

APRIL 11, 2011

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 11, 2011 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
Al Garcia, Commissioner
Charles Wilson, Commissioner
Stanley Laskowski, Commissioner

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vince Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Frank Garcia, Wastewater Supervisor
Yolanda Cadena, Health Director
David Mason, Purchasing Director
Mark Rushing, Finance Director
Willie Vera, Task Force Commander
Al Lopez, Fire Chief
Gary Fuselier, Landfill Supervisor
Robert Rodriguez, Library Director
Ricardo Torres, Police Chief
Joe Casillas, Water Production Supervisor
Diana Gonzales, Human Resource Director
John Garcia, Risk Manager
Naim Khan, City Engineer
Bob Trescott, Downtown Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chamber at 6:00 P.M. and announce quorum as present with Commissioner Pecos absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mr. Mark Rushing, followed by the Pledge of Allegiance and Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the special meeting of Tuesday, April 5th, 2011. **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, Wilson, Laskowski voting "FOR". Pecos "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, Main Street Downtown, Chapter 59 project, Financial Advisor presentation. No formal action can be taken on these items at this time.”

City Manager Capell reported on the closing of City offices on April 22nd for the Good Friday holiday; and on meeting with Mr. Bob Trescott to organize the Texas First Lady's visit on April 27th. He announced there's eight (8) City Board vacancies – three (3) in the Historical Board, one (1) in the Health Board, one (1) in the Zoning Board of Adjustments, one (1) in the Joint Airport Zoning Board, and two (2) in the Planning and Zoning Commission. He reported he has completed his facility tours. He reported on every other week providing the Commission with departmental reports; Staff will provide information he will compile and submit to the Commission.

Mayor Fugate commented the report is a comprehensive report and he enjoyed reading it. City Manager Capell stated eventually he will include digital photos.

Ms Alvarez reported on holding Municipal Court this week; on Saturday, April 16th is the Ride on the Wild Side; and the next Friday, 22nd, is a City Hall holiday and agenda will be posted on the 21st for the meeting regular Commission meeting of Monday, April 25th.

Commissioner Laskowski presented a “Because You Care” award to the Student Body of Texas A&M University-Kingsville.

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.

V. Consent Agenda

NONE

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. RESOLUTION NO. R2011-24 Consider resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to Palmer Drug Abuse Program (PDAP). (Police Chief).

Police Chief Torres stated this is the fifth year that the Police Department has been able to provide monies to the Palmer Drug Abuse Program (PDAP) for a total of approximately \$25,000.

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

2. Consider final passage of an ordinance amending the Fiscal Year 2010-2011 Budget for the General Fund to allocate funds for an Interlocal Agreement with Kleberg County to cover one half of the electricity expense and to cover equipment repairs for the Golf Course and for the Utility Fund Wastewater Department to allocate funds for TCEQ fines. (Finance Director).

Mr. Rushing stated this is the second reading of this ordinance. He provided a point of clarification to the footnote that states \$24,375 for electricity; it should be \$24,871 plus \$11,504 for equipment repair. He stated that's the dollar amount that the Commission approved, for a subtotal of \$36,375, other than that there's no change to the budget amendment.

Mayor Fugate called for a motion. Commissioner Garcia made a motion to approve, seconded by Mayor Fugate. The motion failed by the following vote: Fugate, Garcia voting “FOR”. Wilson, Laskowski “AGAINST”.

3. Consider reallocation of CO 2009 funds for the purchase of an excavator for the Landfill. (Finance Director).

Mr. Rushing stated these monies will be pulled from the land/soil; \$122,000 has been set aside in the CO 2009 and \$81,000 carts, for a subtotal of \$113,867. He stated the last time this was presented there was a proposal of pulling the monies from the additional sanitation revenues, 087, in which there's \$546,819.61 to the end of March. If those monies are approved, they will be set aside for the re-permitting aspect of the Landfill. Mayor Fugate called for questions. Commissioner Laskowski pointed out that only \$81 was being taken from carts.

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

4. Consider introduction of an ordinance providing for the renewal of the nighttime curfew regulations for minors and the daytime curfew regulations for minors found in Chapter XIII, Article 2, Offenses Against Public Peace and Safety, Sections 13-2-10 to 13-2-13 and Sections 13-2-20 to 13-2-23 of the City Code of Ordinances. (City Attorney).

Ms Alvarez stated every three (3) years if the City wants to renew the curfew ordinance that's their opportunity to do so. She stated in her dealings with the Police Department and Municipal Court, the daytime and nighttime curfew violations are very helpful in several respects, the least of which is keeping the youth home in the wee hours when bad things can generally happened to good people. She stated this is something that could be beneficial to the community. Mayor Fugate called for questions or comments. Commissioner Garcia asked if there were any requested changes to the times. Ms Alvarez replied there were no requested changes.

INTRODUCTION ONLY

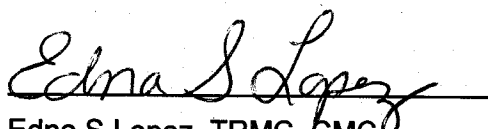
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:22 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary