

DECEMBER 12, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 12, 2016 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
David Solis, Risk Manager
David Mason, Director of Purchasing
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Leo Alarcon, Tourism Director
Kyle Benson, IT Manager
Ricardo Torres, Police Chief
Adrian Garcia, Fire Chief
Susan Ivy, Parks Manager
Robert Rodriguez, Library Director
Jennifer Bernal, Community Appearance Supervisor
Sharan Santanilla, Capital Projects Manager
Danny Pena, Street Department
Apolonio Cadena, Street Department
Cynthia Martin, Downtown Manager
Austin Jurica, Engineering's Assistance

I. Preliminary Proceedings.**OPEN MEETING**

Mayor Fugate called the meeting to order in the Helen Kleberg Groves Community Room 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 Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

None.

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

1. None.

III. Reports from Commission & Staff.²

"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; 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, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

Mr. Jesús Garza, City Manager presented the Employee of the Month for November to Mr. Danny Pena and Apolonio Cadena of the Street Department. These two individuals assisted staff with the move to the new City Hall as well as decorating the downtown area for the holidays. Mr. Garza also introduced Mr. Israel Vasquez, Maintenance Facility Manager. Garza also update the City Commission on the testing of water meters. Meters were tested for accuracy, results showed that they are reading accurately and in are in good condition. The solution is to replace end points of meters.

Mayor Fugate presented the Because You Care Award to Amir Pirzada for his assistance to the elderly and disabled with yardwork at no cost to them. Mayor Fugate also thanked staff for their hard work in preparation of the Safety Banquet.

IV. Public Comment on Agenda Items.³

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

No public comments made.

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 presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

1. ORDINANCE NO. 2016-64. Motion to approve final passage of an ordinance amending the zoning ordinance granting a special use permit to locate a tower to host broadband deployment equipment near the intersection of Caesar Avenue and Wildwood Trails Blvd, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).
2. ORDINANCE NO. 2016-65. Motion to approve final passage of an ordinance abandoning an easement for utility purposes in KT&I Co., Block 17, Lot W PT3, 2.14 acres (Between Caesar Blvd. and Carlos Truan Blvd.). (Director of Planning & Development Services).
3. ORDINANCE NO. 2016-66. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend a donation to the Volunteer Fire Department. (Director of Finance).
4. Motion to appoint Dawn Bolinger to the Historic Development Board for a three-year term. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. RESOLUTION NO. 2016-93. Consider a resolution authorizing the City Manager to enter into an Agreement for Professional Services between the City of Kingsville and Populous, Inc. for Professional Planning and Concept Design Services for the JK Northway Coliseum Facility. (RFQ 16-15). (City Manager).

Mr. Garza stated that this item approves a contract with Populous/Half Associates for Master Planning Services for the JK Northway Exposition Center & Fairgrounds. In October the City Commission selected Populous/Half Associates as the firm to proceed with contract negotiations for the development of the Master Plan for JK Northway. Populous/Half Associates was selected via an RFQ Process that saw three proposals submitted. After an evaluation, staff recommended the selection of Populous/Half. Master Planning Services for the JK Northway is Step 1 of our efforts to bring about capital

improvements and additions to the JK Northway and Fairgrounds. The total cost of the contract is \$45,100 of which \$40,000 will come from Tourism funds and \$5,100 is coming from savings from CO 2016 Series.

Mr. Christian Lentz, Senior Planner for Populous/Half Associates, stated that the Parks & Recreation Master Plan project includes a consensual site plan for the Dick Kleberg Park. The scope of services for this project specifically left out the JK Northway and the fairgrounds site from that particular project with the intent that at a future date that not only would the site of the fairgrounds be evaluated, reviewed, and accessed but so would the coliseum building as well. Half Associates is the prime consultant for the Parks & Recreation Master Plan, they are a sub-consultant to Populous, Inc. specifically on the building inside assessment for the JK Northway Coliseum. The recommended scope of services is essentially for a six-month planning process that will overlap to some degree with the Parks Master Plan process. Lentz stated that their intent is to finish the Parks master plan before the process for the exposition center is complete, however at the conclusion of the JK Northway project they would include any necessary amendments for the City. The scope of services proposes three visits by both Populous and Half staff, the first being a review of existing condition with City appointed stakeholders, some of which may be the same stakeholders they work with in the Dick Kleberg Park planning process which will be followed up by a conceptual planning workshop. Populous will prepare a handful of different buildings and site scenarios that city stakeholder can consider to identify both and essential improvements that need to occur to the building that may make it an efficient building and also concept that would maximize the use of the building over time and site in the future. A second workshop would be followed by the development of a preferred building plan and conceptual site plan that would be linked to the overall that Kleberg Park conceptual site plan which would be presented and provided to the City Commission in a final presentation. Final deliverables for this project which include the site plan of which Half Associates would be responsible for but also building plans, building elevations, 3D renderings, order of magnitude cost estimates, and a five to ten-year capital improvement program for this particular facility.

Commissioner Garcia commented about the RV Connection at the JK Northway Coliseum regarding information on electrical and water supply, but no information was given on waste disposal. He further asked if Half Associates would be responsible for handling and are there sewer connections to this area currently. He commented that his concern is connecting all the facilities to a sewer system.

Mr. Lentz commented that what Commissioner Garcia commented on would be discussed during the first workshop with the City Commission which would be scheduled for a future date.

Mr. Garza commented that when staff originally budgeted for this project, it was budgeted \$40,000 from the Tourism Fund. This was done by knowing how much something like this would cost. Staff now knows that the cost is \$45,100 of which \$40,000 is coming from Tourism Fund and \$5,100 is coming from savings from CO 2016 Series.

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

6. Consider introduction of an ordinance abandoning an easement for utility purposes in Hobbs Valley 1, Block 1, Lots 2 & 4 (between 3703 and 3701 Andron Lane). (Director of Planning & Development Services).

Mr. Ginter reported that Mr. Morales wants to put an addition on to his house which is located at 3703 Andron. In their research his property they realized that there is a utility easement in between the two lots. Before he can proceed with his addition the easement needs to be abandoned. Ramon Perez has made the necessary call to determine if any utilities are in the easement and there were none found. The City also has no utilities in the easement and has no plans to put anything there. Abandoning the easement will allow Dr. Morales to add to his home which will require a building permit and will add appraisal value to the home.

Introduction item.

7. RESOLUTION NO. 2016-94. Consider a resolution authorizing the Mayor to enter into an Amended Interlocal Agreement between the City of Kingsville, and the Kingsville Independent School District relating to waiver of certain planning fees in exchange for certain land to make changes to Exhibit C (due to project revisions). (City Engineer/Director of Public Works).

Mr. Charlie Cardenas, City Engineer/Public Works Director reported that in January 2014, the City of Kingsville entered into an Interlocal Agreement with the Kingsville Independent School District (KISD) relating to waiving certain fees in exchange for certain land. The contract included waiving fees for plan review of the new high school, a new auditorium and gymnasium, a 5,500 SF warehouse; demolish a 24' by 40' building near Lamar School; demolish a 74' by 28' building by MoPac field, sweep 7 KISD school parking lots (2 times

a year for the next 5 years) and pave the KISD administrative building back parking lot (Labor and equipment only). The total cost of city services in exchange for the land was \$171,610.73. Cardenas further stated that since the time that the agreement was approved by the parties, KISD has decided not to construct an Auditorium, leaving an in-kind service balance of \$17,979.47. This change has left an estimated total in-kind service balance of \$17,979.47. The parties have met and come up with an amendment to the services to be provided in order to cover the recently discovered in-kind shortfall. The City will provide additional labor and equipment on work to be done for the KISD Administrative Building Parking lot by removing the old concrete and doing drainage work to better drain the parking lot. The City will not pay for materials related to this project and there will be no financial impact to the City of Kingsville as the amendment is for equipment and labor in-kind services.

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

8. RESOLUTION NO. 2016-95. Consider a resolution authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville, Texas as the Kingsville Professional Firefighter's Association, International Association of Firefighters (IAFF) Local #2390 for fiscal years 2016-2020. (Director of Human Resources).

Mrs. Alvarez commented that staff has had several meetings over the course of several months and through healthy discussion on both sides have come to a proposed contract. This contract would cover a four-year span as oppose to a three-year span which is what most of the prior contracts with the Fire Union had done and that was something that they had requested or suggested was a four-year contract as oppose to a three-year contract. This might make future collective bargaining more convenient for the parties because wouldn't be doing police and fire in tandem, they would be offset. Alvarez further stated that in the contract with regards to this she updated the Commission that in the resolution that accompanies the agreement the date with regards to the Union vote was left bland because at the time staff prepared the agenda and posted it they had not yet voted on the agreement. Based on their representation to staff at the meeting last week they felt fairly confident that they would be well received and staff found out that they did vote on it on Friday of this past week and it was approved by membership therefore staff will be inserting the approval date on the final resolution.

Commissioner Garcia commented that what he finds interesting is that items that were struck from this contract were agreed to in the past.

Mrs. Alvarez commented that with her experience in the past sixteen and a half years, things will be going well with the police or fire contract then an incident might occur with a particular member so when the next round for the bargaining the contract comes up they want to clean up that area.

Mayor Fugate asked Mrs. Alvarez that if this contract is fair to all the parties concerned. Mrs. Alvarez responded yes, it shows that the city has done with non-civil service staff and the police union it shows appreciation for Firefighters and the work that they do. She further commented that it's a fair and reasonable with regards the compensation study that the Commission had the outside consultants do as well.

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

9. Discuss the provision of city services in the extra-territorial jurisdiction and the annexation process. (City Manager).

Mr. Garza commented that this is something that staff has been working on for a few months in terms in gathering the information. This came about during the budget workshop at the direction of the Commission to take a look at some of the city services that are more in the immediate ETJ areas with the purpose of having a conversation on the potential future annexation.

Mrs. Alvarez commented that annexation can be a detailed oriented process. In August 2012, the City of Kingsville did its last annexation and prior to that it was back in 1997. Annexation is the process by which the city extends municipal services, regulations, voting privileges and taxing authority to a new territory within the city's ETJ. For a city of our population the State Statue provides for a two mile ETJ. The City is a Home Rule city and since that the City can annex property on a nonconsensual basis as well as by consent. The City Charter provides for annexation with or without consent of the property owner which is stated in Article 1, Section 4. The first step is looking at the area that the city may be interested in annexing. Once staff hones down the area then staff would be looking at preparing a legal description for the area and with that you would need to look at the various

municipal services that are provided there as well as the size of the area to be annexed as the Statute places limitations on the total amount of the area that a city can annex in a year. This is usually 10% of the total area of the city as of the city's size on January 1st. The Statute also provides that if the city hasn't annexed it can carry the 10% from prior years over to the next year. However, there is a cap of 30%, whatever the city is looking at doing plus any prior years' carryover that would be the maximum. Once the City Commission decides the area they are anticipating in annexing, staff would be coming back before the Commission and asking the Commission if this is something that they would want to move forward with and directing staff at a future meeting to prepare a service plan for the area or areas that are intended for the annexation. Staff will then look to see if those areas are places where a three-year service plan would be required or if those are areas that are exempt from a three-year service plan. Alvarez further commented that what this means is that there is an annexation service plan and then have the provision of service plan. With the annexation service plan, if it's not exempt then the plan is set in place and then the city will have to wait three years before annexing the property. If it's an exempt property, as was in 2012, the city may still have a service plan to show that the city can provide the basic municipal services that the citizens in town receive currently in the area to be annexed. The city would then have to wait the three years before the city can incorporate the new land into this city's municipal boundaries. With regards to the service plan it's something staff would work on once staff receives direction from the City Commission at a future meeting. It would look at all the city services that are currently received by citizens within city limits which includes fire, police, EMS, solid waste collection, water, sewer, and drainage roads and other things that need to be looked at. Some of the maps that staff has prepared, they tried to identify some of those areas and which services they might already be receiving even though they are not currently in the city limits, which would make the annexation process less expensive. The Commission would need to set two public hearings at a future meeting before any potential plan be presented to the Commission for adoption.

Commissioner Pena asked if there are specific discussion that have occurred that prompted this particular discussion to come up.

Mayor Fugate responded that he thinks it is him. Fugate stated that he has spoken about this for the last 3-4 years as he is aware that there are properties outside the city limits that are receiving city services. He feels that it's unfair to the tax payers inside the city limits not to have those individuals paying taxes as well and this is why he has been pushing the annexation issue.

Maps were provided to the City Commission of area(s) outside the City limits.

Commissioner Pecos commented that what concerns him is that when the annexation was done in 2012, the areas that were incorporated at that time had city services.

Mrs. Alvarez responded that with regards to that, which is detailed out in the service plan statute as well, you look at what is the land use, what is the density and what is the topography for the area that you are annexing, then you need to be able to provide within a certain period of time the same services reasonably for other areas that are currently within the city limits that have the same topography density and land usage. So if you currently have an AG area in town they may or may not have a waterline to their property but perhaps they don't have sewer. But if they are large enough then they have access to a septic system so in the statute if you have that comparable within the city limits, so long as you're meeting that outside the city limits as well then it should be fine.

Commissioner Pena asked if Mrs. Alvarez answer was yes or no to the question.

Mayor Fugate commented that what it was, was the apartment out by the Golf Course which did receive all city services.

Commissioner Pecos commented that he is aware of a State Statute that states that the city has so many years for the city to provide services, he believes it three years.

Mrs. Alvarez commented that with the last legislative change that occurred to that section of the statute, the services generally have to be done within two and half years of adoption of the plan unless when you do your service plan it's not reasonable that you're going to be able to provide the services within that time then the you can adopt in your service plan a schedule through which the city will try to substantially complete, which is a term of art that is in the statute, work within a four-and-a-half-year period which can actually be extended, and so it understands that you might have areas like the big annexations that Portland, TX has recently done or that Corpus Christi has done where you have lots and lots of AG area. But if they know that they will have to go through the process then perhaps acquiring rights-of-way and going through a capital expenditure process, that is part of the analysis of a service plan as well, it might be that we are going to initiate the process but not necessarily have everything installed in the ground such as water spickets ready to turn on at year four and a half.

Commissioner Pecos commented that when the city annexed going north on Sage Road, the city was able to the road The city received complaints about citizens in this area not having sewer services, therefore the city provided them with the service. Pecos further commented that he receives complaints from the residents that live in that area regarding potholes. Pecos further commented that the County was going to provide the materials and the city would provide the labor and equipment, but as of this day, nothing has occurred. He further commented that with the city annexing this location in 2012, the city should repair the street.

Mrs. Alvarez commented that the annexation in 2012 was for the South West side of town where Hawks Landing is located. She further commented that Sage Road may have taking place in 1997.

Commissioner Pecos further asked Mr. Cardenas if staff was planning on going out to Sage Road and temporarily fix the potholes.

Mr. Charlie Cardenas commented that staff will do temporary fix on the potholes but the City is waiting on the County Grant Engineers to solidify and get a firm date as to when we're going to have the material to get this project started.

Mr. Garza commented that currently the city limits only goes towards halfway to Sage Road and the County Road. Staff can only take care of potholes only until that point and not all the way to FM 1355.

Commissioner Pecos commented that staff would only need work on what's inside the city limits.

Mr. Garza commented that the city has been waiting on the County to follow through with providing the material for the city to do the work, not only for the rest of Young Drive but also the road near the landfill.

Mr. Cardenas commented that the road near the landfill and E. Kenedy pass the American Legion and McAda.

Commissioner Pecos asked if that money was coming from a grant that the County has received.

Mr. Cardenas commented that this is money from a grant that the County received.

Commissioner Pecos commented that the County does not have any more money from that grant so he's not sure where they would get the money to fix the road.

Mrs. Alvarez commented that this is not our problem and Mr. Garza commented that this has not been communicated to the City.

Commissioner Garcia asked that the ETJ is 2 miles. Mrs. Alvarez commented that you generally annex within that 2-mile radius. Garcia further asked that the city can annex up to the two miles.

Mr. Garza responded that you could but only if it's within the percentage that the city can grow.

Mrs. Alvarez commented that this is a very convoluted section of the Government Code and there are not hard rules because there are so many exceptions to each of the rules so with regards to Commissioner Garcia's question, in theory the city can annex out perhaps not all the way around the city out two miles as it might exceed the 30%, but in a particular area you could theoretically assuming it didn't violate that space restriction go out to the two miles. In doing so, it would extend out the ETJ further in that direction.

Commissioner Garcia made some comments on the maps provided to the Commission that were not picked up on the audio as he moved away from the microphone.

Commissioner Lopez asked Mrs. Alvarez to repeat what was mentioned about the 10%.

Mrs. Alvarez explained that in the State Statute it states that each year whatever the city's total area is as of January 1st, then during that same calendar year they could annex up to 10% of whatever the total size is. So with regards to that, if the city hasn't done an annexation in a few years then theoretically the city could have its 10% from last year and the 10% from the year before that and combine the 10% for this year to get a maximum of 30% that could be annexed.

Commissioner Lopez asked that if the City could go back as far as 2012. Mrs. Alvarez responded that it would be more than 30% but the city could go up to 30% if the city chooses to but can't go over that amount. Alvarez further stated that the city could carve out certain areas that don't count against the city when you are adding in the land square footage, so if you were adding in area that the city or the county or the state or the Federal Government

owns and that land is being used for public purposes then that doesn't count against the 10% for the year. So in essence you could have more space because they don't consider that public land to be counted in the cap.

At this time, Mr. Garza stated that he would like to go through the maps that were given to the City Commission. **Maps are printed at the end of the minutes as "Exhibit A"**.

Map 1 shows the almost fourteen miles that is the City of Kingsville which is denoted by the red line. For purposes of this exercise it has been split up into eight sections which each has its own map.

Mr. Garza commented that as part of the conversation, staff not only took a look at water and sewer, which are color coded on the maps staff also looked at trash pickup, stormwater fee, five-year history of emergency calls which is Fire, EMS, and Police as staff wanted to take a look at if the city was the primary responders in areas outside of our city limits. Garza further stated that the Commission will notice on the maps that there are blue and green lines; blue lines are existing water lines and green lines are existing sewer lines. These were placed there as there are areas in the ETJ that currently do not subscribe to one of those services but however have access to that service already.

Map 1 represents North of Kingsville. This map shows how residents have water by the blue line. There is a lot of agriculture and undeveloped land therefore that is why there is some blue lines missing. The color coding is based off of existing accounts with the City's Water Department. On Young Drive, the map shows how sewer goes almost about to the city limits on Young Drive. This map, outside of water doesn't have high activity for existing services, but does get some level service.

Map 2 represents East Sage Road; it shows that there is not a lot of development in this area at this time. It does show how water does run along Sage Road. It also shows that sewer runs along the highway which is represented by the green line on the left of the map. The green line also comes from Southeast going upwards towards Sage Road which shows in the vicinity where there is some of that. It also shows that with that one specific property that is shaded and has lines through it, it's blue because it gets water and has the red lines going through it because the city picks up their garbage. This is a property that in this particular map is outside city limits that receives some city services.

Commissioner Garcia asked if it showcases South Texas Water Authority (STWA). Mr. Garza responded no, STWA is west of the highway.

Map 3, shows where some of the activity starts to pick up. This specific area is East Corral where some of the owners are AEP. This specific stretch of Corral has both access to water, sewer, trash pick and pay a stormwater fee. These maps show how they come together with some of the services that certain sections of out ETJ are receiving.

Map 4 shows the neighborhood that is southwest of the city limits which is the Escondido area. Water is provided to them at a wholesale system but don't have access to sewer. Roads in this area are maintained by the County. This is an area that has a lot of road and infrastructure. This may not be an area that needs to be looked at now but maybe that does receive water from the city.

Mayor Fugate that there was a movement to annex this area in the past, but they fought it. Years later, they realized that maybe annexation is not a bad idea so they wanted us to annex it but after staff did its research, it would cost the city too much money. Mr. Garza commented that up to this day, it would cost a lot of money.

Map 5 shows Master Drive which receives several city services such as water, sewer, garbage pickup, storm water fee, and also receive emergency calls that are responded by Police, Fire, and EMS.

Mayor Fugate asked that when staff says that there is water, are there fire hydrants already in place in this area.

Mr. Garza responded yes. Garza continued to state that this particular piece of property, because it is close to the Golf Course, Mrs. Alvarez made the comment about how properties that are either owned by the County or City that are used for public use don't count against the City's 10%. The Golf Course would be a perfect example of that as the Golf Course is not inside the City limits. If the City would pursue to make the Golf Course inside the city limits it would encounter against the city's cap associated with growth. The same could be said about our South Wastewater Treatment Plant wouldn't count because of its use for the public.

Mayor Fugate commented that the Federal Government owns the property and if the wants to annex that it could but it's not what the city is looking at doing.

Mr. Garza asked if he was talking about the Golf Course.

Mayor Fugate responded yes. He further commented that it wouldn't add any valorem taxes.

Mrs. Alvarez commented that this is why it doesn't count against the capacity. Mr. Garza commented that with law enforcement, in case there should ever be a need for response to the Golf Course both EMS and Police would respond.

Mrs. Alvarez commented that with some level of restrictive uses in the event someone was looking to put perhaps a cell tower or construct something that was high having the city have jurisdiction over the year as oppose as to having JAZB gives a little more teat for regulatory purposes.

Map 6 is of FM 1717 which is another piece of property that receives city services and has access to city services for example all of these properties currently are on septic however the map shows that there is a sewer line that runs down FM 1717, so the expense to the City would be very minimal as the sewer line is already there on the other side of the road. They already receive water and garbage services. This specific part of FM 1717, the road at least, is maintained by Texas Department of Transportation (TXDOT) which already inside the city limits which is an area for consideration based on the fact that they receive some city services that they currently receive but do not pay city taxes. Garza stated that this area is an area that is confusing because of brush pickup as after the storm, the city received calls about different things which makes this area an area to consider.

Map 7 shows an area that is further East of FM 1717. This area shows is shown more specifically because of the rectangle area which is the Mobile Park Home that is located on FM 1717. Garza stated that staff has been in communication with individuals from the mobile park because they have issues related to their sewer that they are trying to address so they have requested or are in the processing of requesting to tie into the South Wastewater Treatment Plant of which staff has communicated to them that it wouldn't be a problem as long as they are ok with potential of them being annexed as they would be receiving city services. This is an area that potentially would volunteer to be annexed, assuming that the City annexes up to the area.

Map 8 shows the southern part of town which is the high school and Pan American School. Garza stated that this area is to further south to be considered at this time. But nonetheless it fell within the category of services that entities and properties get in the ETJ.

Mayor Fugate commented that his thoughts were that if the city is providing all the services to those outside the city limits, these individuals need to be inside the city limits so that they can pay ad valorem taxes. This is not fair to the citizens that live within the city limits that are already paying ad valorem taxes to provide these services and not recover those taxes, which is his opinion. Mayor Fugate commented that he would like for staff to look into maps 3, 5, 6, and 7 all need to be considered for annexation which the City provides some type of services already.

Mr. Garza stated that he has had a conversation with Glenn Jones, Liaison for NAS Kingsville, and there is interest on their part for the City to consider potentially moving the line more East because of the regulatory aspect that Mrs. Alvarez alluded to earlier in terms of right now there is as it shows on the map, staff placed the JAZB there where there is a small sliver which is a gap between the red line and JAZB. However, because of regulatory authority the base feels that there is greater teat to the regulation that the city could put through zoning and through different things that maybe JAZB doesn't or can't do to its full extent currently. Garza further stated that other things for consideration that he would like for the Commission to consider is taking into account the expansion of the highway that TXDOT will go through in the next few years and potential for development in the Southern end of the City. He further stated that as Commissioner Pena alluded to potential Legislative changes related to annexation which needs to be part of the real conversation as the city needs to consider all the factors that is needed to make the recommendation and decision for annexation.

Mayor Fugate commented that there have already been some bills that have been introduced for the next legislative session.

Commissioner Pecos commented that he likes the idea of protecting NAS Kingsville.

Mayor Fugate commented that one thing that might be considered, if feasible, is when the overpass was built on the Northside of town there was some conversation in the Kingsville Record that there may be some development near the new underpass area between Bishop and Kingsville. Mayor Fugate commented that if this is the case, staff may want to look into annexing properties in the area to catch the growth that they are talking about which will help NAS Kingsville as well.

10. Consider out-of-state travel for commission and staff for ICSC Recon 2017 Exhibition and Conference in Las Vegas, Nevada from May 20-25, 2017. (City Manager).

Motion made by Commissioner Garcia to approve this out-of-state travel, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

11. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).

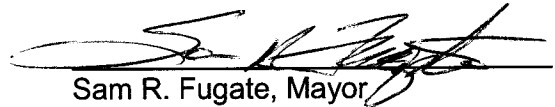
12. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate announced both executive sessions and convened the meeting into Executive Session at 7:17 P.M.

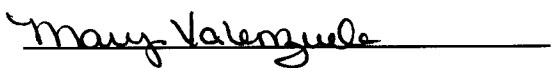
Mayor Fugate reconvened the meeting into open session at 7:37 P.M.

VI. Adjournment.

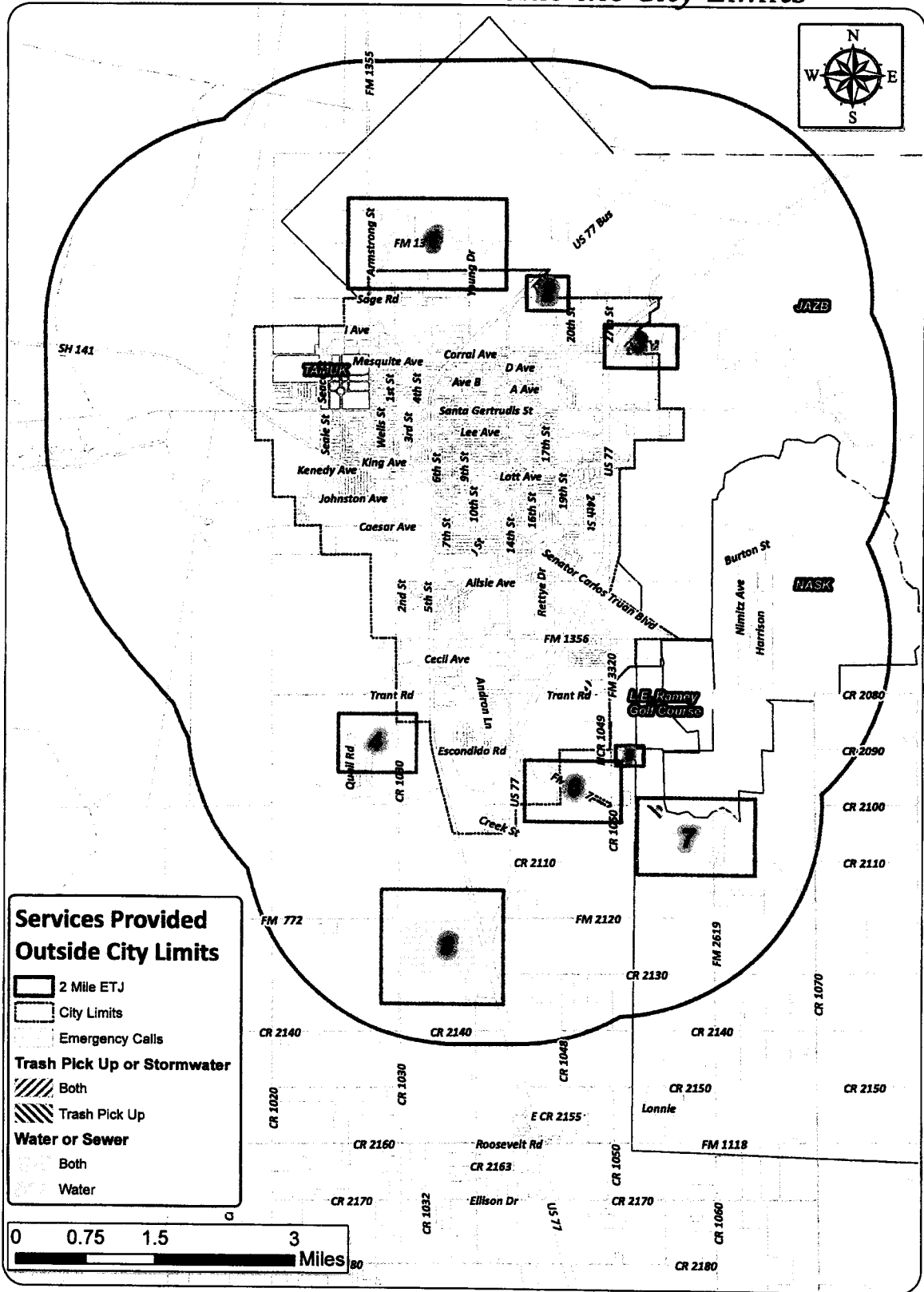
There being no further business to come before the City Commission, the meeting was adjourned at 7:38 P.M.



Sam R. Fugate, Mayor

ATTEST:

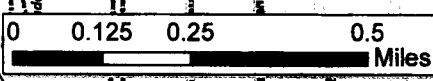
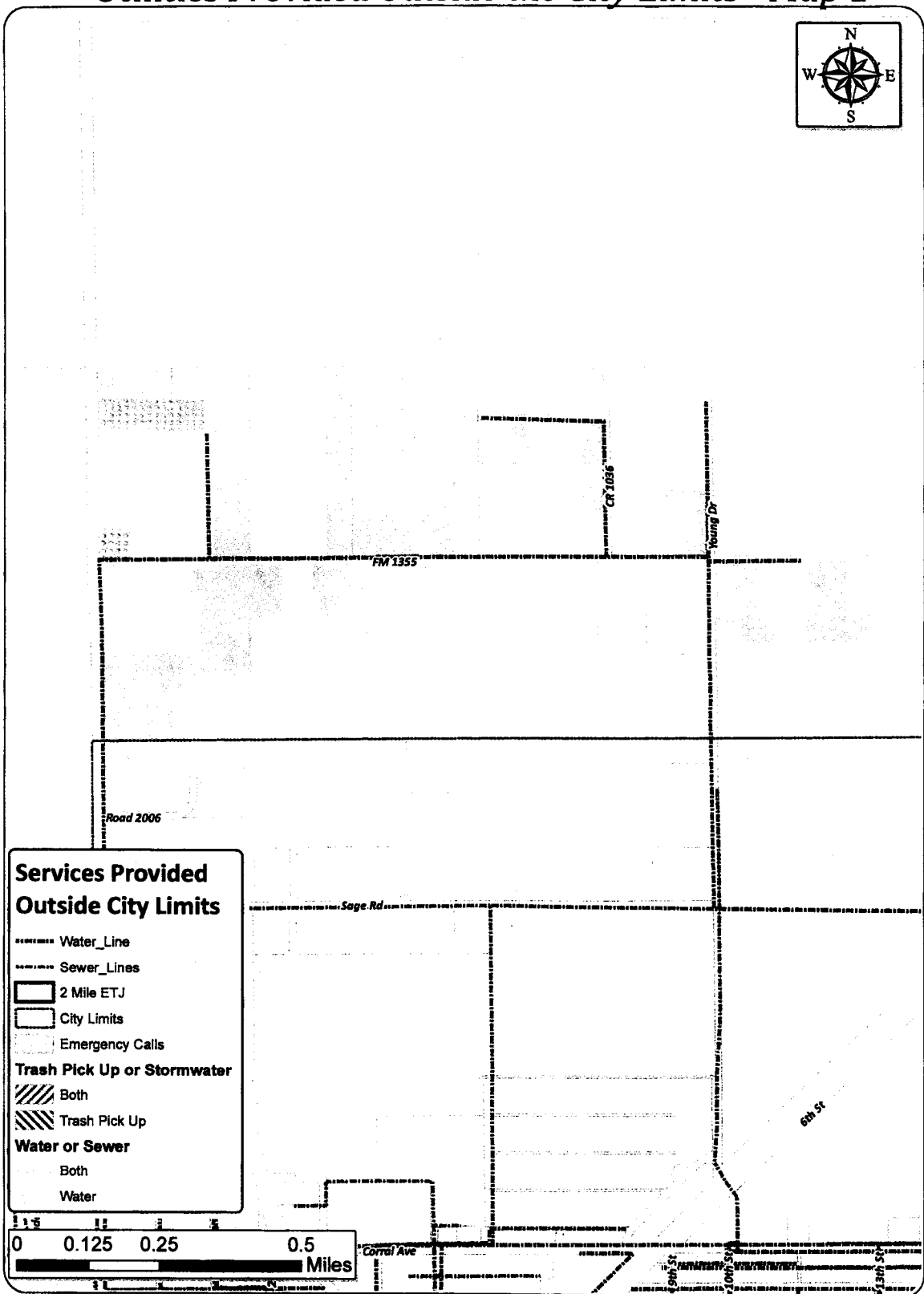
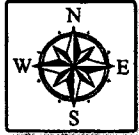

Mary Valenzuela, TRMC, City Secretary


Utilities Provided Outside the City Limits



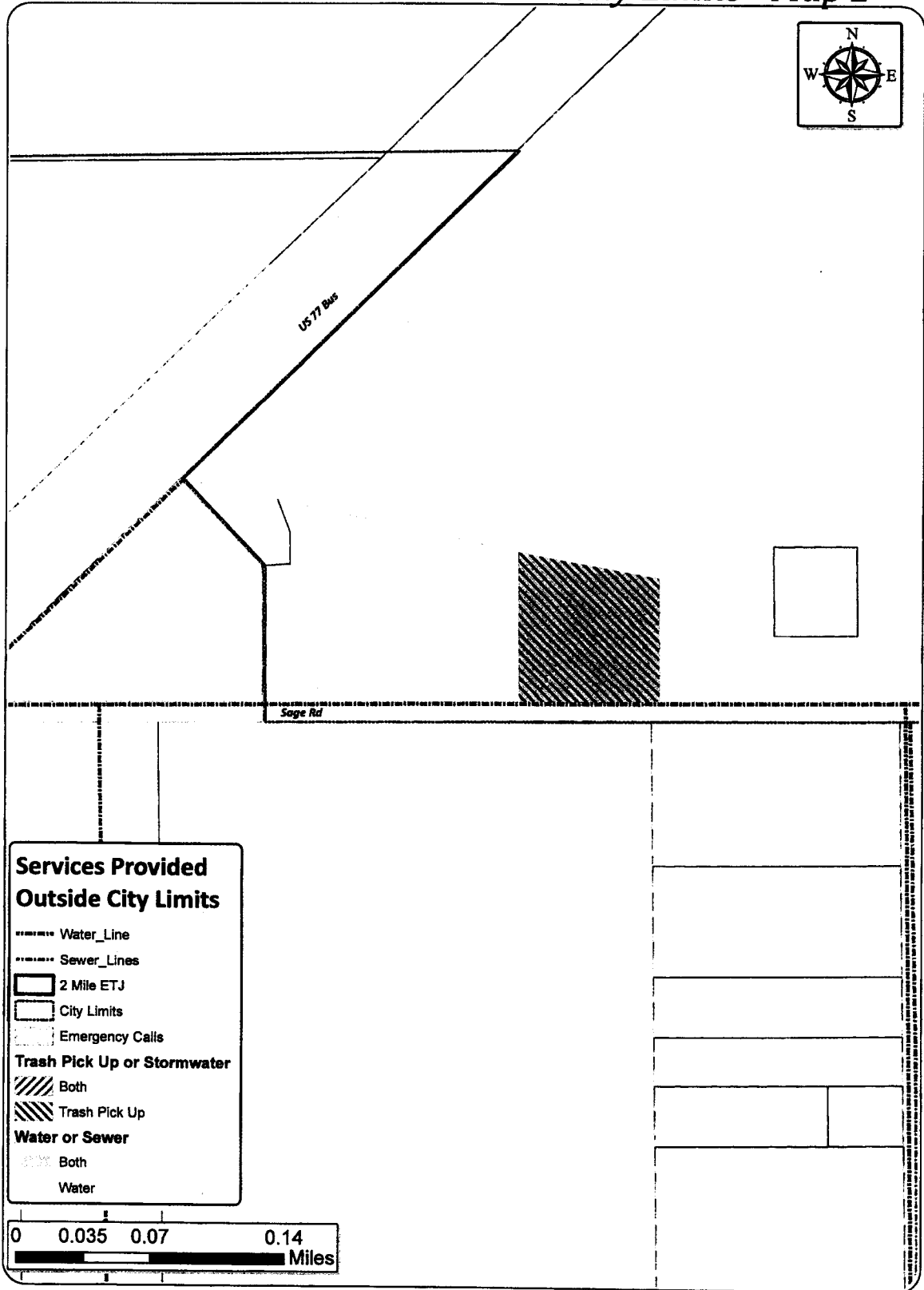
Drawn By: Engineering Department Last Update: 12/9/2016 Note:	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Page 1 / 1	

Utilities Provided Outside the City Limits - Map 1



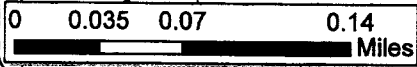
Page 1/1	Drawn By: Engineering Department	<small>DISCLAIMER</small> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 12/9/2016		
Note:			

Utilities Provided Outside the City Limits - Map 2



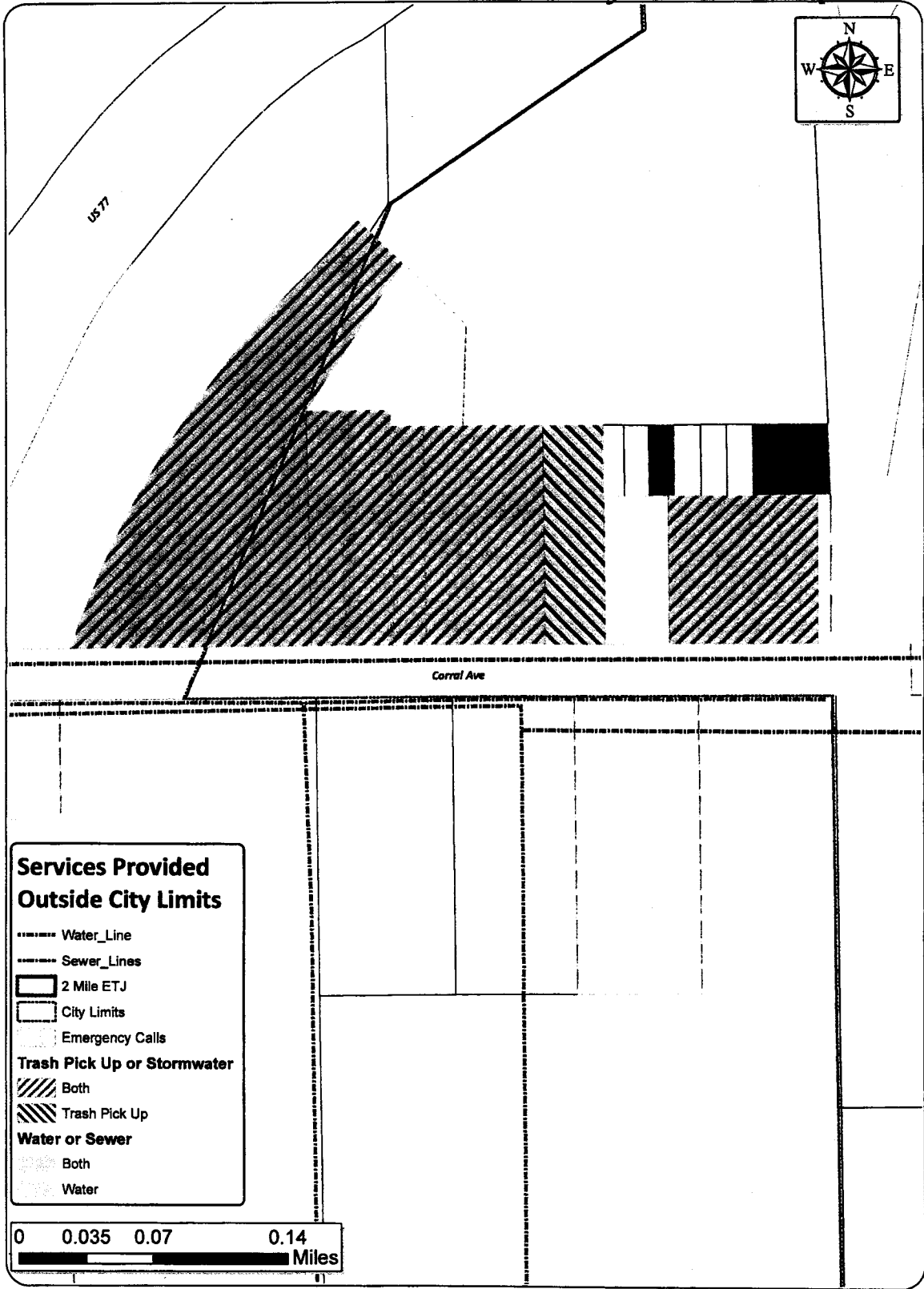
Services Provided Outside City Limits

- Water_Line
- Sewer_Lines
- 2 Mile ETJ
- City Limits
- Emergency Calls
- Trash Pick Up or Stormwater**
- Both
- Trash Pick Up
- Water or Sewer**
- Both
- Water



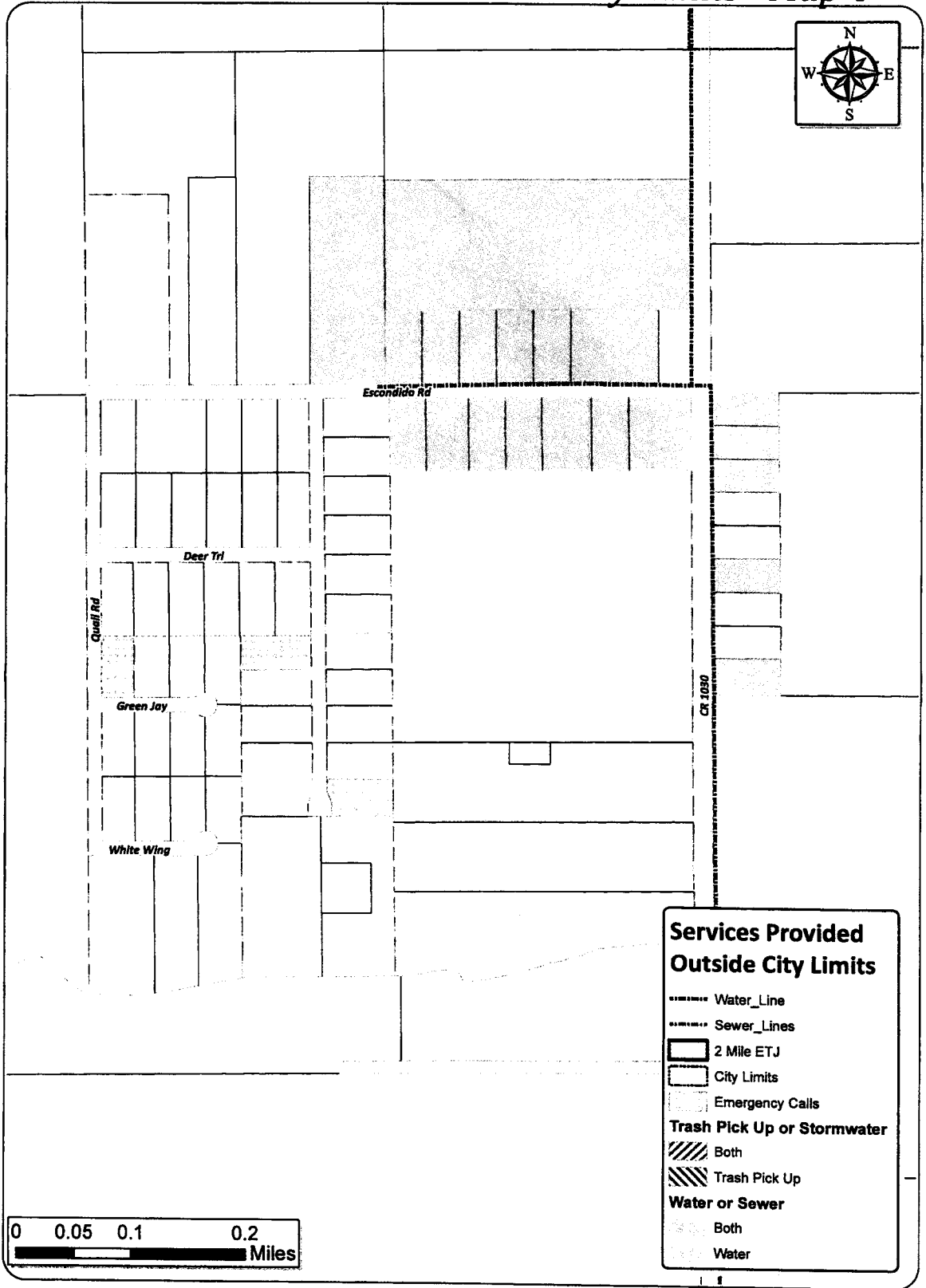
Page 1 / 1	Drawn By: Engineering Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 12/9/2016		
Note:			


Utilities Provided Outside the City Limits - Map 3



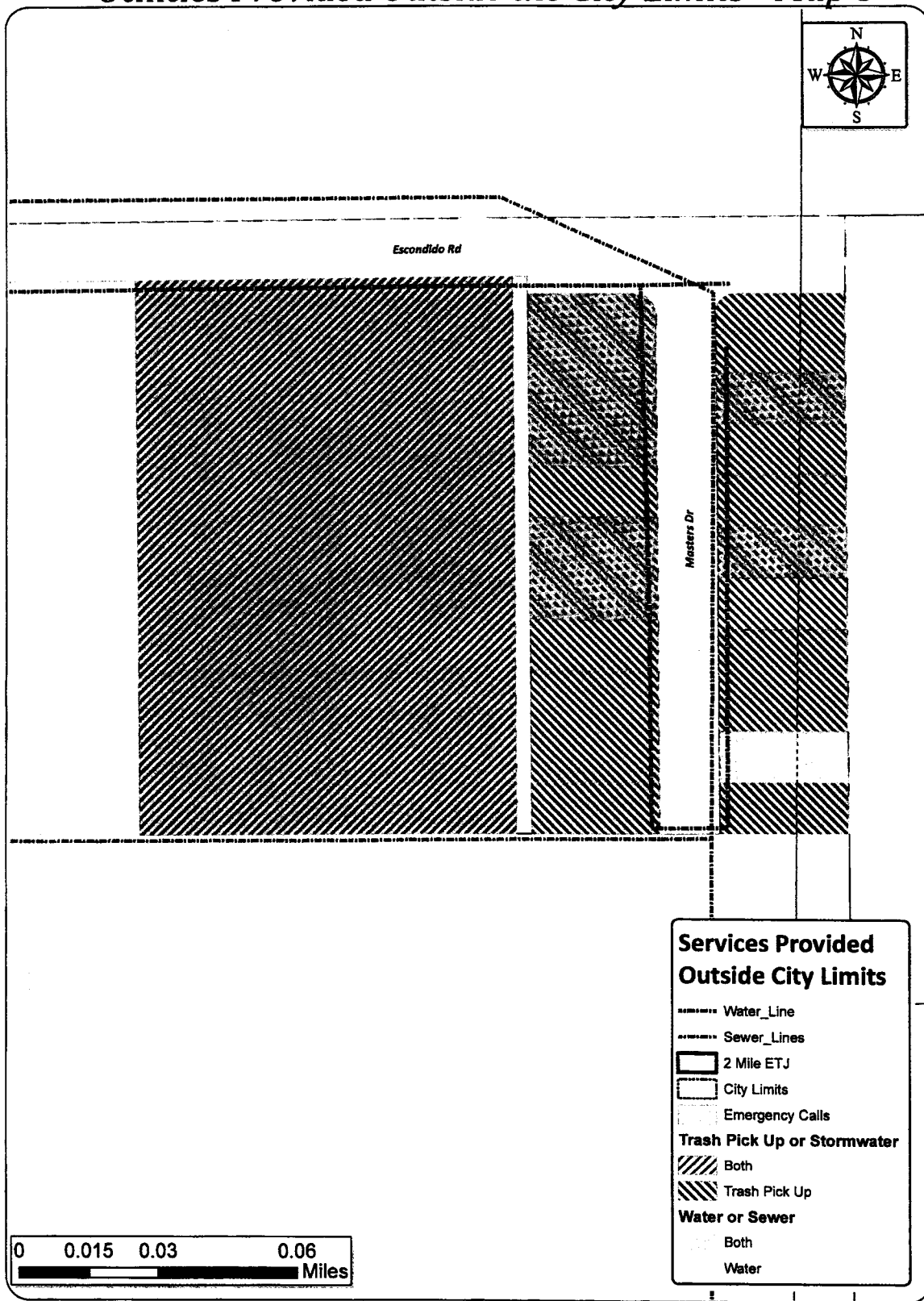
Page 1 / 1	Drawn By: Engineering Department	<p>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	 CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 12/9/2016		
Note:			


Utilities Provided Outside the City Limits - Map 4



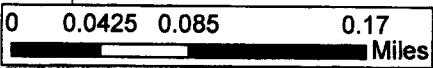
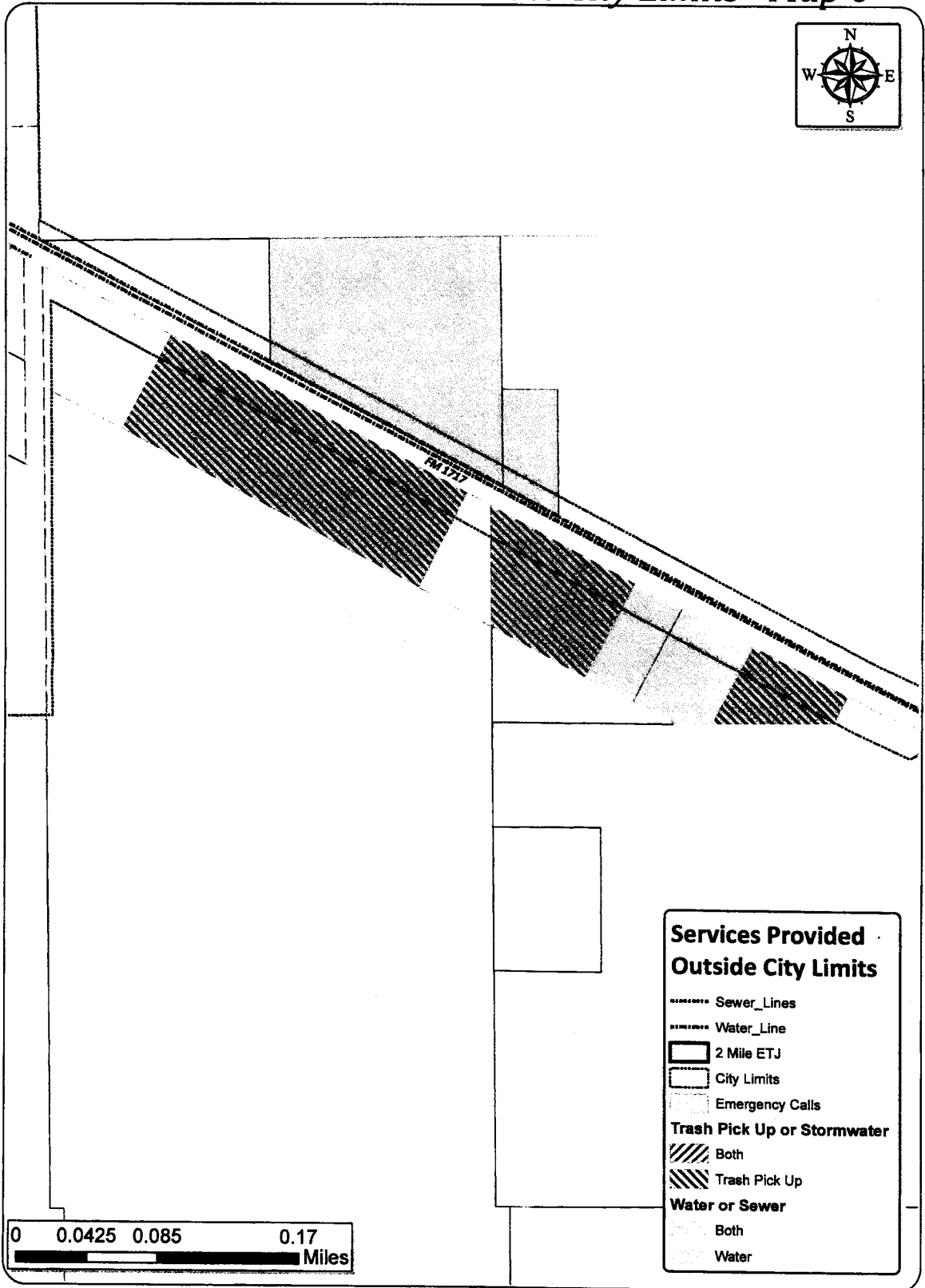
Page 1 / 1	Drawn By: Engineering Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.		CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 12/9/2016			
	Note:			

Utilities Provided Outside the City Limits - Map 5




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	Last Update: 12/9/2016		
	Note:		

Utilities Provided Outside the City Limits - Map 6

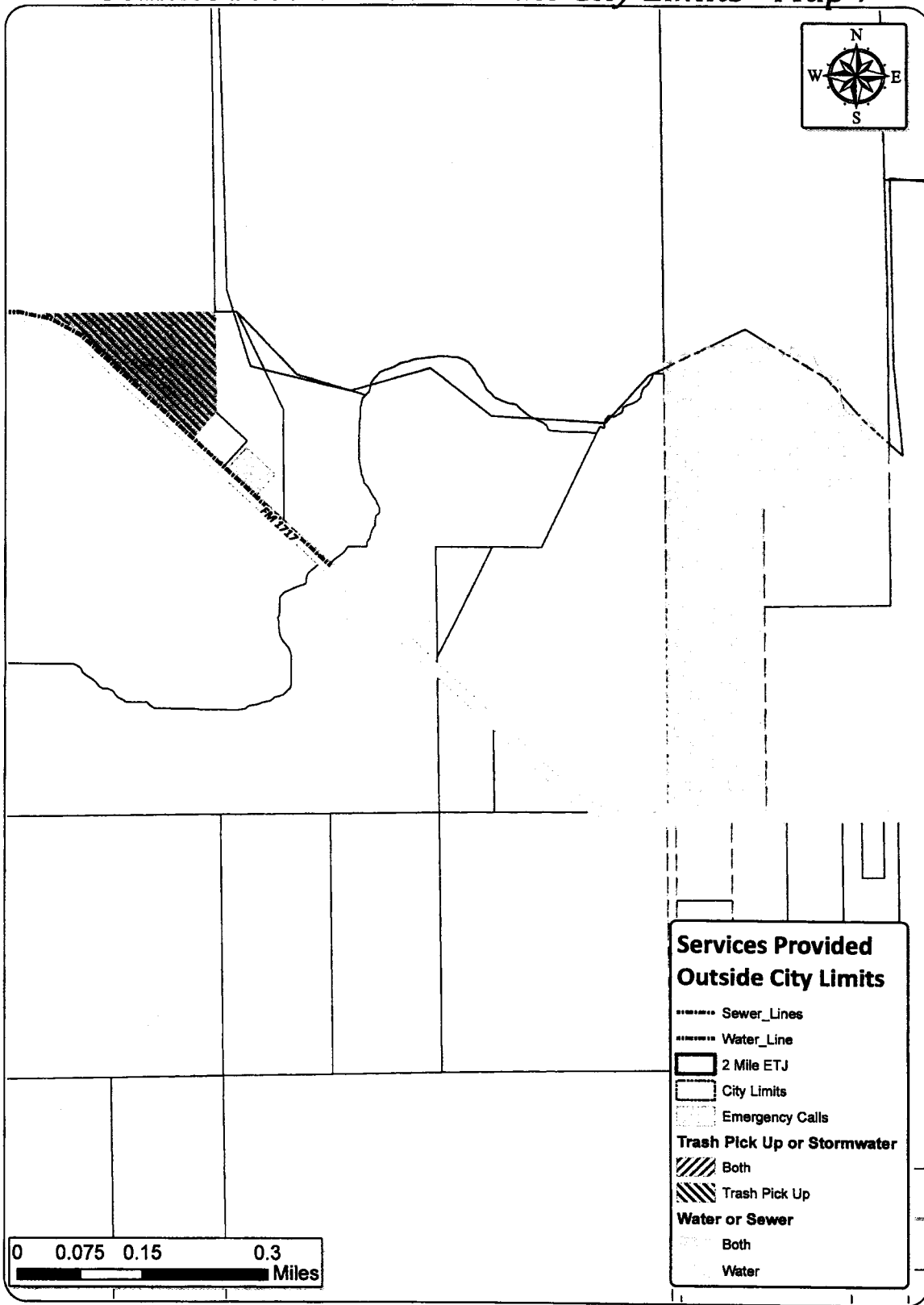


Services Provided Outside City Limits

- Sewer_Lines
- Water_Line
- 2 Mile ETJ
- City Limits
- Emergency Calls
- Trash Pick Up or Stormwater**
- Both
- Trash Pick Up
- Water or Sewer**
- Both
- Water

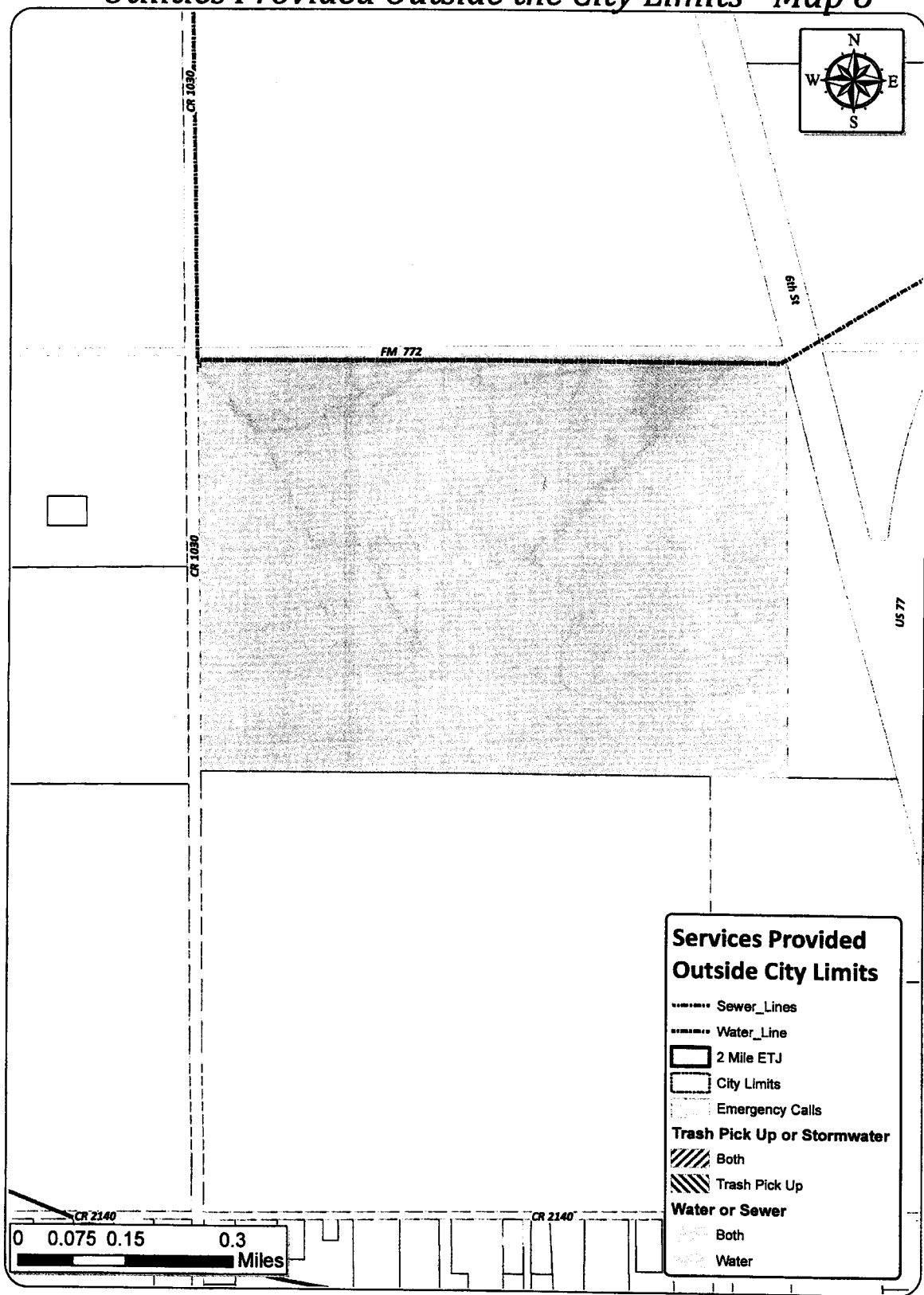
Page 1 / 1	Drawn By: Engineering Department	<p style="text-align: center; font-size: small;">DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	 <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
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	Note:		

Utilities Provided Outside the City Limits - Map 7



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	Last Update: 12/9/2016		
Note:			

Utilities Provided Outside the City Limits - Map 8



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	Last Update: 12/9/2016		
	Note:		