

SEPTEMBER 18, 2014

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, SEPTEMBER 18, 2014 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 4:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Emilio Garcia, Health Director
Charlie Cardenas, Public Works Director/Engineer
Jessica Storck, Administrative Assistant
Emilio Garcia, Health Director
Cynthia Martin, Interim Director of Planning & Development Services

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 4:00 p.m. and announced quorum with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

These proceedings were waived.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

NONE

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

1. NONE.

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."

Mrs. Courtney Alvarez, City Attorney, reported that the next Commission meeting is scheduled for Monday, September 22, 2014 at 6:00 p.m.

IV. Public Comment on Agenda Items³

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)

These items will be moved to the September 22, 2014 City Commission agenda. No action taken on the consent agenda.

1. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, providing for an increase in water rates (as per rate study of 1%). (Director of Finance).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 budget for the refinancing costs for the 2014 limited tax refunding bonds. (Director of Finance).**
3. **Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 budget for the City of Kingsville for deficit accounts at year end. (Director of Finance).**
4. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter IX-General Regulations, Article 8-Parks and Recreation, providing for regulations and fees for the Parks and the L.E. Ramey Golf Course. (City Attorney).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. **Workshop to discuss the proposed changes to City Planning ordinances regarding platting procedures that would be incorporated in the Code of Ordinances Chapter XV, Land Use, Article 3, Subdivisions, Sections 15-3-15 through 15-3-25. (Director of Planning & Development Services).**

Mr. Mike Kellam of CK Consulting reported on the changes proposed changes to the Land Use Code. As a part of the continual review of the current codes and land use regulations by city staff, consulting services were provided to create the Developer's Guide which is a comprehensive guide to land development and to assist in addressing identified deficiencies within the current subdivision code. As part of researching and creating the Developer's Guide, it was determined by staff and the consultant that additional subdivision code language was needed to guide both the public and staff in the platting of land within the city. Additionally, varying plat types afforded by the Texas Local Government Code, were not being utilized due to a lack of being clearly defined or identified in the local ordinances. These varying plat types allow for additional options in land development platting and provide the ability to better streamline the development process or allow corrective action in an abbreviated timeframe compared to existing subdivision code authority.

Commissioner Garcia asked if the Developer's Guide will be available on the City website. Mr. Kellam's response was yes. Kellam stated that a PDF and Word copy was provided to staff to able them to make any necessary updates as needed.

Mr. Kellam thanked the Planning Department for all their assistance in putting this guide together. Kellam reported that this was also presented to the Planning & Zoning Commission last night. There was some good discussion and were happy with the way the code was written. The Planning & Zoning voted approval on the code changes with a vote of 6-0.

Mr. Kellam stated that in section 15-3-15 it's describes improve the development of land in the city that will improve the health, safety, and welfare of the community. Providing what a subdivision is and why it's necessary as to implement the City's Master Plan. Mr. Kellam further reported that the new proposed code sections that include 15-3-20 through 15-3-24. These sections include the allowance of the following; A conceptual development plat that works in conjunction with a Planned Unit Development; an amended plat which will allow the applicant the ability to now make minor corrections to an existing plat; a replat which will allow for a significant change to a portion of a platted area of a larger plat; a lot line adjustment plat which give the applicant the ability to adjust one specific lot line; and/or a vacating plat which provides for the ability to vacate a plat that is no longer considered for development or is obsolete in design.

These new code sections provide guidance in the application of these types of plats and provide for submittal, review and approval processes to clearly guide staff, the general public and the Boards and Commissions through consideration and approval. Most importantly, the new sections provide flexibility by both city staff and the developer in the platting and development process by streamlining the process and providing expedited processes to make changes or correct minor errors. This eliminates the need of having to go through the lengthier preliminary and final platting process more than once. Mr. Kellma further stated that a fee schedule code section is proposed which will more clearly define the associated application fees for the different types of plat applications. Previously this was separated in several sections of the subdivision code and only prescribed fees for preliminary and final plats. This newly proposed section includes all the defined plat types and clearly outlines the fees associated with the application, all in one section rather than having to revert back to separate sections to determine the platting fees. The fee schedule section also includes the county recording fees associated with the platting process. Mr. Kellam further iterated that amending plats do not require a public hearing.


Mayor Fugate asked that if a plat is vacated, does this change the zoning. Mr. Kellam's response was no but it changes the underlined easement/roadway dedications. Mayor Fugate stated that the old trailer park on Kenedy Street, Mr. Mark Dizdar is interested in purchasing and redevelop it. Mr. Kellam stated that if he owns the property, Mr. Dizdar could replat it or vacate the plat. Kellam further stated that a vacating plat is basically someone that would not want to spend money on a new design, but he could plat over it.

Commissioner Garcia asked what is flexible zoning technique.

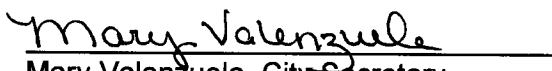
Mr. Kellam's responded that this would be a Planned Unit Development (PUD). This allows flexibility on setbacks lot sizes because it's tied to a specific land that's approved by the City Commission prior to the plat. Mr. Kellam went on to talk about section 15-3-23 which is similar to amending plat but deals with one individual lot line. This is called a lot line adjustment which is a singular plat.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 4:55 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary