

JULY 11, 2005

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS, CITY COMMISSION WAS HELD ON MONDAY, JULY 11, 2005 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
Stanley Laskowski, Commissioner

CITY COMMISSION ABSENT:

Charles E Wilson, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S Lopez, City Secretary
Stanley Fees, City Engineer
Dora Byington, Purchasing Director
Robert Rodriguez, Library Director
Diana Gonzales, Human Resource Director
Jennifer Cantu, Director of Development Services
Al Lopez, Interim Fire Chief
Ricardo Torres, Police Chief
Wilma Castillo, Interim Finance Director
Caron Vela, Account Manager
Joe Casillas, Water Production Supervisor
A L Noyola, Health Director
Art Alvarez, Risk Manager
Dianne Leubert, Solid Water Superintendent
Anita Stewart, Task Force Clerk

**I. Preliminary Proceedings.
OPEN MEETING**

Mayor Fugate called the meeting to order in the City Commission Chambers at City Hall at 6:00 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 City Commission's regular meeting of June 27, 2005. **Commissioner Laskowski made a motion to approve the minutes as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Pecos, Wilson "ABSENT".**

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

1.Public Hearing to discuss proposed changes to the Air Installation Compatible Use Zones (AICUZ). (Director of Development Services).

The Public Hearing was opened at 6:05 P.M.

Ms Jennifer Cantu, Director of Development Services explained that this was a public hearing to discuss proposed changes to the AICUZ ordinance. She stated that sixty-four letters were mailed to property owners; three general calls and 1 opposition call were received.

Mayor Fugate opened the public hearing for discussion. No comments were made.

The Public Hearing was closed at 6:08 P.M.

2.Public Hearing regarding the proposed location of new water well #24 at the northwest corner of McRoberts Elementary School property. (City Engineer).

The Public Hearing was opened at 6:08 P.M.

Mr. Stanley Fees, City Engineer provided information on the purpose and location of the proposed water well. He said that four letters were mailed out to adjacent property owners and the Ms Edna S Lopez, City Secretary had received a phone call in opposition of the proposed water well.

Mayor Fugate opened the public hearing for discussion. Ms Anna Cook Engking spoke in opposition of the proposed site.

The Public Hearing was closed at 6:12 P.M.

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 announced that Ms Byington would provide a brief overview on the procurement of the new roll-outs. Ms Byington provided information on the cost, amount of roll-outs being purchased, and the size.

City Manager Yerena announced that Mr. Fees would provide a brief overview on the water wells project. Mr. Fees stated that they are revising the process of specifications in order to receive better prices.

City Manager Yerena announced that Ms Diana Gonzales would provide a brief overview on an employee picnic and Health Insurance – Question and Information Sessions. Ms Gonzales stated that the picnic is being planned for July 29th with different activities being planned and provided dates for the Health Insurance – Question and Information Sessions.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on a seminar to be held on July 28th and 29th; and on talking to Mr. Benadum regarding a proposal from the Water Authority.

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

Mayor Fugate called for the City Commission's reports. Mayor Fugate reported on a movie premier in which Commissioner Garcia and his wife were a part of; on attending the BRAC Hearing in San Antonio, Texas; and encouraged everyone to attend the employee picnic.

IV. Public Comment on Agenda Items³

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

NONE

V. Consent Agenda

1. A motion approving final passage of an ordinance changing the zoning map in reference to 0.998 acres of land out of Lot 14, Block 9, K.T&I Subdivision from "AG" Agriculture, to "MH" Mobile Home District located at 1513 West Johnston. (Director of Development Services).
2. A motion approving final passage of an ordinance amending Chapter IX, Article 5, Fire Prevention and Protection, providing for revisions to the fire prevention code permit schedule regarding automatic sprinklers and extinguishing systems. (Interim Fire Chief).
3. A motion to make National Incident Management System (NIMS) a part of the City's Local Emergency Operation Plan in order to be in compliance with FEMA and Homeland Security Regulations. (Mayor Fugate).

Mayor Fugate called for the consideration of the consent agenda. Commissioner Laskowski made a motion to accept the consent agenda, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Pecos, Wilson "ABSENT".

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider approving final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 6, Zoning, providing for the mitigation of noise levels for residential development in AICUZ areas. (Director of Development Services).

Ms Cantu stated that a public hearing was heard earlier during the meeting and no comments were made.

Mayor Fugate congratulated Staff, Ms Cantu and Ms Alvarez for getting the project done in a timely manner.

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

5. Consider removing from the table Guidelines and Criteria for Stimulating Residential & Commercial Development. (Director of Development Services).

Mayor Fugate called for a motion to remove from the table the Guidelines and Criteria for Stimulating Residential & Commercial Development. Commissioner Laskowski made the motion to remove this item from the table, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Pecos, Wilson "ABSENT".

6. Consider Guidelines and Criteria for Stimulating Residential & Commercial Development. (Director of Development Services).

Ms Cantu briefly explained the changes to the guidelines and pointed out the amounts under "Value of Improvement" and "Length of Property Tax Abatement". Ms Cantu also provided a map depicting the subject sites.

Mayor Fugate requested the \$25.00 application fee be waived. Commissioner Laskowski suggested the application process take place before property improvements are done. Commissioner Garcia asked a question regarding swimming pools.

There was discussion on tabling this item until all changes can be incorporated into the document.

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

7. Consider authorizing the City Manager to enter a contract for investment services for the CO 2005 funds. (Interim Finance Director).

Ms Vilma Castillo, Interim Finance Director stated that this item authorizes the investment services contract be awarded for the CO 2005 funds. The anticipated term for these investments will be approximately 30 months. Ms Castillo stated that fifteen requests for proposals were mailed out on February 10, 2005, and advertised on February 13, 20, & 27, 2005. Five proposals were received and reviewed. She stated that a copy of the draw down schedule that was used for comparison purposes was attached. The Investment Committee includes: the City Attorney, City Manager and the Director of Finance has reviewed and recommends Kleberg Bank for the investment services of the City's CO 2005 funds. Ms Castillo stated that the Auditor has reviewed the RFP.

Commissioner Laskowski asked if the investment policy was provided to each client. Ms Castillo stated that no investment policy with RFP was provided.


Ms Alvarez stated that everyone was asked to make the same proposal and recommendation was based on who best met what the City was trying to achieve.

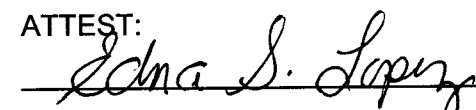
Mr. Joe Hinkel, Kleberg Bank, President, explained the Bond and Investment Maturity risks.

Commissioner Garcia made a motion to approve the contract with Kleberg Bank for investment services for the CO 2005 funds, seconded by Commissioner Laskowski. The motion was passed and approved by the following vote: Fugate, Laskowski, Garcia voting "FOR". Pecos, Wilson "ABSENT".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:50 P.M. on July 11, 2005.


Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary