

JUNE 26, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 26, 2017 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
Diana Gonzales, Human Resources Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Derek Williams, Systems Specialist
Adrian Garcia, Fire Chief
David Solis, Risk Manager
Bill Donnell, Asst. Public Works Director
Deborah Balli, Finance Director
Jennifer Bernal, Community Appearance Supervisor
Frank Garcia, Wastewater Supervisor
Richard Flores, Golf Course Manager
Susan Ivy, Parks Manager
Charlie Sosa, Purchasing Manager
Corina Gonzales, Administrative Assistant
Ricardo Torres, Police Chief
Stephanie Whittington, Administrative Assistant

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. 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)

Regular Meeting – June 12, 2017

Motion made by Commissioner Pecos to approve the minutes of June 12, 2017, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting “FOR”.

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

1. Public hearing regarding condemnation proceeding for structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened Public Hearing #1 at 6:03 P.M.

Mr. Ginter announced that at the last City Commission meeting, the Commission approved to give the property owner a 90 day extension on this property. As of today, no permits have been obtained or work on the structures.

Mayor Fugate asked if anything has changed with the property or anyone spoken to staff regarding this property.

Mr. Ginter responded no.

Mayor Fugate further asked if the property was still without water? Mr. Ginter responded yes.

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

No comments were made from anyone in the audience.

City Attorney, Courtney Alvarez reported that for the record it does show where there was an update inspection that was done by the City Inspector on June 6, 2017. The inspection report shows that the property is still unsecured and is still hazardous as well as not having water since May 10th of last year. All proper notices were sent to the property owner. Additional photographs were taken that continue to show that the shed is without walls and being held up by poles. This condemnation is for both the house and the shed.

There being no further comments, Mayor Fugate closed this public hearing at 6:05 P.M.

2. Public hearing regarding condemnation proceeding for structures located at 404 W. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened Public Hearing #2 at 6:05 P.M.

Mr. Ginter announced that Mr. Gonzales, owner of the property, called him and told him that he would not be able to make the meeting tonight. Ginter then read an email he received from Mr. Gonzales. The email read: Mr. Ginter, I Joel Gonzales owner of property 404 W. Richard received a notice stating that the City of Kingsville will hold a meeting on June 26, 2017 where the Commission will recommend for demolition the property stated above. I have plans on repairing the property making it livable and safe for rental or for sale. Unfortunately I haven't been able to repair the property because of not having the financial means to do so as work has been slow this past year. Things are looking better for my job and I plan on starting repairs on my property in the months to come. I am asking for additional time to start repairs and ask the commission to allow for more time to make repairs. Please feel free to contact me at the number or email listed on this email...end of email.

Mrs. Alvarez reported that the prior building official also inspected this property back on October 11, 2012 and notice was sent to Mr. Garza who on November 7, 2012 sent a letter that he intended to repair the property. Photographs from March 2013, March 2015, April 2017, and June 2017 all show that the property is continuing to deteriorate. Photos taken on June 6 show that the roofing has a hole in it as well as holes in the exterior walls and has the doors open as well as missing the electric meter. This property has been without water since January 2006, for eleven (11) years this property has been without water.

Mr. Garza asked how long the current owner has owned the property. Mr. Ginter responded that the current owner has owned the property for about six months.

Commissioner Pena asked who is Mr. Garza. Mr. Ginter commented that Mr. Garza was the previous owner of the property.

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

There being no further comments, Mayor Fugate closed this public hearing at 6:09 P.M.

3. Public hearing regarding condemnation proceeding for structures located at 425 E. Kenedy, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened Public Hearing #3 at 6:09 P.M.

Mr. Ginter reported that he has had no contact with anyone regarding this property.

Mrs. Alvarez commented that the building official has inspected this property. Reports will show that the property is hazardous and unsecured. No water service since April, 2017. The remarks in the appraisal roll state that there is no roof, doors, broken windows and missing flooring and walls. The building official did send the required notices.

Commissioner Lopez asked if this property has had two owners as well.

Mrs. Alvarez responded that it was initially owned by Mrs. Nielson's Estate and obtained by another property owner.

Commissioner Lopez then asked who Anna Alarcon was. Mrs. Alvarez responded that this is also a prior property owner, and they have both received notices.

