

JULY 29, 2005

A SPECIAL MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON FRIDAY, JULY 29, 2005 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE AT 11:30 A.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S Lopez, City Secretary
Dora Byington, Purchasing Director
Wilma Castillo, Interim Finance Director
Caron Vela, Accounts Manager
Ricardo Torres, Police Chief
Al Lopez, Fire Chief
Sherman Benys, Police Officer
Julian Cavazos, Police Officer
Barry Blackstock, Police Officer
Felix Camarillo, Firefighter
Don Erebia, Fire Captain
Stanley Fees, City Engineer
Petra Garcia, Accountant

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order City Commission Chambers at City Hall at 11:32 A.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

NONE

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

NONE

Mayor Fugate deviated from the agenda and called for Public Comments on Agenda Items.

IV. Public Comment on Agenda Items³

Comments on all agenda and non-agenda items

Mr. Romeo Lomas, 414 E. Yoakum, urged the Commission to join a lawsuit against South Texas Water Authority.

Mayor Fugate once again deviated from the agenda and went to the Regular Agenda – VI – Items for consideration by Commissioners

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Discuss and consider providing Staff with direction on Water, Sewer, Pass-Through Rate Study. (City Manager).

City Manager Yerena stated that Mr. Grady Reed's recommendation stands as far as what Staff recommends.

Commissioner Wilson commented that he was confident that the model that is in place has been picked apart by Staff and doesn't need another explanation.

Commissioner Laskowski voiced his concern regarding NAS paying only \$1.12 per 1000 water rate. City Manager Yerena stated that a copy of the contract shows the City is selling NAS the water at \$1.39 per 1000 gallon, the last amendment was in 1994. The City will meet with NAS Kingsville to discuss water cost with them.

Mr. Reed provided information on the results of a rate study that calls for a five percent increase in water rates and as much as 20 percent increase in sewer rates for the next fiscal year. Recommendation was made to also look at outside City customers' rate.

During Mr. Reed's presentation, a calculation error was discovered. The Commission recommended that Staff make sure numbers are correct. A decision was made to put this item back on a future agenda.

Ms Castillo stated that Staff needs some type of direction and not an approval. City Manager Yerena stated that the Commission has given a direction that they feel comfortable with 5% as long as the numbers are verified.

Mayor Fugate stated there were no problems with the any of the recommendations.

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 today's Employee picnic; tomorrow's Kingsville Day at Aviator's Stadium, on more budget workshops; and on the first visit to Reynosa on Friday.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on National Night Out; on KWOP Media Day; KISD – Gillett Open House; and on a Charter Review Committee meeting scheduled for next week. She also reported on a working on the draft contract for the private ambulance services, the Fire Chief and his staff are working on specific conditions; on reviewing the sewer line project contract from LNV Engineering; and on the water meter contract with Badger Meters.

Mayor Fugate deviated from the agenda and called for the consideration of the Consent Agenda.

V. Consent Agenda

1.A motion approving an ordinance changing the zoning map in reference to .998 acres from AG, Agricultural District to MH, Mobile Home District on Lot 14, Block 9, K.T.& I. Subdivision located at 1500 B West Johnston. (Director of Development Services).

2.A motion approving an ordinance amending the zoning ordinance by granting a Special Use Permit for the placement of Ramos Refrigeration at the 1400 Block of East King, Lots 21-26, Block 6, Vista Alegria Addition. (Director of Development Services).

Mayor Fugate called for consideration of the consent agenda. Commissioner Laskowski stated he would like to see Consent Agenda Item #3 removed from the Consent Agenda because there are two budget amendments and a funding decision must be made. **Commissioner Wilson made a motion to approve the consent agenda as amended, seconded by Commissioners Garcia and Laskowski. The motion was passed and approved by the following vote: Fugate, Laskowski, Garcia, Wilson voting "FOR". Pecos "ABSENT".**

3. A motion approving an ordinance amending the Fiscal Year 2004-2005 Budget of the City of Kingsville for \$25,000 of additional funding for the South Texas Military Facilities Task Force. (Mayor Fugate).

City Manager Yerena stated that his interpretation was that the \$25,000 was to come from the unreserved account. Commissioner Laskowski replied that was correct but official action was needed.

Commissioner Laskowski made a motion to approve the ordinance taking the \$25,000 from the unreserved fund balance, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Garcia, Laskowski voting "FOR".

Mayor Fugate called for a lunch recess 12:15 P.M.

The Commission reconvened at 12:30 P.M.

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

Mayor Fugate called for the City Commission's report. Commissioner Wilson reported on Citizens' complaints regarding the City's audible alarm system for severe weather. Commissioner Garcia reported about Citizens' concerns with street repairs. Mayor Fugate encouraged everyone to see the new Gillett School.

4. Review and discuss proposed fiscal year 2005-2006 budget for departments of the City of Kingsville.

City Manager Yerena stated that as the City prepares to start the budget he would like to remind the Commission that the City has come a long way of getting a descent budget. He thanked Mr. Womack and Staff for their hard work. The reflections in the budget show major deductions.

Mr. Womack provided the Commission with information on the budget proposal section. He commented that the budget has been cut, and provided information on the general fund and the utility fund. He stated a proposal on

the 2002-2002A Certificate of Obligations in the amount of \$450,000 was made to the bond personnel. Bond personnel will contact their legal staff and will send a legal letter assuring the City's compliance. Monies will be allocated for the continuance of the paving project. He touched on the 3% pay increase that was given last year which did not reflect the monies to fund the insurance properly. This will be a tight budget a least for another year or two. Finally, he stated that if the Commission decides to concede on something, they will have to figure out a way to come up with new revenues in order to fund this.

a. Police Department

Chief Torres voiced his concern regarding the overtime line item in each of his divisions' budget, fuel cost, and vehicle maintenance.

City Manager Yerena stated filling the current vacancies and bringing back the officers in school was a rational in trying to decrease the overtime.

Lengthy discussion followed regarding the Officers in School funding and contract.

Chief Torres stated that the department's overtime budget was cut \$150,000 and they will not be able to handle a major incident.

City Manager Yerena stated this is not the only department with reductions; the Fire Department was cut by not hiring two vacancies.

There was discussion on setting up different overtime line items.

Commissioner Wilson commented on his personal observation stating that he would prefer not to be involved in Staff's discussion of what is or is not going to happen, which needs to happen internally. This just slows the process down and is not productive. He stated he would prefer to have the weekend to look over the budget information that was provided to become familiar with what will be presented. He also suggested a timeline be set up.

Mayor Fugate commented on his personal observation stating that the four Officers in School is the overtime for the Police Department.

Mayor Fugate suggested the Commission recess to have the opportunity to review the information before going through the process and that only budget items are put on the next agenda.

Commissioner Garcia suggested hearing the Fire Department's concerns.

b. Fire Department

Chief Al Lopez stated his main concern was the overtime line item. He provided a brief overview of the Fire Department's operations. During a meeting held with City Manager Yerena and Mr. Womack he agreed to operate with two short due to the budget problems. Staff's recommendation of \$30,000 for overtime is impossible. He provided different scenarios on emergency incidents where overtime is required.

Chief Lopez stated that he would welcome questions ahead of time in order to get into some detailed conversations.

Commissioner Garcia commented on last years' budget, the overtime increase and the shortage of personnel.

Mr. Womack stated that Chief Lopez did concede two men and thanked him for doing so.

Commissioner Laskowski commented on the Volunteer Fire department being given their own budget and having a \$15,000 increase. Mr. Womack stated that would be looked at.


There was discussion on the next meeting dates. City Manager Yerena stated Police and Fire would continue because these are the two major departments which would dictate what will be done with the rest of the budget.

Mr. Womack stated that if dollars are stacked back on these two departments, they will have to go back and figure out how to pull up money. He requested allowing Staff to meet with the other departments and if they had a problem with their budget than they would be scheduled to meet with the Commission.

A decision was made to meet on Monday at 6:00 P.M. and on Wednesday at 11:30 A.M.

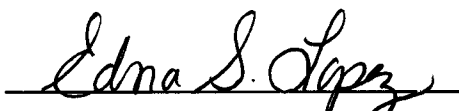
VII. Adjournment.

There being no further action to come before the City Commission the meeting was adjourned at 1:37 P.M. on July 29, 2005.



Sam R. Fugate, Mayor

ATTEST:



Edna S. Lopez, City Secretary