

August 16, 2004

**A SPECIAL MEETING OF THE KINGSVILLE CITY COMMISSION WAS HELD IN
THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY
HALL/ 200 EAST KLEBERG AVENUE ON MONDAY, AUGUST 16, 2004 AT 11:00
A.M.**

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S. Lopez, City Secretary
Stanley Fees, City Engineer
Dianne Leubert, Solid Waste Superintendent
Tina Galvan, Sanitation Field Supervisor
Susan Ivy, Park Director
Dora Byington, Purchasing Director
Ramon Loera, Field Supervisor
Jennifer Cantu, Director of Development Services
Caron Vela, Accountant
Jaime Garza, Task Force Commander
J R Ibarra, Task Force Asst Commander
Linda Gerd, Task Force

I. Preliminary Proceedings.

Mayor Fugate opened the meeting at 11:05 A.M.

INVOCATION/ PLEDGE OF ALLEGIANCE– (Mayor Fugate)

City Manager Yerena led everyone in prayer. The Pledge of Allegiance and Texas Pledge followed.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Commissioner Laskowski made a correction to the minutes of August 11, 2004, page 2, 3rd paragraph from bottom, incorrect fund balance \$416,910.

Commissioner Laskowski made motion to approve the minutes as amended, seconded by Commissioner Wilson. The motion was passed and approved by the following votes: Fugate, Garcia, Wilson, Laskowski voting “FOR”.

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

1. None.

III. Public Comment on Agenda Items.³

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

Ms Carolyn Fees, 1506 Santa Cecilia commented regarding comp time for employees in order to save taxpayers money.

City Manager Yerena asked that Agenda Items #1 & 2 be moved up due to staff personnel having to attend 11:30 AM meeting.

Commissioner Wilson made motion to amend the agenda for Items for Consideration by Commissioners to be taken before Petitions, Grievances, and Presentations, seconded by Commissioner Garcia. The motion was passed and approved by the following votes: Fugate, Laskowski, Garcia, Wilson voting "FOR".

IV. Items for Consideration by Commissioners.⁴

1. Consider Introduction of an Ordinance Amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, Reducing Speed Limit on Certain Areas of Paulson Falls Boulevard to 35 Miles Per Hour, Margaret Lane to 20 Miles Per Hour and Alice Lane to 20 Miles Per Hour; Providing for Appropriate Penalties, Fines, and Fees Regarding the Regulation Thereof. (City Engineer).

Mr. Stanley Fees, City Engineer, stated that the developer for the Paulson Falls Subdivision had requested speed zones that are different from the standard speed limits in the city code of ordinance and added that the standard speed limit for residential streets is 30 mph. He said that the developer is requesting a 35 mph speed limit on Paulson Falls Boulevard that reduces to 20 mph north of Margaret Lane and 20 mph speed limit on Margaret Lane and Alice Lane.

Staff recommends the speed limit in Paulson Falls Subdivision be 30 mph in order to maintain consistency through the city and would also reduce sign maintenance cost.

Mr. Roland Ramirez, Paulson Falls Developer said that the company's only concern is that this is the first plan unit development in Kingsville and under this plan streets are a bit narrow, and stated their concern is that line of sight issues may occur.

City Manager Yerena stated that this item was placed on agenda due to Paulson Falls time line.

No action was taken, Introduction Only.

2. Consider Introduction of an Ordinance Amending the City of Kingsville Code of Ordinances Chapter X, Article 3, Traffic Control Devices; Providing For the Installation of a Stop Sign on Paulson Falls Boulevard at General Cavazos Boulevard for North Bound Traffic, Margaret Lane at Paulson Falls Boulevard for East and West Bound Traffic, Margaret Lane at Alice Lane for East Bound Traffic and Alice Lane 140 Feet West of FM 3320 for West Bound Traffic and Alice Lane at FM 3320 for East Bound Traffic. (City Engineer).

Mr. Fees stated that this ordinance provides for the installation of a new stop sign at the locations listed.

Mayor Fugate stated that this will be a fairly busy intersection. He also asked about the stripping in the intersection. Mr. Fees responded that the city will redo the stripping.

No action was taken, Introduction Only.

IV. Petitions, Grievances, and Presentations.²

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

City Manager Yerena reported on the KWOP program which is scheduled to begin with media day on August 25, 2004, at 10:00 A.M. at 519 West Johnston. He mentioned that there are 20 structures to be demolished.

Ms Jennifer Cantu, Director of Development Services, reported on the KWOP program.

City Manager Yerena commented about scheduling another budget workshop.

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

Ms Alvarez reported that commission meetings will be held today and tomorrow, and meetings are posted with the Police Union for Wednesday and Thursday depending on how it went with Mr. Delord. She also reported that the city received two (2) new items in the mail which are being referred to TML, a Personnel matter and a property damage claim matter. She added that she would be sending an update via e-mail once update is received from TML.

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

Commissioner Laskowski reported he made an open records request to STWA for the recording of their special meeting held on Thursday. He added it is important to listen to their discussion regarding the contract negotiation with the City of Kingsville.

Mayor Fugate encouraged all the commissioners, City Manager Yerena and Mr. Bejarano to listen to the tape.

Commissioner Laskowski added that the City may want to consider invoking the section of the water supply contract that would allow the commission and STWA board to meet together to discuss issues.

Commissioner Wilson reminded everyone that school has started and encouraged everyone to drive safely.

Commissioner Garcia said that he would like to reiterate Commissioner Laskowski's concern over the contract negotiations, and said that he would like to put this item on the agenda within the next week.

Mayor Fugate mentioned that Albert Garcia, Library employee was killed in motorcycle accident this weekend; adding that he was a fine young man, loyal employee of this city, and he will truly be missed.

4. Review and discuss proposed fiscal year 2004-2005 budget for departments of the City of Kingsville.

City Manager Yerena requested that Mr. Bejarano go over the proposal changes that were inserted into the books.

City Manager Yerena said that the information discussed at the prior meeting was taken into consideration and that Training and Travel was cut by 20%, and Overtime and Supplies by 10%. He added that \$100,000 was included for paving, plus \$150,000 from TXDOT.

Mr. Bejarano reported that Travel and Training has been cut by \$36,000; supplies \$10,000, and overtime \$50,000, adding that this was for all departments.

Commissioner Garcia asked if the health insurance discrepancies were corrected. Ms Vela replied that they were.

Commissioner Garcia advised staff to meet with department heads formally and ask them to have diligence in the overtime area.

Commissioner Laskowski asked about the fire department health care totals, adding that it showed almost a \$48,000 increase in premiums. Ms Vela replied that was an accurate number based on current employees.

Commissioner Wilson asked if anything was included in the \$12,000,000, as far as a fund transfer from the utility fund, and if so, was it also represented in the expense side of the utility fund column. Mr. Bejarano replied that there is 1.250 in the transfer fund, utility fund and the general, and it is represented in the \$12,000,000.

Commissioner Garcia asked for the fund balance on the landfill closure fund. Commissioner Laskowski replied that after the last audit it was over \$2,000,000.

Parks Department – Ms Susan Ivy – 11:47 A.M.

Ms Susan Ivy, Parks Director, stated that the budget proposal prepared with the County is the same. She added that she has been instructed by the County

Commissioners to keep non-employee line items the same. Ms Ivy also stated that the County is proposing a 5% salary increase for their employees. She said that line item increases are for custodial supplies, safety equipment, electricity, and pest & weed control. She also said that money was added for a part-time position for the office.

Ms Ivy provided a copy of the County's budget, and said that the requested additional assistance from the City is \$ 7333.55 which is based on the City's percentage for the Park budget.

Ms Ivy requested a response in writing, explaining that in last year's budget the City committed a total of \$25,000 in addition to the \$200,000 for capital improvements and was never advised how payment would be made, and just recently found out that this was being paid in installments with the regular \$200,000.

The Commission then discussed the fire tower facility located on West Corral.

Commissioner Laskowski said that in the past the City has given the County \$30,000 worth of water and that money goes for playground equipment. Ms Ivy replied that was correct.

The Commission then discussed the \$25,000 and the water trade.

Recycling – Ms Dianne Leubert – 12:12 P.M.

Ms Leubert stated that overtime and travel was cut by 20% and added that the Recycling Center maintains a volunteer to work on Saturdays, and overtime occurs only when that volunteer does not show up.

Ms Leubert said that Training and Travel can be cut, and added that the conferences she attends are usually paid back through grants.

Ms Leubert said that last year she received a grant for a Chipper and had received a good deal when purchasing the Chipper and had money left over. She advised that she has made a request to the State to reallocate those funds to cover for a shed and trailer. She added that she may be able to cut \$5,000 from this budget on those expenses.

Commissioner Garcia asked about the amount being requested for Account #217 - Minor Equipment. Ms Leubert said that last year the amount of \$4,000 was a match for the grant, and this year the request is only \$2,100.

Commissioner Garcia asked for the year to date amount spent on Account #217. Ms Leubert replied that this account will be used to pay for the OCC containers (dog pens).

Landfill – Ms Dianne Leubert – 12:20 P.M.

Ms Leubert said that the increase for the Travel and Training is to allow two (2) new employees to receive their state license at a cost of about \$1,000.

Mr. Bejarano said that \$4,000 is allocated for updating the scale and weight software in order to receive the correct tipping fees. He said that an additional person (spotter) is being requested.

Ms Leubert said that the State requires two (2) people on site where garbage is being dumped. She added that one (1) person will be kept on the construction, and would like to change two (2) spotters to one (1) Equipment Operator II.

Mayor Fugate called for lunch recess at 12:27 P.M.

The budget workshop was reconvened at 12:49 P.M.

Sanitation Department – Ms Tina Galvan – 12:49 P.M.

Mr. Bejarano said that this department is moving in the right direction, adding that last year's budget was \$700,000, and this year was \$676,000. He said that the supplies line item had an increase, services had decreased, and repairs stayed the same as last year.

Mr. Bejarano said that recently two (2) new trucks were received, but were sent back.

Commissioner Laskowski asked the year of the oldest garbage truck, once the new trucks are received. Ms Galvan replied that the department has a 1992, and they are replacing a 1986 & 1987. Commissioner Laskowski said that the oldest truck is a 1992, and asked what is after that. Ms Galvan replied the trucks are a 1992, 1995, 1996, and 2000's. She mentioned that the Brush Trucks are a 1981 and 1984.

Commissioner Laskowski then asked if these trucks were being used on a daily basis. Ms Galvan replied that the department has three (3) new brush trucks, the older trucks are being utilized to create a new brush crew.

Commissioner Laskowski asked if the budgeted \$80,000 for repairs could possibly be lowered. Mr. Bejarano replied as soon as the trucks get back in service this could be done.

Commissioner Laskowski asked for a recommendation. Mr. Bejarano replied this could be decreased to \$20,000. Commissioner Laskowski requested that the number be brought closer to what was adopted in 2002, 2003, and 2004.

Commissioner Wilson asked about the amount in Account #220 – Roll outs, asking if this was for replacing or repairing roll outs. Ms Galvan replied these were for new customers and that dumpsters are needed for the three (3) new apartment complexes being built, businesses, and NAS.

Commissioner Wilson asked if some of the \$60,000 would be spent toward the Naval Base. Ms Galvan replied that sixty-three (63) four-yard dumpsters are needed for NAS.

Commissioner Wilson commented that if the City is anticipating using some of the \$60,000, then on the revenue side, the City should anticipate using whatever the contract is going to be and added that you've got to have both components to get a fair balance.

Mr. Bejarano said that nothing was allocated for the NAS contract, because in the event that the City goes into contract with NAS, the \$60,000 will be utilized to get the service started.

Commissioner Wilson excused himself at 1:00 P.M.

Purchasing Department – Ms Dora Byington, 1:00 P.M.

Mr. Bejarano said that there is a very slight increase in the Purchasing Department budget and added that Ms Byington is very good at keeping her numbers correct.

Ms Byington said that there was an increase of \$300 for Publishing, but had deducted \$300 from Equipment Rent. She said that she is asking to replace two (2) printers that are three (3) yrs old, and is asking for a digital camera which will be used for the on line auctions.

Mayor Fugate said that he had underlined the comment made in Ms Byington's budget regarding overtime, and added he really appreciates this. He read her statement: "The employees work schedule is carefully planned, but am allowing five (5) hours for unforeseen time."

Commissioner Laskowski asked about salaries only increasing by \$1,800, yet TMRS is increasing by \$1,400, and FICA is increasing by \$1,100. He said that those numbers seem to be excessive considering that the salaries are only going up a small amount of money. Mr. Bejarano replied that he will review those figures.

It was the consensus of the City Commission that the Department 100 -City Commission and the City Special be heard next Tuesday when everyone is present.

Task Force – Mr. Jaime Garza – 1:05 P.M.

Mr. Bejarano said that the Task Force operates on their own money from confiscations and seizures. He said that the current budget is their budget and their needs.

Commissioner Laskowski asked about the fund discrepancies of the Task Force. Mr. Bejarano replied that the meeting that was set up with Mr. Luke Womack had to be cancelled and is now waiting for a final confirmation with Mr. Womack. Mr. Bejarano said that there was an audit process and that was the exact amount of money that was needed to be transferred at that point and time. He said that Mr. J. R. Ibarra, Assistant Commander was given an explanation and was advised that they are waiting for a final confirmation from Mr. Womack.

City Manager Yerena said that he has advised the Task Force that a meeting will be set up to clarify the issues.

The Commission then discussed availability of funds from the grant award.

Mayor Fugate asked for clarification on the financial matter of the Task Force. Commissioner Laskowski replied that there was a discrepancy of about \$200,000 between the City's numbers and the Task Force numbers. Mr. Ibarra said that Ms Vela and Mr. Womack had advised that the Task Force still owed the City some money. He said that they are looking at previous year's bank statements and grant years that balance. He said that on paper it seems that the City may have been overpaid.

Commissioner Garcia asked about overtime, stating that in the year 2002-2003 there was \$48,000 for overtime and this current year there was \$31,000, and for the coming year \$20,000. Mr. Ibarra explained that 2002-2003 is showing one quarter.

Mr. Ibarra said that overtime is reimbursed by the FBI, DPS, IRS and US Customs whenever they help.

Mr. Jaime Garza, Commander advised the Commission that any open cases are reimbursed.

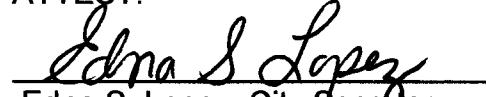
Mayor Fugate asked if they will be applying for the grant this year. Mr. Garza replied that was correct.

V. Adjournment.

The meeting was adjourned at 1:19 P.M.


Sam R. Fugate, Mayor

ATTEST:


Edna S. Lopez, City Secretary