

OCTOBER 22, 2007

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 22, 2007 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
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Armando Gutierrez, City Engineer
Al Lopez, Fire Chief
Dora Byington, Purchasing Director
Yolanda Cadena, Health Director
Jennifer Vela, Code Enforcement Officer
Mark Rushing, Finance Director
Diana Gonzalez, Human Resource Director
Dianne Leubert, Solid Waste Superintendent
Ricardo Torres, Police Chief

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, Purchasing Director, 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 October 8th, 2007. **Commissioner Pecos made a motion to accept the minutes, as presented, seconded by Commissioner Laskowski. The motion was passed and approved by the following vote: Fugate, Wilson, Garcia, Laskowski, Pecos voting “FOR”.**

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

NONE

III. Petitions, Grievances, and Presentations.²

1. Proclamation honoring Eagle Scout Luis Gonzalez.

Mayor Fugate presented the proclamation honoring Eagle Scout Luis Gonzalez.

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

Mayor Fugate called for the City Manager's report. City Manager Yerena reported on having a successful "Trash-Off Day". Mayor Fugate presented a certificate of appreciation to representatives from Sigma Phi Fraternity and to Delta Sigma Phi Fraternity for all their help during the recent "Trash-Off Day". City Manager Yerena further reported on an upcoming meeting with Dr. Juarez to discuss a joint clean up project; on the National Guard coming into town in November to demolish more houses; and on the City forming several committees. Litter Abatement Officer Vela reported on the 5th Annual Haunted House to be held on Saturday, October 27th. City Manager Yerena also reported on the date for the Safety Incentive Banquet

to be held on December 21st and on the next regular meeting of the City Commission, Tuesday, November 13th due to Veterans Day on Monday, November 12th.

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

Mayor Fugate called for the City Attorney's report. City Attorney Alvarez reported on the date for the next meeting; and advised that she has been researching information regarding trains blowing whistle/horns in town. She thanked three citizens that came to her rescue during the lunch hours when she had car problems.

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

Mayor Fugate called for the City Commission's reports. Mayor Fugate reported on a meeting with Landmark Valley Homes' Engineer and complimented City Engineer Gutierrez on how he handled himself during the meeting. He complimented Staff for a successful "Trash-Off Day". He reported on a meeting with the County and stated they are receptive on meeting the City halfway. He stated they did request to have a workshop which will be at a mutual site. Commissioner Garcia thanked the public for participating at the "Trash-Off", and stated he did help someone with their trash.

IV. Public Comment on Agenda Items³

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

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

Mr. Rolando Chapa, 803 W Ave H, spoke about traffic on Armstrong traveling too fast.

Mayor Fugate called for consideration of the Consent Agenda, items 1-3.

Commissioner Garcia made a motion to accept the Consent Agenda, items 1-3, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

V. Consent Agenda

1. Motion to approve out-of-state travel for Fire Captain to attend a pre-construction meeting on the 100' platform in Snyder, Nebraska on October 28th – 30th, 2007. Travel, lodging and per diem costs will be at the expense of Smeal Fire Apparatus. (Fire Chief).

2. Motion to approve resolution authorizing the City's participation in the submission of an application to the Department of Homeland Security through the Coastal Bend Council of Governments for the purpose of requesting grant funding on behalf of the City in the amount of \$190,236.00 for the Public Safety Interoperable Communications Grant for equipment for the Kingsville Police Department with a cash match of \$38,048.00. (Police Chief).

3. Motion to approve final plat for Wal-Mart Commercial subdivision. (City Engineer).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Discuss and consider re-adopting the Guidelines and Criteria for Stimulating Residential Development within the City of Kingsville. (City Manager).

City Manager Yerena stated the Residential Development Guidelines have expired and this item is on for the City Commissions' consideration for re-adoption. He advised that at the beginning this was a pilot program. City Attorney Alvarez stated this was developed for a project that came to town, Las Palmas Del Rey, and then was also used by Paulson Falls. She added this was meant to spur residential development. Upon a question from Commissioner Garcia, City Manager Yerena replied there aren't any changes to the guidelines, only a two year re-adoption.

Mayor Fugate called for questions or comments. Mayor Fugate stated this needs to be continued and reminded the Commission there isn't any economic development funds available through our sales tax which puts the City in a position of being behind other communities that can offer different packages. He added this is a small way of competing. **Mayor Fugate recommended approval for two years, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Garcia, Laskowski, Pecos voting "FOR".**

5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 3, Subdivision Regulations, adopting §15-3-100 through §15-3-109 providing for Drainage Regulations. (City Engineer).

City Engineer Gutierrez stated this is something being used throughout the state and nation. This ordinance provides certain guidelines for water that needs to be detained. He provided an explanation of the ordinance. He stated several sections of the existing ordinance were repealed. He stated that the purpose of detention plan is to utilize the system that already exists. He stated that many of the systems that exist were put into place about thirty years ago when the communities were different. He stated the City has reached the point where the system in place has reached its capacity and can't handle anymore. He stated that the City needs to start looking at ways of simulating as if no more developing is actually occurring. He provided information of pictures taken of neighborhoods in the Valley that have retention ponds. He stated this ordinance allows guidelines on how steep the slopes will be. He stated he has seen first hand the flooding that occurs in Kingsville, this is an alternative to going in and replacing all the storm systems in the City.

Commissioner Laskowski complimented City Engineer Gutierrez and stated this is very important to the community. Commissioner Garcia asked about the liability. City Engineer Gutierrez stated he is not aware of any but noted that a WalMart in the Valley has a fence around the pond.

INTRODUCTION ONLY

6. Consider approval of employment contract for City Manager Carlos Yerena. (Mayor Fugate).

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

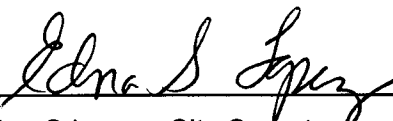
TABLED

VI. Adjournment.

There being no further business to come before the City Commission the meeting was adjourned at 6:48 P.M.


Sam R Fugate, Mayor

ATTEST:


Edna S Lopez, City Secretary