

JULY 26, 2012

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, JULY 26, 2012 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Al Garcia, Commissioner
Noel Pena, Commissioner
Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY STAFF PRESENT:

Vincent J Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Mike Kellam, Director of Development Services
Naim Khan, City Engineer
Roel Carrion, Interim Fire Chief
Willie Vera, Task Force Commander
Tony Verdin, Information System Technician
David Mason, Purchasing Director
Diana Gonzales, Human Resource Director
Mark Rushing, Finance Director
Joe Casillas, Water Production Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 5:00 P.M. and announce quorum as present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

Mayor Fugate called to forego the preliminary procedures.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate announced there no minutes to consider.

II. Public Hearing - (Required by Law).¹

1. PUBLIC HEARING FOR PROPOSED ANNEXATION OF 39.03 ACRES OF LAND LOCATED IN THE SOUTHERN PORTION OF THE CITY'S EXTRA TERRITORIAL JURISDICTION TO-WIT: KT&I SUBDIVISION, LOT 9, SECTION 22.(Director of Development Services).

Mayor Fugate opened the public hearing at 5:01 P.M., and announced anyone wanting to speak at this 2nd public hearing could do so by coming up to the podium, providing their name and address before speaking and could speak for five minute on this subject.

Mayor Fugate called for questions from the Commission. He stated there's no time limit for having public hearing opened. Ms Alvarez stated there's nothing in the Statue that states a public hearing has to be held opened for any period of time. Previously the Commission passed the resolution in May that designated the dates, times and places for the public hearings. Notices were sent and public hearing notice published in the newspaper. She stated this is the opportunity for people to speak, either, for or against the annexation to ask questions about the annexation or the service plan that was adopted by the Commission on July 9th

Ms Heather Schultz, 2207 Rosemary Lane, Round Rock, Texas representative for Hawks Landing Apartment asked for information on the annexation regarding what can be expected on taxable values and services.

Mayor Fugate closed the public hearing at 5:05 P.M.

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

"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."

City Manager Capell stated he had nothing to report.

Ms Alvarez reminded Staff that agenda items are due on Friday, August 3rd for the regular meeting of the 13th, and she thanked Ms Caron Vela for her 11 years of service.

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.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-5. **Commissioner Pecos made a motion to accept the Consent Agenda, as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pecos, Leubert, Garcia, Pecos voting "FOR".**

V. Consent Agenda

1. ORDINANCE NO. 2012-40 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the Utility Fund Capital Projects Fund 054 for the Water Production Department Water Well #20 to Fund 062 CO 2005.(Finance Director).
2. ORDINANCE NO. 2012-41 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for the Recycling Center/Community Appearance Building repairs and the replacement of the sidewalks to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).
3. Motion to approve out-of-state travel for City Manager to attend the 98th ICMA Annual Conference on October 7th - 10th, 2012 in Phoenix, Arizona. (City Manager).
4. RESOLUTION NO. 2012-39 Motion to approve resolution approving and adopting the National Incident Management System (NIMS) Training Plan and Implementation revisions. (Police Chief).
5. RESOLUTION NO. 2012-40 Motion to approve accepting funding from Local Border Security Program FY 2012 with the Texas Department of Public Safety for Law Enforcement Personnel Overtime and Operational costs, authorizing the Chief of Police to act on the City's behalf with such grant. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Consider appointing Ms. Debbie Tiffie and Mr. Albert Garcia to the Planning and Zoning Commission to each serve a two year term. (Director of Development Services).

Mayor Fugate stated there had been an important Planning and Zoning meeting a couple of weeks ago and did not have quorum, this is under his watch. These positions should have been filled and this is probably the most important Commission the City has

and it needs to keep it full. These people have accepted to serve. Mr. Garcia is a realtor and Ms Tiffie is a business owner.

Commissioner Leubert made a motion to appoint Ms Tiffie and Mr. Garcia to the P&Z Commission to serve a two year term, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pena, Leubert, Garcia, Leubert voting "FOR".

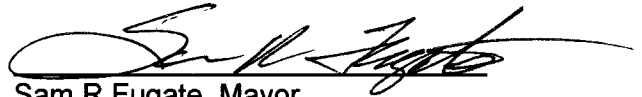
7. RESOLUTION NO. 2012-41 Consider resolution authorizing the City Manager to enter into a contract for Professional Services between City of Kingsville and HDR Engineering for water system hydraulic modeling project. (City Engineer/Public Works Director).

Mr. Khan stated the City is in the process of adding water well. Staff research was done for the best location. There were five excellent locations found that has good water quality and enough water. We don't know which location has a better impact on water system. This is why the City is developing a water system hydraulic modeling. This will take a couple of months. This is for the entire water system of the City. The cost is \$34,330 out of CO 2011. Once the model is developed if anything is added or removed the City can put data on the model and can see impact. The model will service forever and will need only an update from time to time.


Commissioner Garcia made a motion to authorize the contract, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Pena, Leubert, Pecos, Garcia voting "FOR".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:14 P.M.


Sam R Fugate, Mayor

ATTEST:


Edna S Lopez, TRMC, CMC
City Secretary