

MAY 17, 2010

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 17, 2010 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Sam R Fugate, Mayor

CITY STAFF PRESENT:

Carlos Yerena, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Robert Trescott, Downtown Manager
Bill Donnell, Public Works Director
Mark Rushing, Finance Director
Yolanda Cadena, Health Director
Diana Gonzales, Human Resource Director
Grace Garcia, Interim Task Force Commander
Ricardo Torres, Police Chief
Naim Khan, City Engineer
Ken Clark, Director of Development Services
Al Lopez, Fire Chief
Joe Casillas, Water Production Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Pro-tem Garcia 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 City Manager Yerena, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Pro-tem Garcia called for consideration of the minutes of the regular meeting of Monday, May 10th, 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: Garcia, Pecos, Wilson, Laskowski voting “FOR”. Fugate “ABSENT”.**

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 reported the Street Department finished hot mix on Margaret Lane and Alice Lane of Paulson Falls Subdivision; mowing done in several areas; ditch cleaning on General Cavazos; sweeping will be done per zone map; and patching repairs were done in several locations. He reported that the swearing-in ceremony for the Commission will be held on Thursday, May 20th, and a regular meeting of the City Commission will be held on Monday, May 24th.

Ms Alvarez reminded Staff that items for the City Commission agenda are due on Wednesday, May 19th, 2010.

IV. Public Comment on Agenda Items³

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

Mayor Pro-tem Garcia called for comments on all agenda and non-agenda items. There were no comments.

Mayor Pro-tem Garcia called for consideration of the Consent Agenda, Items 1-4. **Commissioner Laskowski made a motion to approve the Consent Agenda, Items 1-4, seconded by Commissioner Pecos and Commissioner Wilson. The motion was passed and approved by the following vote: Garcia, Pecos, Wilson, Laskowski voting "FOR". Fugate "ABSENT".**

V. Consent Agenda

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)

1. **ORDINANCE NO. ORD2010-09 Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 6, Zoning, Sections 35-41 of Air Installation Zoning Regulations; changing restrictions and updating language. (Director of Development Services).**
2. **ORDINANCE NO. ORD2010-10 Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 3, Subdivisions, Section 16 of Platting Procedures; adding disclosure notice. (Director of Development Services).**
3. **ORDINANCE NO. ORD2010-11 Motion to approve final passage of an ordinance by changing the Zoning Map in reference to 4.0753 acres out of Ronning Addition No. 2, Block 3, Lots 1-6; Lund Addition, Block 7, Lots 1-9; Lund Addition, Block 8, Lots 1-14; Penny Addition, Block 1, Lots 1-21, From "R-1", Single Family District to "C-2", Retail Commercial District. (Director of Development Services).**
4. **ORDINANCE NO. ORD2010-12 Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, amending the number of Zoning Districts and adding a Mixed Use District and a definition for Mixed Use. (Director of Development Services).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. **RESOLUTION NO. R2010-28 Consider resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on May 8, 2010. (City Secretary).**

(CONSIDERE UNA RESOLUCIÓN Y ORDEN DE ESCRUTINIO DE LOS VOTOS DE LAS ELECCIONES, EN QUE SE DECLARAN LOS RESULTADOS DE LAS

ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, LLEVADAS A CABO EL 8 DE MAYO DE 2010.) (SECRETARIA MUNICIPAL).

City Secretary Lopez presented the Commission with elections results for the election held on Saturday, May 8th, 2010. The following are the total votes received by each candidate.

MAYOR:	TOTAL VOTES:
Sam R. Fugate	867
CITY COMMISSIONER:	
Al Garcia	622
Charlie Wilson	609
Tomas R Sanchez, Jr	479
Arturo Pecos	541
Stanley Laskowski	569

Ms Lopez explained that the total ballots cast on election night were 1112. The total number of registered voters in the City of Kingsville is 14,102, making that only 7.8% people voting in the City's General Election. She reported there were three provisional ballots cast that were not qualified by the Tax Assessor Collector's office.

Commissioner Wilson called for point of order. **Commissioner Wilson made a motion to adopt the resolution, seconded by Commissioner Laskowski. The motion was passed and approved by the following vote: Garcia, Pecos, Laskowski, Wilson voting "FOR". Fugate "ABSENT".**

6. ORDINANCE NO. ORD2010-13 Consider final passage of an ordinance amending Chapter III, Article 7, Personnel Policies City of Kingsville Code of Ordinances, to reclassify the City Engineer and Finance Director from Management Level-2 to Management Level-1 and to increase the maximum range for Executive Officer-1 (for compliance purposes). (City Manager).

City Manager Yerena stated this was an amendment to the compensation plan.

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

7. ORDINANCE NO. ORD2010-14 Consider final passage of an ordinance amending the Fiscal Year 2009-2010 Budget for the City of Kingsville for the General Fund, to adjust revenues to actual collections, insurance expense to actual invoiced, to purchase siren hardware and software, and for additional salaries in the Engineering Department; for the Utility Fund, to adjust insurance expenses to actual invoiced, to purchase various items for the Water Production and Wastewater Departments and for additional salaries in the Engineering Department. (City Manager).

City Manager Yerena stated the major expense in this budget amendment is for the sirens.

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

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:15 P.M.


Al Garcia, Mayor Pro-tem

ATTEST:


Edna S Lopez, TRMC, CMC

City Secretary