.00

#1							
18	02/13/2012	091-5-101.0-314.00	City Manager	City Match for Certified Local Government (CLG) app	6,250.00		
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - fence slats	1,500.00		
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - exterior repairs	11,750.00		
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - landscaping	3,500.00		
13	02/13/2012	091-5-210.0-212.00	Police	Body armor replacement	80,453.00		
12	02/13/2012	091-5-210.0-511.00	Police	Building repairs	17,000.00		
14	02/13/2012	091-5-210.0-591.00	Police	Beautification project	36,445.00		
11	02/13/2012	091-5-220.0-226.00	Fire	2 laptops	4,616.00		
11	02/13/2012	091-5-220.0-712.00	Fire	2 power stretchers	17,591.00		
17	02/13/2012	091-5-301.0-217.00	Engineering	GIS equipment and server - GPS units	2,200.00	2,200.00	
17	02/13/2012	091-5-301.0-314.00	Engineering	GIS equipment and server - GIS software installation	2,500.00	2,500.00	
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS software	3,825.00	3,825.00	
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS server	11,000.00	11,000.00	
16	02/13/2012	091-5-305.0-521.01	PW - Street	Street repaving - Ailsie	269,378.00		
16	02/13/2012	091-5-305.0-521.02	PW - Street	Street repaving - Armstrong	237,770.00		
Total of Projects Presented at 2/13/12					(705,778.00)	(19,525.00)	(725,303.00)

#2							
25	02/27/2012	091-4-000-720.30	Revenue	Donations - KCVB	6,250.00		
9	03/08/2012	091-4-000-394.00	Revenue	Intergovernmental Revenue - Kleberg County	1,750.00		
Total Additional Revenue					8,000.00		8,000.00
9	02/27/2012	091-5-101.0-314.00	City Manager	KCVB Match for Certified Local Government (CLG) app	6,250.00		
14	02/27/2012	091-5-301.0-314.00	Engineering	Kleberg Ave engineering design-\$30K for TAMUK assistance	29,825.00		
15	02/27/2012	091-5-220.0-212.00	Fire	Bunker gear (Note B)	45,971.00		
16	02/27/2012	091-5-440.0-712.00	Health	Scag mower (Note B and Note D)	3,500.00		
Total of Projects Presented at 2/27/12					(85,546.00)		(85,546.00)

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	Amount Available for Total Projects
#3	19						
	16	03/08/2012	091-5-160.1-314.00	Development Services	10,000.00		
	18	03/08/2012	091-5-160.3-591.00	City contribution for KKB landscaping at Yoakum St. Dumpster enclosure pilot program (Note D)	24,850.00		
				Total of Projects Presented at 3/08/12	(34,850.00)		(34,850.00)
#4	25						
	24	03/26/2012	091-5-160.1-591.00	Development Services	47,432.00		
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	18,000.00		
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	18,000.00		
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	18,000.00		
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	18,000.00		
	23	03/26/2012	091-5-305.0-711.00	PW - Street	33,616.00		
	14	03/26/2012	091-5-302.0-713.00	PW - Service Center	23,080.00		
	15	03/26/2012	091-5-302.0-591.00	PW - Service Center	5,490.00		
	16	03/26/2012	091-5-302.0-217.00	PW - Service Center	4,919.00		
	17	03/26/2012	091-5-302.0-591.00	PW - Service Center	4,620.00		
	18	03/26/2012	091-5-302.0-591.00	PW - Service Center	28,519.00		
	19	03/26/2012	091-5-302.0-591.00	PW - Service Center	8,440.00		
	20	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	500.00		
	21	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	3,270.00		
				Total of Projects Presented at 3/26/12	(231,886.00)		(231,886.00)
#5	10						
	9	04/09/2012	091-5-180.1-726.00	Purchasing/Finance	67,408.00		
				Total of Projects Presented at 4/09/12	(67,408.00)		(67,408.00)
#6	6 & 11						
	5	04/23/2012	091-5-450.0-591.00	Parks	5,000.00	200,000.00	
	10	04/23/2012	054-5-600.2-720.19	Brookshire Pool renovations (Note B) Water Well #19 pump house rehab (Note A)	(5,000.00)	(200,000.00)	
				Total of Projects Presented at 4/23/12	(5,000.00)	(205,000.00)	
#7	18						
	17	04/14/2012	091-5-160.3-591.00	Development Services	5,000.00		
				Total of Projects Presented at 4/14/12	(5,000.00)		(5,000.00)
				Total Remaining Net Surplus	261,982.00	-	261,982.00

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Date of Commission Meeting	Gl. Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	Amount Available for Total Projects
				Total Remaining Net Surplus	261,982.00	-	261,982.00
				Other Possible Projects			
N/A	N/A	TBD	City Manager	City Match for Post Office Lot Upgrade	30,000.00		
N/A	N/A	TBD	City Manager	HEB Canopy Relocation, Installation & Site Development	23,500.00		
N/A	N/A	TBD	City Manager	Way finding	30,000.00		
N/A	N/A	TBD	Fire - Volunteer	City Match for new garage bay adjacent to existing fire station	20,000.00		
N/A	N/A	TBD	Library	Fix longstanding plumbing and A/C problems	56,040.00		
N/A	N/A	TBD	PW - Street	Parking lot 7th & Yoakum	60,000.00		
				Total of Other Possible Projects	(219,540.00)	-	(219,540.00)
				Net Total FY2011 Surplus (Deficit)	42,442.00	-	42,442.00

Note A: Research Pending - (1) rolling stock/equipment replacement reserve, (2) technology equipment replacement reserve,

and (3) the cost to rehab the existing and/or build a new pump house for Water Well #19.

Note B: Projects Added - (1) Fire bunker gear (\$45,971) and (2) Health Dept. Scag lawnmower repairs (\$3,500-1/2 paid by County and 1/2 paid by City)

These are supplemental projects requested after the 1/23/12 workshop communicated to the City Commission in an e-mail dated 2/1/12.

Purchase of 4 1/2 ton pick up trucks and 1 utility truck for a total of \$106,000 for Public Works departments and the Recycling Center fence enclosure

for after-hours recycling (\$3,270) requested on an email dated 2/14/12. Parks Dept. request from the City for 1/4 of the Brookshire Pool renovations.

Note C: Projects Removed - (1) Honorary alternative naming of 6th Street (\$10,000), (2) Human Resources Information System (HRIS) personnel management (\$34,354),

and (3) Exterior repairs to Recycling Center which was double counted (\$19,780), (4) Recycling Center trailer (\$90,000).

Note D: Project Cost Changes - (1) lower dumpster enclosure pilot program from \$60,000 to \$24,850 (\$35,150), (2) lower corridor landscaping pilot program from \$60,000

to \$47,432 (\$12,568), (3) Health Dept. Scag mower from \$10,710 (new) to \$3,500 (repair existing one) (\$7,210) and (4) lower Public Works projects of the welding

shed, auto gate opener, pressure washer, catwalk, gas pump canopy, and fence slats for a total of \$82,210 (\$12,090) and (5) additional amount for the fence slats at

the Recycling Center from #1 above, since the quote was \$2,000; (6) Lower time clock and attendance management system for a total of \$67,408 (\$12,592);

(7) Additional funds needed for the beautification project at Yoakum St.

Note E: The inventory adjustment is due to a physical year-end inventory taken September 30, 2011, in connection with year end audit.

(REGULAR AGENDA)

AGENDA ITEM #2

RESOLUTION #2012-_____

**A RESOLUTION AND ORDER CANVASSING THE ELECTION RETURNS
AND DECLARING THE RESULTS OF THE CITY OF KINGSVILLE'S
GENERAL ELECTION CONDUCTED ON MAY 12, 2012.**

WHEREAS, in accordance with the order of this governing body that the City Secretary posted notice of the date and place of this meeting seventy-two hours preceding the date of this meeting.

WHEREAS, the returns of an election held on the 12th day of May, 2012 for the purpose of electing a Mayor and four City Commissioners and it appearing from said returns, duly and legally made, that there were cast at said election 1,954 valid and legal votes.

NOW THEREFORE BE IT RESOLVED by the City Commission of the City of Kingsville, Texas:

I.

That said election was duly called; that notice of said election was given in accordance with law, and that said election was conducted in accordance with laws of the State of Texas;

II.

That each of the candidates in said election received the following votes.

MAYOR:

TOTAL VOTES:

Sam R. Fugate	1,436
---------------	-------

CITY COMMISSIONER:

Jesse Rios	547
------------	-----

Alonzo "Al" Lopez	666
-------------------	-----

Al Garcia	805
-----------	-----

Lance D. Hamm	597
---------------	-----

Dianne Leubert	715
----------------	-----

Arturo Pecos	725
Tomas Sanchez	463
Tina Galvan	515
Noel N. Pena Jr.	779

III.

Attached hereto as Exhibit A is the official tabulation stating for each candidate the total number of votes received in each precinct and the sum of the precinct totals.

IV.

THAT Sam Fugate, was elected as **MAYOR** of the City of Kingsville; and Al Garcia; Noel N. Pena, Jr., Arturo Pecos, and Dianne Leubert, were elected as **CITY COMMISSIONERS**; and,

THAT the above named officials are hereby declared duly elected to said respective offices, subject to the taking of their oaths of office as provided by the laws of the State of Texas and the City Charter of the City of Kingsville, Texas; and

APPROVED this the 21st day of May, 2012 by majority vote of the City Commission of the City of Kingsville.

Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

RESOLUCIÓN #_____

UNA RESOLUCIÓN Y ORDEN DE ESCRUTINIO DE LOS VOTOS DE LAS ELECCIONES, EN QUE SE DECLARAN LOS RESULTADOS DE LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, LLEVADAS A CABO EL 12 DE MAYO DE 2012.

CONSIDERANDO QUE: De acuerdo con la orden de este órgano directivo, la Secretaria Municipal publicó un aviso de la fecha y lugar de esta reunión, setenta y dos horas antes del día en que se realizó dicha reunión.

CONSIDERANDO QUE: Basándose en los resultados de unas elecciones llevadas a cabo el 12 de mayo de 2012 para efectos de elegir un Alcalde y cuatro Comisionados Municipales, se concluye que en dichas elecciones se emitieron, debida y legalmente, 1,954 votos válidos y legales.

POR LO TANTO, SE HA RESUELTO, por parte de la Comisión Municipal de la Ciudad de Kingsville, Texas:

I.

Que dichas elecciones fueron debidamente convocadas; que se dio aviso de dichas elecciones conforme a la ley, y que dichas elecciones se llevaron a cabo de acuerdo con las leyes del Estado de Texas;

II.

Que cada uno de los candidatos en dichas elecciones recibió los siguientes votos:

ALCALDE:

TOTAL DE VOTOS:

Sam R. Fugate	1436
---------------	------

COMISIONADO MUNICIPAL:

Jesse Rios	547
------------	-----

Alonzo "Al" Lopez	666
-------------------	-----

Al García	805
-----------	-----

Lance D. Hamm	597
---------------	-----

Dianne Leubert	715
----------------	-----

Arturo Pecos	725
Tomas Sanchez	463
Tina Galvan	515
Noel N. Pena, Jr.	779

III.

Adjunto a este documento se encuentra el Anexo A, que es la tabulación oficial que indica el número total de votos que cada candidato recibió en cada distrito electoral y la suma de los totales de cada distrito.

IV.

Que Sam Fugate, fue elegido **ALCALDE** de la Ciudad de Kingsville; y Al García, Noel M Pena, Jr., Arturo Pecos y Dianne Leubert, fueron elegidos **COMISIONADOS MUNICIPALES**; y

Que se declara que los funcionarios nombrados anteriormente han sido debidamente elegidos para ocupar dichos cargos, sujetos a prestar juramento de su respectivo cargo, como lo disponen las leyes del Estado de Texas y el Fuero Municipal de la Ciudad de Kingsville, Texas.

APROBADA por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas, este día 21 de mayo de 2012.

Sam R. Fugate, Alcalde

ATESTIGUA:

Edna S. López, Secretaria Municipal

APROBADA RESPECTO A FORMA:

Courtney Álvarez, Abogada Municipal

AGENDA ITEM #3

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

TO : Vincent J. Capell, City Manager
Courtney Alvarez, City Attorney

FROM : Ricardo Torres, Chief of Police

DATE : May 18, 2012

SUBJECT : Request for Approval to Purchase Radio Dispatch Console

The Kingsville Law Enforcement building was struck by lightning on Friday, April 20th, 2012. I sent the attached e-mail to inform you of the initial issue with our radio console.

Mr. Capell:

During the storm last Friday, April 20th, 2012 our communications section was struck by lightning. I witnessed the strike as a fizzing of electrical systems in communications along with telecommunicator Brittany Ledesma and Lt. George Crocker. The main console radio went out at the time so we had to operate off of our secondary radio position. Today we called Dailey Wells to send a technician to diagnose the problems. He found that one of our antennas, an RF frequency modulator, a card in the PC controller and a card in the console controller had all been damaged as a result of the lightning strike. The technicians are continuing to diagnose the problem but it appears that it will be a costly repair if in fact it is not a total replacement of the system.

Fortunately Daniel Salazar, an adjustor with TML Risk Pool was here interviewing some of our personnel on another matter. John Garcia, Risk Manager was here with him as well. Mr. Salazar informed us that we have insurance coverage for acts of god and that our deductible is \$1000.00. I spoke to John Garcia and he has all ready filed a claim with TML Risk Pool. We are currently operating on our secondary radio position until such time as we are able to bring our primary position back up and functioning properly. I shall keep you abreast of any developments regarding this issue.

*Ricardo Torres
Chief of Police
Kingsville Police Department
Kingsville, Texas 78363
PH# (361) 592-4311 Option #5
Fax# (361) 593-1714
E-mail: chiefofpolice@kingsvillepd.us*

John Chavez, Harris/Dailey Wells Manager and radio technician has done a full diagnostic evaluation of your radio system and has determined that due to the fact that the console is being used at an "Emergency Call Center," that it would be best to replace the system. Zetron will not repair any of the network cards that were damaged due to potential liability if they should fail. They will also not repair other portions of the console because in repairing those parts other parts could fail.

I have attached a copy of the cost associated with the replacement and installation of the Radio Dispatch Workstation at a cost of \$62,749.00. This item is a sole source item.

Our insurance adjuster from TML has indicated that the City of Kingsville insurance should cover this expenditure other than the \$1,000.00 deductible. I confirmed with Finance Director, Mark Rushing that the deductible will be funded from the Claims Against the City line item.

Please place this item on the next available agenda. Thank you for your assistance regarding this matter.

DAILEY-WELLS COMMUNICATIONS

3440 E. Houston St., San Antonio, TX 78219

To: Chief Richard Torres
 For: Kingsville Police Department
 Kingsville Police Department
 Phone: (361)592-4311
 Date: 8-May-2012



From: Edward Martinez
 361-548-5660 Cell
 210.893.6702 Fax
 emartinez@dwcomm.com

Kingsville PD Dispatch

Item	Part #	Description	Qty.	Unit List	Disc. %	Unit Sale	Ext Sale
Materials							
1	905-0178	Integrator RD/M4217 Radio Dispatch Workstation Version 5, PC Workstation w/Integrator RD client & Programming Software, includes Model 4217 Audio Panel w/built-in speakers and power.	1	\$ 19,015.00	0%	\$ 19,015.00	\$ 19,015.00
2	930-0051	Integrator RD MDC-1200 Full Feature, Adds radio check, call alert, selective call, remote monitor enable/disable, radio "stun/kill" enable/disable and MDC-1200	1	\$ 1,315.00	0%	\$ 1,315.00	\$ 1,315.00
3	950-9820	Dual Channel Tone Local T/R Control Card, DTMF, 5/6 Tone, GE-Star and MDC-1200 ANI Decode is included, also includes 950-9951 Memory option.	1	\$ 2,735.00	0%	\$ 2,735.00	\$ 2,735.00
4	950-9867	Harris Wireless Dual Channel T/R Card	5	\$ 3,135.00	0%	\$ 3,135.00	\$ 15,675.00
5	950-9868	Harris Wireless Interface Module order one for each Orion, 500M, Jaguar or M7100 radio attached to 950-9867, (Max 2 per Card)	7	\$ 730.00	0%	\$ 730.00	\$ 5,110.00
6	MAHG-SHMXX	Mobile, M7100-IP, 136-174MHz, 50W	2	\$ 2,350.00	0%	\$ 2,350.00	\$ 4,700.00
7	950-9692	System Traffic Card (M4020/4048)	2	\$ 2,425.00	0%	\$ 2,425.00	\$ 4,850.00
8	950-9695	Console Interface Card (M4020-4048) (1 Per Position)	2	\$ 3,210.00	0%	\$ 3,210.00	\$ 6,420.00
9	905-0229	Model 4020/4048 8 Patch Card	1	\$ 1,775.00	0%	\$ 1,775.00	\$ 1,775.00
10	950-0293	Auxiliary Input/Output Interface Card (Aux I/O) Provides 12 relay controlled outputs, 8 opto-isolated inputs, and 32 non-isolated inputs	1	\$ 1,155.00	0%	\$ 1,155.00	\$ 1,155.00
SUB TOTAL							\$ 62,750.00
Discount							\$ 6,501.00
Materials Total							\$ 56,249.00

Item		DWC-Labor Services	Qty.	Unit List	Disc. %	Unit Sale	Ext Sale
11	DWC-Service	Staging, Installation & Test	1	\$ 6,500.00	0%	\$ 6,500.00	\$ 6,500.00

Extended Total \$ 62,749.00

<p style="text-align: center;">INSURANCE RECOVERY POLICE DEPARTMENT LIGHTNING STRIKE</p>
--

City Special - Claims Police Department
001-5-103.0-328.17

Radio Dispatch Console Replacement

TML Property Insurance Reimbursement	\$61,749.00
Property Deductible	<u>1,000.00</u>
Total Dailey-Wells Communications Replacement Quote 5/8/12	<u><u>\$62,749.00</u></u>

As per Chief Torres and John Garcia 5/18/12:

If the purchase is approved, the whole cost will be charged to this account.
Then the reimbursement from TML will be deposited into the same account.
The net cost to this City Special account is expected to be \$1,000 for the deductible.

Also note: There may be other damage relating to this incident that will need to be replaced.