

FEBRUARY 27, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 27, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner
Arturo Pecos, 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 Mason, Director of Purchasing
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Ricardo Torres, Police Chief
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Robert Rodriguez, Library Director
Austin Jurica, Engineer's Assistant
Jason Alfaro, Parks & Recreation Director
Cynthia Martin, Downtown Manager
Manny Salazar, Economic Development Director
David Solis, Risk Manager
Stephanie Resendez, Planning Administrative Assistant
Adrian Garcia, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting beginning with a workshop at 5:00 P.M. with four Commission members present. Commissioner Pecos arrived at 5:08 P.M.

WORKSHOP: Presentation of Downtown Vision Plan. (City Manager).

Mr. Jesús Garza, City Manager commented that he would like to summarize some of the work that staff has undertaken for the downtown area. In January/February 2016, staff made a recommendation on the Certificates of Obligations. Part of that recommendation was allocating \$1 million dollars to the Downtown in an effort to start looking into improving the infrastructure of the Downtown area. During the following twelve months there was a lot of progress from staff to improve some of the conditions downtown. Some of the items that have been approved by the City Commission in the last few months are the Vacant Building Ordinance, zoning allowable uses for downtown commercial to allow multipurpose use. New guidelines for the Façade Guidelines Program was also adopted. There are a lot of efforts centered around the downtown area that are being worked on. Garza further commented that staff has solicited the services of the University of Texas San Antonio, The Center for Urban Regional Planning Research in late summer of 2016. Since that time, they have been working with Stakeholders and City Staff to develop the recommendations that will be presented during this meeting.

Mr. Bert Moyer, Research Scientist Associate, presented the City Commission with a PowerPoint presentation of the Downtown Vision Plan. He stated that there are four section to this plan, those sections being; Introduction, Background Assessment, Options for the Future, and Proposed Implementation Plan. Mr. Moyer spoke about the importance of branding Kingsville. He showed an example of a branding that can be used by the City of Kingsville. Within the presentation was a proposed event center across from HEB Grocers. Some of the recommendations for the downtown area are maintaining the historic buildings in the area. These buildings are assets to the community as there are individuals who travel just to look at historic buildings. It is important to maintain these buildings as once they are gone, they will be lost forever. Mr. Moyer showed before and after pictures of the historic buildings in the downtown area. Moyer spoke about changing parking in the downtown area to parallel parking and adding bump outs to the street. This would narrow the street and require individuals to slow down within the area. It is being proposed to change from head in parking to parallel parking. This will widen the sidewalk and will allow for possible café style seating outside. Five feet would be added to the sidewalk, bump outs,

crosswalks, places to sit, and trash receptacles. Moyer stated that what is important is to have visitors in the downtown area and have them be safe. He discussed the importance of Wayfinding Signage. This will make visitors aware of where they are at as well as letting them know that they are in a Historical District. It is being recommended to establish a museum cluster. Currently the city has the King Ranch Museum as well as the Train Depot Museum. In the report, it is being proposed to establish a Children's Museum which give visitors a reason to stay in Kingsville and maybe even overnight. Another proposal is expanding the bike route from the University to the Downtown District. This will give the students of the University the opportunity to ride their bike into the Downtown District, as well as our residents. The city could also consider bicycle rental stations which will be an additional income received. There is a proposed Special Event Center in this plan. With a city that has about 26,000 in population, it needs something larger than the Salazar Building to hold large crowds during special events. It is being proposed to use the old KA Childs building as the Special Event Center. With the Texas Theatre being across from the proposed Special Event Center, the city could partner with the theatre and hold special events and partner with a hotel. The City could partner with a hotel and have them come in to the downtown area where visitors can stay within the downtown district. The proposal also includes the relocation of the Band Stand to the area where the Pavilion is located. The Band Stand can have some type of Amphitheatre where small concerts, classes or be used as an extension to the Farmer's Market. Where the Band Stand is located now, it is not being used for many things. This would allow the community to have small events near the Pavilion. Mr. Moyer showed a slideshow of the proposed downtown area and what it would look like if the proposed changes were implemented. As the sidewalks in the area aren't complete, it is being proposed to complete them and have the sections that don't have a sidewalk connect to those areas that do. Moyer further commented that with 611 hotel rooms to serve the city, there are none located within the Downtown District. With single family homes located in near the Downtown District that can be converted. The City could propose some type of an incentive and push some Bed and Breakfast that would allow for visitors to stay in during their visit. He showed a slide on infill housing within the Downtown District. He further spoke about the implementation plan. This plan is a long-term strategy that shows the improvement of quality of life and enhances the economy. Moyer stated that it is critical for the Community to organize itself and see what's the City's and County's responsibility, how can the University partner with the City and what is the private sectors responsibility.

Mr. Garza briefed the City Commission on some of the points that were just mentioned by Mr. Moyer. He stated that the City Commission allocated 1 Million dollars towards infrastructure improvements for the Downtown area. The next step for the city is to submit a grant that staff has been working on for about four or five months. This item will be placed for City Commission approval on the next City Commission meeting. Staff is looking in taking the Million dollars and taking it and applying it as a match and hopefully turning it into \$2.4 Million if the grant gets awarded. In return that money would be invested into streets, sidewalk, lighting, and trees that will specifically focus on the infrastructure improvements. This will show downtown merchants as well as citizens that the City is serious about revitalizing the Downtown District. Tourism Advisory Boards has shown its support about the plan because having a revitalized downtown will help with Tourism which will help our economy. Garza commented that this is a good time for the City as the support, plan, and vision is there. This plan will not only affect the City; it will require partnerships with stakeholders in our city.

Commissioner Garcia commented that staff needs to think about addressing the issue with parking once the infrastructure begins.

Mr. Garza responded that the priority would be to develop parking first. One focus would be on increasing parking capacity West of the Pavilion and the property that is North of the former JCPenney Building which is an empty lot. Staff has had some conversations with the property owner to partner with the City to convert this lot into parking. One of the other important things that is important about parking is signage. This would allow the visitors know where the parking locations are for the downtown area. The signage will also show where some of the main buildings are located within the district.

Commissioner Pena commented that he would like to hear from the public and see what their thoughts are on this plan.

Mayor Fugate asked that if anyone would like to speak on this item, there will be a limited time of five minutes.

A video of the proposed plan which summarizes some of the recommendations was shown to the City Commission and public.

Mrs. Gloria Cantu-Bigger asked what plan is in place to upgrade Kleberg Street. The area closes to H.E.B. and the Appraisal District has potholes which is a safety hazard.

Mr. Garza responded that city staff looking at reconstructing the street but it depends on whether the City receives the grant. If the City is not awarded the grant, staff will consider temporary solutions that can be looked at to try and repair some of the potholes and the cracking of the

street, but for as the permanent fix it will depend on the amount of money that is available to the City.

Mrs. Cantu-Bigger commented that fixing the streets is more important than fixing the sidewalks and feels that other citizens would agree with her. This is a safety hazard and has been for quite a while. She further commented that as the city is looking at building an Event Center what about a Community Center. There are plenty of event centers in the city but no community center that will benefit the citizens of Kingsville. Mrs. Cantu-Bigger also stated that she is concerned with the move of the Gazebo as she believes this is part of the Historical District and asked who had made the decision for it to be moved. Mayor Fugate commented that no final decisions have been made now. This is simply a presentation of a proposed plan. Mrs. Cantu-Bigger asked if the city has done a survey as to how many tourist come to Kingsville and how much money is spent here.

Mr. Garza commented that to the detail that it would need to be done, no survey has been done.

Mrs. Cantu-Bigger further asked who was involved in the preparation of this plan and were the citizens of Kingsville were involved in the planning stages. Mr. Garza responded that the city had a public meeting October 2016 which gave the citizens the opportunity to come and voice their opinions. Staff has also been speaking with Stakeholders through some of the different City Boards.

Laura Pollard representative of the Kingsville Auto Club commented that there will be a Car Show Saturday, March 4th by the Gazebo. In the past, the Car Show was in the Downtown area but with Downtown Merchants not agreeing to closing down a section of the street, it was moved to the First Methodist Parking Lot. The Gazebo is used for music playing and announcements during their Car Show. Pollard further commented that she would like for the Gazebo to be kept in its current location.

Tommie Sue Rives, Downtown Merchant, commented that Car Shows draw in people that have money to spend.

Mrs. Gloria Cantu-Bigger commented that the Downtown Plan is a great plan but feels that there are other issues that the City needs to focus on such as work on the streets. It's ok to cater to visitors but we also need to cater to the citizens that live here.

A brief recess was taken at 5:50 P.M

Mayor Fugate convened into the regular session of the meeting at 6:00 P.M. with all five Commission members being 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. Public hearing regarding an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:04 P.M.

Mr. Tom Ginter, Director of Planning and Development Services, commented that this item is for the consideration of a request made by Mobilitie LLC to allow a special use permit for the installation of a telecommunications pole at 1213 W. Santa Gertrudis. This is the second application from Mobilitie LLC for the installation of a telecommunication pole. The first one submitted was for the location at 1018 E. King, which will have a second reading on February 27, 2017. Three of the property owners that are on the list who received letters regarding the installation of the pole did speak against the location of the telecommunication pole. Impact of the installation of the telecommunication pole would be better cell phone service, which is beneficial for our citizens, businesses and students. There is no negative financial impact to the City of Kingsville. This item was heard by the Planning & Zoning Commission on February 15, 2017 where they voted 6-0 to not approve the item.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so at this time with a five-minute time limit. Additional time cannot be extended by City Commission.

Mrs. Peggy Hayes of 1213 W. Santa Gertrudis, commented that it is in front of her residency that they would like to install this telecommunication pole. Mrs. Hayes commented that she is not against the telecommunication pole, but there are other

locations where this can be installed that will not encroach anyone's front yard. Mrs. Hayes asked the Commission to not approve this item at this time.

Mayor Fugate asked where they are looking of installing this pole. Mr. Garza responded that the pole would be installed in the front yard. Mr. Ginter commented that it is not in the front yard but rather in the city's right-of-way.

Dawn Schuenemann of 519 Seale Street, commented that she did receive the letter but it was the second letter received because the first letter that arrived was because the item had been tabled. The reason it was tabled was because Mrs. Hayes was not notified. She further commented that she would like for the city to stop approving items that would affect her neighborhood.

There being no further comments, Mayor Fugate closed this public hearing at 6:13 P.M.

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, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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."

Mayor Fugate presented a proclamation to Ms. Cassie Ramos, President of National Association for Music Association, for Music in our Schools Month for the month of April, 2017.

Mr. Jesús Garza, City Manager commented that at this time he would like for Fire Chief Garcia to update the City Commission on the on goings of the Fire Department.

Mr. Adrian Garcia, Fire Chief, gave a PowerPoint presentation to the City Commission on the response operations and staffing plan of the Fire Department.

In this overview of Fire Chief's presentation, he discussed the operational statics, current response and operations, overall staffing goal, new response deployment model, and implementation plans such as immediate implementation, phased implementation and federal grant opportunity. At this time Chief Garcia displayed a graph showing Ambulance Emergency Response on the East District and the West District and available staff during different types of emergencies. On one graph, it was shown that in a twelve-month average, 22% of all calls are overlapping incidences. The Fire Department's overall staffing goal is to increase shifts to 12 personnel per shift, increase minimum staffing to 10, and discuss multiple implementation plans to achieve this goal. He further shared the following phase implementation steps and their benefits. Phase 1 Implementation would consolidate dispatch from the Kingsville Fire Department to the Kingsville Police Department. This would free up an additional Firefighter due to consolidated dispatch. Maintain 10 per shift which have the ability to create first responders with both stations. Move shift minimum from seven to eight. Four responding units will be available instead of three. Call volume divided between two stations and decrease overtime. Phase 2 implementation steps are: will hire three additional personnel; add one per shift: Increase to eleven per shift: Move shift minimum to nine: implement when approved to hire requested personnel. The benefits to phase 2 are 1 (3) many engine company becomes available; 3-man v. 2-man engine company: ability to create first responders with both stations: four responding units will be available instead of three: call volume divided between two stations and it will decrease overtime. Phase 3 implementation steps are as followed: hire three additional personnel; one per shift: increase to twelve per shift: increase shift minimum to 10: and implement when approved to hire requested personnel. The benefits to phase 3 are: 2 (3) man engine companies become available: ability to create first responders with both stations: four responding units will be available instead of three: call volume gets divided between two stations: decrease overtime: and increased safety for responding personnel. The phased staffing contingency plan is to hire one Firefighter per year; meet phase 2 implementation plan over three-year span; continue evaluation of staffing conditions; and continue to plan on meeting overall staffing goal.

Commissioner Garcia asked for the amount that would be saved by hiring 3 additional personnel. Chief Garcia responded that at this time he does not have an estimate that will be saved. Commissioner Garcia further asked if the plan is strictly only for career Firefighters and has staff been working with the Volunteer Fire Department. Chief Garcia commented that he is working with the Volunteer Fire Department.

Commissioner Lopez thanked Chief Garcia for his presentation. Lopez commented that she feels that there is a need for more personnel in the Kingsville Fire Department and Kingsville Police Department.

Mrs. Courtney Alvarez, City Attorney announced that the next City Commission meeting is scheduled for Monday, March 13th. Staff's deadline to submit any agenda items for the March 13th meeting is Friday, March 3rd. Alvarez further reminded the City Commission and staff that there is a Special City Commission scheduled for Monday, March 20th at 6:00 P.M. for the presentation of the Parks Master Plan.

Mayor Fugate announced that this would be Mr. David Mason, Purchasing Director, last Commission meeting, as Mr. Mason has accepted a position with the City of Hutto, TX. The Commission wished him well and the best of luck in his endeavors.

IV. Public Comment on Agenda Items.³

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

Mayor Fugate opened the Public Comments section of the agenda.

Mr. Gene Jones of 609 W. Escondido, commented that he would like to receive a copy of the footprints of where the telecommunication poles are being proposed to be installed.

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 that agenda item #1 be removed from the consent agenda and be placed for discussion under the regular section of the agenda. No objections were made from the City Commission on this request.

Motion made by Commissioner Pena to approve agenda items 2, 3, and 4 of the consent agenda as presented, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

1. Motion to approve an ordinance granting a special use permit to install a wireless telecommunications pole for Mobilitie LLC at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue. (Director of Planning & Development Services).

Mayor Fugate asked there be no action taken on this item until both parties work together on this issue. Mayor Fugate further asked that this item be placed on the agenda for the special meeting to be scheduled on Monday, March 20th. He further requested that the item be placed under the regular section of the March 20th agenda.

No action taken.

2. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include insurance proceeds from the supplemental insurance claim for the May 31, 2016 storm event. (Director of Finance).

3. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include Police Department equipment purchases, upgrades and repairs out of Ch. 59 State Seizure Funds. (Director of Finance).

4. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include proceeds from the sale of city owned property located at 2211 S. Brahma Blvd. and insurance claim proceeds from the May 31, 2016 storm event. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider introduction of an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Mayor Fugate asked that this item be placed on the agenda for the special meeting to be scheduled on Monday, March 20th. He further requested that the item be placed under the regular section of the March 20th agenda.

Introduction only.

6. Consider award for Engineering Services (RFQ17-07) for Drainage Master Plan and authorize staff to negotiate a contract, as per staff recommendation. (Director of Purchasing).

Mr. David Mason, Purchasing Director stated that this item provides staff recommendation for RFQ 17-07 Drainage Master Plan. The RFQ Review Committee consisted of Charlie Sosa, Street Superintendent; Jesús Garza, City Manager; Charlie Cardenas, City Engineer; William Donnell, Assistant Public Works Director; and Richard Flores, Golf Course Manager; and David Mason, Purchasing Director serving as facilitator. Advertisement in the Kingsville Record took place on December 11, 2016 and December 16, 2016 as well as posting on the city website. A total of six respondents replied by the deadline of January 3, 2017 at 1:30 P.M. Through the published scoring procedures, the Review Committee narrowed the potential firm of three. Per RFQ 17-07, firms submitting SOQ's (statements of qualification) may be requested to take oral presentations as part of the evaluation process. Halff, Kimley-Horn and HDR all accepted the invitation and presented additional information through oral presentations to the Review Committee. It is recommended that RFQ 17-07 be awarded to the firm Kimley-Horn, of Fort Worth, TX, the most qualified provider based on demonstrated competence and qualifications.

Mr. Neffie Garza of Kimley-Horn stated that his firm is excited to work on the Drainage Master Plan for the City of Kingsville. His firm will identify flood areas and evaluate the Golf Course to make sure that it drains properly. His firm will address current drainage as well as look ahead on future drainage.

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

This is Mr. Mason's last City Commission meeting as he will be leaving the City of Kingsville to go work for the City of Hutto, TX.

7. Consider introduction of an ordinance adopting the Kingsville Downtown Vision Plan. (City Manager).

Mr. Garza commented that this item is to introduce this ordinance for the adoption of the Kingsville Downtown Vision Plan. Hard copies of the presentation done at the beginning of this meeting will be distributed by the end of the week to allow for the Commission to review it at a slower pace. The item will be placed on the agenda for the special meeting schedule for Monday, March 20th.

Introduction item.

8. Consider a resolution supporting the restoration of Chamberlain Park and authorizing city staff to demolish the old gymnasium at the City Hall complex. (Mayor Fugate).

Mayor Fugate commented that at the beginning phase of the restoration of the new city hall, this building fit the image, but now, it doesn't fit as well as he thought. After speaking with the contractor who worked on the new city hall, it would cost the city too much money to try and restore this building. After some research done by city staff, it was determined that the location where this building sits was actually a park, Chamberlin Park. Fugate further commented that this side of town needs a park within the vicinity and it would probably be best to look into the possibility of making it into a park again.

Motion made by Commissioner Garcia to approve the resolution supporting the restoration of Chamberlain Park and authorizing city staff to demolish the old gymnasium at the City Hall complex, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to include Lexipol subscriptions service for the Kingsville Police Department out of Ch. 59 Seizure Funds. (Director of Finance).

Mr. Ricardo Torres, Chief of Police, reported that the Police Department is requesting a budget amendment to cover the cost of implementation of Lexipol which is a service that will assist the department in implementing a current Law Enforcement Policy Manual and also provided integrated Daily Training Bulletin service for the Police Department. Chapter 59 funds will be used to cover the cost of Lexipol software and services.

Commissioner Garcia asked if the twelve-month contract was renewable. Chief Torres responded that it is renewable yearly.

Introduction item.

10. 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).

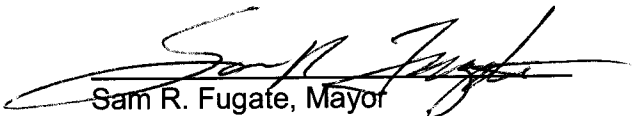
11. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental 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).

Mayor Fugate announced both Executive Session items (agenda item 10 and 11) and convened the meeting into closed session at 7:05 P.M.

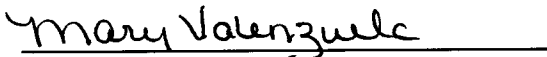
Mayor Fugate reconvened the meeting into open session at 7:28 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:29 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary