

AUGUST 11, 2014

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 11, 2014 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  
Al Garcia, Commissioner  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Vince Capell, City Manager  
Courtney Alvarez, City Attorney  
Deborah Balli, Finance Director  
Emilio Garcia, Health Director  
Willie Vera, Task Force Commander  
Jennifer Bernal, Community Appearance Supervisor  
David Mason, Purchasing/IT Director  
Diana Gonzales, Human Resources Director  
Cynthia Martin, Interim Tourism Director  
Bill Donnell, Assistant Public Works Director  
Rose Morrow, Municipal Court Manager  
Melissa Perez, Risk Manager  
Arturo Perez, Garage Supervisor  
Pete Pina, Landfill Supervisor  
Leo Alarcon, Tourism Director  
Joey Reed, Fire Chief  
Daniel Ramirez, Building Official  
Frank Garcia, Wastewater Supervisor

**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 with all five Commission members present.

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

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

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

Regular Meeting – July 28, 2014

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

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

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

**1. Public hearing regarding condemnation proceeding for structures located at 1801-1803 N. 20<sup>th</sup>, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Fugate announced and opened this public hearing at 6:03 p.m.

Ms. Jennifer Bernal, Community Appearance Supervisor reported to the Commission the status on this property. Bernal stated two letters were mailed to the property owner back in March and April. Bernal further reported that his property owes back taxes in the amount of \$3,000. Bernal stated that staff did receive contact from property owner who has agreed to sign the voluntary demolition form for one of the properties and has is requesting additional time for the second property.

Mayor Fugate announced that this is a public hearing. If anyone is interested on speaking on behalf of this public hearing may do so at this time. Mayor Fugate further asked for clarification on which property the voluntary demolition form was signed for and which property the owner is asking for additional time.

Ms. Bernal responded that the voluntary demolition form was signed for 1801 N. 20<sup>th</sup> and property owner has requested an extension for 1803 N. 20<sup>th</sup>.

Commissioner Leubert asked which property of the two is behind \$3,000 in taxes. Ms. Bernal responded that 1801 N. 20<sup>th</sup> is the property behind in taxes.

Mr. Vince Capell, City Manager, asked for further clarification on which property the voluntary demolition form was signed for. Ms. Bernal's response was that this was the first time she's heard that the property owner was signing a voluntary demolition form for one of the noted properties and requesting additional time on the other property.

Mr. Daniel Ramirez, Building Official, stated that the blue house is 1803 N. 20<sup>th</sup> and the other structure is 1801 N. 20<sup>th</sup>. Mr. Ramirez further stated that the tear down on the blue house has already begun.

Mayor Fugate asked if the \$3,000 owed on back taxes was for both properties. Ms. Bernal's response was that it is owed only for 1801 N. 20<sup>th</sup>. She further stated that she did not have a copy of the tax roll for the blue house but she could state how far behind in taxes they were for 1803 N. 20<sup>th</sup>.

Mayor Fugate stated that in the future, when a property has two structures on it, it would be best to separate them individually for better understanding.

Mr. Capell asked if both structures were on the same lot. Staff responded yes. Capell further stated that unpaid taxes are not the reason for properties to be placed for condemnation. Mayor Fugate stated that the Commission understands this.

Mrs. Courtney Alvarez, City Attorney, reported that the inspection report from the Building Official states that the property is open and unsecured with holes in the walls, ceilings and broken windows.

Mayor Fugate asked if this was for both properties. Mrs. Alvarez responded that 1803 N. 20<sup>th</sup> is the proposed by staff for demolition unless the owner presents enough information that it's not unsecured.

Mayor Fugate asked if the property owner would like to speak on behalf of these properties.

Mr. Rene Barrera of 1801 N. 20<sup>th</sup> stated that he would like the opportunity to repair this property and further stated that someone went in tore down the sheetrock and removed the wiring from the property.

Commissioner Leubert asked Mr. Barrera when this took place. Mr. Barrera stated that it happened when his brother passed away in California and he was away attending his funeral. When he returned to Kingsville, he noticed that someone had torn down the kitchen and a room. Commissioner Leubert asked when this had occurred. Mr. Barrera responded that this occurred two years ago. Leubert asked Mr. Barrera if he maintains the property himself. Mr. Barrera stated that he maintains the property but someone has stolen his lawnmower and other supplies from his property. Barrera further stated that he works but does not get paid well. Commissioner Leubert asked Mr. Barrera if he would be able to take care of this property and stay current on the property taxes. Mr. Barrera stated that it would take him two months to get all this done and he would keep up with the property taxes.

Commissioner Garcia asked Mr. Barrera what he plans on paying off. Mr. Barrera responded that he would pay the taxes to the property. Commissioner Garcia further asked about the condition of the property. Mr. Barrera stated that he could fix the house as he works construction. Commissioner Garcia asked how he would come up with the money to repair the property if he just stated earlier that he does not get paid well. Mr. Barrera stated that he plans on getting another job. Garcia asked Mr. Barrera if he realized how much it would take to bring this house up to code. Mr. Barrera responded that he does construction work and is aware of the cost. Barrera stated that the house is not in bad condition as it only needs to be re-wired, sheetrock and painted. Commissioner Garcia commented that he's not worried about the carpentry work since Mr. Barrera already does this type of work. It's the cost for the material that Mr. Barrera may or may not be able to come up with.

Mayor Fugate asked Mr. Barrera if he had any objections to the city tearing down the property located at 1803 N. 20<sup>th</sup> and receive a two month extension for the property located at 1801 N. 20<sup>th</sup> which would allow him to bring up to code. Mr. Barrera responded that he does not have a problem with bringing the property up to code. Fugate further stated to Mr. Barrera what is not acceptable, like boarding up windows, it would need to be brought up to code within 60 days, if not, the issue will be revisited and could be condemned at a future Commission meeting.

Mr. Barrera further stated that the other property is almost fully demolished and he would haul the debris to the landfill.

Mayor Fugate closed this public hearing at 6:15 p.m.

**2. Public hearing regarding condemnation proceeding for structures located at 303 W. General Cavazos, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Fugate announced and opened this public hearing at 6:15 p.m.

Ms. Bernal reported that this property was sent two letters back in March and April. Staff has not received any contact from the property owner. Bernal further reported that Code Enforcement has been out mowing the property for the past year. The property has been secured and property owes \$5,000 in back taxes. Bernal stated that pictures will show rotted wood, roof caving in with mold building up around the structure.

Mayor Fugate stated that this is a public hearing, if anyone is interested on speaking on behalf of this public hearing may do so at this time.

Mr. Luis Gonzalez stated that he was just informed about this public hearing and stated that this property belongs to his parents which are both deceased. He further stated that the individual who lives next door is his ex-wife. Gonzalez further stated that he hasn't been in Kingsville for the last five years and has five other siblings to which all live out of state. Gonzalez stated that he is in the process of transferring the property over to his ex-wife who resides next door to this property. He further stated that his ex-wife is willing to take care of the taxes and tear down the structures and build a new home. Mr. Gonzalez requested additional time to the make the transfer of property to his ex-wife.

Mayor Fugate stated that the City is not taking over the property, the City is only condemning the structure and tearing it down which will incur a cost to the property owner, but the City is not taking over the land.

Mr. Gonzalez stated that his ex-wife wants to the tear down the house themselves. But in order to do this, the property must be under her name.

Commissioner Leubert asked if Mr. Gonzalez's ex-wife has spoken with Daniel Ramirez, Building Official of the Planning Department. Mr. Gonzalez responded that he was not aware whether she has spoken to him or not. Mr. Gonzalez further stated that he contacted the phone number listed on the placard that was placed on the property and was told by staff to attend the meeting in which the public hearing was going to be heard. Commissioner Leubert stated that the families need to get in touch with the city so that staff can be aware of what is going on with the property.

Mayor Fugate stated that he feels time is of the essence and things need to be done.

Mr. Capell asked if the property owner is aware that the voluntary demolition is available to him which could be done at a lower cost.

Mr. Jesus Gonzalez residing at 305 W. General Cavazos and husband to Mr. Gonzalez ex-wife stated that he is the individual that would like to take over the land and begin paying taxes on the property. He further stated that he would like to demolish the structure himself as he does not know what the cost would be if the City does the demolition.

Mayor Fugate stated that he will recommend not taking any action at tonight's meeting and would like to bring this item back at a later meeting.

Mayor Fugate closed this public hearing at 6:20 p.m.

### **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 reported that budget preparations is going well and will have it to the Commission not later than Monday, August 18<sup>th</sup>.

Mrs. Alvarez reported that the next regularly scheduled Commission meeting is Monday, August 25<sup>th</sup> with agenda items due on Friday, August 15<sup>th</sup>.

Commissioner Leubert stated that she would like to make a statement. She stated that she would like to assure the public that she agrees with what the Mayor said at the last meeting and does understand Economic Development.

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

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

Captain Misner, Commanding Office of NAS-Kingsville, stated that he is joined by Glenn Jones, Community Plans Liaison Officer. Captain Misner thanked the Commission of the City of Kingsville, Kleberg County and the great neighbors in this area who have helped NAS-Kingsville with so many things that have made such great success in Kingsville, such as the air show in March, clearing of a ditch along General Cavazos which will help with drainage in the event that Kingsville ever gets hit with a hurricane which could potentially affect their number one checkpoint going into NAS-Kingsville. Captain Misner further commented that on behalf of NAS-Kingsville team, he would like to personally thank the Commission as well as staff.

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)*

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

1. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, Zoning, Section 4, Changes and Amendment, to include notice requirement from state statute. (Director of Planning & Development Services).**
2. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 8, Landscaping Policy, Exhibit "A" -Preferred Plant List, providing for addition of mesquite trees and correcting spelling errors. (Director of Planning & Development Services).**
3. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 9-7-2, providing for modifications to the noxious matter definition. (Director of Planning & Development Services).**
4. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 15-6-124, providing for the option to place pole signs or monument signs along U.S. Highway 77 Bypass. (Director of Planning & Development Services).**
5. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, Zoning, Air Installation Zoning Regulations, Section 41, Responsibility of Developers: Subdivisions, providing for a notice to Buyer/Lessee about AICUZ and CCLUA. (Director of Planning & Development Services).**
6. **Motion to approve certification of 2013 excess debt collections and the certification of 2014 anticipated collection rate, pursuant to Section 26.04(b) of the Texas Property Tax Code. (Director of Finance).**
7. **Motion to approve out-of-state travel for the Mayor to travel to Washington, D.C. from August 17-19, 2014 for city business related to legislative and military issues. (Mayor Fugate).**
8. **Motion to consider appointment of Mario A. Delgado to the Historical Development Board for a three year term. (Director of Tourism).**

### **REGULAR AGENDA**

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

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

9. **Consider accepting Comprehensive Annual Financial Report of the City of Kingsville for Fiscal Year 2012-2013. (Finance Director).**

Mr. Luke Womack of Womack & Co. reported that he has met with the Audit Committee earlier today in which they went over the Comprehensive Annual Financial Report in full detail. Mr. Womack stated that general comments the city overall is in very good financial condition and will hit on points regarding the General Fund and the two Enterprise Funds tonight, everything else is in good shape. Mr. Womack further reported on the General Fund where primarily all the general governing activities of the City's occurs has cash of \$2.9 million, last year that cash was \$6.2 million. Womack stated that conversely the due from other funds is \$3.1 last year which is about \$800,000 which was utilization of cash to make up yearend some deficits in funds that hadn't transferred the money to accrual cash account, so that cash would have been well over \$5 million had they already made those transfers. Womack reported that the restricted cash is \$4.314 million, which is up from last year. All total assets from last year were \$13.5 million with this year being \$13.195 million. The conversely liabilities, accounts payable are \$1,020,000 with last year at \$1,004,000 so it liquidated \$380,000 of payables. Due to other funds last year was \$1,077,000 with this year down to \$91,000, which liquidated about \$1.5 million of liabilities during the year. Womack stated that it went from \$3.1 million in payables prior year to \$1.49 million this year. Womack stated that this has been liquidated substantially. He further reported on deferred revenues of \$650,000, which are uncollected taxes to date which are not recognized until collected. The fund balance last year was \$10,734,000 with this year \$11,050,000 and unreserved last year was five million six and this year it's just right at five million. Womack stated that Commission had made the decision to transfer monies out of unreserved to the construction account for specific projects as identified in the budget, so that was a plan decrease and at \$4.9, it is a substantial fund balance. Womack reported that Police forfeiture is doing very well with last year being \$1.5 million and this year being six million three. It has liabilities of \$4.6 million leaving it at fund balance of \$1,734,000 which is up about \$134,000 over last year which was about one million six. The Police forfeiture fund continues to be very productive and in good solid shape. The Debt Service is doing what it's supposed to do, brought in all the taxes for debt service and paid all the related debt and still had \$625,000 left over, which is a very respectable fund balance for debt service. Womack reported on Capital Projects Fund ended up with \$3.4 million almost \$3.5 million available for future expansion in Capital Projects which have been identified. And in the other funds which are grants and money in and out is performing as expected. The governmental fund side of the City is still very strong and well financed. Mr. Womack further reported on the Enterprise Fund. He state that the Enterprise Fund has assets last year of \$13,556,000 with this year it has the total asset number of \$16,329,000 which it is doing very well. Capital assets are up \$3,000,000 and you'll see the \$43,080,950 which last year was \$40,500,000 and was added \$2.5 million in new assets. The total assets are \$31,176,000 versus last year of 26.70, so we have added about four million in assets to our Enterprise Fund. Conversely our debt is up in the Enterprise Fund, last year our total current liabilities was \$2.4 million with this year being slightly a little bit higher at \$2.57 million, so up \$100,000. Total debt is up \$2 million with having \$14 million last year and this year it being \$17.576 million due to borrowing new additional monies for specific projects which have been identified. The fund balance continues to increase with a total fund balance of \$11,028,000 with last year unrestricted was \$6.5 million with this year being \$6.8 million. So the unrestricted in the utility fund is up \$300,000. Womack reported that the General Fund is still in very good financial condition and continues to maintain a good surplus. In the Insurance Fund, it has assets of \$1.8 million last year. This year those assets are \$1.5 million with liabilities being \$1.5 million last year and this year at \$191,000, to which liabilities have been reduced. Fund balance last year was \$344,000, however this year due to operations it's up to \$625,000 which is about \$300,000 for the better.

Mr. Womack continued to report on the revenues for Utility Fund. The enterprise fund is at \$8.8 million in total revenues and last year was \$8.4 million, so there was an increase in revenue of \$450,000. Expenditures have gone down with last year's total expenditures being \$6.3 million and this year \$5.845 million. Womack further stated that there was an operating loss in revenue of \$3 million dollars. Debt service had \$661,000 bringing the net income to \$2.399 million and transferred out \$1.4 million resulting in a net income overall to the utility fund of \$901,000 with that number last year that number was \$240,000 so that's up about \$700,000. Womack stated that when the City did bond issues we had bond issuance cost and that bond issuance cost would amortized over a period having a corresponding asset, and now they have changed the rules that it would be written off expense it the year it is done and no more writing it off. This brings it down to \$11,028. Womack stated that both the general and utility fund as of September 30, 2013 is in very good financial state. Mr. Womack commented that in the Internal Fund having revenues of \$2.8 million expenditures of \$2.5 million which is where the City generated its \$281,000 surplus added to last years \$344,000 for a total of \$645,000. Womack stated that there were a few problems such as the assets in the inter-funds is not where we want them to be, however, the recording of enterprise revenue and receivables and also tax receivables and revenues have improved immensely. Womack further stated that staff who calculates and prepares payroll, should not be the ones

changing the pay rates or putting people in or taking them out. This should be done separate. The City has had multiple manual inspections to make sure nothing goes wrong but it just need to be handled by the computer. Womack further stated that with the new software upgrade, this issue should be solved. In Tourism, Womack stated that he found a couple of expenditures that probably should have been paid out of the general fund. Womack stated that the one thing they found in Tourism was that there should be economic surveys that dictate whether expenditures should or should not be made. Womack stated that this is something that should be addressed in the future.

Mr. Womack further commented that the City of Kingsville is in good financial standing and has been for the past few years.

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

**10. Consider accepting 2014 certified total appraised, assessed, and taxable values of all property and total taxable values of new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (Director of Finance).**

Melissa De La Garza, Tax Assessor, presented that Commission for the values for 2014 pursuant to the Property Tax Code. Mrs. De La Garza submitted the total appraised taxable values of all properties and the total taxable value of new property in the City of Kingsville as certified by the Kleberg County Appraisal District. In the amount of 2014 final values are \$728,613,665.00. This includes a \$14,000,000.00 dollar increase in value for 2014. The increase was mostly in real property with a \$18,000,000.00 in real property, \$6.5 million gain in personal with a drop in mineral values of \$511,000.

**Motion made by Commissioner Garcia to accept the 2014 certified total appraised, assessed, and taxable values as presented, seconded by Commission Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Garcia, Fugate voting "FOR".**

Mayor Fugate asked Commission and staff that if no one had any objections, he would like to move agenda item #22 before taking agenda item #11. No objections were made by the Commission or staff.

**22. Consider a proposed tax rate; if proposed tax rate will exceed the effective tax rate or the rollback rate (whichever is lower), take record vote and schedule public hearings. (Director of Finance).**

Melissa De La Garza, Tax Assessor, reported on the 2014 governing body summary 1a. She stated that this is a report that is generated by their software system where they come up with the City's effective rate compare to last year's rate. For the City of Kingsville, the effective rate for 2014, this is the same amount of money that the City will receive from last year's taxes compare to this year's taxes which is basically a benchmark. De La Garza further stated that this effective tax rate, if the City was to go with the effective tax rate, it would mean that the City is staying right at far with everything, meaning that the city is not raising taxes. The effective tax rate, because there is increase in value, the effective tax rate is going to go down which is .82758 compare to last year's rate at .84220. Mrs. De La Garza stated that after speaking with Mrs. Balli, Finance Director and Mr. Capell, City Manager for the City of Kingsville, it's been decided that we will be looking at the proposed rate to be the same rate as last year's which is .84220 so that the City could have some wiggle room while the City is working on its budget to make sure that we comply and stay within last year's rate. De La Garza did state that if the City adopts today or propose the City's tax rate of last year's rate, a record vote would be needed and the scheduling of two public hearings.

Mayor Fugate commented that it would like to be set as high as possible so if the City chooses, it can always lower the rate.

Mrs. De La Garza commented that the roll back rate is below without getting into any danger which would be .89258. This would give the City a good lead way for the city to work with if needed.

Mayor Fugate commented that it makes sense to give ourselves the room and work down. He further commented that this is not what the tax rate is going to be, it's only to allow the City some wiggle room while it prepares the budget.

Mr. Capell stated that if the City Commission accepts the proposed rate today, which the purpose for this agenda item is .89255 which is a little bit below the roll back rate, will give the city some flexibility. Capell further stated that the budget being prepared is based on keeping the rates the same. He stated that by setting the proposed rate at the highest rate, it easier to come down than going up.

**Motion made by Commissioner Pecos that the proposed tax rate be set at .89255 and set public hearing dates for Monday, August 25, 2014 and Wednesday,**

September 3, 2014 at 6:00 p.m. in the Alcorn Commission Chambers located at City Hall 200 E. Kleberg Ave., Kingsville, TX, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Garcia, Pena, Leubert, Fugate voting "FOR".

**11. Consider condemnation of structures located at 1801-1803 N. 20<sup>th</sup>, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Fugate asked City Manager Capell how this should be handled. Fugate further asked Mrs. Alvarez for her guidance with this item.

Mrs. Alvarez responded that with regards to item #11, since both properties were located on the legal side and based on the information received during the public hearing the property owner will be signing a voluntary demolition form for 1803 N. 20<sup>th</sup> and requested additional time to repair 1801 N. 20<sup>th</sup>. Alvarez further stated that the Commission can chose to take no action or request for the item to be brought back in the next 60 days.

Mayor Fugate stated that the Commission can come back and revisit property of located at 1801 N. 20<sup>th</sup> at a later meeting. Fugate further asked if this would need to be done in a form of a motion. Mrs. Alvarez responded that the Commission could take no action.

No action taken.

**12. Consider condemnation of structures located at 303 W. General Cavazos, Kingsville, Texas. (Director of Planning & Development Services).**

No action taken.

**13. Consider resolution authorizing participation in the TCEQ FY 2015 Regional Solid Waste Grants Program through the Coastal Bend Council of Governments for enhancements to the Recycling Center, authorizing the City Engineer/Public Works Director to act on the City's behalf with such program. (Commissioner Leubert).**

Commissioner Leubert stated that this is a grant for up to \$5,000 to help with the electrical at the Recycling Center.

Mayor Fugate asked if this was a time sensitive grant. Commissioner Leubert responded that this grant is due Friday, August 15, 2014.

**Motion made by Commissioner Garcia to authorize this resolution, seconded by Commissioner Pecos.**

Commissioner Garcia asked if the City would need to match any funds. Mr. Charlie Cardenas, Public Works Director/Engineer, responded that there is no match but we are approving in-kind services to the improvements of the Recycling Center which have already been budgeted.

**Motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".**

**14. Consider a resolution approving an application and agreement for Historic District Façade Grant Program from Adelmo Luera for Al's Hair Design. (Director of Tourism).**

Mrs. Cynthia Martin, Interim Tourism Director, stated that this request is for the City to set aside \$10,000 for a façade grant for Mr. Luera of Al's Hair Design located at 321 E. Kleberg. Martin further stated that the restoration of the façade of this building would benefit the City in several ways. It would improve the appearance of our downtown.

Mr. Luera commented that when he bought the building he wasn't aware that the roof had a leak. He further stated that he feels that \$10,000 is not enough money to repair this building. Luera stated that he is willing to make his building look nice to help improve the downtown area.

Mrs. Yolanda Luera stated that they are very proud to have purchased this building and is willing to maintain the original look of the building. She further stated that they would like to apply for the grant but request more monies.

Mayor Fugate asked for past pictures of the building. Mrs. Martin stated that she did not have past pictures of the building.

**Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Garcia. Motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".**

**15. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, providing for a new school zone on Shelly Street for the Kingsville Independent School District's H.M.King High School and the installation of school zone signs. (City Engineer/Public Works Director).**

Mr. Cardenas reported that his item is for a school zone on Shelly Street located behind the high school where the new entrances are located. This will provide for a school zone

to lower the existing speed limit of 30mph to 15mph during applicable hours during the school season. This will not apply during summer or spring break times.

Commissioner Garcia asked if these signs were going to be lit signs. Mr. Cardenas responded that they are not be lit signs they will be reflected signs which will show the times of school zone being in affect.

Introduction item.

**16. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the Tourism Fund to provide funding to the Façade Grant Program. (Director of Finance).**

Introduction item.

**17. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the General Fund Service Center to provide funding for the Service Center to repair and restart the cathodic protection system and for TCEQ required inspections. (Director of Finance).**

Mr. Cardenas reported that his item is for repair and restart of the cathodic protection system on the City's fuel and pump system and inspections as per the Texas Commission on Environmental Quality (TCEQ) requirements.

Introduction item.

**18. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the General Fund Landfill Department to provide funding for ground water monitoring and Title V air permit. (Director of Finance).**

Mr. Cardenas reported that the purpose for the additional funds is that this year TCEQ has added more testing/sampling of our ground water sampling coming out of the landfill.

Introduction item.

**19. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the Utility Fund Waste Water Department to provide funding for repair of 2000 AMP main breaker and fuel purchase for backup generator. (Director of Finance).**

Mr. Cardenas stated that this item authorizes a budget amendment to the Utility Fund for expenditures occurring this fiscal year of 2014 during the replacement of a 2000 AMP breaker at the 3 MGD Waste Water Treatment Plant (north plant) and for the fuel used to operate the backup generator for the blowers.

Introduction item.

**20. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the General Fund Municipal Court Department to provide funding for temporary employees in Municipal Court while the Department was understaffed. (Director of Finance).**

Mrs. Balli stated that the Municipal Court Department has been having employees needing to take leave for various reasons causing additional temporaries being brought in to fill those temporary vacancies to allow Municipal Court to run smoothly.

Introduction item.

**21. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Budget for the General Fund Finance Department to provide funding for additional audit fees. (Director of Finance).**

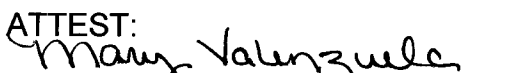
Mrs. Balli stated this is item is to request a \$13,000 increase in the Professional Services Audit Services line item. The total audit fees for the FY 2012-2013 audit totaled an additional \$26,009 over the original budgeted amounts. The \$13,009 of this coverage will be absorbed by line item transfers.

Introduction item.

## VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:05 P.M.

  
Sam R. Fugate, Mayor

ATTEST:  
  
Mary Valenzuela, City Secretary