## OCTOBER 10, 2011

### A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 10, 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

## **STAFF PRESENT:**

Vincent J. Capell, City Manager Courtney Alvarez, City Attorney Mary Valenzuela, Legal Assistant/Paralegal David Mason, Purchasing Director Yolanda Cadena, Health Director Caron Vela, Accounting Manager Bob Trescott, Downtown Manager Mike Kellam, Director of Development Services Kenneth Starrs, Assistant Task Force Commander Rick Torres, Police Chief Mark Rushing, Finance Director John Garcia, Risk Manager Naim Kahn, Public Works Director/Engineer Al Lopez, Fire Chief

#### I. Preliminary Proceedings.

#### **OPEN MEETING**

Mayor Fugate called the meeting to order in the City Commission Chamber at 6:00 P.M. and announced quorum as all Commissioners werepresent.

#### **INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

The invocation was delivered by Mark Rushing, Finance Director 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 for regular meetings held on Monday, September 12, 2011 and Monday, September 26, 2011. Commissioner Laskowski made a motion to accept the minutes, as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Laskowski, Wilson, Fugate voting "FOR".

#### II. Public Hearing - (Required by Law).<sup>1</sup>

None.

## III. Reports from Commission & Staff<sup>2</sup>

"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, PublicInformation, 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 had nothing to report at this time.

Mrs. Courtney Alvarez, City Attorney, reported that she willbe out of the office beginning Wednesday, October 12, 2011 through Friday, October 14, 2011. She will be attending the Texas Municipal League Conference in Houston and will return to the office on Monday, October 17, 2011. She reminded staff that Friday, October 14, 2011 is the deadline to turn in items for the agenda for October 24, 2011.

Mayor Fugate presented a proclamation to KTAI FM 91.1, Texas A&M University of Kingsville noncommercial radio station for Texas State Headquarters for National College Radio Day.

#### IV. Public Comment on Agenda Items.<sup>3</sup>

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

Dianne Leubert, 715 W. Nettie, voiced her concerns with regards to Ordinance 2011-08, Section 7-6-2. She stated that last week she received a notice regarding the no parking signs being installed within the area of Armstrong and Wells. She further stated that the work would take place on October 7, 2011 through October 11, 2011 from 7:30 A.M. to 3:30 P.M. She stated that she believes this project has been in the works since the first of the year and she is just now getting notification of this work being done. She stated that she spoke with Mr. Kahn, Public Works Director/Engineer, after speaking with him and voicing her concerns, the work was stopped. The following day she received notification as to when the installation of the no parking signs would begin and end. She stated that the residents do not want parking restrictions on Nettie Street. She stated that she could not speak on behalf of the other streets but the City has received a petition for three streets and that there were other residents present at tonight's meeting to speak out regarding the no parking restrictions. She further stated that the City continued installing the no parking signs last week, and she received no notification until the next day. She stated that she called to city hall and spoke with Mr. Kahn and asked him three to four times, if anyone from the city had once tried to reach out to the residents that were going to be affected by this ordinance as to what they thought and Mr. Kahn's response was no. She stated that she turned in a petition with over 61 names of residents who reside on Ella, Nettie and Ave. A, regarding the no parking signs. She stated that the City could have saved money in labor and signs, if the city would have had a workshop with the residents that reside on these streets and asked for their opinion. She further stated that simple red paint could have solved this issue if the City would have just painted in the areas where the most problems were with regards to parking. She stated that after speaking to Mr. Capell and seeing how things have changed since he came along, she is hoping that the City will be proactive rather than re-active. She further asked for the Commission to resend or amend the no parking ordinance, at least on Nettie Street.

Mike Morgan resides on Nettie Street. Mr. Morgan stated that he backs up the comments that Mrs. Dianne Leubert has just stated.

Wayne Gunn of 718 W. Avenue A, stated that he has resided at this location since 1981 and in the 30 years since he has lived there, the only change has been the homes that have been demolished by the University across from his residency. He stated that he has only seen six new cars that have recently began parking down his street, but otherwise, parking has not changed down Avenue A. He stated that the one thing that concerns him is that it reassures him that he is safe by having vehicles park on his street. He further stated that parking was never a real problem and feels that by the City placing the No Parking signs would only send a bad signal to the students who attend the University by stating that they are not wanted here. He stated that by having these cars parked on their street it eliminates speeding. He asked the Commission to reconsider the ordinance that they have passed.

Trisha Mooney, 709 W. Richard. She stated that she received the same notice as all other residents. She stated that she spoke with Mr. Kahn but hewas unable to answer her questions. She further stated that her mother has resided at the same address since 1955 and regularly has her stitching group and church group that meet at her house. She stated that she asked Mr. Kahn where these individuals would park, if they park in the no parking zone will their vehicles be ticketed or towed, she stated that Mr. Kahn could not answer her question. She stated that the people who park on the 700 block of West Richard all reside within that area. She further stated that they don't want the no parking signs and stated that no one from the City made contact with the residents regarding the no parking zone.

## <u>Consent Agenda</u>

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

Mayor Fugate called for consideration of the items in Consent Agenda, Items 1 through 8. Commissioner Laskowski made a motion to accept the Consent Agenda items as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Wilson, Pecos, Garcia, Laskowski, Fugate voting "FOR".

#### 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. <u>Consider final passage of an ordinance ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Police Department by adding one new officer position.</u> (Human Resources Director).

2. <u>Consider approving resolution authorizing the release of Chapter 59</u> <u>Funds of the Kingsville Police Department for donation to the Boys & Girls</u> <u>Club of Kingsville. (Chief of Police).</u>

3. <u>Consider authorizing awarding Bid #12-19 to Oil Patch Petroleum for the purchase of diesel for FY 2012 as per staff recommendation. (Purchasing Director).</u>

4. <u>Consider authorizing annual membership renewal with Electric</u> <u>Reliability Council of Texas ("ERCOT") for 2012 membership year. (City</u> <u>Attorney).</u>

5. <u>Consider appointing Karen Tallant to the City/County Health Board to fill</u> <u>a vacant position. (Health Director).</u>

6. <u>Consider appointing Bill Aldridge to the Kingsville Planning and Zoning</u> <u>Commission to fill a vacant position. (Commissioner Laskowski).</u>

7. <u>Consider authorizing out of state travel for City Commission members</u> and City Manager to attend the National League of Cities – Congress of Cities and Exposition in Phoenix, AZ on November 9<sup>th</sup> – 12<sup>th</sup>, 2011. (City Manager).

8. <u>Consider approving resolution accepting funding from the Emergency</u> <u>Management Performance Grant Program for grant period October 1, 2010</u> to March 31, 2012, authorizing the City Manager to act on the City's behalf with such grant. (Risk Manager/Emergency Manager).

## **REGULAR AGENDA**

## **CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

#### VI. Items for consideration by Commissioners.<sup>4</sup>

9. <u>Consider waiving of fees and participation with the Kingsville Historic</u> <u>Downtown District Association-KHDDA in 4<sup>th</sup> Annual Downtown Art Walk&</u> <u>Music Festivalto be held on November 4-5, 2011. (City Manager).</u>

Mr. Capell stated that this item is pretty straight forward and what they are asking for is fairly consistent with three events they have had in past. He further stated that the one additional request was the cash contribution of \$6,000.

Commissioner Laskowski made a motion to accept the item as presented excluding the cash outlay, seconded by Commissioner Wilson.

Mayor Fugate asked Mr. Capell if he was asking for the cash outlay to be included.

Mr. Capell answered no. He was only presenting it for Commission's consideration.

Commissioner Laskowski stated that that the City has already given them \$6,000 worth of services and therefore he would like to exclude the cash outlay.

Mayor Fugate stated that he feels that the City could give some money and asked if that was possible.

Courtney Alvarez, City Attorney stated that money was not designated within the budget for this. What little there is for in printing and publishing for the Downtown Manager which she believes it is year marked for things that the Downtown Manager would need to do for pamphlets, etc...

Mayor Fugate asked where the money would come from if the Commission decided to give them some money.

Mr. Capell stated that the money could come from fund balance.

Mayor Fugate stated that he read an article that in Corpus Christi, their hotel/motel tax is used for Arts and Entertainment and he felt that maybe we could use some of our hotel/motel for these types of events. He stated that the City needs to be more supportive to events like the Symphony, Art Walk and other events throughout our city.

Mrs. Alvarez stated that 6/7 of hotel/motel tax goes to the Kingsville Convention and Visitors Bureau and 1/7 goes to the Conner Museum according to our contract with them.

Mayor Fugate stated that more of this money needs to be held back for other events that are happening within the City.

Mr. Capell stated that some of this money could be used for historical and preservation if the Commission chooses to use it in this form.

Commissioner Wilson stated that it would be valuable to have a workshop and bring someone in to determine what the money could be used for and set some guidelines for that purpose.

The motion was passed and approved by the following vote: Wilson, Pecos, Garcia, Laskowski voting "FOR" and Mayor Fugate voting "NO".

#### 10. <u>Consider participation in Keep Kingsville Beautiful "Fill the Flower Pot"</u> <u>event on November 5<sup>th</sup>, 2011 by assisting with insurance coverage.</u> (Commissioner Laskowski).

Commissioner Laskowski stated that he asked for this item to be placed on the agenda. Keep Kingsville Beautiful is in conjunction with Texas A&M University Kingsville Athletics and will be raising money Saturday, November 5, 2011 from 9:00 a.m. to 1:00 p.m. on the intersection of King and 14<sup>th</sup> Street. He stated that as part of the solicitation ordinance, they are required to show proof of insurance and therefore asking the City to consider naming Keep Kingsville Beautiful as an insured to meet the requirements of the solicitation ordinance.

Mayor Fugate asked if this was a one day event.

Commissioner Laskowski stated that it is a one day event and that the solicitation ordinance requires half a million dollars of insurance coverage.

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

11. <u>Consider resolution nominating certain person(s) as candidate(s) for</u> <u>election to the Board of Directors for the Kleberg County Appraisal District.</u> (<u>City Manager</u>).

Commissioner Wilson made a motion to nominate Al Garcia as candidate for election to the Board of Directors for the Kleberg county Appraisal District, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Laskowski, Wilson, Fugate voting "FOR". Commissioner Garcia abstained from voting.

12. <u>Consider resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for the establishment of the Sergeant Gene Christopher and Patrolman Felix Luna Salinas City of Kingsville Law Enforcement Scholarship and authorizing the City Manager to execute a Gift Agreement with Texas A&M University-Kingsville to administer said scholarship. (Chief of Police).</u>

Ricardo Torres, Police Chief stated that City of Kingsville Police Department wishes to enter into a gift agreement with Texas A&M University Kingsville for an endowment of \$20,000 for a scholarship in honor of our fallen officers Sgt. Gene Christopher and Patrolman Felix Luna Salinas. He further stated that Sgt. Gene Christopher had his end of watch on Sunday, February 9, 1958, he was 26 years old. Sgt. Christopher was shot and killed with his own service weapon while assisting another officer at a bar disturbance. He stated that when Sgt. Christopher arrived, he encountered several officers attempting to restrain one of the subjects involved in the disturbance. When Sgt. Christopher assisted the officers, the subject grabbed Sgt. Christopher weapon and shot him in the chest area. The subject was arrested and sentenced to life in prison. Sgt. Christopher was survived by his wife and son. He further stated that Patrolman Felix Luna Salinas had his end of watch on Friday, May 29, 1981, he was 29 years old. Patrolman Salinas was killed when his patrol car was struck by a drunk driver who was speeding and failed to stop at a stop sign. Patrolman Salinas partner was injured in the accident. The drunk driver was convicted of involuntary manslaughter and sentenced to 10 years' probation. Patrolman Salinas had been with the agency for four years and is survived by his wife and two sons. Chief Torres stated to the Commission that this is a way to keep the spirit of our fallen officers alive and also to assist the young people of our community that are pursuing the field of criminal justice or something closely related to that field and serve our community in the near future. He feels that this is something positive for both our city and our kids.

Mr. Capell stated that one of the reasons this came about was that the City was trying to fund the Explorer Scouts Group. He stated that they realized that it wasn't going to be possible so they started looking at ways that this money could be used. He stated that Chief Torres brought it to his attention that this money could be used for a scholarship program and since it couldn't be used for the Explorers Scouts Group, they felt that the Commission may want to consider using this money for a scholarship program.

Chief Torres stated that he checked with the Texas Attorney General's office to ensure that this is a manner that these funds can be used, and their response was yes it could be used for this purpose.

Commissioner Laskowski asked if this was a single scholarship or will it be multiple scholarships.

Chief Torres stated that at the current time this will only fund one scholarship, and unfortunately it's only four percent and it won't start for two years after the initial endowment. He stated that their plan is for each subsequent year, like done with other programs, is to continue funding approximately \$5,000per year and perhaps having some fundraisers for this particular fund.

Commissioner Laskowski asked if this was going to be a \$20,000 contribution to the fund.

Chief Torres answered that it is to start the endowment.

Commissioner Laskowski asked if they will be putting out only \$5,000 a year.

Chief Torres stated no, they will only be putting out four percent because it is going to be a perpetual scholarship.

## Commissioner Wilson made a motion to adopt the resolution as presented, seconded by Commissioner Laskowski.

Mayor Fugate commented that he thinks this is a great idea and applauded everyone that has been working on this scholarship program. He stated that he thought that there was a minimum of \$25,000 that the University would accept.

Chief Torres stated that they are starting with \$20,000 and try to increase it in the next couple of years. He stated that they would like to get to the point where a full scholarship is awarded.

# The motion was passed and approved by the following vote: Laskowski, Garcia, Wilson, Pecos, Fugate voting "FOR".

13. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 budget for the Police Department State Forfeiture Fund and to set up a new fund for the Kingsville Law Enforcement Scholarship Fund. (Police Chief).

Chief Torres stated that this goes hand in hand with the agenda item that was just discussed and approved. He stated that there is money available to set up this account and give to Texas A&M University Kingsville.

Commissioner Pecos asked if this particular scholarship would fall in a certain department at the University.

Mrs. Alvarez stated that this will fall under the departments of Criminology, Sociology and Psychology.

#### INTRODUCTION ITEM ONLY

## 14. <u>Discuss the need to hire a lobbiest for Kingsville issues.</u> (Mayor Fugate).

Mayor Fugate stated that within the last year there has been some discussion regarding some concerns that he had with the encroachment of the wind farms with NAS Kingsville and NAS Corpus Christi. He further stated during a speech from the Commanding Officer of NAS Kingsville regarding his concerns about the land radar and how the wind farms cause disruption to them which will be a real problem for our military. He stated that we were not successful during legislativesession that would prevent this type of encroachment. The City of Kingsville has done everything possible by creating the Airport Zoning Board which gives us zoning authority five miles from each run way and two miles from the center point of NAS Kingsville. He stated that in the state of Texas, counties do not have zoning authority and so we are in a situation that we are going to have to do something with this next legislature. He stated that in his last visit to Washington D.C., he visited with Admiral Burke, a Three Star Admiral who is third in command in the Navy. He stated that they received a letter from Admiral Burke stating that he realizes that this encroachment is a problem for NAS Kingsville and that if a solution on how to solve this issue is not found, one of the alternatives is to relocate the mission of this base. Mayor Fugate stated that while in Washington they reiterated that point again and Admiral Burke stated that is was incumbent upon us locally to do something about this issue. Mayor Fugate stated that from our Commanding Officers located at NAS Kingsville all the way up to Washington D.C., they recognize this as a problem and want to do something about it to resolve the issue. He stated that it is unfortunate that this Presidential Administration has put green energy before military preparedness. They made that perfectly clear during a meeting that took place two weeks ago in Kingsville where Mr. Roger Nashama spoke in which Mayor Fugate and Dick Messbarger were going to attend the meeting but were asked to leave. Mayor Fugate stated that at a later time he was told that Mr. Nashama stated during his meeting that energy is more important than the mission of NAS Kingsville. Mayor Fugate stated that if Kingsville is not combatable with the wind farms, the mission of our base will have to be moved. He continued to say that this is a very serious issue and we need to look at some proposals as a City and involve the County as well as the Kingsville Independent School District. Mayor Fugate stated that he had a conversation with Representative Lozano and that he would have some suggestions for us soon. Mayor Fugate stated that this is a serious issue not only for Kingsville but also Corpus Christi. He stated that during a meeting with Bishop Independent School District last week, he understood that the wind farms were asking for tax abatements from them. He further stated that the Community Liaison from Corpus Christi stated that due to the Papallote, wind farms that are on the north side of Corpus Christi having affected their radarswhich are at 80% effective right now, once they drop below 80% they are shutting down. He stated that both Petronila (West and East) and Chapman Ranch wind farms will more than take care of that. He stated that there are five Navy training bases which two out of the five are located in Kingsville and Corpus Christi. He stated that the Secretary of the Navy who was the Governor of Mississippi, is involved in this issue and because our sister base is Meridian, Mississippi and they are always the one on the list which is an opportunity to knock NAS Kingsville off. He stated that he really believes that the Secretary of the Navy has some input in this issue as well. He stated that Kingsville is going to have to work harder to fight this issue and fight to keep our base.

Commissioner Laskowski asked if this lobbyist will be representing us in Austin or Washington, D.C.

Mayor Fugate stated that we need one in Austin and Washington, D.C.

Commissioner Pecos stated that he concurs with the statement that Mayor Fugate has just made. He stated that he has made numerous calls to Congressman Farenthold office with regards to this issue but has received no response from the Congressman. He further stated that he also agrees that something needs to be done to protect our military base located here in Kingsville which brings an income to our community in the amount of \$458,000,000 annually. If the mission of our base is moved, it could hurt the City of Kingsville.

Mayor Fugate made a comment that just in his neighborhood there are four families that are employed at NAS Kingsville that would be affected by this issue. He stated that it's not only uniformed Navy but also the contractors who work at the base.

Commissioner Pecos stated that every veteran that visits him is retired from civil service which some are retired from NAS Kingsville. He stated that they bring in a lot of income into our community and if the mission of our base is moved there will be no civil service and no one will replenish those that retire which could be devastating to our city. He stated that he made contact with Courtney Alvarez for her input as to how the City could attempt to resolve this issue.

Commissioner Laskowski asked if the City of Kingsville can partner up with the City of Corpus Christi and Nueces County regarding this issue. He stated that the City of Kingsville, Kleberg County and Kingsville Independent School District can work together to find a solution. We are talking about people who have millions of dollars and we have to have a very effective lobbyist's, and the more people we partner up with contributing to fund this lobbyist for this effort the better it will be.

Mayor Fugate stated that he is going to set up a meeting with City of Corpus Christi Mayor Adame. He stated that he feels certain that the City of Corpus Christi will join us to resolve this issue. He stated that the lobbyist for the City of Corpus Christi, Rudy Garza who also works for the city is well aware of this issue.

Commissioner Laskowski stated that he would encourage the Nueces County Judge to support us on this issue.

Mayor Fugate stated that there are five wind farms that will be within 25 miles from NAS Kingsville. He stated that the FAA can only make findings that these wind farms are a hazard to navigation but this would only be as an advisory opinion, but the wind farms can still be around that location. He stated that he they found out that the wind farms were in the process of being built before getting FAA approval, in which Captain McLaughlin filed an objection to the wind farms being built. The FAA had findings that the wind farms were a hazard to the navigation system. He stated that this industry is so strong and that the administration is so green energy that they have now taken that authority from the FAA and now goes through a Department of Defense Clearinghouse in Washington, D.C. He further stated that the Captain of NAS Kingsville cannot file an objection it would have to go to bureaucrats in Washington, D.C., but its set up now, where they will not make these finding anymore.

Commissioner Laskowski stated that it appears to him that this can also have a negative impact on Corpus Christi International Airport and their radar and he thinks it would be incumbent upon the City of Corpus Christi to recognize that it's not only their military base but also air travel in its self.

Mayor Fugate stated that as it is right now, there is no technology that will solve this problem. He further stated that with military downsizing, it could become a BRAC issue. He stated that this is only a discussion item, but he wanted to inform the community of this issue and to make them aware that the City is working for a resolution to this issue.

Commissioner Laskowski stated that this is a regional issue therefore we should approach Bishop Independent School District and see if they can put in a few thousand dollars to go towards the hiring of a lobbiest. Bishop has residents that are employed at NAS Kingsville who also have students attending Bishop Independent School District.

Mayor Fugate stated that they are getting a count of the number of students that attend Bishop ISD whose parents are either in the Navy or work as a contractor, because that's how school districts survive which is on the average daily attendance.

Commissioner Garcia asked Mayor Fugate if he had contacted anyone as far as a particular lobbyist.

Mayor Fugate stated that Representative Lozano has someone in mind and is trying to see what type of contract the City may get with this particular individual.

Commissioner Laskowski asked Mayor Fugate if the state can have an impact on what the federal government can do. He stated that they haven't taken a position as of yet, they seem to defer to the FAA and therefore he was wondering about that.

Mayor Fugate stated that he thinks the state can do something about it. He further stated that our Airport Zoning Board is at a state level.

Commissioner Laskowski stated that he understands that the Airport Zoning Board is at a state level, but this is not where our problem lies on.

Mayor Fugate stated that the word from Admiral Burke was that this is a local solution.

Commissioner Pecos asked if there were any proposed wind farms coming into the surrounding areas.

Mayor Fugate stated that there are five wind farms that are proposed to come in within 25 miles from NAS Kingsville.

Commissioner Laskowski suggested to Mr. Capell to start looking for money to fund the hiring of a lobbyist.

15. Executive Session: Under Section 551.071 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to seek legal advice from the City Attorney regarding contemplated litigation concerning wind farm encroachment issues around Naval Air Station-Kingsville. (Mayor Fugate).

Mayor announced the Executive Session. The Commission convened into Executive Session at 6:53 P.M.

The Commission reconvened into regular session at 7:10 P.M.

16. <u>Consider authorizing hiring the law firm of McKibben, Woolsey &</u> <u>Villarreal. L.L.P. to explore litigation options regarding windfarm</u> <u>encroachment issues around Naval Air Station-Kingsville. (Mayor Fugate).</u>

Commissioner Wilson made a motion authorizing hiring the law firm of McKibben, Woolsey & Villarreal L.L.P. to explore litigation options regarding

wind farm encroachment issues, but not to exceed the amount of \$6,000, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Pecos, Laskowski, Wilson, Fugate voting "FOR".

## VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:12 P.M.

Sam R. Fugate, Mayor

ATTEST: dna

Edna S. Lopez, TRMC, CMC City Secretary