

JULY 24, 2006

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, JULY 24, 2006 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor arrived at 5:06 P.M.
Charles E Wilson, Mayor Pro-tem
Al Garcia, Commissioner
Arturo Pecos, Commissioner
Stanley Laskowski, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Courtney Alvarez, City Attorney
Edna S Lopez, City Secretary
Diana Gonzales, Human Resource Director
Yolanda Cadena, Health Director
Jennifer Cantu, Director of Development Services
Y I Hinojosa, Street Field Supervisor
Mark Rushing, Finance Director
Bill Donnell, Int Street Supt
Frank Garcia, Int. Wastewater Supervisor
Robert Rodriguez, Library Director
Bob Daehn, Building Official
Dianne Leubert, Solid Waste Superintendent
Al Lopez, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING/WORKSHOP

Mayor Pro-tem Wilson called the workshop to order at 5:05 P.M.

The City Commission convened into executive session at 5:06 P.M.

CONVENE INTO EXECUTIVE SESSION - ITEM VI – Items for Consideration by Commissioners - #5. Executive Session: Pursuant to Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene into executive session to deliberate the evaluation of the City Manager, the City Attorney, and the Municipal Court Judge.

The City Commission reconvened into open session at 5:17 P.M.

RECONVENE INTO OPEN SESSION – ITEM III – Petitions, Grievances, and Presentations - #1. Conduct workshop regarding Goal Setting and Team Building for the City of Kingsville.

Mayor Fugate referred to a list of the Commissions' goals that were posted on the wall. Mayor Fugate stated that developing a Sister City in Texas still needed. The Sister City with Reynosa is going well. City Manager stated that there is an application for housing. City Manager Yerena stated Economic Development is starting to develop. Mayor Fugate commented on the Pharmacy School development. Mayor Fugate stated that the City has failed miserably in NEED TO IMPROVE #1 – infrastructure (streets, water, sewer, etc). Commissioner Laskowski stated streets are an on-going issue. Commissioner Wilson requested an update on the water towers at the next meeting. Still under, NEED TO IMPROVE, Mayor Fugate commented that #3 – School system reputation – Kingsville had the lowest test scores in the Coastal Bend. Commissioner Laskowski voiced his concern regarding information of a presentation that was provided by KISD regarding test scores. Mayor Fugate stated that publicly the City needs to support KISD. Commissioner Wilson suggested moving #3 from NEED TO IMPROVE to OPPORTUNITIES because item subject has been dealt with.

Commissioner Garcia stated he had spoken to KISD Administrators and had suggested bringing back the homeroom classrooms and teachers visiting each student's home. City Manager Yerena suggested City staff making presentations to the students.

Regarding the Master Plan, City Manager Yerena stated that only one company has bid. Ms Jennifer Cantu, Director of Development Services updated the Commission on sending out an updated RFP.

There was discussion on the Capital Improvement Plan. Ms Cantu stated this is part of the Master Plan. Commissioner Laskowski provided information on his idea of what a Capital Improvement Committee does and suggested this be put on a future agenda. Mayor Fugate suggested that each Commissioner make an appointment to this committee at the next regular meeting.

There was discussion on finding ways of rewarding employees and on the continuance of educational courses at Coastal Bend College for employees.

Regarding salaries, Commissioner Laskowski stated that some management level employees are stuck with the same salary for years and added that a new strategy has to be developed. He explained the compensation steps for hourly and management employees.

Mayor Fugate suggested moving item #8 Listen more to needs of NAS and University from NEED TO IMPROVE to OPPORTUNITIES.

Mayor Fugate stated that the City does not do a good job of keeping its own properties clean. Commissioner Laskowski provided information on the Adopt-A-Spot program.

Mayor Fugate suggested moving item #11 Promote the City at Speaking engagement from NEED TO IMPROVE to OPPORTUNITIES, and also move item #12 Financial strength of City from NEED TO IMPROVE to OPPORTUNITIES.

There was discussion on the Capital Improvement Committee.

Mayor Fugate suggested discussion of Strengths (Goals) be continued at the next meeting.

Mayor Fugate closed the Workshop at 6:15 P.M. and called for a 5 minute break.

Mayor Fugate called the Regular Meeting of the City Commission to order at 6:20 P.M.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by City Manager Yerena, 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 July 10, 2006. Commissioner Laskowski made a motion to accept the minutes with the corrections provided to the City Secretary earlier during the day, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Pecos, Garcia, Wilson, Laskowski voting "FOR".

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

1. Public Hearing regarding condemnation proceedings for structures located at 227 E Ella and 301 W Henrietta. (Building Official).

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

Mr. Bob Daehn, Building Official stated the houses at 301 W Henrietta and 227 E Ella are in significant state of disrepair and creates a safety and health hazard to the surrounding area and the community at large and is in direct violation to the Code of Ordinance. Both properties are vacant.

Mayor Fugate called for comments or questions.

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

III. Petitions, Grievances, and Presentations.²

1. Conduct workshop regarding Goal Setting and Team Building for the City of Kingsville. (Mayor Fugate).
2. City Manager's Report. (City Manager).

Mayor Fugate called for the City Manager's report. City Manager Yerena stated that Staff from the Street department was available for a presentation. Mr. Donnell stated since April, twenty-nine (29) blocks have been seal-coated and drainage ditches have been cleaned. City Manager Yerena asked Mr. Donnell to provide the Commission with a list of what will be worked on. Mayor Fugate asked about the usage of the zipper. Mr. Donnell replied they are using it as they can. Formal bids for striping 6th Street are being prepared. Mayor Fugate commended the Street Department on how well the ditches flowed during the recent rains. Mayor Fugate called for any other questions or comments.

City Manager Yerena stated Ms Dianne Leubert would provide information on the City wide clean-up to be held on July 29th. Ms Leubert passed out an informational booklet, and provided information on Saturday's trash out. Upon a question raised by Commissioner Laskowski, Ms Leubert stated she can coordinate with the Landfill so that volunteer county citizens can dump at the landfill. Commissioner Laskowski suggested advertising the event and providing information so that citizens can be made aware of what they can expect. City Manager Yerena stated some advertisement has occurred. Commissioner Wilson suggested creating a type of pass to give to residents to use at the landfill.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported that during the joint meeting with the County, the County approved the GCS Tax Abatement agreement, unanimously. She announced that a TAMUK class in the audience, and reported that she had attended mediation for a case on Saturday which will proceed with trial. She asked that evaluations be schedule after next week because she will be on vacation.

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

Mayor Fugate called for the City Commission's reports. Mayor Fugate presented the Irma Lerma Rangel Pharmacy School Proclamation to Dr. Dorsey from Texas A&M University-Kingsville.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called comments on all agenda and non-agenda items. None

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Discuss certification of 2005 excess debt collections and the certification of 2006 anticipated collection rate submitted by the Kleberg County Tax Assessor Collector, Melissa T. De La Garza. (City Manager).

City Manager Yerena stated this was part of the process. The collections rate for 2006 for the City of Kingsville, Interest & Sinking Fund has been estimated to be 100%, and that the amount of excess debt service funds collected for 2005 for the City of Kingsville, Interest & Sinking Fund has been determined to be \$-0-.

DISCUSSION ONLY

2. Consider condemnation of structure located at 227 E Ella. (Building Official).

Mayor Fugate called for questions or comments, and then called for a motion. Commissioner Wilson made a motion to condemnation structure, seconded by Commissioner Pecos. Commissioner Laskowski stated this had to go through the process. Ms Alvarez stated in a memo to the Commission information with regard on the condemnation hearing process was provided. Commissioner Wilson rescinded his motion. Commissioner Wilson moved to a finding of not able to repair, that the building structure is unsafe, that it presents a condition in violation of City Ordinances, it can not corrected with substantial reconstruction, declare the building or structure to be a public nuisance, and order its demolition by owner/agent/person in charge within a the specified time, (90 days) from this date, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

3. Consider condemnation of structure located at 301 W Henrietta. (Building Official).

Mayor Fugate called for a motion. Commissioner Wilson moved to have finding of not able to repair, that the building structure is unsafe, that it presents a condition in violation of City Ordinances, it can not corrected with substantial reconstruction, declare the building or structure to be a public nuisance, and order its demolition by owner/agent/person in charge within a the specified time, (90 days) from this date, seconded by Commissioner Laskowski.

Mayor Fugate said this house has been a deep source of irritation for many people, and said that he would like to see this building gone.

The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Laskowski, Wilson voting "FOR".

4. Consider authorizing the City Manager to enter into a Residential Development Improvement Agreement with applicant Larry T. Garcia for home to be constructed at the property located at 103 E. Sage Road pursuant to the Guidelines and Criteria for Stimulating and Improving Residential and Commercial Development within the City of Kingsville. (Mayor Fugate).

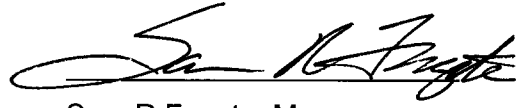
Mayor Fugate stated this was great, someone taking advantage of a project offered to abate some of his taxes.

Commissioner Laskowski made a motion authorize the City Manager to enter into a Residential Development Improvement Agreement with applicant Larry T. Garcia for home to be constructed at the property located at 103 E. Sage Road. He further stated that he would like to make him aware that in order to get the same from the County that he needs to take a copy of the City's application to the County and get it on their Commissioners' Court meeting because under the agreement with the County he is entitled to the same. Commissioner Wilson seconded Commissioner Laskowski's motion. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Laskowski, Wilson voting "FOR".

5. Executive Session: Pursuant to Section 551.074 of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation of the City Manager, the City Attorney, and the Municipal Court Judge. (Mayor Fugate).

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:03 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, City Secretary