

OCTOBER 9, 2006

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 9, 2006 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
Charles E Wilson, Mayor Pro-Tem
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
Ricardo Torres, Police Chief
Jaime Garza, Task Force Commander
Yolanda Cadena, Health Director
Frank Garcia, Interim Wastewater Supervisor
Mark Rushing, Finance Director
Diana Gonzales, Human Resource Director
Robert Rodriguez, Library Director
Bill Donnell, Interim Street Superintendent
Dora Byington, Purchasing Director
Jennifer Cantu, Director of Development Services
Al Lopez, Fire Chief
Macario Mayorga, Water Supervisor
Art Alvarez, Risk Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers 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 consideration of the minutes of the regular meeting of September 25, 2006. **Commissioner Wilson made a motion to accept the minutes, as corrected, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".**

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

1. Public Hearing to rezone 31.55 Acres out of K.T. & I. Subdivision, Section 7, Part of Lots 3 and 4 from "AG" Agriculture to "R-1" Single Family Residential, applicant M.A. Schoech. (Director of Development Services).

The public hearing was opened at 6:03 P.M.

Ms Jennifer Cantu, Director of Development Services stated the property surrounding these 31.55 acres is a combination of single family, commercial (storage facility) and undeveloped. Based on this existing development, single family residential is the best use for this property. Staff did not receive any response to the letters or public notice. The dimensions of the property are 1893.04 wide by 725' deep. The Planning and Zoning Commission received on comments for or against.

Mayor Fugate asked if these agenda items were existing situations. Ms Cantu replied not this location.

Mayor Fugate announced comments on this public hearing could be made at this time. Commissioner Pecos commented on providing infrastructure in this area. Ms Alvarez this was an interesting point, but should not be discussed during this hearing. She stated that the City is grandfathered and that she would do some research.

Mayor Fugate called for questions or comments.

The public hearing was closed at 6:08 P.M.

2. Public Hearing to rezone 19.25 Acres out of K.T. & I. Subdivision, Section 2, South Half of Farm Lot 12, From "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

The public hearing was opened at 6:08 P.M.

Ms Cantu stated this property is in the same area as the property before. The Planning and Zoning commission received no comments. The property will be used for single family residences. Staff mailed letters to the surrounding property owners, and no responses were received. The Planning and Zoning Commission received no comments for or against.

Mayor Fugate announced this was the time for comments on this public hearing.

The public hearing was closed at 6:10 P.M.

3. Public Hearing to rezone 1.21 Acres located at 103 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M.A. Schoech. (Director of Development Services).

The public hearing was opened at 6:10 P.M.

Ms Cantu stated this property is located in Serenity Estates Subdivision, Phase 1 which was platted in 1997. At that time, the property ought to have been rezoned from AG Agriculture to R-1 Single Family Residential. This rezoning will bring the property into compliance with the Code of Ordinances. The Planning and Zoning Commission received no comments for or against.

Mayor Fugate announced comments could be made at this time.

The public hearing was closed at 6:13 P.M.

4. Public Hearing to rezone 1.21 Acres located at 105 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Armando Alvear. (Director of Development Services).

The public hearing was opened at 6:13 P.M.

Ms Cantu stated this property is located in Serenity Estates Subdivision, Phase 1 which was platted in 1997. At that time, the property ought to have been rezoned from AG Agriculture to R-1 Single Family Residential. This rezoning will bring the property into compliance with the Code of Ordinances.

Mayor Fugate called for questions or comments. Commissioner Laskowski asked why there were no sidewalks. Ms Cantu replied she did not know why there were no sidewalks. Ms Alvarez stated sidewalks are not needed because these properties are being developed by individuals and not developers.

Mayor Fugate announced comments could be made at this time.

The public hearing was closed at 6:16 P.M.

5. Public Hearing to rezone 1.21 Acres located at 113 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Jason Bray. (Director of Development Services).

The public hearing was opened at 6:16 P.M.

Ms Cantu stated this is the same as the previous; this would bring this property up to compliance with the Code of Ordinance.

Mayor Fugate called for questions or comments. Commissioner Wilson asked when the plat was done. Ms Cantu replied in 1997. He asked that the final plat be provided at the next meeting.

The public hearing was closed at 6:18 P.M.

6. Public Hearing to rezone 1.21 Acres located at 205 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

The public hearing was opened at 6:18 P.M.

Ms Jennifer Cantu, Director of Development Services stated this is the same as the previous; this would bring this property up to compliance with the Code of Ordinance.

Mayor Fugate called for questions or comments.

The public hearing was closed at 6:20 P.M.

7. Public Hearing to rezone 1.21 Acres located at 213 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Frank Mendoza. (Director of Development Services).

The public hearing was opened at 6:20 P.M.

Ms Cantu stated this is the same as all the other, in Serenity Estates Subdivision, Phase 1 to bring it in to compliance. No comments were received from anyone in the area.

Mayor Fugate called for questions or comments

The public hearing was closed at 6:22 P.M.

8. Public Hearing to rezone 1.21 Acres located at 221 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Ludivinia Benavides. (Director of Development Services).

The public hearing was opened at 6:22 P.M.

Ms Cantu stated this is the same as the previous; this would bring this property up to compliance with the existing Code of Ordinance.

Mayor Fugate called for questions or comments.

The public hearing was closed at 6:23 P.M.

9. Public Hearing to rezone 1.21 Acres located at 313 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants Atilano and Noelia Chapa. (Director of Development Services).

The public hearing was opened at 6:23 P.M.

Ms Cantu stated this is the same as the previous; this would bring this property up to compliance with the existing Code of Ordinance.

Mayor Fugate called for comments or questions.

The public hearing was closed at 6:24 P.M.

10. Public Hearing to rezone 1.21 Acres located at 321 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants John and Jackie Guerrero. (Director of Development Services).

The public hearing was opened at 6:24 P.M.

Ms Cantu stated this is the same as the previous; this would bring this property up to compliance with the existing Code of Ordinance.

Mayor Fugate called for questions or comments.

The public hearing was closed at 6:25 P.M.

11. Public Hearing to rezone 1.21 Acres located at 405 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants Carlos and Elda Guerrero. (Director of Development Services).

The public hearing was opened at 6:25 P.M.

Ms Cantu stated this would bring this property up into compliance, there were no comments.

Mayor Fugate announced this was the time for comments on the subject.

The public hearing was closed at 6:26 P.M.

12. Public Hearing to rezone 1.21 Acres located at 413 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

The public hearing was opened at 6:26 P.M.

Ms Cantu stated this property is located in Serenity Estates Subdivision, Phase 1 and this would bring the property up to existing Code of Ordinance.

Mayor Fugate announced this was the time for comments on this subject. He called for questions or comments.

The public hearing was closed at 6:27 P.M.

13. Public Hearing to rezone 11.30 Acres out of K.T. & I. Subdivision, Block 17, Part of Lot 6, from "AG" Agriculture to "R-1" Single Family Residential, applicant David Cummings. (Director of Development Services).

The public hearing was opened at 6:27 P.M.

Ms Cantu stated these 11.30 acres of property is located immediately north of Lowe's and immediately south of Carriage Park, to be know as Carriage Park 3. In 2004, when the property was being rezoned for Lowe's, the property owner had discussed the idea of zoning this land as multi-family. Due to significant lack of support from the surrounding neighborhood, the applicant withdrew this idea, and the property remained undeveloped. The development of this land as single family residential is compatible with the existing land use, and there have been no comments opposing this request. She stated calls were received from people in the area wanting to make sure that this was not multi-family. After knowing that this was single-family no one had any problems with the development. The Planning and Zoning Commission recommends unanimous approval.

Mayor Fugate called for questions or comments. Commissioner Garcia asked about the retention pond next to Lowe's. Ms Cantu stated it was placed there to help with the drainage. She then explained the drainage system in the area.

Mayor Fugate announced this was the time for the audience to speak on this subject.

The public hearing was closed at 6:30 P.M.

