

JULY 13, 2015

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 13, 2015 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

**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  
Deborah Balli, Finance Director  
Diana Gonzales, Human Resources Director  
Charlie Cardenas, Public Works Director/Engineer  
Willie Vera, Task Force Commander  
Ricardo Torres, Police Chief  
Robert Rodriguez, Library Director  
Leo Alarcon, Tourism Director  
Bill Donnell, Asst. Public Works Director  
Luke Stevens, Sanitation Supervisor  
Tony Verdin, IT Specialist  
Joey Reed, Fire Chief  
Jennifer Bernal, Community Appearance Supervisor  
Cynthia Martin, Downtown Manager

**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 four Commission members present. Commissioner Pecos absent.

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

The invocation was delivered by Mrs. 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**

Special Meeting – July 7, 2015

Mayor Fugate called for a motion to approve the minutes of July 7, 2015 as presented.

**Motion made by Commissioner Pena to approve the July 7<sup>th</sup> minutes as presented, seconded by Commissioner Leubert and Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Leubert, Pena, Fugate voting “FOR”.**

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

1. 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."*

Mrs. Courtney Alvarez, Interim City Manager/City Attorney reported that she would like to remind staff of the scheduled staff meeting on Wednesday, July 16<sup>th</sup> at 11:00 a.m. She further reported that there will be a presentation made by TMRS and Nationwide on Thursday, July 16<sup>th</sup> at 9:30 a.m. in the City Commission Chambers. Alvarez also reported that the next scheduled Commission meeting is Monday, July 27<sup>th</sup> with agenda items and staff reports due to the City Manager's office by Friday, July 17<sup>th</sup>.

Mr. Tom Ginter, Director of Planning & Development Services gave an update on the Eagle Ford Center for Research Education and Outreach, which is housed in one of the city's building. Ginter stated that the research program has one staff, seven graduate students and one undergraduate student who office at the building. The research program has received several grants totaling to an amount of \$218,675 from the following establishments for their continued research; Coastal Bend Community Foundation, NAS Kingsville, City of Corpus Christi, NSF RCN CE3SAR, City of Cotulla, Port of Corpus Christi, Kingsville Area Industrial Foundation, BHP Bilton, Sponsors-Workshop. Currently they are working on five to seven projects for the following; two for NAS Kingsville, two for the City of Corpus Christi, and three technologies for the Houston Advanced Research Center. Ginter further reported that they are in the process of recruiting two startup companies, STRYDER Construction and Pipeline and H5 Services, LLC to relocate to the CARE Building. One of the strategies that this kind of function can be good for is a small business incubator program. This is an area that if nurtured successfully can grow into a bigger company which could then relocate in our community and provide jobs. Ginter further commented that it is anticipated that when an executive director is hired, it will increase progress in many of the areas that they have started to work on.

Commissioner Garcia asked for a briefing on the startup companies that are being proposed to come in.

Dr. Rhen, TAMUK responded that STRYDER Construction and Pipeline has the intentions to expand their business within our area. H5 Service LLC is not a new company and has brought up some discussion as to allow them to move in. The research program wants companies that will increase growth within the incubation program that will bring in new jobs. A company out of Port Aransas is being sought for new technology development. The idea is to move forward with technology and begin that the partnership between the University, industry, and the general public. Individuals can come into the research center and give their ideas. At that time students will assist in growing the idea and develop it so it can be placed on the market.

Commissioner Pena commented that he is excited and optimistic that they are going in the right direction. Once an executive director is hired it will make a major difference on what is being looked into and what the research program is striving.

Mayor Fugate stated that within this new budget year coming up, he is proposing have the parking lot redone in front of the research center.

Commissioner Leubert stated that she requested this report on the research center. This gives the citizens of Kingsville an opportunity to hear what the research center is all about.

Mayor Fugate presented Mr. Larry Lewis a Certificate of Appreciation along with a watch. Mr. Lewis worked for the City of Kingsville for the past 28 years in the Sanitation Department. Mayor Fugate further presented Mr. Jack Curtis Luthenbacher, III and Mr. Ryan Garcia with a proclamation for their award of Eagle Scout. Mayor Fugate, Commissioner Leubert, and Ms. Jennifer Bernal presented the Because You Care Award to representatives of Kleberg County for their work around Kleberg County Courthouse grounds.

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

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

Ms. Delia Martinez of the Texas A&M Health Science Center stated that she would like to speak about Diabetes Education classes that are being offered. This program brings diabetes education and medication assistance to Kleberg County. They have partnered with Methodist Health Care Ministries and First United Methodist Church where they will be providing classroom and office space for this program. Classes that will be offered include topics in what is diabetes, blood glucose monitoring, carbohydrate counting, meal planning, how to read food labels, medication and insulin administration, preventing diabetes complications, and exercise. These classes are available at no cost to the citizens of Kingsville.

Mayor Fugate commented that it is not appropriate for the Commission to respond to the speaker under the public comments section of the agenda, but he feels that this is an important subject to speak about. Fugate asked how someone can contact them to receive assistance.

Ms. Martinez responded that they have an office located in Kingsville but can contact the office located in Corpus Christi at 361-857-2945 or can stop by the office between the hours of 8:00 a.m. to 5:00 p.m. located at 123 N. 5<sup>th</sup> Street in Kingsville. Classes are being held at the Community Life Center in Kingsville.

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 items as presented.

**Motion made by Commissioner Pena to approve the consent agenda as presented, seconded by Commissioner Garcia. 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 fiscal year 2014-2015 General Fund budget to accept and expend donations made to the Kingsville Parks and Recreation Department for Summer Program transportation costs. (Director of Finance).**
2. **Motion to approve the appointment of Mr. Mike Klepec to the Planning & Zoning Commission for a two (2) year term. (Director of Planning & Development Services).**
3. **Motion to approve the appointment of Mr. Mario Garcia to the Planning & Zoning Commission for a two (2) year term. (Director of Planning & Development Services).**
4. **Motion to approve the reappointment of Mr. Ken Moses to the Joint Airport Zoning Board for a three (3) year term. (Director of Planning & Development Services).**
5. **Motion to approve the reappointment of Mr. John Garza to the Zoning Board of Adjustments for a two (2) year term. (Director of Planning & Development Services).**

**REGULAR AGENDA**

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

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

6. **Consider participation with Kleberg County for Library repair expenses &/or for County Airport grant match. (Mayor Fugate).**

Mayor Fugate commented that he asked for this item to be placed on the agenda because both of these projects have been presented to the City Commission in the past. Fugate further commented that he doesn't know what the City Commission wants to do with these items. Fugate further asked for Mrs. Alvarez's legal opinion if the City has any obligations on either one of these items.

Mrs. Alvarez responded that the City has no obligation.

Mayor Fugate further asked why the City has no obligation to the Library. Mrs. Alvarez responded that because the interlocal agreement reads, the two entities split 50/50 the cost when the items are 1) previously budgeted items and 2) items that have gone through the proper process and as we became aware, the electrical repairs to the Library were not items that were previously budgeted by either entity.

Mayor Fugate commented that it is his understanding that the grant for the airport is around \$8,300. Fugate stated that he spoke to Frances last week and was told that the electrical expenses are up to \$42,000 and increasing. Fugate asked the Commission for their suggestions.

Commissioner Leubert asked if the Commission can make a motion on the airport item as it is a timely item. Mayor Fugate responded that a motion can be made.

**Motion made by Commissioner Leubert to approve the amount of \$8,333.16 to fund the Kleberg County Airport, seconded by Commissioner Garcia.**

Commissioner Garcia commented that since these items were not budgeted, how is the city going to provide this funding.

Mrs. Alvarez responded that the funding for the airport will require a budget amendment. Alvarez further commented that she previously spoke with the Finance Director about funds leftover from the 6<sup>th</sup> Street Corridor Project that could potentially be used. It was anticipated that it would wash to fund balance and cover some of the losses in the Golf Department due to all the rains which effected revenues, but if it's the Commission will to fund the airport, that's what will do.

Commissioner Garcia asked if by giving this amount, it would not wipe out that account. Mrs. Alvarez responded no.

Mayor Fugate commented that this is a great project and anytime you can get a 90/10 grant match, it is not wise not to take it. Fugate further commented that his only reluctance is that this is not a city project. He is aware this project benefits the city but citizens that live inside the city limits of Kingsville are Kleberg County citizens too and have to pay Kleberg County taxes as well. Citizens who reside inside the city limits are not only paying for this project with their Kleberg County taxes but also paying with their city taxes and have a real issue with this. Fugate further stated that we all have our own projects and if the County wants to start half some of these cost, such as repairing the parking lot at the Call Center which cost roughly around \$60,000. We all have things that we do that we don't need to be asking others for assistance.

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

Mayor Fugate stated that he assumes the Commission will not be taking action on the Library repairs tonight.

**7. Consider a resolution authorizing the City to request approval to utilize remaining grant funding for vehicle intercom communications systems from the FEMA Assistance to Firefighters Grant (that was used to fund fire station exhaust removal systems) on behalf of the Kingsville Fire Department with an anticipated \$1,000 cash match. (Fire Chief).**

Mr. Joey Reed, Fire Chief stated that the Fire Department would like to request authorization to utilize the remaining grant funds from the FEMA AFG Exhaust Removal Grant for the vehicle intercom communications systems. Reed further stated that the installation of the exhaust removal system at both Kingsville Fire Stations has been completed. The total cost for the installation came under budget by \$17,530. The Fire Department would like to request an amendment to the original grant to utilize \$10,000 of excess funds for the purchase of vehicle intercom communications systems.

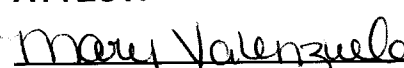
**Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pena, Fugate voting "FOR".**

## VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:41 p.m.

  
Sam R. Fugate, Mayor

ATTEST:

  
Mary Valenzuela, TRMC, City Secretary