

MAY 23, 2011

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 23, 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
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vincent J Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Ricardo Torres, Police Chief
David Mason, Purchasing Director
Yolanda Cadena, Health Director
Bill Donnell, Public Works Director
Bob Trescott, Downtown Manager
Willie Vera, Task Force Commander
Al Lopez, Fire Chief
Naim Khan, City Engineer
Mark Rushing, Finance Director
Diana Gonzales, Human Resource Director
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 Mr. Mark Rushing, 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, May 9th, 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, 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, Main Street Downtown, Chapter 59 project, Financial Advisor presentation. No formal action can be taken on these items at this time."

City Manager Capell stated he had no official report other than to submit the staff report already provided and called for questions or comments. Commissioner Laskowski complimented the City Manager on providing such an informative report.

Ms Alvarez reported the next regular meeting of the City Commission is on June 13th and asked that staff turn in agenda items by Friday, May 27th. She informed the Commission that the following week, she would be out partly on vacation and partly at a Texas City Attorney seminar.

Mayor Fugate informed Staff he would not be in attendance at the Commission meeting of Monday, June 27th. Commissioner Garcia informed that he would not be in attendance at the meeting of Monday, June 13th.

Commissioner Garcia commended Staff for the painted hydrants and for fixing the leaning stop signs.

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.

Mr. Emilio Castro, 707 Arroyo Drive, addressed Agenda Items #4 & 5, and asked for their consideration and approval. He thanked the Commission for working with KISD.

Mr. Raul Medina, 715 W Nettie, spoke in reference to Ordinance 2011-08 and asked that the Commission rescind the ordinance or to address the current ordinance and working out something for the residents in that area.

Ms Glenna Cannon, 902 N Armstrong spoke in reference to the no parking ordinance and expressed her concern about the inability for visitors to her house being able to use the street to park.

Ms Dianne Leubert, 715 W Nettie, spoke in reference to the no parking ordinance expressing her concerns about not knowing and not being able to use their own street to park.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-3. Commissioner Laskowski made a motion to accept the Consent Agenda, as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Wilson, Pecos, Laskowski voting "FOR".

V. Consent Agenda

1. ORDINANCE NO. ORD2011-16 Motion to approve final passage of an ordinance amending the Fiscal Year 2010-2011 Budget for the General Fund, the Utility Fund, the Solid Waste Capital Projects Fund and the Landfill Fund to allocate each fund for the portion of estimated revenue anticipated to be uncollectable debt. (Finance Director).
2. ORDINANCE NO. ORD2011-17 Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7 Personnel Policies, Section 1 Adoption of the Classification and Compensation Plan, to reclassify the City Engineer as the Public Works Director/City Engineer within Management Level-1, to reclassify the Public Works Director as the Assistant Public Works Director within Management Level-3, and to delete the Solid Waste Superintendent position from Management Level-3. (City Manager).
3. Motion to confirm the appointments of Mr. Hector Munoz, Mr. Jerry Miller, Mr. Glenn Jones, Mr. Jon Gagne, and Mr. Neil Bahkta to the Board of Directors for the Kingsville Convention and Visitors Bureau. (KCVB Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. RESOLUTION NO. R2011-37 Consider resolution authorizing the City to submit an application to the Department of Justice for the purpose of requesting grant funding on behalf of the City for the 2011 COPS Hiring Recovery Program (CHRP) Grant for law enforcement personnel for the Kingsville Police Department with an anticipated cash match of \$101,713.32 in the fourth year. (Chief of Police).

Chief Torres Chief Torres addressed the Commission, stating there's a need to partner to have safer campuses. The grant stated they will pay approved entry level salaries and benefits for three (3) years or thirty-six (36) months. There will be some cost to the City. The City will provide vehicles, uniforms and there may be some differences in cost because as officers progress their salaries increase. Some cost will be offset because normally the turnover rate is anywhere from three (3) to six (6) officers. Chief Torres stated the City will be hiring people from entry levels throughout the year from one (1) year to the next. This will help with the cost. His department's recommendation is to allow them to submit the application for the safety and security of the school children.

Mayor Fugate stated the City has previously approved a similar resolution for a grant for Santa Gertrudis Independent School. He stated there are some incidental costs. Chief Torres stated both sides will have incidentals cost, but the cost is minimal in comparison to what the department will be saving over the term of this particular grant.

Upon a question from Commissioner Wilson, Chief Torres replied the School District will pay \$100,000 in the fourth year. Chief Torres explained the incidental cost involved due to officers progressing in seniority. Commissioner Wilson stated he realized that is the City's burden and asked the Chief what the School District's burden was. Chief Torres replied the School District's burden is \$101,000 in the fourth year. Commissioner Wilson stated they have zero incidental cost other than to pay for two (2) employees, and their burden is light based on splitting the \$100,000 into four (4). Chief Torres replied that was correct. Upon a question from Commissioner Wilson as to gets the better benefit. Chief Torres replied in his opinion neither party has the better benefit, the benefit is to the children of this community and the safety of that school district.

Mayor Fugate asked if the school district would pick up the entire cost in the fourth year. Commissioner Wilson replied the school district will pick up one (1) pay cycle and they will not bear any of the burdens of any of the certification pay, etc. Upon a question from Mayor Fugate, Chief Torres responded the City is looking at spending roughly \$25,000 for two (2) officers in the four (4) year period. Commissioner Wilson commented that the grant doesn't pay that amount nor anything needed to supply a Patrol officer.

Commissioner Garcia asked if Chapter 59 monies could be tapped in to, if needed. Police Chief Torres replied the National Center for Forfeitures prefers that peoples' salary are not based to forfeitures. Forfeiture monies are for things in addition to the things that the city can't afford. Commissioner Garcia stated he was referring to vehicles.

Commissioner Laskowski asked the difference for an entry level salary position and a four year officer. Chief Torres replied the current entry level salary is \$15.14 and in four years it will be \$17.80. The cost at the second year would be roughly about \$7,500 for the two (2) officers, the third year \$7,500 and for the last year the cost would be about \$11,065, this is for the base salary. The grant application is due on the 25th.

Commissioner Wilson made a motion to adopt the resolution, seconded by Commissioner Garcia. Upon a question from Mayor Fugate, Mr. Castro replied the School Board is in full support based on these numbers. The motion was passed and approved by the following vote: Fugate, Laskowski, Pecos, Garcia, Wilson voting "FOR".

5. RESOLUTION NO. R2011-38 Consider resolution authorizing the City Manager to enter into an Interlocal Agreement with the Kingsville Independent School District for the COPS Hiring Recovery Grant Program 2011 and Cooperative Working Agreement, repealing all conflicting resolutions and providing for an effective date. (Chief of Police).

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

6. Consider introduction of an ordinance amending the Fiscal Year 2010-2011 Budget for the General Fund Service Center Fuel Tank Monitor System. (Finance Director).

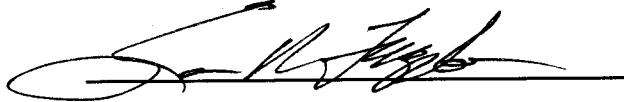
Mr. Rushing explained this ordinance was for monitoring equipment for the gas pumps, for monitoring TCEQ leak detection and for allocating gasoline. Originally \$40,000 was set up in the budget under professional services for the City Manager search; fortunately the search came in under budget at \$19,392. This provides a remaining budget of \$20,607. This cost would be \$17,000.

Commissioner Laskowski stated based on information being provided, this is primarily a leak detection system. Mr. Mason stated this would be the first step in revamping the fuel supply and delivery system. This is a tank monitoring system which would monitor levels in the tank; the 2nd step would be the revamping of actual pumps and a card system. Commissioner Laskowski stated he just wanted to make sure that this wasn't anything other than a leak monitoring system and there would be more to come.

INTRODUCTION ONLY

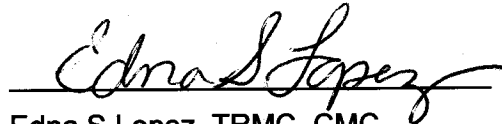
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:29 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary