

# City of Kingsville, Texas

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## AGENDA CITY COMMISSION

MONDAY, JUNE 24, 2013  
REGULAR MEETING

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

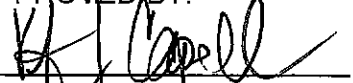
### I. Preliminary Proceedings.

#### OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law  
Special Meeting – June 4, 2013  
Regular Meeting – June 10, 2013

APPROVED BY:

  
\_\_\_\_\_  
Vincent J. Capel  
City Manager

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

None.

### III. Reports from Commission & Staff.<sup>2</sup> (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. No formal action can be taken on these items at this time."*

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

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 2012-2013 Budget of the State Forfeiture Fund and Kingsville Law Enforcement Fund for the purchase of vehicles and equipment for the Police Department. (Director of Finance.)
2. Motion to approve resolution authorizing collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid by a municipal court serving the city, and amounts in cases in which the accused has failed to appear: 1) as promised under subchapter A, Chapter 543, Transportation Code, or other law; 2) in compliance with a lawful written notice to appear issued under Article 14.06(b), Texas Code of Criminal Procedure, or other law; 3) in compliance with a lawful summons issued under Article 15.03(b), Texas Code of Criminal Procedure; 4) in compliance with a lawful order of a court serving the city; or 5) as specified in a citation, summons, or other notice authorized by section 682.002, Transportation Code, that charges the accused with a parking or stopping offense, when such debts, accounts receivable and amounts are more than 60 days past due and have been referred to an attorney or other vendor for collection; repealing all conflicting resolutions and providing for an effective date. (City Attorney).

**REGULAR AGENDA**

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

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

3. Consider resolution establishing a Kingsville Main Street Downtown Plan for the City of Kingsville, Texas. (Tourism Director).
4. Consider resolution authorizing City Manager to enter into an Interlocal Agreement for Cooperative Purchasing of Goods, Products and/or Services between the City of Kingsville and the City of Bedford, Texas. (Director of Purchasing and IT).
5. Consider authorizing staff to move forward with improvements for Phase 1 of the Downtown Pavilion Improvement Project. (Director of Purchasing and IT).
6. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for improvements to the City of Kingsville Downtown Pavilion. (Director of Finance).
7. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, Section 1

Classification and Compensation Plan to add the position of Accounting Supervisor and Landfill Foreman to the Compensation and Classification Plan for Fiscal Year 2012-2013. (Director of Human Resources).

8. Consider resolution approving cooperation with the Steering Committee of Cities served by AEP TCC to review AEP Texas Central Company's requested approval of an adjustment to its energy efficiency cost recovery factor; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals (with all costs paid by the utility); finding that the meeting at which this resolution is passed is open to the public as required by law; requiring legal notice of this resolution to legal counsel. (City Attorney).

9. Executive Session: Executive Session pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

10. Consider possible action in Mendoza v. City of Kingsville case. (City Attorney).

11. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for Legal Department Professional Services. (Director of Finance).

12. Consider condemnation order for 1229 E. Avenue B, Kingsville, Texas. (Director of Planning & Development Services).

## 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 City of Kingsville and Commission Chambers 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 [mvalenzuela@cityofkingsville.com](mailto:mvalenzuela@cityofkingsville.com) for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security

Devices), 551.086 (Certain Public Power Utilities: Competitive Matters), and 551.087 (Economic Development).

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:

June 20, 2013 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.



Mary Valenzuela  
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