

SEPTEMBER 16, 2013

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 16, 2013 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

**CITY COMMISSION PRESENT:**

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

**CITY COMMISSION ABSENT:**

Al Garcia, Commissioner

**CITY STAFF PRESENT:**

Vince Capell, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Charlie Cardenas, Public Works Director/Engineer  
Mark Rushing, Finance Director  
Emilio Garcia, Health Director  
Robert Isassi, Director of Planning & Development Services  
Diana Gonzales, Human Resources Director  
Melissa Perez, Risk Manager  
Joey Reed, Fire Chief  
Willie Vera, Task Force Commander  
Ricardo Torres, Chief of Police  
David Mason, Purchasing/IT Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum as present. Commissioner Garcia absent.

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

Mayor Fugate announced that he would like to waive the preliminary proceedings and go right into items of the agenda.

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

Special Meeting – August 27, 2013  
Special Meeting – September 3, 2013  
Special Meeting – September 4, 2013  
Regular Meeting – September 9, 2013

Mayor Fugate asked for a motion from the Commission to approve the minutes as presented.

**Motion made by Commissioner Pecos to approve minutes as presented, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Fugate voting “FOR”. Garcia absent.**

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

None.

**III. Reports from Commission & Staff.<sup>2</sup> (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, City Manager, reported that that he has been in communications with City staff regarding the weather situation.

Mrs. Courtney Alvarez, City Attorney, reported that the next regularly scheduled meeting is Monday, September 23, 2013 and the City of Kingsville will be having their Trash Off on Saturday, September 21, 2013 from 8:00 a.m. to 12:00 p.m.

Commissioner Pecos asked for the City Manager to look into flooding in the area of 17<sup>th</sup> Street between Huisache and Kenedy.

Mayor Fugate gave a brief report on his recent trip to Washington, DC with Mr. Dick Messbarger. He reported on their meetings with representatives from the Pentagon and Capitol Hill regarding military issues and windfarms.

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

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

#### **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 asked for a motion to approve the consent agenda as presented.

**Motion made by Commissioner Pecos to approve the consent agenda as presented, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Fugate voting "FOR". Garcia absent.**

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget for the transfer of fund balance from Fund 061 CO Series 2002-2002A-Utility Fund to Fund 039 CO Series 2002-2002A-General Fund. (Director of Finance).
2. Motion to approve final passage of an ordinance amending the fiscal year 2012-2013 budget for the City of Kingsville for deficit accounts and year end contractual amounts. (Director of Finance).

##### **REGULAR AGENDA**

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

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

3. Consider final passage of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas and appropriating funds for the fiscal year beginning October 01, 2013 and ending September 30, 2014 in the particulars hereinafter stated. (Finance Director).

Mr. Mark Rushing, Finance Director reported that there are no changes to the proposed budget for Fiscal Year 2014.

**Motion made by Commissioner Pena to adopt the budget as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Leubert, Pena, Fugate voting "FOR". Garcia absent.**

4. Discuss and consider ratifying the property tax increase reflected in the 2013-2014 Annual Budget of the City of Kingsville. (Finance Director).

**Motion made by Mayor Fugate to ratify the property tax increase reflected in the 2013-2014 Annual Budget of the City of Kingsville, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pena, Pecos, Fugate voting "FOR". Garcia absent.**

5. Consider final passage of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for the fiscal year beginning October 01, 2013 and ending September 30, 2014, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).

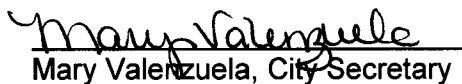
**Motion made by Mayor Fugate, "I move that the property tax rate be increased by the adoption of a tax rate of \$0.84220, which is effectively a 2.50% percent increase in the tax rate," seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Fugate voting "FOR". Garcia absent.**

#### **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:18 P.M.

  
Sam R. Fugate, Mayor

ATTEST:

  
Mary Valenzuela, City Secretary