

FEBRUARY 25, 2013

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 25, 2013 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Dianne Leubert, Commissioner
Noel Pena, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Al Garcia, Commissioner

CITY STAFF PRESENT:

Vincent J. Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Mark Rushing, Finance Director
Mike Kellam, Director of Planning & Development Services
David Mason, Purchasing/IT Director
Willie Vera, Task Force Commander
Bill Donnell, Asst. Public Works Director
Rick Torres, Chief of Police
Emilio Garcia, Health Director
Naim Kahn, Public Works Director/City Engineer
Ruthie Valdez, Interim Library Director
Rose Morrow, Municipal Court Manager
Bob Trescott, Tourism Director
Cynthia Martin, Downtown and Volunteer Manager
Melissa Perez, Risk Manager
Daniel Ramirez, Building Official
Jennifer Bernal, Community Appearance Supervisor
Joey Reed, Fire Chief
Diana Medina, Collections Manager

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 present.

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 special meeting held on Monday, February 11, 2013. **Commissioner Leubert made a motion to accept the minutes as presented, second by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting “FOR”.**

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

1. Public Hearing for an alcohol variance application for The Players Lounge located at 510 W. Huisache. (Director of Planning & Development Services).

Mayor Fugate opened the public hearing at 6:03 p.m.

Mr. Michael Kellam, Director of Planning & Development Services stated that Mr. Mitchell Shelton, operator of The Player's Lounge is requesting an alcohol variance for a Wine and Beer Retailer's Permit and a Retail Dealer's On-Premise Late Hours License. This address is located within 300ft of a church. Therefore

the property requires a variance according to ordinance 2004-20. He further stated that all required notices have been sent to the property owners within 300ft and public hearing notice was placed in the newspaper on February 6, 2013. Staff did not receive any negative feedback from the property owners or citizens that received notification.

Mayor Fugate asked Mrs. Courtney Alvarez, City Attorney, if there is a specific time limit that we would need to keep this Public Hearing open to allow the public to speak. Mrs. Alvarez responded there is nothing in the Alcohol Beverage Code or City Ordinance that requires the hearing to be held for any particular period of time.

Mayor Fugate closed the public hearing at 6:05 p.m.

2. Public Hearing regarding condemnation proceeding for structures located at 222 E. Huisache, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate opened the public hearing at 6:05 p.m.

Mr. Kellam reported that based on utility records this structure had not been occupied since 2001. The structure meets criteria established in the city ordinance as a dilapidated or unsafe structure. All proper notices were mailed to the registered property owner listed at the Kleberg County Tax Office. Staff did not receive a response from the property owner regarding this location.

Mayor Fugate closed the public hearing at 6:08 p.m.

3. Public Hearing regarding condemnation proceeding for structures located at 613 E. Ave. C, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate opened the public hearing at 6:08 p.m.

Analee Bentacourt of Springs, Texas asked Commission to allow her the opportunity to fix the structure located at 613 E. Ave. C.

Mayor Fugate asked Mrs. Alvarez if there is a time frame to allow property owners to salvage certain structures.

Mrs. Alvarez stated that the property owner receives a notice letter regarding their property. If the City does not receive a response from the property owner, the City generously mails out a second letter and if no response is made from the property owner to the second letter, the City will mail notice to property owner regarding the public hearing for condemnation. If the Commission were to deem all structures on the property to meet the definition in the state statute for being unrepairable, then there would be a thirty day period that the property owner would demolish the structure. If property owner does not comply within those thirty days, the City would demolish the structure.

Commissioner Leubert asked Ms. Bentacourt if anyone had been doing any lawn care at this location.

Ms. Bentacourt stated that someone was hired to keep up with the lawn care.

Commissioner Leubert asked for a time frame to getting the yard in shape and getting the house up to code.

Ms. Bentacourt stated that she would like 30-60 days if the Commission would allow that length of period.

Commissioner Pecos asked Mr. Kellam if the structure is repairable.

Mr. Kellam responded that according to the building official report, this structure is in great disrepair and would be very expensive to bring back to code.

Janie Garza stated that this structure has a lot of sentimental value to Ms. Bentacourt. She further stated that once the property is brought up to code, Ms. Bentacourt would like to place the property for rent.

Commissioner Leubert asked if once the structure was brought up to code, would it require for the city to re-inspect. Mr. Kellam stated that a repair plan and a method of payment would need to be submitted and must meet all city code requirements.

Mayor Fugate commented to Ms. Bentacourt that this would need to be done correctly and meet all city codes that are required.

Ms. Bentacourt stated that there are two structures on this property and would like to see the back structure demolished. She further stated that she would hire a contractor to demolish the structure located in the back of the property.

Mayor Fugate closed the public hearing at 6:19 p.m.

4. Public Hearing regarding condemnation proceeding for structures located at 921 E. Yoakum, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate opened the public hearing at 6:19 p.m.

Mr. Kellam stated that this is a property that has had some abatement cleanup in the past. All proper notices were mailed as well as posting a public hearing in the local newspaper. Staff has not received a response or a repair plan from the property owner as of today.

Mayor Fugate closed the public hearing at 6:22 p.m.

5. Public Hearing regarding condemnation proceeding for structures located at 818 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate opened this public hearing at 6:22 p.m.

Mr. Kellam stated that this property has not had a water account since 2003. Notices were mailed to the property owner but staff has not received any response or repair plan as of today.

Mayor Fugate closed the public hearing at 6:24 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, Tourism, 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."

Mr. Capell reminded Commission about the two scheduled special commission meetings. First one is scheduled for Wednesday, February 27, 2013 at 5:00 p.m. regarding Wildwood Trails and the second one on Monday, March 4th at 5:00 regarding street projects. He further stated that some staff members will be attending Kingsville Day in Austin, TX on Tuesday, February 26, 2013. He also reminded Commission that a fundraiser luncheon for the Starrs' Family will be held on Saturday, March 2nd at the K.C. Hall located on North 14th Street from 11:00 a.m. to 3:00 p.m. Mr. Capell introduced and welcomed Chief Reed spouse Mrs. Paula Reed to the Commission and staff.

Mrs. Alvarez reminded staff that agenda items for the regularly scheduled Commission meeting on March 11th are due Friday, March 1st.

IV. Public Comment on Agenda Items³

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

Mr. Ted Shelton stated that he is opening an establishment at 510 W. Huisache and is requesting an alcohol variance and understands that there may be some opposition with regards to his variance.

V.

Consent Agenda

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.

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)

Mayor Fugate requested for agenda item 1 to be removed from the consent agenda and asked for a motion to approve the consent agenda as amended voting for items 2 & 3 only. Motion made by Commissioner Leubert and Commissioner Pena to approve the consent agenda as amended, second by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Pena, Leubert, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending Chapter XV, Land Use, Article 3, Subdivisions, Sections 17, 30, 51, & 56, revising assurance for completion & warranty of improvements, improvement agreement and guarantee of completion of public improvements, & streets; adding open space & preservation. (Director of Planning & Development Services).

Mr. Kellam stated that the Planning & Zoning Commission has made a recommendation to add some language to one portion of the ordinance. In the open space section 15-3-56, Open Space Preservation. This language is purposely to provide for specific areas that shall be preserved as undeveloped open space in the proposed subdivision and to require that any new development site shall set aside area(s) to be utilized as open space for public or private use which shall not be developed.

Mayor Fugate asked how staff felt with regards to the additional language.

Mr. Kellam stated that it is a good suggestion to add this additional language.

Motion made by Commissioner Leubert to approve this ordinance with the additional language recommended by staff and the Planning & Zoning Commission, second by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

2. Motion to approve resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Palmer Drug Abuse Program (PDAP). (Task Force Commander).

3. Motion to approve resolution authorizing the Police Chief to enter into a Memorandum of Understanding with the Women's Shelter of South Texas to provide assistance to victims of family violence and sexual assault. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider approval of an alcohol variance for The Players Lounge located at 510 W. Huisache. (Director of Planning & Development Services).

Motion made by Commissioner Pecos to approve an alcohol variance for The Players Lounge located at 510 W. Huisache, second by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".

5. Consider condemnation of structures located at 222 E. Huisache, Kingsville, Texas. (Director of Planning & Development Services).

Motion was made by Commissioner Pecos, motion finding-not able to repair, building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within thirty (30) days, motion was second by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert, Fugate voting "FOR".

6. Consider condemnation of structures located at 613 E. Ave. C, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate stated that he would like for staff to allow the additional time for Ms. Bentacourt to repair the property located at 613 E. Ave. C.

Mrs. Alvarez stated that Commission can take no action on this item if they wish to allow the property owner with additional time to repair the property. If the property owner does not get with staff within a provided time frame, another notice for public hearing will be sent out and proceed with the condemnation at a future meeting.

Mayor Fugate stated that the property owner has thirty (30) days from today's meeting to submit a repair plan to staff. The plan should include the needs of repairs, and method of payment.

Mr. Kellam stated that everything would need to be approved within thirty (30) days as far as anything that would require a permit. The thirty (30) day deadline would be March 25, 2013.

No action taken.

7. Consider condemnation of structures located at 921 E. Yoakum, Kingsville, Texas. (Director of Planning & Development Services).

Motion was made by Commissioner Pecos, motion finding-not able to repair, building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within thirty (30) days, motion was second by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

8. Consider condemnation of structures located at 818 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Motion was made by Commissioner Pecos, motion finding-not able to repair, building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within thirty (30) days, motion was second by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".

9. Consider a resolution supporting Texas A&M University-Kingsville's Frank H. Dotterweich College of Engineering's application for the 2013 U.S. Department of Labor, YouthBuild Grant to promote infill housing in the City. (Commissioner Leubert).

Commissioner Leubert asked for Mr. Jim Glusing, Assistant Professor of the Department of Civil & Architectural Engineering to brief the Commission with regards to this item.

Mr. Glusing stated that what they are proposing to do is construct infill housing within the City of Kingsville. They are pursuing the 2013 U.S. Department of

Labor Youthbuild Grant to provide construction training to at-risk youth from Kingsville and the surrounding area through the construction of sustainable low-income/affordable housing. He further stated that what they are asking for tonight is a letter of support for the City of Kingsville for these projects and similar grants as they are identified.

Mayor Fugate asked if all they were asking for was a letter of recommendation for this project.

Mr. Glusing stated at this point all they are asking for is a letter of recommendation and any other support the City may provide in the future. He further stated that they would like for the City of Kingsville, Kleberg County, South Texas Water Authority and Kingsville Independent School District to collaborate with the College by turning over suitable delinquent properties and forgiving tax liabilities. The College of Engineering will make improvements to the properties and return them to the tax rolls by sale.

Mayor Fugate stated that it is a great idea to build homes on existing properties. Mayor Fugate asked if there were taxes owed on these properties. Can taxes be cleared.

Mrs. Alvarez responded that there is a method that can be done in which an organization would need to be set up to take over the properties. A similar program in a different part of the state was being done and they were able to get all the different taxing jurisdictions to waive the interest on the properties and put the properties and the trust under the organization. This would make the organization responsible for rehabilitating the properties and be placed back on the tax roll.

Mayor Fugate asked what type of structures they are looking to build.

Mr. Glusing stated that they are looking at building studio/apartment style structures between 400 to 800sqft. Local contractors are willing to provide supervision to make sure everything is being built to code.

Motion made by Commissioner Pecos to approve resolution supporting Texas A&M University-Kingsville's Frank H. Dotterweich College of Engineering's application for the 2013 U.S. Department of Labor Youthbuild Grant to promote infill housing in the City, second by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert, Fugate voting for "FOR".

10. Consider a resolution authorizing the City Manager to enter into a Contract for Professional Services between the City of Kingsville and LNV, Inc. for engineering services for new water well improvements (well #25). (City Engineer/Public Works Director).

Mr. Naim Kahn, City Engineer/Public Works Director stated that staff is asking for approval of this engineering service contract for Water Well #25 for engineering design and inspections of the well, pump house and ground storage tank in the amount not to exceed \$64,500. He stated that funding for engineering and construction fees is allocated in the Certificates of Obligation 2011. A proposed location for the new Water Well #25 has been identified and is asking for authorization for a contract for engineering services to be entered with LNV, Inc.

Motion made by Commissioner Pena to approve the resolution, second by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

11. Consider authorizing the Mayor to enter into a Water Supply Contract between the City of Kingsville and Texas A&M University-Kingsville. (City Engineer/Public Works Director).

Mr. Kahn stated that currently the City is providing water to Texas A&M University-Kingsville, but there is no water supply agreement between the two parties for the use of City water. Both parties agree that an agreement should be in place and therefore both parties are asking for Commission approval.

Commissioner Pecos stated that after being in a heavy drought he is hoping that the City can supply water under this agreement with the water shortage.

Mrs. Alvarez stated that there is a clause in all the water supply contracts that the City is involved with, stating that the City will use its best efforts to furnish water sufficient for reasonable demands of the customer.

Motion made by Commissioner Pecos to authorize the Mayor to enter into a Water Supply contract agreement between the City of Kingsville and Texas A&M University-Kingsville, second by Commissioner Pena. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".

12. Consider authorizing the City Manager to enter into an Amendment to the Water Supply Contract between the City of Kingsville, Texas and Escondido Creek Estates, Inc. (City Engineer/Public Works Director).

Mr. Kahn stated that currently the City is providing potable water to Escondido Creek Estates, Inc. TCEQ requires for Escondido Creek Estates, Inc. to have certain language added to its water supply contract with the City.

Motion made by Commissioner Pecos to authorize the City Manager to enter into an amendment to the Water Supply Contract between the City of Kingsville and Escondido Creek Estates, Inc., second by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert, Fugate voting "FOR".

13. Consider a resolution authorizing the City Manager to enter into an Amendment to the Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to historical survey & inventory of the historic district of Kingsville, Texas. (Tourism Director).

Ms. Cynthia Martin, Downtown Manager stated that the City of Kingsville entered into an Interlocal Cooperation Agreement with Texas A&M University-Kingsville relating to the Historical Survey and Inventory of Kingsville's Historic District. This contract is scheduled to terminate May 31, 2013. Amendment #1 to the contract calls for the extension of the contract's deadline dated from May 31, 2013 to August 31, 2013. This would allow to extend the scope of work to encompass the mapping phase of the project to an enhance GIS product. A map of the Historic District would be a great use to the City's Planning & Development Department for the purpose of preservation planning and would complement the department's current GIS maps.

Commissioner Pena stated that if the primary objective is to map out the historic areas within the City.

Ms. Martin stated that the Historical Commission has already asked that this part of the survey requirement is to create a map identifying these properties.

Commissioner Leubert asked for Ms. Martin to explain to the citizens what the benefits would be by doing this amendment.

Ms. Martin stated that it is a great tool for the City. Other cities already have this tool in place and have benefited from it now. This is a tool to show how many properties are within the Historic District of the City.

Commissioner Pecos stated that the historic district consist of 120 blocks within the City. He asked if the City is trying to preserve these structures.

Ms. Martin responded this is not to preserve, but for documentation only.

Motion made by Commissioner Pecos authorize the City Manager to enter into an amendment to the Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville, second by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

14. Consider authorizing the purchase of one (1) John Deere 318D Skid Steer Loader Base with GT72 Grapple and one (1) John Deere Z970R ZTrak Commercial Mower as well as trade in of the 2009 John Deere 5065M and accessories, as recommended by staff. (Purchasing/IT Director).

Mr. David Mason, Purchasing Director stated that Community Appearance is in need of additional equipment to properly fulfill their mission. The John Deere Z970R will supplement the current mower. The 318D Skid Steer with Grapple will

enhance the ability of the operator to remove different types of debris when performing property abatement. He further stated that the purchases would be with the 318D Skid from John Deere Construction Retail Sales under BuyBoard Contract 345-10 for \$34,924.88. The Z970R will be purchased from John Deere Company National Accounts of Cary, NC for \$10,768.44 under the National Purchasing Partners Cooperative Agreement. Robstown Hardware will be accepting the 5065M and accessories with a trade in price of \$23,000.00 bringing the net cost to \$22,693.32.

Commissioner Leubert asked if on the grapple, the skid is going to be on wheels or tracks.

Mr. Mason responded that it would be on treaded solid flex wheels. The track model was looked at but was more expensive than the one on wheels.

Motion made by Commissioner Leubert to the authorize the purchase of the John Deere 318D Skid Steer Loader Base with GT72 Grapple and one (1) John Deere Z970R ZTrak Commercial Mower as well as trade in of the 2009 John Deere 5065M and accessories, as recommended by staff, second by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".

15. Consider introduction of an ordinance amending the fiscal year 2012-2013 budget for the Community Appearance Department to purchase one (1) John Deere 318D skid steer loader base with GT72 grapple and one (1) John Deere Z970R ZTrak commercial mower as well as the trade in of the 2009 John Deere 5065M and accessories. (Finance Director).

Mr. Mark Rushing, Finance Director stated that this budget amendment is for the purchase of the skid steer loader base and commercial mower which will expend from the Fiscal Year 2012 surplus in the amount of \$22,693.32.

Introduction item only.

16. Consider introduction of an ordinance amending the fiscal year 2012-2013 budget for the Police Department to purchase body armor and protective equipment. (Finance Director).

Mr. Rushing stated that this request was previously presented and approved at the February 13, 2012 Commission meeting which approved \$80,453.00 for the purpose of body armor for the Police Department. Last fiscal year, they delivered \$37,973.00 of the total order. The other half was delivered this fiscal year, therefore the Police Department is requesting this budget amendment to the current year budget for the remaining balance of \$42,480.00.

Introduction item only.

17. Consider authorizing the City Manager to file a demolition lien showing a statement of expenses incurred to voluntarily abate a nuisance at 621 E. Nettie, pursuant to City of Kingsville Code of Ordinances Section 15-1-172. (Director of Planning & Development Services).

Mr. Kellam stated that a notice of violation was sent to the property owner. The property owner contacted the City to make arrangements for the city to demolish the structure. The property owners signed and submitted the application where it states the cost to demo and the monthly payment. The agreement also states that if a payment is not made, a lien will be placed on the property for the amount owed. He further stated that the City has sent invoices to the property owners, and staff has not received any response from the property owner. Being that no payment has been made, a lien should be placed on property located at 621 E. Nettie. The original agreement was for the amount of \$1,296.00, however all cost will be added to the lien once Commission approves which will total out to \$2,112.15.

Commissioner Pena asked if there has been any communication with the property owners.

Mr. Kellam responded that there has been no communication from the property owner as of today.

Motion made by Commissioner Leubert to authorize the City Manager to file a demolition lien showing a statement of expenses incurred to

voluntarily abate a nuisance at 621 E. Nettie, second by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Pena, Leubert, Fugate voting "FOR".

18. Consider a resolution authorizing the Mayor to execute a Second Amendment and Extension of the Kingsville Industrial District Agreement No.92-02 between the City of Kingsville and Hoechst Celanese. (Director of Planning and Development Services).

Mr. Kellam stated that this is an agreement that was established 15 years ago in 1996 with a previous agreement in 1992, where Celanese agrees to payment in lieu of taxes with certain guarantees and provisions granted by the City. The agreement is for a 15 year timeline for \$100,000.00 per year for a total of \$1,500,000.00.

Mayor Fugate stated that this would be in the best interest of the City to enter into this agreement.

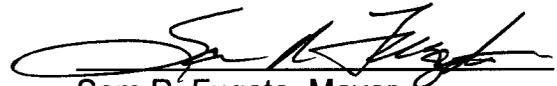
Commissioner Leubert stated that historically, if something comes up with the City, Celanese has been a partner and helped out when needed as needed over the course of many years.

Mayor Fugate stated that things have changed and it would be difficult and costly to the City to provide city services to Celanese, therefore this is a good thing to do.

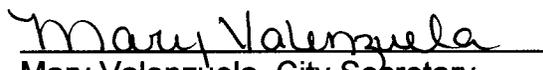
Motion made Commissioner Leubert to authorize the Mayor to execute a second amendment and extension of the Kingsville Industrial District agreement No. 92-02 between the City and Hoechst Celanese, second by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:20 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary