

FEBRUARY 12, 2007

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 12, 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
Courtney Alvarez, City Attorney
Edna S Lopez, City Secretary
Dora Byington, Purchasing Director
Jennifer Vela, Litter Abatement Officer
Mark Rushing, Finance Director
Robert Rodriguez, Library Director
Al Lopez, Fire Chief
Ricardo Torres, Police Chief
Jaime Garza, Task Force Commander
Diana Gonzales, Human Resource Director
Ron Pray, Firefighter
Bill Donnell, Public Works Director
Dianne Leubert, Solid Waste Superintendent
Barry Blackstock, Lieutenant
Jesse Reyes, Police Officer

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 Special Meeting held on Friday, February 09, 2007. **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: Fugate, Wilson, Garcia, Pecos, Laskowski voting “FOR”.**

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

None

III. Petitions, Grievances, and Presentations.²

1. Proclamation designating the month of February as “Black History Month”.

Mayor Fugate presented the proclamation. Information was provided on several events scheduled to celebrate “Black History Month”.

2. Proclamation recognizing and honoring Jacob Carl Eckert.

Mayor Fugate presented the proclamation to Jacob Carl Eckert.

Mayor Fugate called for Judge Martin Chiuminatto's presentation. Judge Chiuminatto presented two new Explorer Charters to Post 119 – Fire Department & 911 – Police Department. A brief overview of the program was provided by Judge Chiuminatto.

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

Mayor Fugate called for the City Manager's report. City Manager Yerena reported on Staff providing reports. Ms Jennifer Vela, Litter Abatement Officer explained the information on a handout. She provided information on structures to be demolished.

Mayor Fugate called for questions or comments. Commissioner Laskowski asked how many people fail to comply when they receive a letter. Ms Vela replied that she has a good success rate, about 85 - 90% comply. She added that those that do not comply either live out-of-town or are deceased. She stated that the City is working on abating the nuisance and placing a lien on the property. City Manager Yerena stated that the City will be more aggressive in filing liens. Commissioner Garcia asked about the location of the thirty-eight junked vehicles that are listed. Ms Vela replied these vehicles are on the property. He stated that during a drive by of half the town he located about two-hundred and fifty abandoned vehicles on the property.

Police Chief Torres provided a handout entitled Junked and Abandoned Vehicle Data. He stated that they have a zoning map of the entire city and will be working from North to South, one block at a time checking each area for compliance of junked vehicles and eighteen wheelers in residential areas. Mr. Jesse Reyes provided information on his findings.

Mayor Fugate stated that it is important for the Commission to keep in mind that people don't like change, but it is important that Staff enforce the ordinances. Mr. Reyes stated he would like to do some public service announcements to educate the citizens. Commissioner Pecos asked who pays for vehicles that are towed. Chief Torres replied the towing company collects and if vehicles are not picked up by the owner within thirty days, the vehicles are auctioned off. Commissioner Laskowski stated that during the budget process, the Chief promised two code enforcement officers. Chief Torres explained that was not the case, and further explained the intent.

City Manager Yerena reported on a meeting with KISD to facilitate efforts for the different activities that relate to our young people. He added that a task force will be formed. City Manager Yerena also reported that two structures are scheduled to be demolished, 301 W Henrietta and 705 W Doddridge.

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

Mayor Fugate called for the City Attorney's report. Ms Alvarez reported on the next KICC meeting, on the next Trash-off Day, on Saturday, February 24th. She reported that the next Trash-off Days for the remainder of this fiscal year have been tentatively set for April 21st, July 21st and October 20th. Finally, she reported on a suggested revision to agenda item #3.

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

Mayor Fugate called for the City Commission's reports. Mayor Fugate announced the Trash-Off Day, Saturday, February 24th from 8:00 AM to 12:00 Noon.

IV. Public Comment on Agenda Items ³

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

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

Mr. Harold Ashley, AEP Texas representative, spoke on the company's intent to raise rates and on agenda item #5.

Mayor Fugate called for consideration of the items on the Consent Agenda.

V. Consent Agenda
Notice to the Public

1. Motion to approve the City's participation in sponsorship of the 4th Annual Ride on the Wild Side charity bike tour on the King Ranch on April 14, 2007 in conjunction with the Kingsville Convention and Visitors Bureau and the Kingsville Noon Lions Club; and other matters related thereto. (City Attorney).
2. Motion to approve a resolution of the City of Kingsville supporting the Affordable Multi-Housing Family Rental Development named Kings Crossing Phase II, in Census Tract 202. (City Manager).
3. Motion to approve authorizing the City Manager to enter into a Mutual Aid Agreement for Fire Protection and Hazardous Materials Incident Response between the City of Kingsville and Kleberg County. (Fire Chief).

Commissioner Laskowski made a motion to accept the consent agenda as presented with the correction to the Interlocal Agreement between the County and the City Fire Department, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider a resolution supporting the Kleberg County Heritage Foundation's efforts to preserve the old H.M. King High School Building located at Kleberg Avenue and North 3rd Street and convert it into a new City Hall. (Mayor).

Commissioner Wilson excused himself as this will be a conflict of interest because he is a member of the Kleberg County Heritage Foundation.

Mayor Fugate stated there have been meetings with the Heritage Foundation and School District. The Heritage Foundation wants some commitment from the City, there is no financial obligation by the City. It is understood that this has to be built with private funds. This is just so the foundation knows if it is built the City will come.

Mayor Fugate called for questions or comments. Commissioner Laskowski stated the new building would be approximately 22,000 square feet. He stated that he wanted to make sure if a commitment is made, the City will get something that is larger than what we have now. The City has outgrown the present building. He voiced his concern about the size of the future City Hall, stating that he was not sure that 8,000 square feet would be large enough to meet the City's needs now, and much less future growth. Mayor Fugate stated this figure, 22,000 square feet does not include some of the other structures that are located around the Old High School. Commissioner Laskowski asked if there was a timeline. Mayor Fugate replied he thought that building has a timeline and something has to be done pretty quickly. Commissioner Laskowski stated there will be some cost associated with the moving. Mayor Fugate stated the hopes and dreams of the community are that the building is developed.

Commissioner Garcia voiced his concern on signing a lease agreement. He stated he likes the idea of a new building, his concern is that the lease agreement is not defined. Mayor Fugate replied the building will be release to the City, with no long term agreement, except for the City paying for the maintenance.

Mayor Fugate stated this would be a school, city, private partnership which will be very unique and a good historical site.

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

5. Consider introduction of an ordinance of the City of Kingsville, Texas finding, after reasonable notice and hearing, that AEP Texas Central Company's existing rates are unreasonable; Finding that AEP Texas Central Company's requested revenues resulting from electric transmission and distribution rates and charges within the city should be reduced; Determining just and reasonable rates; Adopting recommendations of consultants; Providing for recovery of rate case expenses; Preserving regulatory rights of the city; Ordaining other provisions related to the subject matter hereof. (City Manager).

Ms Alvarez stated this matter was analyzed by some experts to evaluate the rate request. There are 82 cities that have joined in to what the City of Kingsville has done with regard to request for the rate increase filed in November. In essence, the summary is the consultants are recommending that the proposed ordinance being considered for introduction purposes only, be passed at the next City Commission. This ordinance would provide for a more reasonable rate increase and not as much as what TCC has requested. She stated there is an inclusion of the other Cities that have joined in the same matter and are being asked to take the same action that this City Commission is being asked to consider at the next meeting.

Mayor Fugate called for questions or comments. Mayor Fugate stated that Mr. Ashley asked the City to deny it straight out as opposed to approving this resolution. Ms Alvarez replied that if the City just flat denies it, it give AEP a direction appeal to the PUC to cut off some of the Cities rights or negotiate ability. She added if this is passed than that puts the ability for what is being requested to be brought more into light and makes it a little easier to negotiate what is fair. Commissioner Wilson stated the final decision rests on the Public Utilities Commission.

Ms Alvarez stated this give the City more of a voice on the process. She provided an explanation.

Mayor Fugate called for other questions or comments. Commissioner Pecos asked if only a certain region is being focused on. Ms Alvarez replied that was correct and that this region has been historically charged more.

INTRODUCTION ONLY

6. Consider introduction of an ordinance amending the Fiscal Year 2006-2007 Budget for the City of Kingsville for 6th Street Project. (City Manager).

City Manager Yerena stated this was a housecleaning item that basically accounts for the increase that was not spent last year and this does not impact the fund balance.

Mayor Fugate called for questions. Commissioner Laskowski asked for the location that would be paved on 6th Street. Mr. Bill Donnell replied the paving will occur from Corral Street to Loop 428. Commissioner Laskowski asked if this was sufficient money to also do the re-striping. Mr. Donnell replied this is an addition and monies from the Richard Street closure project will be used.

INTRODUCTION ONLY

7. Consider introduction of an ordinance amending the Fiscal Year 2006-2007 Budget for the City of Kingsville for the Engineering Consultant's expenses to come from General Fund and Utility Fund projected increase in revenues. (City Manager).

City Manager Yerena stated this would to allow the City to finish out the year by allocating funding for Professional Services for engineering services.

Mayor Fugate called for questions or comments. Commissioner Laskowski asked if the City anticipates that outside engineering fees would be about \$25,000. City Manager Yerena responded that will be the amount to finish out the year.

INTRODUCTION ONLY

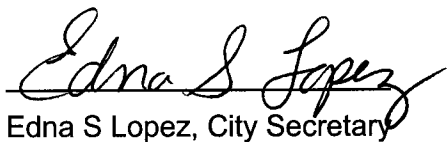
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:04 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, City Secretary