III. Petitions, Grievances, and Presentations.²

1. Proclamation designating the month of October 2006 as "Czech Heritage Month".

Mayor Fugate read the proclamation.

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

Mayor Fugate called for the City Manager's report. City Manager Yerena reported that Mr. Jaime Garza would be giving an update on a Halloween activity. Mr. Garza provided information on the planned activities for October 28th. He stated that City volunteers are welcomed.

City Manager Yerena reported on the next Trash-Off Day on Saturday, October 14th, from 8:00 AM to 12:00 noon; and on Red Ribbon Week ceremony to be held on October 23rd, and updated the Commission on the Bi-National Texas-Tamaulipas Economic Alliance. He also thanked the City Secretary for coordinating the event. He reported on an invitation for a presentation to the Relations Committee in Austin, Texas. He provided information on the Economic Alliance Board Members. He also thanked everyone who participated in the family picnic.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported that the next Commission meeting was on October 23rd, announced that staff would be attending a TML Conference, and reported on successful family picnic.

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

Mayor Fugate called for the City Commission's reports. Commissioner Laskowski echoed comments on the family picnic. Mayor Fugate stated he would like to reiterate about Kingsville Clean-Up day.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called for comments on all agenda or non-agenda items.

Mr. Dwayne Hanley, General Cavazos, Sunset Estates representative spoke in favor of Agenda Item #7.

Mayor Fugate called for consideration of the Consent Agenda Items 1-4.

V. Consent Agenda

1. Motion to approve the appointments of Ms. Mary Ann Oldham and Mr. Tom Langschied to the Board of Directors for the Kingsville Convention and Visitors Bureau. (KCVB Director).

Commissioner Laskowski made a motion to approve Consent Agenda Item #1, and to remove Consent Agenda Items 2-4, seconded by Commissioners Pecos and Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Garcia, Pecos, Laskowski voting "FOR".

2. Motion to approve the reallocation of \$65,250.00 from the 2002 – 2002A Certifications of Obligation to cover the costs for upgrades to the police department infrastructure \$44,250.00 with recurring costs of \$6,296.00 for air cards and the \$21,000.00 for maintenance of the 800 MHz radio system annually. (Chief of Police)

Chief Torres stated the items will be used to prepare for migration with Corpus Christi Police Department. He stated that in order for the department to be ready for the changeover to software provided by Intergraph, scheduled for December 4th, 2006, several upgrades to the infrastructure will be needed to take place in preparation for all systems to be operational. Total cost will be \$65,260.00.

Commissioner Laskowski asked about the sprint air time cards. Chief Torres replied that will allow officers to do reports out in the field. Commissioner Laskowski stated there is an agreement with Wi-Fi to provide such service and would like to keep the cost to a minimum. He asked that the City Manager get with HotZone for a date that the system will be running.

Commissioner Garcia asked about having two routers. Chief Torres replied there will be a lot of traffic which requires two routers.

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

Mayor Fugate called for Agenda Item #4.

4. Motion to approve authorizing the City Manager to enter into an interlocal agreement with the City of Corpus Christi to share local computerized criminal history information. (Chief of Police).

Chief Torres stated the new agreement will have an annual increase. He provided information on the cost breakdown. He stated the agreement has been reviewed by the City Attorney and has made changes to benefit the City.

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

3. Motion to approve the final plat for La Blanca Estates Subdivision, applicant Santiago Cantu. (Director of Development Services).

Ms Cantu stated this is the final plat for La Blanca Estates located north of General Cavazos, bounded on the east by 6th Street and on the west by Franklin Adams. She stated this property was rezoned recently. The plat has been reviewed by the City's consulting engineering firm, LNV Engineering and staff. The property is zoned R-1 Single-Family residential. The Planning and Zoning Commission approved unanimous approval.

Commissioner Wilson commented on several concerns about ingress and egress issues in reference to this location that he had brought up at a previous meeting. Ms Cantu stated she will look into this question.

Commissioner Garcia asked about the second street exits. Ms Cantu replied it exits to Franklin Adams. Commissioner Laskowski asked about sidewalks. Ms Cantu replied this subdivision will have sidewalks.

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

Commissioner Wilson asked that Ms Cantu provide the name of the street which was not noted on the map. Ms Cantu stated information will be provided at the next meeting.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider 2006-2007 Budget and Media/Marketing Plan for the Kingsville Convention and Visitors Bureau. (KCVB Director).

Mayor Fugate called for questions or comment. Mr. Anse Windham, Board Member stated the proposed budget is consistent to last year's.

Commissioner Pecos asked about the date for the Vietnam Symposium. Mr. Windham stated he did not know the date. Commissioner Garcia asked about the request for less money for the Railroad Depot. Mr. Windham stated there is nothing different being done.

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

6. Consider reappointments to the Planning and Zoning Board. (Director of Development Services).

Ms Cantu stated that everyone that is up for re-appointment would like to be re-appointed. She stated that it was her fault for the re-appointments not being put on the agenda sooner.

The re-appointments are for: Mr. Lupe Alvarez, Mr. Ramon Perez, Mr. Steve Zamora, Mr. Robert McCreight, Mr. Leo Alarcon, and Mr. Bill Aldrich.

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

7. Consider Residential Development Agreement for applicant Alan Hale for Sunset Estates subdivision. (City Manager).

City Manager Yerena stated the City of Kingsville developed the RDA to provide a stimulus to residential developers to build in Kingsville. The RDA allows for city staff and equipment to be used to install water and sewer lines within the development if certain criteria are met. To date, the City has authorized an RDA for three subdivisions: Las Palmas del Rey, Paulson Falls, and Santa Gertrudis Arroyo Estates Subdivisions. He provided cost estimates. The developer will provide the material. At build-out, the subdivision would generate \$48,254.80 in property taxes.

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

8. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 31.55 Acres out of K.T. & I. Subdivision, Section 7, Part of Lots 3 and 4 from "AG" Agriculture to "R-1" Single Family Residential, applicant M.A. Schoech. (Director of Development Services).

Ms Cantu stated this item was brought before them in the form of the public hearing. There were no questions or comments. The Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

9. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 19.25 Acres out of K.T. & I. Subdivision, Section 2, South Half of Farm Lot 12, From "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

Ms Cantu stated this item was brought before them in the form of a public hearing, there were no comments. The Planning and Zoning Commission recommended unanimous approval with one abstention.

INTRODUCTION ONLY

10. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 103 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M.A. Schoech. (Director of Development Services).

Ms Cantu stated this item was brought in a form of a public hearing, there were no comments. The Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

11. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 105 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Armando Alvear. (Director of Development Services).

Ms Cantu stated this item was brought in a form of a public hearing, there were no comments. The Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

12. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 113 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Jason Bray. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

13. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 205 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

14. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 213 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Frank Mendoza. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

15. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 221 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant Ludivinia Benavides. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

16. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 313 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants Atilano and Noelia Chapa. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

17. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 321 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants John and Jackie Guerrero. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

18. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 405 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicants Carlos and Elda Guerrero. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

19. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.21 Acres located at 413 West Sage Road from "AG" Agriculture to "R-1" Single Family Residential, applicant M. A. Schoech. (Director of Development Services).

Ms Cantu stated the Planning and Zoning Commission recommended unanimous approval.

INTRODUCTION ONLY

20. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 11.30 Acres out of K.T. & I. Subdivision, Block 17, Part of Lot 6, from "AG" Agriculture to "R-1" Single Family Residential, applicant David Cummings. (Director of Development Services).

Ms Cantu stated this 11.30 acres of property is located immediately north of Lowe's and immediately south of Carriage Park. For clarification, plat will be presented at the next meeting. The Planning and Zoning Commission recommends unanimous approval.

INTRODUCTION ONLY

21. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter IX, Article 10, Streets and Sidewalks, providing for the removal of certain regulations of signs and awnings in this section of the code book. (Director of Development Services).

Ms Cantu stated this item was presented to the Planning and Zoning Commission at the July meeting. There were no comments from the public at that time. This item was discussed at the Historical Development Board meeting on August 16th. She read a section of the ordinance being recommended to be stricken. There were no additional comments. She stated this is not an action item for the P&Z but was presented to provide the public with an opportunity to comment after hours for their convenience.

INTRODUCTION ONLY

22. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 6, Zoning; providing for temporary sandwich board signs within the Historic District and regulations pertaining thereto. (Director of Development Services).

Ms Cantu stated this item was presented to the Planning and Zoning Commission at the July and September meetings at the request of the Historical Development Board. There were no public comments at either of those meetings. The proposed changes are at the request of the Historical Development Board to address an issue with temporary signs placed on the sidewalks along downtown. She stated paragraph "C" will be added. She stated this paragraph took quite a bit of thought and consideration.

INTRODUCTION ONLY

23. Executive Session: Executive Session pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the compensation of the City Manager, the City Attorney, and the Municipal Court Judge. (Commissioner Laskowski).

The City Commission convened into executive session at 7:40 P.M., with a five minute break.

The City Commission reconvened into regular session at 9:00 PM

24. Consider compensation for the City Manager for fiscal year 2006-2007. (Commissioner Laskowski).

No action taken.

25. Consider compensation for the City Attorney for fiscal year 2006-2007. (Commissioner Laskowski).

Commissioner Pecos made a motion to give the City Attorney an increase of \$2,000, seconded by Commissioner Wilson. Mayor Fugate called for discussion. He stated it was his understanding based on the City Manager's contract, that he gets whatever raise or compensation the City Attorney or anyone in the Executive Management level. Ms Alvarez stated that was an accurate reflection of the contract. Mayor Fugate called for a roll-call vote. The motion was passed and approved by the following vote: Laskowski, Wilson, Pecos voting "FOR". Fugate, Garcia voting "AGAINST".

26. Consider compensation for the Municipal Court Judge for fiscal year 2006-2007. (Commissioner Laskowski).

No action taken.

27. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, providing for the fiscal year 2006-2007 employee compensation plan. (Human Resource Director).

Ms Diana Gonzales, Human Resource Director stated this is the final passage. She provided information on a change regarding Executive Level 1&2 positions. She stated everything else remains the same from the introduction.

Mayor Fugate called for questions or comments. Commissioner Laskowski stated that at the last meeting there was discussion to address the disparity of management level positions. He stated that he knew this ordinance needed to be adopted in order for employees to receive salary increases. He asked what would happen if this item was tabled. Commissioner Wilson clarified the question, and asked if no action is taken until the next meeting would there be time for this to be implemented for the pay period of November 1st. Ms Alvarez replied anything that is adopted with regard to the compensation plan can be made retroactive. She stated that historically it has been approved at the second meeting in October and made retroactive to October 1st. She stated that if there are any open positions that currently are not in the 2005-2006 compensation plan, those can not be filled or advertised since they are not in existence. Commissioner Laskowski stated that would be the position for Public Works Director. Ms Alvarez stated as far as she is aware that is the only one that is new. Ms Gonzales stated that would also include the changes to the Telecommunication Operators, but would be made retroactive. Ms Alvarez stated that essentially what happens is that the 2005-2006 Ordinance stays in place until the new compensation plan is adopted.

Mayor Fugate called for a motion.

No action taken.

28. Consider approval of expending funds from the City of Kingsville Employee Benefit Plan Trust for the City Health Fair. (Human Resource Director).

Ms Gonzales provided information on last year's cost, and projected cost for this year's health fair. She stated that last year the City expended \$2,900 from the Employee planned trust account. She stated that the projected expenditure for 2006 would be \$4,058, at 25% it would be \$4,997, and at 50% the cost would be \$5,936. Expenditure would come from the health trust fund.

Mayor Fugate called for comments or questions. Commissioner Wilson made a motion to approve expending no more than \$6,000 from the City Employee Benefit Trust Plan for the City health fair, 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 City Commission the meeting was adjourned at 9:08 P.M.


Sam R Fugate, Mayor

ATTEST:


Edna S Lopez, City Secretary