

APRIL 19, 2010

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 19, 2010 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL/200 EAST KLEBERG AVENUE 6:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Al Garcia, Mayor Pro-tem
Charles E Wilson, Commissioner
Arturo Pecos, Commissioner
Stanley Laskowski, Commissioner

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Robert Trescott, Downtown Manager
Naim Khan, City Engineer
Dora Byington, Purchasing Director
Gary Fuselier, Landfill Supervisor
Diana Gonzalez, Human Resource Director
Mark Rushing, Finance Director
Yolanda Cadena, Health Director
Grace Garcia, Interim Task Force Commander
Bill Donnell, Public Works Director
Ricardo Torres, Police Chief
Joe Casillas, Water Production Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 6:00 P.M. and announced quorum as present.

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 regular meeting of Monday, April 12th, 2010. **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, Garcia, Pecos, Wilson, Laskowski voting "FOR".**

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

NONE

III. Reports from Commission & Staff²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Convention and Visitor's Bureau, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment

Zone Presentation, Chapter 59 project. No formal action can be taken on these items at this time.

City Manager Yerena announced that Mr. Khan, City Engineer is now a certified Flood Plain Manager; the schedule for Early Voting in the City's General Election; Election Day is Saturday, May 8th; the next regular meeting of the City Commission will be on May 10th, 2010; there will be two special meetings, one for canvassing the election results and the other for the swearing-in ceremony. He announced that Trash-off Day was postponed and rescheduled for May 15th. He announced that Mr. Gary Fuselier, Landfill Supervisor passed the "A" License exam.

Mayor Fugate presented a plaque to "Women of Diversities" group for the adopt-a-spot program.

City Manager Yerena announced that Staff would be offering internships to two students from the University in the Engineering department, and that funding will be utilized through the JLUS Grant.

Ms Alvarez reminded the Commission there will be no Municipal Court for April 29th due to Early Voting in the Chamber; and she congratulated City Secretary Edna Lopez for (30) years of service to the City.

Commissioner Laskowski commended Staff for a job well done during the activities of Safety Week.

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.

Ms Dora Rodriguez, 222 E Alice, read letter with regard to an incident with the Task Force Explorer Program.

Mr. Rogelio Salinas, 1604 E Fordyce, spoke about several incidents with the Task Force Explorer Program and asked why they did not receive a response to their concerns.

Ms Cynthia Flesher, 244 Otis, spoke in reference to the problems in the Task Force Explorer Program.

Mayor Fugate called for consideration of the Consent Agenda, Items 1-6. Commissioner Laskowski made a motion to accept the Consent Agenda, as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

V. Consent Agenda

1. RESOLUTION NO. R2010-18 Motion to approve a resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Douglass Center. (City Manager).
2. RESOLUTION NO. R2010-19 Motion to approve a resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to Palmer Drug Abuse Program (PDAP). (City Manager).
3. RESOLUTION NO. R2010-20 Motion to approve a resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Douglass Center. (City Manager).
4. RESOLUTION NO. R2010-21 Motion to approve a resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to Palmer Drug Abuse Program (PDAP). (City Manager).
5. Motion to approve out-of-state travel to Washington, DC for Mayor Fugate on April 26th – 28th, 2010 for the purpose of discussing military issues for the city. (City Manager).
6. RESOLUTION NO. R2010-22 Motion to approve a resolution endorsing certain legislative changes relating to the Sunset Review of the Texas Public Utility Commission and the Special Purpose Review of the Electric Reliability Council of Texas. (City Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. RESOLUTION NO. R2010-23 Consider resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Kingsville and Texas A&M University Kingsville relating to repaving of Armstrong Street between Santa Gertrudis and Corral Street. (City Manager).

City Manager Yerena stated this resolution allows for a joint partnership in paving the listed streets. The City's participation is \$80,000; the City will provide labor and equipment. Hot mix will be used. Upon a question from Commissioner Garcia, Mr. Khan replied this is not a reconstruction project because the University has a future plan to do other improvements. This resurface work should last only five (5) years. Upon a question from Commissioner Garcia, Mayor Fugate stated this is the procedure used in most areas of the city.

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

8. Consider introduction of an ordinance amending the Fiscal Year 2009-2010 Budget for the City of Kingsville to patch and repave Armstrong Street from Santa Gertrudis Avenue to Corral Avenue, to accept donations for Keep Kingsville Beautiful, and to reflect Revenues and Expenditures for the Task Force. (Finance Director).

Mr. Rushing stated this is an introductory budget amendment for the agreement to recognize the payment for TAMUK. He stated there is a donation from Commissioner Laskowski to Keep Kingsville Beautiful and a request for the Task Force for \$10,000 to pay for donations. He further explained the funds for the Task Force and added they are in fairly good shape.

INTRODUCTION ONLY

9. Consider reallocation of Certificates of Obligation 2009 funds to rebuild Landfill dozer and for methane gas remediation at Landfill. (Finance Director).

Mr. Rushing explained the expenditures. He added he had spoken to Bond Council and it does fit with the criteria of the CO 2009. He stated the balance after reallocation is \$57,907.11.

Commissioner Laskowski commented he hopes this is the last time the City looks into those funds to do additional things, until the City gets the other projects slated, like the permit resubmission and to get the Landfill cover purchased because the City doesn't know the cost of those items.

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

10. Consider authorizing bid to rebuild one Cat D6R dozer (Year 2000) for the Landfill Department. (Public Works Director).

Mr. Donnell requested approval to rebuild the dozer, which would have a three (3) year warranty or 3000 hours.

Commissioner Laskowski made a motion to authorize the building of the dozer, for \$91,000, seconded by Commissioner Wilson and Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pecos, Wilson, Garcia, Laskowski voting "FOR".

11. Consider introduction an ordinance vacating, abandoning, and closing a 60 foot wide street right of way on Jackson Street (Brown Villa Complex) between Corral Avenue and Avenue F in the Kellogg Addition. (City Engineer).

Mr. Khan provided the location of the street, and stated that the street is not being used.

INTRODUCTION ONLY

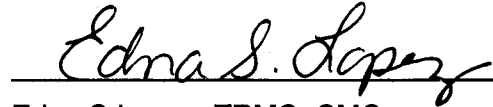
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:41 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary