

FEBRUARY 26, 2007

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 26, 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 – arrived at 6:05 P.M.
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Jaime Garza, Task Force Commander
Jennifer Vela, Litter Abatement officer
Diana Gonzalez, Human Resource Director
Yolanda Cadena, Health Director
Dora Byington, Purchasing Director
Bill Donnell, Public Works Director
Mark Rushing, Finance Director
Felix Camarillo, Firefighter
Dianne Leubert, Solid Waste Superintendent
Mando Sandoval, Firefighter
Albert Pardo, City Engineer
Al Lopez, Fire Chief
Frank Garcia, Wastewater Supervisor
Joe Cabrera, Firefighter
Art Alvarez, Risk Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Commission Chamber 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.

Mayor Fugate announced quorum was present.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the regular meeting of February 12, 2007. **Commissioner Pecos made a motion to approve the minutes, as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Laskowski, Wilson, Pecos voting “FOR”. Garcia “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 informed the Commission that City Attorney Courtney Alvarez had given birth to a baby boy. He reported there would be a presentation by the Task Force. Task Force Commander Garza reported on hosting an interdiction school given by the government at no cost, the school will take place at NAS for three days. He stated this would involve intensive training on commercial motor vehicles. He extended an invitation to the Commission to attend a luncheon on Thursday.

City Manager Yerena updated the Commission on the quarterly Trash-Off program, the latest which occurred on Saturday, February 24th. City Manager Yerena asked Mayor Fugate to assist in the presentation of some certificates of appreciation for several groups from the community that participated at Saturday's Trash-Off event. There were four groups represented: the Parks Department, the Hospital, Texas A&M University-Kingsville football players, and the Keep Kingsville Beautiful. City Manager Yerena reported that two more structures that will be demolished on March 14th, located at 430 S 2nd and 511 W Huisache. City Manager Yerena called for Mr. Art Alvarez, Risk Manager to make a presentation on the mold remediation at the Public Works departments. Mr. Alvarez provided before and after pictures of the job. He provided information on a water leak that occurred while the mold remediation work was in progress.

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

Not available

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

Mayor Fugate called for the City Commission's reports. Commissioner Laskowski thanked City staff who participated in Trash-Off Day. Mayor Fugate echoed Commissioner Laskowski's comments. Commissioner Wilson reported on the successful season of the Javelina Basketball, Softball and Baseball teams.

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. There were no comments.

Mayor Fugate called for consideration of the Consent Agenda Items 1-5.

V. Consent Agenda

1. 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).

2. Motion to approve final passage 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).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2006-2007 Budget for the City of Kingsville for 6th Street Project. (City Manager).

4. Motion to approved final passage 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).

5. Motion to approve resolution authorizing the City Manager to enter into an agreement regarding ground lease with Global Tower, LLC which modifies the tower site lease agreement with Infinity Towers, Inc. authorized through Resolution #98046 as more fully herein described. (City Attorney).

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

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Consider authorizing the purchase of two cardiac monitors for Emergency Medical Services (EMS). (Fire Chief).

Fire Chief Lopez stated he was endorsing the recommendation of the department's EMS Director for the purchase of two cardiac monitors for the cost of \$27,660.87. He stated that a grant application was submitted to try to get 50% match for the two monitors, but were only granted a 50% match for one monitor. Chief Lopez stated that the capital outlay funded the amount to cover the 50% of two monitors; the amount that is short will be handled with a line item transfer from the department's budget.

Commissioner Laskowski asked about purchasing only one charger. Firefighter/EMS Director Camarillo explained this was to keep the cost down, and only one is needed. He stated that the batteries stay charged until depleted. He explained that the department has back up batteries and further explained the rotation process of the batteries. Commissioner Laskowski voiced his concern about having only one charger when ambulances are located at two different locations. Firefighter Camarillo replied that the chargers are kept in the supply area and the ambulances carry back up batteries.

Commissioner Laskowski made a motion to authorize the purchase of the two defibrillators from Zoll, seconded by Commissioner Wilson. Mayor Fugate called for questions or comments. Commissioner Garcia inquired about the 1.5% administrative fee to H-GAC. Chief Lopez replied it is a normal fee charged by the agency for handling the purchasing and bidding process. Commissioner Garcia asked if this was similar to the Council of Governments. Chief Lopez replied it was. Firefighter/EMS Director Camarillo stated it is his understanding that you get the better price by going to the COG, if you go to the vendors directly, you get an inflated price.

Mayor Fugate called for questions or comments.

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

7. Consider awarding a bid for hauling services for debris removal from demolished structures. (Purchasing Director).

Ms Byington stated this item authorizes approval of a contract to haul debris from demolished houses located throughout the city. The contract will be effective immediately upon approval by the Commission, and will last until February 2008. Based on the Litter Abatement Officer's estimate, this action will cost approximately \$28,000.00. She stated it is recommended that the bid be awarded to Raul Loera Trucking Company from Kingsville.

Mayor Fugate called for questions or comments.

Commissioner Laskowski made a motion to enter into a contract with Loera Trucking, seconded by Commissioner Wilson.

Mayor Fugate called for question or comments. Commissioner Garcia asked if this was an expandable item in the current budget year. Mr. Mark Rushing, Finance Director replied it was an expandable item in the current budget, and presently there is \$33,128.00 in this line item.

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

8. Consider authorizing the City Manager to enter into a Master Agreement for Mutual Aid by and between participating members of the BiNational Texas-Tamaulipas Economic Alliance. (City Manager).

City Manager Yerena stated this is one of the areas that the newly formed alliance is addressing, issues dealing with emergency management and disaster situations. He stated that this agreement would allow the City to participate in the event of a disaster and would give the City the opportunity to provide mutual aid to the Tamaulipas area. He added that this agreement is similar in nature to what the Coastal Bend Council of Government has in place for its participating entities. City Manager Yerena stated this agreement does provide for reimbursement by the requesting party. He added it would be at the City's disposal if resources are available to provide assistance.

Mayor Fugate called for questions or comments. Commissioner Pecos asked if the City Attorney had looked at the proposed agreement. City Manager Yerena replied she had drafted the wording for this agreement.

Mayor Fugate called for a motion. **Commissioner Laskowski made a motion to authorize the City Manager to sign the agreement, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Garcia, Pecos, Laskowski voting "FOR".**

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:30 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, City Secretary