

OCTOBER 16, 2006

A SPECIAL MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 16, 2006 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL / 200 EAST KLEBERG AVENUE AT 12:00 NOON

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor arrived at 12:25 P.M.
Al Garcia, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Charles E Wilson, Mayor Pro-tem

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S Lopez, City Secretary
Yolanda Cadena, Health Director
Robert Rodriguez, Library Director
Diana Gonzalez, Human Resource Director
Mark Rushing, Finance Director
Dora Byington, Purchasing Director
Macario Mayorga, Water Supervisor
Joe Garcia, Field Supervisor
Caron Vela, Accounting Manager
Frank Garcia, Interim Wastewater Supervisor
Bill Donnell, Interim Street Superintendent
Al Lopez, Fire Chief
Joe Casillas, Water Production Supervisor
Yolanda Vasquez, Municipal Court Supervisor
Orlando Torres, Computer Technician
Dianne Leubert, Solid Waste Superintendent

I. Preliminary Proceedings.

OPEN MEETING

Commissioner Garcia called the meeting to order in the City Commission Chambers at 12:05 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 Monday, October 9, 2006. **Commissioner Laskowski made a motion to accept the minutes as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Pecos, Laskowski voting “FOR”. Fugate, Wilson “ABSENT”**

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

NONE

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 thanked City staff and the individual organizations for their outstanding participation at Trash-Off Day, and reminded the Commission about the TML Conference to be held in Austin, next week.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez stated she had no report.

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

Mayor Fugate called for the City Commissioner's reports. Commissioner Laskowski reported on the comprehensive plan, and thanked everyone who participated in the clean-up. Commissioner Garcia also thanked everyone for their participation in the clean-up. Commissioner Pecos echoed the comments made by Commissioners Laskowski and Garcia. He also thanked Commissioner Laskowski for all his work.

IV. Public Comment on Agenda Items³

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

Commissioner Garcia called for comments on all agenda and non-agenda items. There were no comments made.

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider reappointments to the Library Board. (City Manager).

City Manager Yerena stated this particular item reappoints three current board members whose terms have or will expire, Ms Janice R Becker, Ms Judith Cox, and Mr. Alfonso Gonzalez. The Library Director has spoken to each one and they have shown an interest in continuing to serve.

Commissioner Laskowski made a motion to reappoint Ms Janice R Becker, Ms Judith Cox, and Mr. Alfonso Gonzalez for another term to the Library Board, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Pecos, Laskowski voting "FOR". Fugate, Wilson voting "ABSENT".

2. 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 provided information from past meetings.

Commissioner Laskowski stated that he had requested information regarding employees hired dates. In reviewing the information he found a couple of positions that had some discrepancies. He made several comments about the Fire Chief and the Interim Wastewater Supervisor positions. He asked why several people (Dianne Leubert, the Judge, J R Ibarra, and John Garcia) are not included for a step increase. Ms Gonzales replied these are two different plans; the initial plan is based on years of service from their title date. She stated the date that the employee became a management employee is a different date and added that the dates are not comparable. Commissioner Laskowski stated that all he is asking for is fairness. He stated that if a step program is implemented, that it begin on October 1st, and that everybody that reaches a step on October 1st, receives a step increase, or that the City can go back and take everybody within the calendar year of 2006 that would have received the step to get their step. He stated that he had left one employee off, Robert Rodriguez, who would have received his fifteen (15)

year step on 10/1/06. He stated there are five employees who would have received a step increase that are not included.

City Manager Yerena stated that the differences are in the discrepancies on when the time started, he added it is his understanding that Commissioner Laskowski wants this to start when they became management. Commissioner Laskowski stated that employees that reach a step during this budget year, should be included as part of the step program. For clarification, Ms Gonzales asked if the starting time, is the time that the employee became a management level employee. Commissioner Laskowski responded that was correct. He added that all positions have a hire date and he is assuming that is when they became a manager, not an interim. He stated that Jennifer Cantu and Diana Gonzales would have been entitled to a step increase for the third year of service. Ms Gonzales stated that based on management level hire date, there will be some adjustments made. City Manager Yerena stated he did not have a problem with that, and added that the hiring date will work just as well and added that this would expand the list. Ms Gonzales stated interim time would not count. Commissioner Laskowski replied that is the City Manager's call. He added that the employees work for the City Manager. He stated that he had based his analysis on the information provided to him.

Commissioner Garcia stated that based on the information received maybe this item should be tabled. He asked if this would interfere with payroll. Mayor Fugate stated that this meeting was called to make sure everybody's raise is on this paycheck. City Manager Yerena stated that staff could go back and make sure that everyone is included based on the motion made by the Commission.

Commissioner Laskowski made a motion to approve the compensation plan and include the following employees into the step program that will reach their step during this budget year. In addition to the ones, he stated that he wants clarification on the Fire Chief and the Wastewater Supervisor, but if it is found that they are entitled to a step, he would agree to approve that, but it needs to be shown that they are entitled to one, and that the following other employees should be included in this sheet: Dianne Leubert, Mike Krueger, J R Ibarra, John Garcia, and Robert Rodriguez, seconded by Commissioner Pecos.

Mayor Fugate called for questions or comments.

Commissioner Garcia asked if an error is found and other employees should be included then what happens. Ms Gonzales replied the actual compensation plan takes care of that problem.

Mayor Fugate called for a roll-call vote. **The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Laskowski voting "FOR". Wilson "ABSENT".**

3. Consider introduction of an ordinance amending the Fiscal Year 2006-2007 Budget for the City of Kingsville for the Management Level positions of the City. (City Manager).

City Manager Yerena stated basically this is the budget amendment that will provide the funding.


Commissioner Laskowski asked for a status on the City Engineer position. He stated the position has not been filled and at \$65,000, there has been an addition of \$1,950 to that position, and on top of that there is a \$2,745 increase. He stated that position is now at \$69,695. He asked the City Manager if he had someone in mind to hire. He added that he would like to approve the 3% increase and make it \$66,950, but if there is a viable candidate and the salary needs to be raised he would be agreeable to do that. He stated that there should be some room left for increases in the future.

City Manager Yerena stated that the amount of \$66,695 is a maximum salary which needs to be set high in order to negotiate for that position. He added that the City has not been unable to attract anybody. City Manager Yerena stated that the position is started at a lower salary to allow the increases in the same range. Commissioner Laskowski voiced his concern that the City is taking from the fund balance to fund a position that has no candidate. He suggested taking the position at whatever salary it is anticipated at starting the negotiation and leaving the rest in the fund balance. City Manager Yerena stated that he understands but there hasn't been any interest because of the salary. He stated that is the reason for doing something different, in order to attract a viable candidate. He stated that the City is doing fine with the contract Engineer, but if the City starts doing some of the projects in place, then that would potentially cost the City more than the cost of the Engineer. Commissioner Laskowski stated that if \$69,695 is approved, within one year, after a 3% increase the City Engineer will be ahead of the City Attorney. He stated he did not want to restrict the City Manager from hiring at that salary and that he did not have a problem with the City Manager negotiating to get the best person for the job at a reasonable salary. Commissioner Laskowski stated if the City Manager has to pay more, than the Commission can amend the budget to increase the line item.

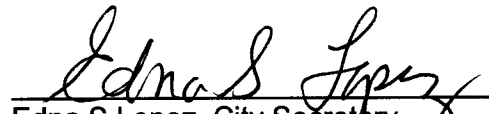
INTRODUCTION ONLY

VII. Adjournment.

There being no further business to come before the City Commission the meeting was adjourned at 12:43 P.M.


Sam R Fugate, Mayor

ATTEST:


Edna S Lopez, City Secretary