

DECEMBER 13, 2004

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL / 200 EAST KLEBERG AVENUE ON MONDAY, DECEMBER 13, 2004 AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S. Lopez, City Secretary
George Bejarano, Asst. City Manager/Finance Director
Stanley Fees, City Engineer
Al Lopez, Interim Fire Chief
Jennifer Cantu, Director of Development Services
Dianne Leubert, Solid Waste Superintendent
Dora Byington, Purchasing Director
Diana Gonzales, Director of Human Resources
Tamera Blackstock, Police Officer
Rick Torres, Police Chief

**I. Preliminary Proceedings.
OPEN MEETING**

Mayor Fugate called the meeting to order in the City Commission Chambers of City Hall at 6:01 P.M.

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 approval of the minutes of the regular meeting of the City Commission held on November 22, 2004. **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, Wilson, Garcia, Pecos, Laskowski voting “FOR”.**

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

None

III. Petitions, Grievances, and Presentations.²

1. City Manager's Report. (City Manager).

Mayor Fugate called for the City Manager's report. City Manager Yerena reported on the holiday schedule for City Hall and garbage pickup, and on the COG – Litter Abatement Workshop. Ms Dianne Leubert, Solid Waste Superintendent provided details on the workshop which will be held on January 12, 2005 at the Kleberg County Chambers, Kingsville, Texas and on January 13, 2005 at the Del Mar College East in Corpus Christi, Texas.

City Manager Yerena reported that Mr. Chris Caron, Representative from TXDOT would make a presentation regarding the General Cavazos project. He then asked Mr. Stanley Fees, City Engineer to provide an update on the General Cavazos project. Mr. Fees provided information with regard to finishing Phase A construction. He had no information for the scheduling for Phase B.

City Manager Yerena reported that information was provided on the Water and Sewer Fee Rate study.

2. City Attorney's Report. (City Attorney).

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on having received, late Friday, the health insurance contract language from the Entrust Attorney, and that the information would be brought to the Commission at the next meeting. She reported on a call from Attorney John Alworth regarding a recent draft contract and on City Hall's Toys for Tots campaign.

3. City Commission's Reports. (City Commission).

Mayor Fugate called for the City Commission's report. Commissioner Wilson expressed holiday wishes to all the staff and reported that he had read a proclamation for Mr. Moreno which was well received by his family.

Mayor Fugate stated that the scheduled Commission meeting for the 27th has been canceled, and that a noon meeting would be schedule for that week. He also wished everyone a Merry Christmas and a Happy New Year on behalf of the Commission.

IV. Public Comment on Agenda Items ³

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

None

Mayor Fugate called for consideration of the consent agenda (Items 1-7).

V. Consent Agenda

1. Motion approving removal from the table a resolution authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville and the Kingsville Law Enforcement Association for the period covering October 1, 2004 to September 30, 2007. (Commissioner Laskowski).

2. Motion approving final passage of an ordinance amending the FY 2004-05 Budget for the City of Kingsville for the position of Building Official. (City Manager).

3. Motion approving final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 1, Building Regulations, Amending the Definition of Building Official. (City Manager).

4. Motion approving awarding bid to Kingsville Cleaners from Kingsville for cleaning and pressing uniforms for Fire Department personnel for a twenty-one (21) month contract (beginning December 24, 2004) for an approximate total amount of \$9,800.00 to cover services through the end of this fiscal year and no more than \$12,402.00 for next fiscal year. (Director of Purchasing)

5. Motion approving contract for Water/Gas monitoring with Southern Ecology Management, Inc. to run concurrently with the City's fiscal year for budget purposes. (Solid Waste Management Superintendent).

6. Motion authorizing the City Manager or his designee to enter into an Interlocal Agreement between the City of Kingsville Police Department and the Treasury Law Enforcement Agencies under the Treasury Forfeiture Fund Act for the reimbursement of expenses for providing resources to joint operations/task forces, and to execute all related documents. (Chief of Police).

7. Motion authorizing the City Manager or his designee to enter into a Memorandum of Understanding between the City of Kingsville Police Department and the U.S. Naval Criminal Investigative Service and the Participating Federal, State, and County and Municipal Agencies of the Gulf Coast Law Enforcement Alliance Project, and to execute all related documents. (Chief of Police).

Commissioner Laskowski made a motion to accept the consent agenda (Items 1-7), seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

REGULAR AGENDA

VI. Items for consideration by Commissioners.⁴

8. Consider resolution authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville and the Kingsville Law Enforcement Association for the period covering October 1, 2004 to September 30, 2007. (Commissioner Laskowski).

City Manager Yerena informed the Commission that it was his understanding that the draft before them has been revised by the Association and Staff, and that an understanding on the agreement has occurred.

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

City Manager Yerena thanked staff and the association for all their hard work.

9. Consider resolution authorizing publication of notice of intention to issue the Series 2005 Certificates of Obligation. (City Manager).

Ms Ann Berger, Financial Advisor of First Southwest Company provided details on each section of an information booklet in relations to the proposed Certificates of Obligation 2005. She advised that since her last visit, the current number was a 4.52 and the rates have now decreased to 4.43. The long term rates have decreased and added that there are no rate adjustments for 2005. She provided information on maturity transactions. She asked that the Commission to focus on the actual resolution projects. Ms Berger stated that the modifications to Exhibit A, change the time from 6:30 P.M. to 6:00 P.M and regular to special meeting. Finally, Ms Berger provided information on the time table of events.

Commissioner Laskowski asked if staff would be prepared with the data and information needed to provide a presentation in January. City Manager Yerena replied that he would talk with Ms Berger to make sure it is favorable to both parties.

Commissioner Garcia asked that information be provided on the current total debt service overview and maturity. Ms Berger replied that the requested information was provided behind tab #3. Ms Berger stated that the 24 year maturity illustration was based on the longevity of the project. Commissioner Garcia also requested information on a 15 and 20 year projection.

Commissioner Wilson made a motion to adopt the resolution with the needed language changes in Exhibit A, changing from 6:30 PM to 6:00 PM and on the 13th would be a specially called meeting instead of a regular meeting, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

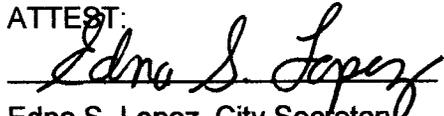
VII. Adjournment.

There being no further business to come before the Commission, Mayor Fugate adjourned the meeting at 6:35 PM on December 13, 2004.



Sam R. Fugate, Mayor

ATTEST:



Edna S. Lopez, City Secretary