

JUNE 2, 2004

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON WEDNESDAY, JUNE 2, 2004, IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT

Carlos Yerena, City Manager
Edna Lopez, Interim City Secretary
Courtney Alvarez, City Attorney
Stanley Fees, City Engineer
Yolanda Vasquez, Court Supervisor
Corando Garza, Asst. City Manager/Fire Chief
Joel Saenz, Code Enforcement Officer
Ricardo Torres, Chief of Police
George Bejarano, Finance Director
Macario Mayorga, Water Field Supervisor
Diana Gonzalez, Human Resource Director
Jennifer Detloff, Director of Development Services
John Garcia, Garage Superintendent
Tina Galvan, Solid Waste Field Supervisor
A L Noyola, Health Director

**I. Preliminary Proceedings.
OPEN MEETING**

The meeting was opened by Mayor Fugate at 5:00 P.M.

INVOCATION / PLEDGE OF ALLEGIANCE – (Presiding Officer)

City Manager Yerena led everyone in prayer, immediately after everyone recited the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Commissioner Pecos made a motion to approve the amended minutes of the Regular Meeting held on May 24, 2004, seconded by Commissioner Wilson. The motion passed 4/1, with Mayor Fugate abstaining.

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

1. None.

III. Petitions, Grievances, and Presentations.²

1. Workshop/Discussion regarding BRAC and EDC. (Dick Messberger, EDC Director)

Mr. Dick Messberger, EDC Director provided an overview regarding BRAC and EDC. Regarding BRAC, Mr. Messberger stated that legislation was approved by Congress allowing for a process that can

bring about the closure and realignment of military bases. He added that the idea behind the legislation was to take that authority out of the individual services so the military bases would not be closed without going through this process.

Mr. Messberger reported on information of the history of previous base closures and the percentage of bases to be closed. He also reported the procedures of the next round of base closures and discussed the defense funding and the South Texas Military Task Force.

Finally, Mr. Messberger discussed the importance of demonstrating to the military how much they are appreciated. He mentioned that the Commission that they should participate in activities at NAS Kingsville such as the change of commands, navy balls, and the Navy League.

Regarding the Navy League, City Attorney Courtney Alvarez said that there is a website with information on how to join and its fees.

City Manager Carlos Yerena stressed that BRAC is a high prior item, and it impacts everybody. He added that City should actively participate in the entire process and continue to work with Mr. Messberger, actively.

Commissioner Garcia asked Mr. Messberger what else the City could do. Mr. Messberger responded that the City should have representation on the Military Task Force and when there are trips to Washington, someone should participate.

City Manager Yerena stressed the importance that the City knows what is happening in order to plan for those improvements, so that they can happen in an orderly way. He added that the City has to be involved in the planning process.

2. Workshop/Discussion regarding contract with NAS Kingsville for garbage collection. (City Manager).

City Manager Yerena provided the Commission with a brief overview stating that the City is negotiating with NAS to provide services for garbage collection. He added that NAS has indicated that they would like to step into contract by 1st week of July. He also stated that this information was being provided to the Commission so the City can be ready when an agreement is made. City Manager Yerena announced that Finance Director George Bejarano would brief them a little further.

Mr. Bejarano stated that there have been a couple of meetings between the City and NAS to discuss what kind of service they want, when they want the service and when they want the service to began. He added that the second meeting was to present the actual proposal. Mr. Bejarano mentioned that this is a good thing for City and NAS to work together, and that they seemed very interested.

Commissioner Laskowski asked who was providing garbage service to NAS. Mr. Bejarano answered that a contractor is currently providing NAS with garbage service.

City Manager Yerena commented that the feedback received is that the government is trying to get away from contracting and began working with public entities.

Commissioner Laskowski asked if the City would be utilizing some of NAS eight (8) yard containers. Mr. Bejarano responded yes, and that the City will purchase some more. He also added that NAS is willing to work with the City as long as we provide the service.

City Manager Yerena commented that the proposal takes into consideration, the City purchasing all new containers as well as a truck.

Mayor Fugate asked Mr. Bejarano what equipment would be purchased and if additional employees are required. Mr. Bejarano replied that only one extra truck with front end loader would be purchased, and no additional employees are required.

Commissioner Garcia questioned if staff had looked into liability insurance. Mr. Bejarano said that he had already contact TML regarding liability insurance, which would be the next part of the contract.

Mayor Fugate questioned how the initial cost would be funded. Mr. Bejarano replied that the City would work with NAS to utilize their equipment or would lease a front-end loader in order to provide the service. City Manager Yerena commented that the City should enforce a long term contract with NAS, at least five years. Commissioner Garcia asked how hazardous materials would be addressed. Mr. Bejarano responded that hazardous materials would be addressed in the contract. City Manager Yerena added that Ms Alvarez has advised to put a clause in contract.

City Manager Yerena commented that this was for information only, and the City is still negotiating, but would like to be able to move expeditiously.

Commissioner Garcia asked about costs. City Manager Yerena replied that costs were taken from the ordinance that is in place and that the ordinance was upgraded, and that basically the table was extended from five yard containers up to eight yard containers, he added that the contract included actual costs.

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

City Manager Yerena reported that some Firefighters participated in a reimburse type of training in Las Vegas, Nevada, and passed the exam, and City has been reimbursed. He also reported that because of the importance of the centennial celebration, the City has paid the design fee for a centennial logo for shirts. He added employees may purchase shirt to be worn on designated days.

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

Ms Alvarez reported that she may be attending an Open Government Conference in Harlingen on Friday sponsored by the Attorney

General's office and TML. She also reported she would be attending the Annual City Attorney's Conference on Thursday and Friday which is scheduled four years in advance which provides majority of updates in municipal related issues. Ms Alvarez announced that she would like to thank her assistant Ms Mary Valenzuela, and from the City Manager's office Ms Edna Lopez and Ms Margo Torres for assisting in putting together the orientation notebooks which were given to the Commission during the swearing-in. She added that items were given to them at the beginning of the meeting would have to be inserted into the notebooks.

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

Commissioner Laskowski reported that the KCVB was selling the new centennial coins. He added that one coin was 99.9 % pure silver with a 24 karat gold overlay for \$50.00; a 24 karat gold coin overlay for \$30.00; a centennial key chain for \$15.00. He added these are in limited quantities.

Commissioner Wilson announced that he wanted to commend Commissioner Pecos for leading the Veterans Memorial Day celebration at the cemetery.

Mayor Fugate announced that he would like to thank Ms Alvarez and her staff for the orientation notebook which was very informative.

Commissioner Garcia asked staff for an update regarding Ailsie Street project. Mr. Fees reported that the curb and gutters are being put in, and completion is expected by end of month, weather permitting.

Mayor Fugate announced Judge Dyson's retirement and made presentation of a plaque and a gift.

IV. Public Comment on Agenda Items ³

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

Ms Bobbie Nix, representing La Posada de Kingsville commented on agenda item #1.

V. Items for consideration by Commissioners. ⁴

1. Consider City participation in a Community Christmas Tree for the La Posada Celebration. (City Manager).

City Manager Yerena reported that staff had researched the cost that would be entailed for this agenda item.

Ms Jena Furman, 829 W Yoakum, made a presentation regarding the Tree of Lights. She reported the tree's dimensions and that the location being considered was next to the Police Station on East King.

Mr. Fees reported that the cost of getting electrically installed is \$1,800.00, and the cost for the pole would be \$400 - \$500.00. City Manager Yerena added that the group is donating the actual lighting of the tree.

Commissioner Wilson asked for clarification as to the wishes of the committee. He added that it is his understanding that the Committee will purchase the tree, and the City will be responsible for maintaining it.

Ms Furman stated that the tree is designed where you do not have to replace bulbs each year, La Posada will be paying for bulbs and the tree life expectancy is ten years.

Mayor Fugate suggested involving private businesses to help.

Commissioner Wilson made a motion to partner with La Posada Committee in the community tree effort, seconded by Commissioner Pecos.

Mayor Fugate asked Commissioner Wilson to amend his motion to accepting this gift, or just leave in general terms. Commissioner Wilson stated his intention was to leave it in a general term.

The foregoing motion was passed and approved with the following vote: Fugate, Wilson, Garcia, Laskowski, and Pecos voting, "FOR".

2. Consider out of state travel for members of the Kingsville Fire Department to Anniston, Alabama to attend the Technical Emergency Response Technician Course. (Fire Chief).

Mr. Corando Garza, Assistant City Manager/Fire Chief stated that the three firemen attending Nevada school had all excelled. He added that in the latter part of April he was informed that there was another school in Anniston, Alabama.

Mr. Garza mentioned that two names were submitted to be screened by Homeland Security; Mr. Joey Cordero and Mr. Michael Luna, both Paramedics. He said that both were notified late last week that they were accepted. He added that all expenses would be paid by Homeland Security and added that Mr. Cordero will attend the Weapons of Mass Destruction Technical Emergency Response Training and Mr. Luna will attend the Weapons of Mass Destruction Instant Command.

Commissioner Laskowski made a motion to approve the out of state travel for the members of the Kingsville Fire Department, seconded by Commissioner Pecos.

Mayor Fugate asked for further discussion.

Commissioner Wilson stated it is great to take advantage of every school that is being offered, but his only suggestion to staff is that since it is required that when someone travels out of state or that when there might be an idea of sending someone somewhere, that it be brought before the Commission to at least brief them. He added that in the eventuality that there was no time to act expeditiously to get it done then the Commission would have at least been briefed and could then act.

Commissioner Laskowski commented that one firefighter had already departed.

The foregoing motion was passed and approved with the following vote: Fugate, Wilson, Garcia, Laskowski, and Pecos, voting, "FOR".

3. Consider approval of a resolution authorizing the submission of an application to The Coastal Bend Council of Governments for the purpose of requesting funding for the Community Emergency Response Team Grant. (Chief of Police).

Mr. Ricardo Torres, Police Chief reported that unfortunately today after completing the grant, he was notified that under this cycle they will not be able to apply. He stated that there will be a new cycle available in October, for \$10,000 in equipment for volunteer services. He added that fortunately the grant is written and now they have to wait for the timetable.

No action was taken.

4. Executive Session: Under Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the appointment and duties of the Municipal Court Judge. (Judge Dyson).

The Commission convened into Executive Session at 6:45 PM.

The Commission reconvened into Open Session at 7:18 P.M.

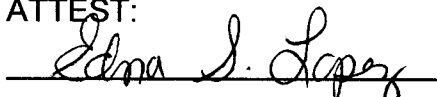
VI. Adjournment.

There being no further business to come before the Commission, Mayor Fugate adjourned the Commission meeting at 7:20 PM. on June 2, 2004.



Sam R. Fugate, Mayor

ATTEST:



Edna S. Lopez, Interim City Secretary