

MAY 21, 2012

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 21, 2012 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 Capell, City Manager  
Edna S Lopez, City Secretary  
Courtney Alvarez, City Attorney  
Mike Kellam, Director of Development Services  
Mark Rushing, Finance Director  
Willie Vera, Task Force Commander  
Yolanda Cadena, Health Director  
Roel Carrion, Interim Fire Chief  
Bob Trescott, Downtown Manager  
Diana Gonzales, Human Resource Director  
Ricardo Torres, Police Chief  
Naim Khan, City Engineer/Public Works Director  
Caron Vela, Accounting Manager

**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)**

Mayor Fugate announced if there were no objections, he would forego and go right into meeting.

**MINUTES OF PREVIOUS MEETING(S) – Required by Law**

Mayor Fugate called for consideration of the minutes of the regular meeting of Monday, May 14<sup>th</sup>. **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).<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, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time."*

Ms Alvarez announced there will be a special meeting on Thursday at 7:30 P.M. for the swearing-in of the Commission; a regular meeting on Tuesday, May 29<sup>th</sup> at 6:00 P.M. due to the Memorial Day Holiday as City offices will be closed on Monday. She stated it has been a pleasure working with Commissioners Wilson and Laskowski.

Commissioner Laskowski stated he received word late last week that the Texas Transportation Commission has approved funding for another segment of I69 which will start half way between Bishop and Driscoll running all the way to Corral Street. The project should start within the next year.

Commissioner Garcia thanked both outgoing Commissioners for their service.

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

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.

Mayor Fugate called for consideration of the item in the Consent Agenda. **Commissioner Wilson made a motion to adopt the consent agenda, seconded by Commissioner Pecos and Commissioner Laskowski. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".**

#### **V. Consent Agenda**

1. **ORDINANCE NO. 2012-28 Motion to approve final passage of an ordinance amending the Fiscal year 2011-2012 Budget for the General Fund Capital Projects Fund for \$5,000.00 for the beautification project on Yoakum St. to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).**

#### **REGULAR AGENDA**

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

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

2. **RESOLUTION NO. 2012-26 Consider resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on May 12, 2012. (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 12 DE MAYO DE 2012.) (SECRETARIA MUNICIPAL).**

Mayor Fugate announced the agenda item. City Secretary Edna S Lopez read the agenda item in Spanish and presented Mayor Fugate, Presiding Officer of Canvassing with the results of the General Election of May 12, 2012.

City Secretary Lopez provided information on the results; Sam R Fugate received 1436 votes, Al Garcia 805, Noel Pena 779, Arturo Pecos 725, and Dianne Leubert 715 making them the elected officials. There were 1954 people that voted in the election, the City has 13,465 registered voters, the percentage of people voting was 14.5%.

That each of the candidates in said election received the following votes.

<b>MAYOR:</b>	<b>TOTAL VOTES:</b>
Sam R. Fugate	1,436
<b>CITY COMMISSIONER:</b>	
Jesse Rios	547
Alonzo "Al" Lopez	666

Al Garcia	805
Lance D. Hamm	597
Dianne Leubert	715
Arturo Pecos	725
Tomas Sanchez	463
Tina Galvan	515
Noel N. Pena Jr.	779

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

Mayor Fugate presented the Certificate of Election to the elected Commission.

**3. Consider authorizing the purchase and installation of a Radio Dispatch Workstation for the Kingsville Police Department for \$62,749.00 from Fund 001-5-103.0-328.17 Claims – Police Department Communications as per staff recommendation. (Chief of Police).**

Chief Torres stated due to the storm on Friday, April 20<sup>th</sup>, while monitoring the storm the Police Department got hit by lightning. At that time they heard a sizzle. Daly Wells has evaluated the equipment and after doing a full diagnostic informed him that the cards in the systems could not be repaired. When lightning strikes it weakens other parts of the system. A replacement cost for the current system was received because the current system is no longer made. The cost to replace is \$56,249 with an additional installation cost of \$6,500 for a total cost of \$62,749. The TML adjuster was in the building at the time of the incident. They will cover the entire cost of said radio system other than the \$1,000 deductible which will be paid from Claims.

Upon a question from Commissioner Laskowski, Chief Torres stated they weren't sure where the lightning struck. He stated they are also having problems with generator which is fairly new. Commissioner Laskowski stated he was wondering if something could be done to prevent this from ever happening again. He suggested isolating the origin of the lightning strike maybe they could put some protection. Chief Torres stated that back in 1998 when the building was built, there was an offer from someone to put lightning protection from the County but the City refused it was the time. He added the City was going to put lightning arrestors across the roof and down into the ground. He added this could probably still be done but there's no telling the cost. Commissioner Laskowski stated there are still some monies left over from the \$1.5 million surplus that hasn't been allocated.

Commissioner Pecos suggest after finalizing the source to go out and seek the cost to prevent this from happening again.

**Commissioner Laskowski made a motion to authorize the purchase and installation of a radio dispatch workstation for the Kingsville Police Department, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".**

**VI. Adjournment.**

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



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary