

SEPTEMBER 8, 2020

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, SEPTEMBER 8, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

**CITY COMMISSION PRESENT:**

Sam R. Fugate, Mayor  
Edna Lopez, Commissioner  
Hector Hinojosa, Commissioner  
Arturo Pecos, Commissioner  
Dianne Leubert, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Kyle Benson, IT Manager  
Derek Williams, IT  
Ricardo Torres, Police Chief  
Janine Reyes, Tourism Director  
Uchechukwu Echeozo, Director of Planning & Development Services  
Juan Adame, Fire Chief  
Susan Ivy, Parks & Recreation Director  
Deborah Balli, Finance Director  
Bill Donnell, Public Works Director  
Diana Gonzales, Human Resources Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

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

The invocation was delivered by Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

**MINUTES OF PREVIOUS MEETING(S)**

Special Meeting – August 31, 2020

**Motion made by Commissioner Pecos to approve the minutes of August 31, 2020 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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

**1. Public Hearing on a proposed tax rate decrease from \$.85304 to \$.85208 for Fiscal Year 2020-2021 with \$.85208 being an increase in the no new revenue tax rate of \$.83198; the tax rate will be voted on September 14, 2020. (Finance Director).**

Mayor Fugate read and opened this public hearing at 5:01 P.M.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Mrs. Courtney Alvarez, City Attorney announced that the City Commission will meet on Monday, September 14, 2020 at 5:00 p.m. to vote on the proposed tax rate. Meeting will take place in the Helen Kleberg Groves Community Room, City Hall, 400 W. King Ave., Kingsville, TX.

There being no further comments, Mayor Fugate closed this public hearing at 5:03 P.M.

**2. Public Hearing on proposed Fiscal Year 2020-2021 budget. (Finance Director).**

Mayor Fugate read and opened this public hearing at 5:03 P.M.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further comments, Mayor Fugate closed this public hearing at 5:04 P.M.

**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, 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, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."*

Mr. Mark McLaughlin, City Manager gave an update on City positions that are available in the Planning & Permitting Department. He also reported that staff is looking into other internet providers to service Kingsville. McLaughlin gave an update on Miller Street. After Miller Street is completed, crews will move on to the Dog Park Parking Lot then begin chip seal city streets. There were two additional traps that picked up mosquitos that have the Saint Louis encephalitis. The Health Department has already sprayed for the past three nights and will be spraying tonight which they will be spraying the entire city.

Mrs. Alvarez reported that the next regular meeting is scheduled for September 14, 2020. The second regular meeting is scheduled for September 28, 2020 with a deadline for staff to submit items for that meeting being on September 18, 2020.

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

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

No public comments were made or received.

**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)

None.

## REGULAR AGENDA

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

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

**1. Review and discuss proposed fiscal year 2020-2021 budget for departments of the City of Kingsville. (City Manager).**

Mr. McLaughlin commented that provided to the Commission is a list of all changes that were made to the proposed budget. These changes were discussed during budget workshops. The net revenues will now be proposed for this budget at \$44,588,817.

Commissioner Hinojosa asked that on the expenditures, Fund 33 (CO) there is money being moved from this fund to the Golf Course, has legal counsel stated that this move was allowable? Mr. McLaughlin responded that it is allowable as the Golf Course is one of the projects that is listed on the Fund 33 list. McLaughlin further commented that this has been verified with Mrs. Deborah Balli, Finance Director by verifying that the Golf Course is authorized.

**2. Consider introduction 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, 2020 and ending September 30, 2021 in the particulars herein after stated. (Finance Director).**

Commissioner Hinojosa commented that during the budget process he was looking at some of the revenues being overstated and they still are and has made his concerns known in front of the City Commission. He also stated that what he does like about the budget is the way that the City Manager is controlling the expenses, but he is a bit liberal/aggressive on the revenues, but this is his budget. Hinojosa further commented that the other thing he likes is the 2.5% cost of living for the employees.

**3. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2020 and ending September 30, 2021, 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).**

Introduction item.

**4. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, providing for an increase in sewer rates. (City Manager).**

Mr. McLaughlin commented that this is an increase of 5% on the sewer rate. He further commented that this increase will bring in an extra \$207,500 that will be programmed monthly as it comes in, over to Fund 84 which is the DEAG/Wastewater Treatment Plant. He further shared that for the DEAG Grant, it was proposed to put in \$200,000 this year from the general fund. It has now been programmed for this and in this budget it was also programmed, as there was a very large fund balance within the Utility Fund, to move \$500,000 over to the Wastewater Treatment Plant based on Commission comments that it is the number one issue. Mr. McLaughlin further stated that at the end of next year there should be about \$930,000 set aside and will continue to build that balance.

Mayor Fugate commented that this has been talked about for the past three years and it is not getting any better.

Introduction item.

**5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).**

Mrs. Gonzales stated that this ordinance is for the City of Kingsville Classification and Compensation Plan for FY 2020-2021. Non-Exempt Non-Civil Service Schedule is as followed: Continuation of Anniversary Program; Cost of Living Adjustment (COLA) = 2.5%; Longevity Increase from \$2 to \$3 per month per year of service. Reclassification of the following positions: Equipment Service Worker from Class 1 to Class 3; Equipment Operator I from Class 1 to Class 3; Planning Customer Service Rep I Class 2 to Customer Service Rep II Class 3; Fire P/T Customer Service Rep I Class 2 to P/T Customer Service Rep II Class 3; Finance Customer Service Rep I (3 positions) Class 2 to Customer Service Rep II Class 3; Police - Administrative Assistant II (Class 9) to

Administrative Coordinator Class 10. New positions include Evidence Technician – Part-Time Class 2. Certification include, new commercial driver’s license, active license \$ 13.85 per pay period. Renaming the position of Community Appearance Inspector Class 11 to Code Compliance Inspector Class 11 and removing Library and JK Northway positions both full-time and part-time and Audio/Visual Technician Class 6. As for the Exempt Non-Civil Service Schedule it includes the continuation of anniversary program, cost of living adjustment (COLA) of 2.5%; Longevity Increase from \$2 to \$3 per month per year of service; Renaming the Downtown Manager Exempt Class 7 to Downtown & Historic Preservation Manager Exempt Class 7 and Purchasing Manager Exempt Class 6 to Purchasing & Facilities Manager Exempt Class 6. The Financial Impact, approximate total financial impact is \$287,485 and incorporated in the City Manager’s proposed budget. The impact breakdown is listed below: Anniversary Program \$40,795; Cost of Living Adjustment \$179,967; Longevity \$16,296; Reclasses \$21,129; New Part-time \$12,013; and Certification for active CDL \$17,285.

Introduction item.

**6. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to accept and expend grant funds from the Assistance to Firefighters Grant Program for medical supplies. (COVID-19 Supplemental). (Fire Chief).**

Mr. McLaughlin stated that the Fire Chief applied for this grant back in May 2020. The grant was awarded therefore requesting approval to budget the awarded funds to purchase the equipment pursuant to the grant.

Introduction item.

**7. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to expend funds for emergency repairs at the golf course. (Parks Director).**

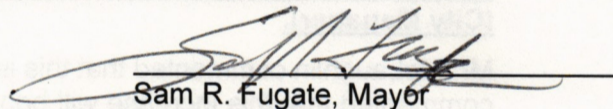
Mr. McLaughlin stated that is for some maintenance issues that occurred at the Golf Course. Estimates came in as followed: back 9 holes at \$25,771; front 9 holes \$39,787 for a total of \$65,558. Holes 3 and 4 may need to be contracted out to an expert that can assist in rebuilding those two holes.

Commissioner Leubert asked if the irrigation at the Golf Course was working well. Mr. McLaughlin responded that the irrigation system is working well.

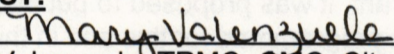
Introduction item.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:21 P.M.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, TRMC, CMC, City Secretary