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

Erica Noell, owner of 425 E. Kenedy, commented that she purchased this property about six months ago. She plans on remodeling the home next year.

Commissioner Garcia commented that the photos in the information packet are from 2015 and very little for 2017. Garcia further asked that with the combination of photos, the conditions remain the same with no improvements.

Mrs. Alvarez reported that there was another inspection done on April 17th. Notice letters went out that same day. Photos are from April 23, 2015 and June 1, 2017. Photos will show that the placard has been placed on the property. This property has had no water service since April 2017.

Commissioner Lopez asked if this owner has been notified.

Mrs. Alvarez responded that notice letters have been sent to her.

Commissioner Lopez asked if notices were sent by certified mail.

Mrs. Alvarez commented that notices are sent certified and regular mail as well as publish a notice in the local newspaper and post placards at the property.

Commissioner Pena asked why the property had water in April.

Ms. Noell commented that she has not had water service at this property.

Commissioner Garcia asked the property owner when she received notification.

Mrs. Noell stated that she was notified by her gardener that there was a notice posted in front of the property on June 1st. He then took a picture of the placard and forwarded it to her.

Mayor Fugate commented that this property owner has had this property for six months and has not done any improvements to the property. Fugate commented that this is something that irritates him because these land owners wait until the last minute to do anything and request for the Commission to give them more time. He commented to the property owner that when she purchased the property six months ago, she should of done some improvements immediately.

Mrs. Noell commented that she tried to level the house and work on the roof but the individual she hired to do the work, took the money and didn't do the work. She paid half and still has the contract with him. She has taken him to court and has filed a police report as well, but the contract states that it has to have an end date. Since the contract only has the start date but no end date, means that the contract is still open. This means that they can come back at any time and finish the project. Therefore, the police cannot do anything before that.

Mayor Fugate asked who she had hired to do the work. Mrs. Noell responded that she hired John Alarcon. She stated that she has taking him to court but unfortunately they weren't able to locate him.

Commissioner Garcia asked that even though she got defrauded, does she have additional funds to continue the repairs.

Mrs. Noell responded that she has someone that will help her in replacing the roof. She will have to pay half and then pay him monthly until full payment is made.

Commissioner Garcia further asked if plans have been submitted to the City with a permit for every requirement.

Mrs. Noell responded that she hasn't done that yet. She was told that most important is leveling the house and redo the roof. The individual that is going to work on the roof will also obtain the permit.

Commissioner Garcia asked staff if there has been a permit pulled for this property.

Mr. Ginter responded that not to his knowledge.

There being no further comments, Mayor Fugate closed this public hearing at 6:19 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, **Emergency Management**,*

*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, **Wastewater Treatment Plant**, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.”*

City Manager, Jesús Garza reported that during tonight's meeting, there will be two presentations made, one on Emergency Management and the other on the Wastewater Treatment Plant. Garza further mentioned that ground breaking will begin tomorrow for the Skate Park. This project should take about three months.

Mr. Garza presented the Employee of the Months Certificates for the months of April and May. The April certificate was awarded to Stephanie Whittington, Administrative Assistant for Public Works and the May certificate was awarded to Corina Gonzales, Administrative Assistant to the Police Chief.

City Attorney, Courtney Alvarez, reported that the next City Commission meeting is scheduled for July 10th with a deadline to submit items for this agenda being on Friday, June 30th.

Mayor Fugate reported that he had received a phone call from Dr. Ugarte, physician for Mr. Leo Villarreal stating that Mr. Villarreal, spokesperson for Victoria Avalos who is requesting a rezone, was admitted into the hospital for medical reasons. Mayor Fugate asked that if there weren't any objections from the City Commission, he is requesting that no action be taken on agenda item #11 (rezone) and it be placed on the next agenda, July 10th. No objections were made by the City Commission.

Mr. Garza commented that before Mr. Mike Shelton of Kimley Horn makes his presentation, he would like to recap on how the City has gotten to this point. Garza stated that back in January 2016, LNV Engineering made a presentation to the City Commission regarding the capacity situation at the South Plant. In this presentation it was communicated to the City that we would need to be looking at options for expansion. Due to TCEQ requirements, that were requiring us to start planning at certain percentages and construction by other percentages. After that meeting the city started exploring different options and through the process several months later, the engineering firm retracted their presentation and provided different figures. At this point, the city decided to get an independent third party opinion on the capacity for the Plant. Garza further commented that over the last year, the city continues to do its due diligence and have explored different options ranging from doing what LNV suggested, which was contract with the engineering firm to ranging meeting with various contracting companies. He mentioned that at one point Schneider gave a presentation in the Spring to the Commission detailing some of their initial assessments. Garza commented that we know something needs to happen but the big questions are when, to what degree. For those answers, staff hired Kimley Horn to do the capacity study for the city, which is what Mr. Mike Shelton will be presenting tonight.

Mr. Mike Shelton of Kimley Horn reported that the South Wastewater Treatment Plant Capacity Report will show what is the current capacity, what corrective actions are recommended, what is the current loading, what is the projected loading, and is expansion required. Some plant history is, original plant is from 1977. Modifications to the plant were done in 1994. The FM 1717 Lift Station is from 2005 and modifications done in 2012. What is the current capacity? Permitted flow 1.0 million gallons per day on annual average. Maximum two hour peak flow 2,756 gpm. A computer model called Biowin looks at the biological chemical physical processes of the plant to rebuild the plant and reverse engineer its design in the computer. Four years of data are taken input all the facts and figures in the computer system, calibrate it and use that to determine a plant is not one thing, a plant is a series of systems that are put together connectively. He's company looked at the lift station, the clarifier, the digester, ultra violet disinfection and the solids handling. From an average flow, there is a limitation in the existing plant in the digesting system. From a peak flow, which is important to the permit, the headworks the lift station and the digester are also limited. Shelton stated that they also took a look at a separate computer model to talk about the in-peaks scenario. There are some limitations with the effluent piping and freeboard in some of the chambers. This is important because if works is done on this Plant it must be brought up to current state code. He summed it up as follows, the current capacity is 1mgd, the hydraulic model shows that there is more than 1mgd available, but because of the digester, the current Plant is limited in terms of its capacity to meet that requirement. Mr. Shelton continued with his power-presentation which consisted of charts/graphs showing infiltration and inflow at the Plant. Mr. Shelton wrapped up his presentation by stating that when it comes to the Texas State requirements on expansion there are two rules, the 75% rule and the 90% rule. At 75% by law the City needs to begin the design for expansion. At 90%, construction needs to be underway. At

this time, as it is seen with taking into account recalibration of the meter, it is seen that the city is at 70% of the permitted flow. Shelton commented that the answer to the question, is expansion required, no, not today. He further commented that the City has a very small amount of capacity. Should the city have more development in the South area, the city will rapidly eat up that capacity and moving on to the requirement to begin design for expansion of this Plant.

Mr. Garza recapped on the presentation. He commented that the southern part of town would be the area for growth. There are a number of factors that may help spur that growth such as the expansion of I-69, the emphasis that staff has with Dick Kleberg Park, corridor of the highway and General Cavazos which will be getting hotels and restaurants. Garza stated that even though the City is at 70% of the permitted flow, it is his recommendation that the City still proceed at looking at options soon. Garza commented that it is important for the City to be proactive and look at options to not only make the operation more modernized and efficient but also make some improvements that will create greater capacity.

Fire Chief Adrian Garcia made a presentation on Emergency Management. Chief Garcia reported that in March 2016, the Emergency Management Coordinator position was assigned to the Fire Chief from the Risk Management Office. In May 2016, Kingsville had a tornado/flooding event which created the following challenges, updating annexes, sheltering, and documentation. Threat assessment was conducted through a four step process: identified 14 threats based on historical and current events, give the threat and hazards context, establish desired outcomes and apply results. Actions that have been taken are as followed: ten annexes have been updated, engaged external stakeholders, Memorandum of Understandings with agencies to improve city wide response, identified personnel positions and training within the EOC, and identified EOC location. The proposed EOC location would be located in the Volunteer Fire Department building (Annex Building). Having a functional EOC will improve effectiveness and efficiency of city staff performing duties prior, during, and after planned and emergency events. Staff will also utilize the Helen Kleberg Groves Community Room for press releases, policy group, and high level city/state/federal leaders. Chief Garcia further mentioned the positions that each staff member would be filling in the case the EOC is to be activated.

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

1. Consider final passage of an ordinance amending Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-120 through 3-3-130, providing for creation of a Main Street Advisory Board, terms for members, meetings, quorum and voting at meetings, removal and vacancy. (Director of Planning and Development Services).

2. Consider final passage of an ordinance amending Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-140 through 3-3-150, providing for creation of a Parks Advisory Board, terms for members, meetings, quorum and voting at meetings, removal and vacancy. (Director of Parks and Recreation).

3. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to increase vehicle maintenance in the Sanitation Division. (City Engineer/Public Works Director).

4. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to increase wastewater utility plant maintenance. (City Engineer/Public Works Director).

5. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget for additional vehicle maintenance in the Fire Department. (City Engineer/Public Works Director).

6. Consider out-of-state travel for Mayor Fugate to go to Washington, D.C. at the end of June or July 2017 on city business. (Mayor Fugate).

7. Consider out-of-state travel to the National League of Cities' City Summit in Charlotte, North Carolina from November 14-19, 2017 for City Commission and staff. (Commissioner Garcia).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider condemnation of structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate commented that this item was on a 90 day extension. He has spoken with family members the last time this item was on the agenda and they needed to show effort in making repairs to this property. Fugate stated that what is different in this situation is that these people have the money to make the necessary repairs and bring it up to code. Fugate stated that after the last meeting he spoke to some of the staff members and when they did their inspection they came across that this property has had no water service for one and a half years and there is human feces on the ground. Fugate further commented that we as a City needs to decide which direction we are going and what kind of a town we want; they have had their chance.

Commissioner Pena commented that he has looked at all the information provided by staff and unfortunately we are looking at two properties one is the back side of the property and the home. In his opinion, the home looks to be livable. This property has a good roof as well. Pena stated that he doesn't see a problem with demolishing the back part but when you look at the home, in his opinion the house still looks good; for this reason he is not able to vote to demolish this property.

Mayor Fugate commented that he appreciates Commissioner Pena's concerns and comments regarding the house but the people he feels sorry for is the neighbors that have to deal with this situation. This property has had no water service for quite a while, and to allow these people to continue to do what they are doing, as a community they can't do this, they have had their opportunity.

Commissioner Pena commented that he doesn't disagree with the Mayor's comments but feels that the structure itself is still livable.

Mrs. Alvarez asked that when the Commission makes a motion, to be clear on the motion as to both structures or only one structure, and if one, which structure would be condemned.

Commissioner Lopez commented that she agrees with Commission Pena regarding the house as still be in good condition and livable, but the structure in the back is what is in bad condition. Lopez further commented that it is difficult to vote on demolishing a structure like this when you go see other structures and they are worse than this one.

Commissioner Pecos commented that he is in favor to demolish the house as the Commission has given this family three opportunities to get this property in order. He doesn't feel that there is anyone here today in favor of saving their home, so he is assuming that they have given up and the Commission needs to do what they have to do, the law is the law. Pecos further commented that we have codes and have to be fair with everyone; the house in the front is looks livable, but if you look on the sides, you can see that the house needs a lot of repairs. After giving them 90 day extension, it clearly shows that they didn't really care to do anything about the property.

Motion made by Commissioner Pecos to condemn the property.

Mrs. Alvarez commented that if his motion was to include the house and the shed.

Commissioner Pecos responded, everything.

Commissioner Pecos continued with his motion.

Motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be correct without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demotion by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Garcia.

Commissioner Garcia asked how long has the city been dealing with this property.

Mr. Garza responded that specifically to the condemnation, it was over a year ago that the most recent condemnation came to Commission, with this, it has been mentioned that they have 90 days, but there was condemnation that came over a year ago, so it has been more than 90 days.

Commissioner Lopez commented that her concern is that someone is living there and has been living there under these conditions.

Mrs. Alvarez commented within violation of the code.

Commissioner Lopez further commented that she understand but he's been living there and she can't do that and this is her opinion.

Mrs. Alvarez asked if there was proof that he was living in the house or living in the RV that is illegally on the property.

Commissioner Lopez commented that he is living in the house.

Commissioner Garcia commented that even if a person is living in the house, you have to have water and electricity. It is unhealthy to be living like this and as they Mayor alluded to the neighbors have been dealing with this for a number of years, this didn't happen overnight.

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

9. Consider condemnation of structures located at 404 W. Richard, Kingsville, Texas. (Director of Planning & Development Services).

Mr. Garza commented that this property had new ownership within a year and to reiterate Mr. Ginter's point, the owner did reach out stating that he was not able to make it in today and is requesting additional time.

Commissioner Pecos asked if this property had a current owner.

Mr. Garza commented that as he was briefed, this property owner has had this property for less than a year. Even though the violation letters date longer than that, the specific owner was not the original owner when these notices were mailed.

Commissioner Lopez asked if permits have been pulled for this property.

Mr. Ginter commented that no permits have been pulled.

Commissioner Lopez asked if the owner has owned this property for six months.

Mr. Ginter responded that the owner took ownership of the property about a year ago May 2016.

Mayor Fugate asked Mrs. Alvarez if this was the second time this property has come to the Commission, with a previous owner.

Mrs. Alvarez responded that it is the first time with this owner, but it did come up with a prior owner.

Commissioner Garcia asked if any building permits have been obtained.

Mr. Ginter responded that his guess is that he is waiting for the Commission's decision, but no permits have been obtained.

Mayor Fugate commented that the citizens need to understand that it's the wrong message you send to this Commission. Citizens need to show the Commission that they are trying to do something with their property and to wait to see what the Commission decides to do, is wrong.

Commissioner Lopez asked if the property owner just recently contacted staff regarding this property and no other contact had been made prior. Mr. Ginter responded no other contact was made prior. Lopez further asked how many letters are sent to the property owners before bringing the item to the Commission. Mr. Ginter responded that there is

a letter sent certified, one sent by regular mail, a placard is placed on the property and notice is published in the local newspaper.

Mr. Garza commented that he is inclined to recommend an extension.

Motion made by Commissioner Lopez to give an extension of 90 days to the property owner, seconded by Commissioner Garcia.

Commissioner Pecos commented that he doesn't feel that the property owner will be able to repair this property in 90 days.

Mayor Fugate commented that he understands that it cannot be done in 90 days, but what the Commission is looking for is action. Someone needs to tell this property owner that the worse thing he can do is to wait and see what the Commission's decision will be.

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

10. Consider condemnation of structures located at 425 E. Kenedy, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate commented that he is sorry that this property owner was taken advantage by these contractors and he hopes that the contractor that his assisting the property owner now is going to treat her right.

Motion made by Commissioner Pena to extend this condemnation for 90 days, seconded by Commissioner Lopez.

Commissioner Garcia asked the property owner if she stated earlier that work would begin in a year.

Ms. Noell responded that work would begin in six months.

Commissioner Garcia requested that the motion be amended to extend for six months instead of 90 days.

Commissioner Pena amended his motion to six month extension, seconded by Commissioner Lopez. The motion was passed and approved by the following vote; Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

11. Consider final passage of an ordinance amending the zoning ordinance by changing the zoning in reference to KT&I Co., Block 7, Lot W/23, Pt 4, 31.55 acres, also known as area behind 221 W. Sage Road from R1-Single Family to AG-Agriculture District, applicant Victoria Avalos. (Director of Planning and Development Services).

No discussion or action taken.

12. Consider a resolution authorizing participation in and acceptance of funds from the 2018 Operation Border Star Program with the Homeland Security Grants Division of the Governor's Office for Local Board Security to interdict criminal activity with no anticipated cash match, authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

Motion made by Commissioner Pena to approve this resolution authorizing participation in and acceptance of funds from the 2018 Operation Border Star Program with the Homeland Security Grants Division of the Governor's Office for Local Board Security to interdict criminal activity with no anticipated cash match, authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Lopez and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

13. Consider a resolution authorizing the Mayor to execute an Agreement for Payment In Lieu of Taxes (PILOT) between the City of Kingsville and the Housing Authority of the City of Kingsville. (City Manager).

Motion made by Commissioner Garcia to approve this resolution authorizing the Mayor to execute an Agreement for Payment In Lieu of Taxes (PILOT) between the City of Kingsville and the Housing Authority of the City of Kingsville, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

14. Consider appointment of members (Frank Benvenuto, Chris Mahr, Jeff Chavez, Dyan Lopez Garza, Michelle Spearman, and Gloria Bigger Cantu) to the

Main Street Advisory Board for two-year terms. (Director of Planning & Development Services).

Motion made by Commissioner Garcia to approve the appointment of members (Frank Benvenuto, Chris Mahr, Jeff Chavez, Dyan Lopez Garza, Michelle Spearman, and Gloria Bigger Cantu) to the Main Street Advisory Board for two-year terms, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

15. Consider a change order to increase the scope of work for the Concrete Pavement Improvement Project Phase VI. (Capital Projects Manager).

Capital Improvements Manager, Sharam Santillan, commented that this item authorizes the approval of a change order to the Concrete Pavement Improvement Project Phase VI that consists of additional work added to the project scope. On January 26, 2017, the City of Kingsville awarded the Concrete Pavement Improvement Project Phase VI contract to E-Tech Construction, Inc. in the amount of \$178,445.50. The project consists of the construction of concrete pavement at the 4th St and Richard Ave intersection, behind the Kleberg drive-in bank on W. Kenedy Ave and on 10th St and Yoakum Ave by Fire Station #1. The original project scope for improvements near Fire Station #1 consisted of a sixty-foot concrete street section on Yoakum Ave that encompasses the two bays for the fire engines. This change order will allow the concrete-street section to be extended ten feet which will then encompass the third bay for the EMS engine. This change order also includes improvements to the driveway at fire station #1 to allow storm water to drain properly as well as sidewalk that was not able to be salvaged during construction due to the condition that it was in. The financial impact is an addition of \$39,100.00 for a total revised project price of \$217,545.50.

Motion made by Commissioner Lopez to approve a change order to increase the scope of work for the Concrete Pavement Improvement Project Phase VI, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

16. Consider accepting donation from the South Texas Specialized Crimes and Narcotics Task Force in the amount of \$2,500 for the Parks & Recreation Department healthy/anti-drug programming. (Parks & Recreation Director).

Motion made by Commissioner Garcia to accept donation from the South Texas Specialized Crimes and Narcotics Task Force in the amount of \$2,500 for the Parks & Recreation Department healthy/anti-drug programming, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

17. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend donation from the Task Force for the Parks Department. (Parks & Recreation Director).

Introduction item.

18. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to create a contingency fund for an investment grade audit. (City Manager).

Introduction item.

19. Consider authorizing acquisition of mowers for Golf Course via BuyBoard and a resolution authorizing the City Manager to enter into a Master Equipment Lease-Purchase Agreement and related documents for mowing equipment for the Golf Course. (Parks & Rec Director).

Mr. Jason Alfaro, Parks & Recreation Director stated that this item authorizes the trade-in of one 322 Eclipse Johnson Hybrid Greens Mower to be replaced by two Jacobson Four Hydraulic driven Greens Mower attachments. Alfaro gave a quick background on the equipment. He stated that the City of Kingsville Golf Course used the Jacobson 322 Eclipse Johnson Hybrid Greens Mower from C&M Golf Equipment. The Eclipse has not been functioning properly due to specific mechanical needs. Service calls and warranty issues has had C&M come by and pick up the unit and taking it to San Antonio. This left the Golf Course facility without a greens mower for two weeks. The financial impact on the city is the current payment of \$2,289.63 and that will be reduced to \$1,990.49 per month for a six year term.

Motion made by Commissioner Pena to authorizing acquisition of mowers for Golf Course via BuyBoard and a resolution authorizing the City Manager to enter into a Master Equipment Lease-Purchase Agreement and related documents for mowing equipment for the Golf Course, seconded by Commissioner Lopez.

Mayor Fugate asked when the equipment will be delivered.

Golf Course Manager, Richard Flores stated that paperwork will be submitted the next day and should be delivering by the end of this week.


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

20. 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).

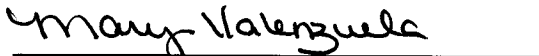
Executive Session not needed.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:35 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary