

MAY 11, 2015

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 11, 2015 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
David Mason, Purchasing/IT Director
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Cynthia Martin, Downtown Manager
Susan Ivy, Parks & Recreation Manager
Charlie Cardenas, Public Works Director/Engineer
Melissa Perez, Risk Manager
Willie Vera, Task Force Commander
Ricardo Torres, Police Chief
Leo Alarcon, Tourism Director
Tony Verdin, Information Systems Technician
Deborah Balli, Finance Director
Robert Rodriguez, Library Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 5:00 p.m. and announced quorum with all four Commission members present, Pecos being absent.

WORKSHOP 5:00 P.M.

Convene into Executive Session:

- 1. Executive Session: Pursuant to Section 551.074, Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the duties of the position of the City Manager. (Mayor Fugate).**

Mayor Fugate announced the Executive Session and convened the City Commission into Executive Session at 5:02 p.m.

City Commission came out of Executive Session at 5:45 p.m.

REGULAR MEETING 6:00 P.M.

Mayor Fugate opened the regular meeting at 6:00 p.m. with four Commission members present, Pecos being absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

**MINUTES OF PREVIOUS MEETING(S) – Required by Law
Regular Meeting – April 27, 2015**

Mayor Fugate called for a motion to approve the minutes of April 27, 2015.

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

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

1. Public Hearing regarding request for an alcohol variance for Mixed Beverage Permit and Mixed Beverage Late Hours Permit, for the establishment known as Day and Night Club located at 304 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:02 p.m. He asked if there was anyone in the audience that wanted to address the City Commission regarding this public hearing may do so now, with a limit of five (5) minutes to speak. Time cannot be extended by City Commission.

Mr. Ginter announced that this establishment is already in existence and is only changing their license from a beer and wine to a mixed beverage and mixed beverage late hours permit. The said address is within 1,000ft boundary of one registered daycare. All required notices were mailed to property owners within the 300ft radius of this establishment. Staff has not received any negative feedback from the property owners that have been noticed.

Mayor Fugate commented that this establishment is only upgrading their alcohol license.

Mayor Fugate closed this public hearing at 6:04 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."

Mrs. Cynthia Martin, Downtown Manager introduced Mr. Jayce Luthenbacher who is working on an Eagle Scout Project.

Mr. Luthenbacher stated that his Eagle Scout Project consisted of restoring the concrete markers in the Historical District and has created a GIS Map with the assistance of the Engineering Department.

Mayor Fugate asked about the process that Mr. Luthenbacher had to take to restore these markers.

Mr. Luthenbacher stated that he had to weedeat around each marker, scrape off the old paint and applied concrete paint then painted the street names with black paint.

Mayor Fugate thanked Mr. Luthenbacher for all his hard work on this project.

Mrs. Susan Ivy, Parks and Recreation Manager announced that the Parks Department was approached by the South Texas Pitmasters BBQ Club to allow them to host an IBCA Sanctioned event in Dick Kleberg Park. All they needed assistance with was a place to hold the event and a place to judge the entries. Ivy further stated that she has coordinated a Summer Market vendor showcase that will offset most of the cost of the use of the JK Northway for the event. At the end of the event, the Pitmasters will donate \$1,000 to the Parks Department. No financial assistance is being asked from the City. This event will take place June 12th-13th, 2015.

Mrs. Courtney Alvarez, Interim City Manager/City Attorney reported that the next scheduled City Commission meeting is Tuesday, May 26, 2015. Deadline to submit agenda items and staff report will be Friday, May 15, 2015.

Mayor Fugate at this time presented a proclamation to Mrs. Cynthia Martin, Downtown Manager for National Preservation Month.

Commissioner Leubert commented that two reporters from the Kingsville Record received awards, Mr. Chris Mayer and Mr. Tim Acosta.

IV. Public Comment on Agenda Items.³

There were no public comments made at this time.

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 item as presented.

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a special use permit for a display area for retail (sale and rental) of portable storage sheds, carports, parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie, Kingsville, Texas. (Director of Planning & Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider request for an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit for the establishment known as Day and Night Club located at 304 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Garcia to approve this alcohol variance, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Garcia, Leubert, Fugate voting "FOR".

3. Consider a resolution establishing Guidelines and Criteria for Economic Development Incentives within the City of Kingsville. (Director of Planning & Economic Development).

Commissioner Leubert requested that this item be removed from the agenda and be placed on the next scheduled City Commission meeting on May 26, 2015.

No action taken.

4. Consider a resolution authorizing participation in Click It or Ticket Grant for 2015 from the Texas Department of Transportation, authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

Mr. Ricardo Torres, Police Chief, reported that the Kingsville Police Department has been approved for funding for the 2015 Click it or Ticket Campaign. The Police Department was approved \$7,000 for the enforcement period. The Click it or Ticket Campaign centers on the Memorial Day Holiday and enforcement is May 18th through May 31st, 2015. Chief Torres further reported that 90% of the citizens in Kingsville already wear their seatbelts, which is a good report.

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

5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 9-3-53, providing for an increase in the impoundment, daily boarding and vaccination fees. (Director of Health).

Mr. Emilio Garcia, Health Director reported that this ordinance calls for the increase in impoundment fees, daily boarding, and vaccination fees. The impoundment fee for the City of Kingsville is \$15.00; the daily boarding fee is \$5.00 per day, and a \$15.00 vaccination fee, which is refunded once proof is provided to the Animal Control Center. Mr. Garcia further stated that after some discussion with the City-County Health Board, it was agreed to increase the impoundment fee to \$25.00, the boarding fee to \$6.00 daily and to increase the vaccination fee to \$20.00 (refundable). Also, the Board of Health would like to have an increasing scale for impoundments for example 1st impoundment \$25.00, 2nd impoundment \$50.00, and 3rd impoundment \$75.00 within a calendar year. This would be a new add on to the City Animal Control Ordinance.

Commissioner Garcia asked for status on impoundments for the 2014 year.

Mr. Garcia commented that last year's annual report shows that 1,510 dogs were impounded, of those 266 were adopted, 260 rescued by owner, and 102 rescued by rescued groups.

Commissioner Garcia commented that by increasing fees, the property may not want to pick up their dog.

Commissioner Leubert commented that the Health Department has placed a lost and found on the City website.

Mr. Garcia commented that the lost and found on the City website is doing very well. This gives the pet owner the opportunity to see if their pet is located at the Health Department.

Commissioner Garcia asked how often the website is updated.

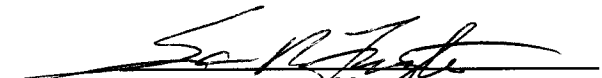
Mr. Garcia responded that it's updated daily.

No further comments were made.

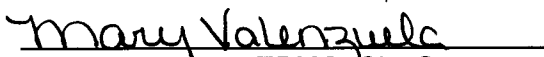
Introduction item only.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:27 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMG, City Secretary