

MARCH 12, 2007

A REGULAR MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON MONDAY, MARCH 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
Stanley Laskowski, Commissioner

CITY COMMISSION ABSENT:

Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Ruben Perez, Interim City Attorney
Frank Garcia, Wastewater Supervisor
Dora Byington, Purchasing Director
Jennifer Vela, Litter Abatement Officer
Ricardo Torres, Police Chief
Al Lopez, Fire Chief
Jaime Garza, Task Force Commander
Albert Pardo, City Engineer
Mark Rushing, Finance Director
Diana Gonzales, Human Resource Director
Yolanda Cadena, Health Director

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.

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 26, 2007. **Commissioner Laskowski made a motion to accept the minutes, as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski voting "FOR". Garcia, Pecos "ABSENT".**

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

Mayor Fugate announced there were no public hearings to be heard.

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 introduced Mr. Ruben Perez, Interim City Attorney. He reported Staff would make two presentations. Police Chief Ricardo Torres provided information on the department's proposals to expend funding during the course of the year. He stated that items that were addressed in the initial budget but were cut will be purchased. He then provided information on the items to be purchased: body bunker ballistic shield, ten tasers, centurion scout mobile security systems, leadsonline law enforcement automated database search, and vehicles. He stated that as of February 27, 2007

the department has \$311,175.52 in their Federal Forfeiture Fund. In the State Pending Forfeiture Fund, there is \$430,521.14. He stated that approximately \$200,000 will be moved into the Chapter 59 account for expenditure by the Police Department for law enforcement related equipment. Chief Torres stated that a \$500.00 donation will be made to PDAP.

Mayor Fugate called for questions or comments. Commissioner Wilson asked the amount of cars to be purchased. Police Chief Torres replied ten Dodge Chargers will be purchased which will be presented at a later date to the Commission. Mayor Fugate commended the Police Chief for the use the Chapter 59 Funds.

City Manager Yerena reported that two unsafe structures will be demolished on Wednesday, March 14th. Ms Jennifer Vela provided the timeline information of the project. Commissioner Wilson asked who had inspected the property to see that the violations had not been corrected. Ms Vela responded that these properties were condemned under the former Building Official, Mr. Robert Daehn's authority and the City Engineer has also reviewed these houses.

City Manager Yerena stated that the City will initiate the use of placards. Ms Vela explained the procedure to be used when using the placards. City Manager Yerena announced the locations for the upcoming demolitions, 430 S 2nd and 511 West Huisache. He reported that the KIKK committee has initiated the filing of liens for high grass.

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

Mayor Fugate called for the City Attorney's report. No report was available.

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

Mayor Fugate called for the City Commission's reports. Commissioner Laskowski provided the information on the next quarterly pick up for Keep Kingsville Beautiful which is on April 21st. Mayor Fugate reported he has received a lot of positive feedback on this project.

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. There no comments made.

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

V. Consent Agenda

1. Motion to approve out-of-state travel for Task Force member(s). (City Manager).
2. Motion to approve a resolution establishing guidelines and criteria governing tax abatement and creation of reinvestment zones; authorizing the City Manager to accept applications on behalf of the City for presentation to the Commission; and providing for evaluation of each application for conformity with such guidelines and criteria prior to submission to the Commission. (City Manager).
3. Motion to approve out-of-state travel for Detective Sandra Ochoa to attend the Fourth National Sexual Assault Response Team (SART) Training Conference in Tampa, Florida on May 30th – June 1st, 2007. (Police Chief).

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

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider approval of Change Order No. 1 for Lott Avenue drainage improvement project, in the amount of \$19,667.50 to come from the 2002-2002A Certificate of Obligations. (Public Works Director).

Mr. Robert Viera, LNV Engineering stated that this project which was part of the 2002-2002A Certificates of Obligation and was designed by the previous City Engineer. He stated that they were just responsible for the oversight of the project. He stated that during the construction the contract encountered a water line that was not shown in the initial plans. He stated that the majority of these items are changes to the contract based on encountering that line and having to deepen the storm sewer line and to change some of the boxes in the structures involved in the project.

Mayor Fugate called for comments or questions. Commissioner Laskowski asked about the size of the water line. Mr. Viera explained what occurred during the construction.

Commissioner Laskowski made a motion to approve the change order, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski voting "FOR". Garcia, Pecos "ABSENT".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:25 P.M.


 Sam R Fugate, Mayor

ATTEST:


 Edna S Lopez, City Secretary