

AUGUST 28, 2017

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 28, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Al Garcia, Commissioner
Noel Pena, 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
Diana Gonzales, Human Resources Director
Sharam Santillan, Capital Projects Manager
Kyle Benson, IT Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Derek Williams, Systems Specialist
David Solis, Risk Manager
Adrian Garcia, Fire Chief
Leo Alarcon, Tourism Director
Deborah Balli, Finance Director
Susan Ivy, Parks Manager
Jennifer Bernal, Community Appearance Supervisor
Charlie Sosa, Purchasing Manager

I. Preliminary Proceedings.

OPEN MEETING

CONVENE INTO BUDGET WORKSHOP:

Review and discuss proposed fiscal year 2017-2018 budget for departments of the City of Kingsville. (City Manager).

Mr. Jesús Garza, City Manager commented that today staff will continue today's budget workshop with a discussion on the quality of life.

Community Appearance/Recycling Center

Mrs. Jennifer Bernal, Community Appearance Supervisor reported that a merger of the Recycling Center with Community Appearance, which is a step towards efficiency. A notable change is the conversion of Recycling Technician to Equipment Operator I. In the past five years staff has seen an increase in abatements. The reclassification of the Recycling Technician to Equipment Operator I, now will allow for more flexibility between all three operators. It is expected to see a reduction in turnaround time of when a work order is created to the actual abatement. Mrs. Bernal went on further in showing the City Commission some picture of abatements that staff has already worked. Bernal reported that there are 115 properties that her staff is maintaining at this time, of those 115 properties 10 belong to the trustees. When staff is pulled from the Recycling Center to assist in the maintaining of these properties, the Recycling Center is not closed as it is open 24/7 due to having the cage where citizens can still make their drop offs. Bernal mentioned the Love your Block Program, which is a new pilot program to Revitalizing our Neighborhoods. This is an initiative to assist low income citizens in minor home repairs, to include painting, siding replacement, handicap access, minor fence repair, possible roof repair. This initiative will be presented to citizens as a call to revitalize their community. It will involve various groups, clubs, and organizations. It will also partner with local businesses and raise the volunteer spirit from our local College Campuses. A goal of 8-10 homes in the first year is set for this initiative. Search for additional funding through grants to increase goal annually and develop partnerships with local groups and business to sponsor. Bernal further discussed the Dangerous Building Abatement Program. She stated that this program has fallen a little behind due to issues with the landfill. Staff will continue to work with the Building Official in getting these properties back on track. Action that will be taken in doing this is increase advertisement of this program. Work with citizens for voluntary demolition of their dilapidated structure. The advantages to the program are the property owner makes the request, there is interest on their part to eliminate the safety hazard. The time period for the property to be taken care of is shorter. Experience has shown that demolitions are accomplished in a shorter period of time. Bernal at this time showed pictures of some of the demolitions that have occurred in the past.

Mayor Fugate stated that it is his understanding that there is some problem with some equipment at landfill which is the reason some of these properties have not been demolished.

Mr. Garza responded that the compactor at the landfill has been down and part of the reason it has been taking a while is because staff has been dealing with the manufacturer and with the company that the compactor was purchased from. Staff is trying to figure out who is responsible for the repairs of the compactor.

Mrs. Bernal commented that the city has an agreement with Killean Calderon Disposal of Corpus Christi who is ready to bring out cans.

Mr. Garza commented that for the pilot program that was mentioned by Mrs. Bernal has a budget of \$20,000 for the new year.

Mayor Fugate asked that in Professional Services line item, this is money that staff is going to be using to rehabilitate homes in Kingsville.

Mr. Garza responded that this was correct. This is under professional services as it was the best category to place it under but there is still a lot of specifics to be figured out. Staff will have more detailed conversations in the Fall establishing guidelines, parameters, and the requirements. These are things that still need to be figured out. As for now, staff is locating the funds for it and introducing the idea to everyone as staff fine tunes the details.

Mayor Fugate commented that there is an ordinance in place that states the city will share expenses with landowners if they want to rehabilitate their properties.

Mrs. Alvarez commented that there might have been a program several years back with regards to properties. Although she feels that it was done by resolution and not by an ordinance.

Mr. Garza further commented that the contribution to Keep Kingsville Beautiful remains at \$10,000 which is the same amount as last year. Garza stated that Mrs. Bernal has been working with the group on working towards formalizing that entity into its own non-profit organization. This would come with big benefits for the city as there a lot of grants that can be applied by only non-profit organizations.

Mayor Fugate commented that he has noticed within the budget and increase in salaries and wages.

Mr. Garza responded that this increase is due to the restructure of the Recycling Technician from the Sanitation Division to the Recycling Division. This restructure occurred after Mr. Luke Stevens vacated the position, the duties were separated amongst two departments, Landfill and Recycling Divisions.

Mayor Fugate stated that he was under the impression that staff was doing away with this position.

Mr. Garza commented that he has restructured it and now rather than there being two equipment operator 1's and a recycling tech, there are three operator 1's. This gives the Recycling Center the flexibility cause during peak times, Mrs. Bernal needs that third person. This will give her the flexibility to be able to pull that operator one from the Recycling Center. Garza commented that the Recycling Technician position is still in the compensation plan, but not being funded.

Commissioner Garcia commented that the boundaries of Kingsville is only so much. He stated that he can personally drive up and down the street and identify a lot of properties and write down the addresses. He asked Mrs. Bernal if her department has done this already.

Mrs. Bernal responded that as she had mentioned earlier during her presentation, they have 115 properties to maintain more than twice a year. Ten of these properties belong to the trustees which will always be maintained by her staff. Bernal stated that her staff has been doing a lot of placarding and door hangers to get voluntary compliance from the property owner. Staff also depends on the public when they call to file complaints on properties. When a complaint is made, staff does not only focus on that particular property, staff will check the entire block and alley for any other violations.

Commissioner Garcia asked if there was a list of those properties. Mrs. Bernal responded yes.

Mayor Fugate commented that in the past the City Commission would receive a list of properties that had code enforcement violations.

Mrs. Bernal commented that this list was time consuming to put the list together. A lot of it now is not only junk and debris anymore, a lot of it is high grass and abandoned properties.

Commissioner Lopez commented that if maybe if the City Commission would receive a monthly report as they use to receive in the past from the City Manager it would be very helpful.

Mr. Garza commented that this report is very time consuming so he is not planning on doing that, but staff can look at, specific for the properties, doing something to that effect, but not for every department.

Commissioner Lopez commented that this report is done by staff and the City Manager puts it together and then send it out to the City Commission. This will give the Commission information on what is going on and staff will have less presentations to make.

Commissioner Garcia asked that with the city maintain 115 lots, is the city working with property owners to see if they would like to sale their lots. It would probably benefit the city to start a program so that we don't have to maintain these properties forever.

Mr. Garza commented that staff can give this some thought and see where it ends up at.

Library Department

Mr. Robert Rodriguez, Library Director stated that Ms. Linda Miller, Technology Librarian will present an overview of the Library Department.

Ms. Linda Miller reported that the mission for the department is to serve the residents of Kleberg County and neighboring communities, as a vital center, providing resources and services that enhance and contribute to an individual's knowledge, enlightenment, and enjoyment. The library changes lives through the transformative power of information, imagination, and ideas. The Library is a City-County Library Department. The library houses more than 50,000 items for leisure and research use. The library has over 32,000 registered patrons and circulates over 33,000 items annually. The library averages approximately 45,000 visits a year as of 2016. The library offers print and digital resources. The library offers print and digital resources. These services include e-books, audiobooks, databases, streaming movies, free high-speed internet, Wi-Fi Internet access, Wi-Fi printing, computer labs, including a Makerspace lab, an employment resource and testing center, public printers, and a typewriter. Over 6,500 patrons engage in the library's author lectures and book signing events, summer reading and activities programs, toddler story times and other special events. In 2016, approximately 20,000 patrons utilized these resources. Some of the children's services are toddler story time which is on Thursdays. The summer program was a great success with the highest attendance ever of over 102 children attending. The Library also provides digital services such as lego bots and books program for children 7 to 14, Microsoft excel training for adults and Texshare, Mango languages and learning express. Accomplishments for 2016, added a 3D printer at the Maker's Space, constructed a new staff break room, purchased printers for patron checkout items, purchased barcode duplicators for book information and patron library card. The library also upgraded internet service from 16mb (DSL) to 100 mb (fiber) through e-rate going through Spectrum. The library is working with the City of Kingsville IT Department for networking cabling, network equipment, Wi-Fi access points, and domain controller. Future goals are upgrade patron library cards, online digital patron services, and VoIP Telephone System.

Mr. Rodriguez commented that the budget for the Library Department for fiscal year 2017-2018 is the same as last year. Only vital necessities for daily operations have been increased. The Library Board has reviewed the budget and is requesting the City Commission approve the budget as presented.

Mayor Fugate asked that under the line item for education, it show that \$8,000 will be spent in library books, and asked if this was enough.

Mr. Rodriguez responded yes, as the library is going to designate more monies towards the purchase of e-books.

Commissioner Garcia asked how extensive is the e-books library. Mr. Rodriguez responded that they currently have about 5000. Garcia further asked about DSL at the library and the cost to bring the Library up to speed.

Ms. Miller commented that the Library just received e-rate which is in service now. The government pays 80% and the Library pays 20%, which is cheaper than paying for DSL, considering what the government is putting in.

Health Department

Mr. Emilio Garcia, Health Director reported that the Health Departments mission is to protect safety, health and well-being of our citizens, enhance the quality of life and promote an environmentally safe community for residents of Kingsville and Kleberg County. The City-County Health Department provides animal control protection and investigations for the City of Kingsville and Kleberg County. The department is responsible for investigations and follow-up investigations for animal bites, animal cruelty and cases, food establishment inspections and complaints and onsite sewage facilities inspections and complaints. The Health Department responds to call for loose and stray animals/livestock, dog bites and cruelty cases. The Health Department also

provides adult mosquito spraying and larvicide and supportive services to all department for vector control bee abatements. The department accomplishments for fiscal year 16-17; placed metal doors with frames at the Animal Control Center; constructed 10 outside dog bay kennels on the southside of the animal shelter; and purchased equipment for our animal control division. The department goals for 17-18 are replace 4 metal doors with frames at the Animal Control Center of which the cost is \$2,100 each; expedite CO funds (\$25,000) for Health Department; continue working with 501(c)3 Rescue Groups; and continue providing superior service. The department goals and objectives is to provide the highest level of service and protection to the citizens of Kingsville and Kleberg County; ensure that our animal control specialists and health inspectors respond to complain with respect, dignity and on a timely manner; and implement high-standards for training for all employees. Garcia reported that as for their performance measures are good with less dogs and cats being euthanized due to more rescues or adoptions. Number of euthanized for fiscal year 2016-2017 is lower than other years. Garcia showed photos of some of the improvements made at the Health Department. The Health Department fees, there are fees for animal control which were approved in 2015.

Mr. Garza stated that within the animal fees and impoundment fees there are no changes being requested. These two fees are established by city ordinance and generate revenue of about \$35,000 per year, which is money that goes to the County.

Mayor Fugate commented that he was under the understanding that this had been corrected.

Mr. Garza responded no. He stated that in the past he has mentioned that the Health and Library Departments are not a 50/50 split with the County. He has also made comments that agreements with the County need to be updated as they are very old agreements. The way these two departments are operating now, are not consistent with the agreements. The agreement that the city has with the county regarding the Health Department fees states that we stipulate these fees stay with the city, as they should as they are city fees past by city ordinance. In doing research it was known that the city stopped receiving these fees in 1990. Garza stated that staff has not made a huge effort in changing this, as it is not the city's intent to cause major disruption with the County operations. As staff will move forward in modernizing these agreements, it is important to make the Commission aware of what has been going on for the past few years.

Mayor Fugate commented that whatever amount is collected from these fees should go back into the department, and both the City and County can benefit from this.

Commissioner Garcia asked if this transfer happened since 1990. Mr. Garza responded that it happened around that timeframe. He stated that staff did some research and that is what it showed. Garcia further asked if there was any ordinance or anything in writing stating that they received these funds. Mr. Garza commented that staff did not locate any information stating just that. Both entities did research to see they could find anything, but both entities found no information. Garcia asked is this money transferred monthly. Mr. Garza stated that they get it daily.

Mr. Garcia commented that the Health Department deposits this money to the County Treasures office every Friday by 3:00 P.M.

Commissioner Pena commented that the city hasn't relied on this money since 1990, in spirit of cooperation maybe it's just something that needs to be left alone.

Mr. Garza commented that this is why staff hasn't proceeded with it as the city has operated this way for a long time. Staff would rather wait until the negotiations for new contracts comes up with the County.

Commissioner Garcia commented that it brings up another question, it hasn't been caught in an audit in all these years.

Mr. Garza responded that the role of an audit is not necessarily to go back and check every single agreement that the city may have. Garza continued to state that restaurant inspection fees within the city limits belong to the City.

Mayor Fugate asked about the increase on overtime. Mr. Garza commented that reason for this is that currently the Health Department does several things that require overtime, such as having the first Saturday of the month for pet adoptions. Mayor Fugate also questioned the supply line item going from \$1,100 to \$4,300.

Mr. Garcia responded that this line item was reduced from \$4,300 to \$1,100. He stated that he made a comment that he would prefer to get a reduction in other areas and leave the \$4,300 in supplies as it takes a lot of money to do some of the cleaning and maintenance to the animal shelter and the area offices.

Mayor Fugate stated that he understands this, but the line item shows that the expected is \$1,100 this year and requesting \$4,300 therefore he is wondering why.

Mr. Garcia commented to Mrs. Deborah Balli, Finance Director if this was possibly reversed.

Commissioner Pena asked if there was a reduction on a certain year.

Mr. Garcia responded no. He stated that this past year they were going to \$4,300 from \$1,100. He stated that he had a conversation with Mrs. Balli and asked that instead of taking so much money from his supply line item he would like for the reduction to be taken in other line items. A reduction of \$3,000 was taking from other line items and an increase was made in to the supply line item.

Mayor Fugate commented that this is not shown on the budget that has been presented. What is shows is the expected is \$1,100 this year.

Mrs. Balli commented that one of the reasons that things might look a little different is because this year, staff took the department year end reduction. At the bottom of everybody's budget it shows how much yearend reduction staff took, so for the Health Department it was \$37,000.00. Balli commented that we can't put that back to the specific line items yet, because if it is place back into the actual budgets it will give people the opportunity to spend it. This might skew the line items from the prior year because she had to take those budget dollars out of those line items. The 2017 budget may have been more, but she took the yearend reductions.

Commissioner Pena asked if this budget is not reflecting the adopted amount that was done two years ago.

Mrs. Balli responded that the total budget is, but not the specific line items. She stated that this money could not be placed back in there as it would allow the expenditure be made which is why she took out in the first place.

Mayor Fugate commented that he is having a hard time understanding what she is saying. He commented that there was \$37,000 left over for this year.

Mrs. Balli commented that staff removed \$37,000 from specific line items for the budget year that we are in currently so that it wouldn't be spent for this department.

Mayor Fugate commented that \$37,000 was taken out for this year and will be place back into the budget for next year.

Mrs. Balli commented that it was just budget reductions for this fiscal year.

Mayor Fugate asked why this money just doesn't go into the general fund or reserves.

Mr. Garza responded that it is. Money was taking from departments and was locked in to help balance the budget for next year. This \$37,000 was taking, placed into fund balance in order to be able to balance the budget for the new year. Through this process, staff is reallocating funds throughout.

Mayor Fugate commented that in the thirteen years he's been with the Commission, he has never seen it done like this and further commented that the money that is leftover goes into the reserves.

Mrs. Balli responded that it does. Mayor Fugate commented back that it is not staying there, it's going back into these budgets.

Mr. Garza responded that this was correct, but it's no different from when there is money leftover at the end of the year and carries over to fund balance. He stated that there is no such thing as when you talk about fund balance, this is just a percentage of money that is left in the operating funds, it is not a separate account or where you take money to place it somewhere else. Any savings that is made goes toward the fund balance.

Mayor Fugate asked that the \$4,300 that is listed on the budget for the Health Department is not a true number.

Mrs. Balli responded that this was a request by the Health Director to place this amount in the supply line item and reduce other line items.

Mr. Garza commented that the number that is confusing is the number under 2017 total budget here. The number under total budget is different than the 2017 adopted budget.

Mrs. Balli commented that the \$1,100, as she doesn't have the information what the \$37,000 equates to, it could have been that the 2017 number was actually \$2,300 or \$2,400 or something. It wouldn't look like there is such a big increase from 2017 to 2018.

Commissioner Lopez commented that staff did not give the Commission true numbers on the total budget for 2017. Lopez further commented that if staff took money from there that wasn't what they were approved last year.

Mrs. Balli responded that they can't put it back yet, because if they put it back that will open it up to be spent.

Mayor Fugate commented that understands this part. Every year every City Manager that he has worked with has done this where at the end of the year, they cut spending and hiring down to ration money. Fugate stated that with monies that were not spent, it gets sent to the reserves and stays in the reserves. Fugate commented that what staff is doing this year is that they are placing the money into the reserves but then pulling out from the reserves to go into next year's budget. Fugate stated that he has been noticing on all departments that have discussed up until now. It was his understanding that everyone was going to take a 3 to 8% cut, but if you look at all the departmental budgets, they all show increases in them. Fugate stated that he is having a hard time understanding this.

Mr. Garza commented that what he thinks would help is if staff took these numbers and only have two columns showing the 2017 adopted and 2018 proposed. This may help clear up some of the confusion that is going on with these numbers.

Mrs. Balli commented that the Health Department original adopted budget is \$340,751.00 adopted budget for Health. The 2018 City Manager's proposed budget is \$345,766.00. The difference between last year's overall budget and this year's proposed budget is \$5,000 total. The budget also details where the difference came from. Personnel had an added increase of \$8,475.00 which was due to anniversary increases and health care cost increases. In Operations, there was a decrease of \$3,460.00 due to training and travel increase and one-time budget reductions for next year. She further stated that if the Commission looks at it line by line there will be movement because we move money from one place to another and did the lock down of actual budget this year where she moved it physically out of their line item budget so that it could not be spent.

Several Commission members commented that they would like to see the actual numbers that were adopted last year and those numbers that are being proposed for the new fiscal year.

Mayor Fugate commented that past City Managers did not have to move money into a lock down, they would just order that this money not be spent.

Kingsville Police Department

Mr. Ricardo Torres, Chief of Police reported that one thing they are teaching in law enforcement is blue courage. Blue courage is a way of being a philosophy that inspires one to embody the nobles of character and unquestioned devotion. It is to flourish in all aspects of life to act with practical wisdom to execute vitality on part of human connections. He commented that when they contact the citizens they touch base on the three corner stones of effective citizens contacts which are courtesy, professionalism, and respect. Chief Torres went on to discuss his department budget. In the administration budget shows an increase in computers & assoc. of \$7,200 which is for Nixel. Professional services has an increase of \$1,500 for testing. Training & Travel has gone up by \$4,000 for leadership training for executive personnel. In the Patrol Division, there is a decrease of \$2,000 for vehicle maintenance and \$3,000 for laundry. Communication Bureau, there is a reduction of \$7,400 in Communications and an increase of \$1,200 for operating leases such as copiers. Criminal Investigative Division shows an increase of \$1,000 for supplies, \$3,000 increase for printing & publishing. Medical treatment has a reduction of \$1,500 and operating leases has a reduction of \$3,000. Support Services has an increase of \$3,000 for guns and ammo. Utilities has a reduction of \$9,000 and equipment maintenance has a reduction of \$4,440.

Commissioner Garcia asked why utilities has a reduction of \$9,000. Chief Torres responded that utilities are calculated by the Finance Department.

Mrs. Balli commented that the reason for the reduction in most line items for utilities is due to a large rate reduction for next year.

Mayor Fugate asked why the change under budget highlights for Patrol there is a change of \$294,043.00.

Mr. Garza stated that over the last several years the overtime for the Police Department had been funded through Chapter 59 funds. This year in this budget, it will be funded out of the general fund.

Chief Torres state that Chapter 59 fund has funded \$1.5 million dollars over the last 10 to 12 years.

Commissioner Lopez asked that if the \$24,352.00 total budget from 217, is that the actual from last year, that was all that was budgeted? Chief Torres responded that this amount was correct. He further commented that they have steadily have not been funded anything for overtime for many years. Torres commented that Stonegarden for this coming year, they will get \$194,000 plus \$75,000 from Border Star. Torres commented that they have been working Stonegarden and Border Star for over ten years. He commented that his staff is tired, they are working many hours for many days.

Commissioner Pena asked that with reference to the jail contract, the county increased the rates is the city looking at the same amount across the last 3 to 4 years.

Chief Torres responded that although the rate went up, it decreased the number of beds which we are paying less this year. There should be a saving of about \$30,000 for the year. Torres continued on with the departmental budget. The warrant officer was formerly funded under 1804 under Finance/Municipal Court. Chapter 59 is used for education materials and donations to non-profit organizations. Torres stated that the \$110,000 that is normally used for overtime, will be used to build a fitness facility, which will be opened to all city employees. Torres commented on Chapter 59 and federal totals are \$2,557,626.23 as of last month's bank statement. This amount still includes monies that need to be paid back to the city. Impress funds has a total of \$30,000.00. Torres went on and spoke about the department accomplishments. He spoke about the X1 Camera, of which he has 35 out in the field. He stated that on the field there are body worn cameras and vehicle dash cameras. He stated that Nixle is a great tool to get information out to the citizens. Torres further commented on storm sentry 12 tornado warning siren system which is up and running. Siren locations are at Armstrong & Kenedy, 17th & Lee, 600 E. Trant Road, and 2400 E. Senator Truan Blvd. All sirens are in working conditions. Torres commented that violent crime in our city has gone down over the last couple of years.

Mayor Fugate called for a break at 5:35 P.M.

REGULAR MEETING RESUMES AT 6:00 P.M.

Mayor Fugate reconvened the meeting into regular session at 6:04 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)

None.

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

1. Public Hearing on a proposed tax rate increase from \$.84220 to \$.88681 for Fiscal Year 2017-2018. (Finance Director).

Mayor Fugate announced and opened this public hearing at 6:07 p.m.

Mrs. Balli reported that city's proposed tax rate for next year is \$.88681 per \$100, the preceding years tax rate was \$.84220, which is what the budget is built on. The effective tax rate is \$.84229 and the roll back tax rate is \$.88682. The proposed rate is the rate that is proposed as we always give our self some room to work with which is always set right at the roll back rate.

Mrs. Alvarez read a public statement that read, this is the first hearing for the tax rate, the second public hearing on the tax rate will take place on September 5th at a special City Commissioner meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas. The vote to adopt the City of Kingsville's 2017-2018 fiscal year tax rate will take place on September 11, 2017 at a City Commission meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas.

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 6:10 P.M.

2. Public hearing regarding condemnation proceeding for structures (house & garage) located at 702 W. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:10 p.m.

Mrs. Carolyn Franklin owner of 702 W. Henrietta asked for an extension on this property as she has hired a contractor to start repairs which will be started in 3 to 4 weeks.

Mrs. Gloria Bigger Cantu, 725 W. Henrietta commented that this property was a beautiful home but unfortunately the home has been neglected. She feels that this property is a safety and health issue and has been like this for several years. She is asking that the Commission to do the right thing.

Mr. Tom Ginter stated that there are two structures on this property, house and garage. Feedback has been received to save the home and condemn the garage. The report shows that the condition for each structure has been provided to the Commission.

Daniel Ramirez, Building Official commented that there haven't been any improvements to this property. Property has lots of debris inside the property. The property is in a big state of disrepair.

Mayor Fugate asked if staff was able to go into the house.

Mr. Ramirez stated that they attempted to go in but was unable to as there was a lot of debris in the house as well as having beehives and wasp nest.

Commissioner Lopez asked if the property owner has submitted for permits or anything as the property owner just mentioned that she has hired a contractor.

Mr. Ramirez responded no.

Commissioner Lopez asked how long has this been going on.

Mr. Ramirez responded that he has been with the city for nine years and four months and he hasn't seen any changes at all. The property has had no water service since January 2015.

Commissioner Garcia asked about the services to the house and when were they turned off.

Mr. Ramirez commented that he isn't sure when other services to the house were turned off, but water service was turned off January 2015.

Commissioner Garcia asked how many notices have been sent to this property in the past years.

Mr. Ramirez responded that he is only aware of three notices with no response.

Commissioner Garcia asked that in the nine years Mr. Ramirez has been with the city, only three notices have been sent.

Mr. Ramirez responded yes. Commissioner Garcia asked if there was any response. Mr. Ramirez responded no, until this last one. Commissioner Garcia asked Mr. Ramirez what kind of response he received.

Mr. Ginter commented that prior to moving into the new building, staff did receive one sentence, which has been provided to the Commission in their agenda packet, but never heard anything else.

Mr. Ricardo Vega, 805 W. Kleberg commented that he knows the original owner of the property. As far as going to the house and inspecting it, the house needs some work. He is not aware what the inside looks like. Property has no power, the plumbing has copper tubing and the outside of the property needs some repair. Vega further stated that the structure is more valuable then it will be worth for the city to demolish it. This his property has been valued at \$97,000. Taxes for this property are \$3,000. If the city demolish the property, the other surrounding areas will see an empty lot there. He commented that Mr. Sharp was turned down and he has attempted to purchase the property but was turned down. City pays more to clean the property which pays more than its worth. He stated that equipment used by the city is paid for by the taxpayers.

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 6:20 P.M.

3. Public hearing regarding rezone of KT&I Co., Block 22, Lots 3 & 4, 1.15 acres, also known as area South of Chili's Restaurant on US77 Southbound Frontage Road from AG-Agriculture District to C2-Retail District, application of Carol Lagutchik for Brazos de Santos Partners, Ltd., application on behalf of Paul M. West, owner. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:20 p.m.

Mr. Ginter commented that Brazos de Santos Partners, Ltd., has submitted a request to rezone 1.15 acres out of block 22, lots 3 and 4 from agricultural to C2. The reason for the request is that the proposed project is a fast food restaurant with a drive thru. The Planning & Zoning Commission has approved this item unanimously with a 5-0 vote for the rezone.

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 6:24 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, SEP, Legislative Update, 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."*

Mr. Garza commented that the although it's been highlighted to speak about street updates, but staff will report on during tomorrow's special meeting, when the discussion of street infrastructure is discussed. Garza further presented a certificate to Edward Longoria for employee of the month for the month of July 2017. Mr. Garza talked about the Hurricane Harvey which missed Kingsville. He further thanked staff for all their assistance during the preparation for the storm. Garza further reported that the Health Department will begin spraying for mosquitos beginning on Wednesday. Public Works will begin a pothole blitz on Wednesday as well.

Mayor Fugate commented that he was present for a lot of the meetings with staff in preparation for the hurricane. He commented that he feels for the Mayor of Houston as they received 50 inches of rain in that area.

Mr. Garza thanked Kleberg County for their assistance on the shelter. There was constant communication between both entities.

Mrs. Alvarez reported that the household hazardous waste collection has been reset for later date which will be announced at a later date. She further reminded the Commission about the following two special city commission meetings. Alvarez reported that the public hearing on the tax rate, the City Commission will have a special meeting on September 5th at 6:00 p.m.; in this meeting will be a second public hearing on the tax rate as well as a public hearing on the budget. She further updated that Commission on several new State Laws that will be taking effect on September 1st. One new law is the no texting while you are driving. This means that anywhere you are in the State of Texas, you are not to be texting and driving. This statue does not nullify all of the various cities within the State that currently have ordinance like ours. This means that you cannot talk or text while operating a motor vehicle.

IV. Public Comment on Agenda Items.³

1. Comments on all agenda and non-agenda items.
No 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 and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

1. **Motion to approve out-of-state travel for the Parks & Recreation Director to attend the 2017 International Society of Arboriculture Leadership Workshop in Champaign, Illinois from October 2-5, 2017, with travel paid by state and international arboriculture associations. (Parks & Recreation Director).**
2. **Motion to approve reappointment of Historical Development Board members Lupita Perez and Sandra Rexroat, each to three year terms. (Downtown Manager).**
3. **Motion to approve expending funds from the City of Kingsville Employee Benefit Plan Trust for the 2017 City Health Fair (for employees and eligible dependents). (Human Resources Director).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. **Items for consideration by Commissioners.⁴**

4. **Consider condemnation of structures (house & garage) located at 702 W. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).**

Commissioner Lopez asked if the property was paid up to date on the taxes.

Mayor Fugate commented that this is a nice neighborhood and this structure has stood out for many years. Fugate stated that it is very frustrating to him to see a property that belongs to an owner that has the means of repairing the property but don't. There are times that the City Commission hears from citizens that don't have the means to repair their properties and have good intentions but are not able to. With all the staff that needs to go out of their way and spend so much time to evaluate a property is frustrating. With the comments from Mr. Vega regarding copper piping concerns him. It is the custom of this Commission to give the property owners an opportunity when they come up and ask for it. Mayor Fugate commented that with given others additional time, he understands if the Commission decides to give more time to this property, as it would save what he considers a historical home. But the owner needs to understand, that if additional time is granted, permits must be pulled and property must be cleaned.

Commissioner Pecos thanked staff for doing a great job. It is unfortunate that this home has been neglected for so long. In the past the City Commission has extended additional time to allow the property owner to repair their homes, although some property owners do as they say they will do and others don't. Pecos stated that considering the fact that Dr. Franklin is requesting an extension and know that the Dr. Franklin has the resources to be able to restore this property to be what it once was, a beautiful home. Pecos commented that he is not sure if the property is considered a historical building or not, but it certainly looks like one.

Motion made by Commissioner Pecos to give Dr. Franklin an extension to take care of business and to move forward.

Mr. Garza asked how long of an extension would Commissioner Pecos like to give.

Mayor Fugate commented that for 90 days.

Commissioner Pecos commented that the City Commission usually gives 90 days, which is the amount of time that is given to others.

Commissioner Garcia stated that he would like to amend that motion to make sure that the efforts are earnest in her actions, that within two weeks a building permit be acquired for the restoration of this property and that considerable improvement be done within 60 days.

Mrs. Alvarez asked Commissioner Pecos if he was willing to amend his motion to what Commissioner Garcia has just stated.

Commissioner Pecos responded no, he would like to give her 90 days.

Mrs. Alvarez commented that this would have to be two separate motions.

Motion made by Commissioner Pecos to extend for 90 days, seconded by Commissioner Pena.

Mayor Fugate asked City Attorney Alvarez if this motion needs to be voted on prior to taking on Commissioner Garcia's amendment.

Mrs. Alvarez responded yes.

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

Mayor Fugate made the comment that this motion passes, and asked the City Attorney if the Commission would now need to vote on the amendment.

Mrs. Alvarez responded that if Commission Garcia has a motion to add a special requirement that within two weeks, that would be up to him if he wants to put that motion on the floor and see if he can get a second.

Commissioner Garcia responded "I do".

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

Mayor Fugate commented that we have an extension for 90 days and we need to see some action. He further commented to Dr. Franklin that she has her marching orders.

5. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lots 3 & 4, 1.15 acres, also known as area South of Chili's Restaurant on US77 Southbound Frontage Road from AG-Agriculture District to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Introduction item.

6. Presentation and discussion on proposal for historical memorial street designation signs (not renaming) for certain streets. (City Manager).

Maggie Salinas, Dr. Shannon Baker of TAMUK and Brianna Rodriguez student of TAMUK.

Dr. Shannon Baker commented that she has been working on this project with Maggie Salinas for about three years ago. This project is for street designation which streets will have their original name and the historical name on the sign. The name of the street will not be changed, the addition of the historical name will only be added to existing street signs. This project will be for the Colonia Mexicana and designate the streets back to their original names. This neighborhood including Avenues B, C and D, was originally named La Colonia Mexicana. The original street names were Perez for Ave. B, Chaparral for Ave C, and Garza for Ave D. The second portion of the project would consist of redesignating Sixth Street as Los Kinenos Trail from FM 1355 until it joins with Hwy 77. Baker stated that they have spoken with the King Ranch and they are in support of this project. The original estimate was that it would take up to 81 signs to accomplish this task at a cost of \$55.00 per sign. If we add Ave A, the number of street signs will increase. Baker stated that the University is willing to defray the cost of the signs, if need be and the City Engineer's office was going to get more information regarding a better estimate of the total cost for purchasing the signs, hardware, and installation/labor to the city. Dr. Baker further commented that after tonight's meeting, there plan is to send letter out to business owners along Sixth Street to explain that their idea will not require them to change their legal address and get some support from them. This will make them aware of the possible addition to their street.

Maggie Salinas commented that she is here to request a proposal to add historic street names to Las Colonia Mexicana. According to a map of 1914, this map does not show Avenue A, but Avenue A in other maps shows that its Sims Street. West of A is San Jancinto. Between 6th and 14th Street, it is Sims Avenue A. Mrs. Salinas showed a picture of what the sign would look like. This sign would only add the historical name in brown at the bottom of the current sign. Mrs. Salinas stated that the name Kingsville is a tribute to Captain Richard King and his families since 1853. In 1853, Rincon Santa Gertrudis was owned by the aires of Juan Mendiola. Captain King bought this piece of land which was 10 ½ miles for \$0.03 per acres. In 1854 120 men, women and children from Kriyas, Mexico came with Captain King to the King Ranch. This villagers became known as the Kinenos. The vaqueros were commonly referred to as Mexican cowboys. This vaqueros was the working force of the King Ranch and known for their expertise of the cattle. Much has been known and celebrated at the King Ranch in the Kinenos partnership success. To preserve this legacy and recognition they would like to propose dedicating 6th Street from north to south as Los Kinenos Trail. This does not mean to rename 6th Street but only add the Kinenos Trail, as part of their historic contributions, the Kinenos have made in our city of Kingsville. Kinenos have a strong loyalty between their families and King Ranch Aires. Mrs. Salinas commented that this tremendous legacy needs to be acknowledged by everyone. This tribute to the Kinenos should enhance the heritage of Tourism.

Brianna Rodriguez commented that she was an intern for Dr. Baker in 2017 and as Mrs. Salinas has stated, she did research in the South Texas Archives as well as other resources such as books and a term paper that a previous student has written for the

Kinenos. What Mrs. Salinas has just stated, this shows the importance on why this project is very important.

Commissioner Pena stated that after a prior meeting that he attended regarding this project, there was a lot of stakeholder in attendance that were in favor of this project. This project puts our history in perspective as it is important to all cultures.

Mrs. Salinas thanked Dr. Tallant as he was the one that assisted them to get it going.

Commissioner Garcia asked that on the names of Perez and Garza, are there history on those names.

Mrs. Salinas stated that some of these names are Garza, Mesquite, and Perez.

Mayor Fugate commented that he endorses this project, it is a great project and feels that out of abundance of precaution all owners need to be notified of the name addition.

Mrs. Salinas stated that letters will be sent out to each individual.

Commissioner Pena commented that city staff should send out these letters, it needs to come from the City of Kingsville.

Mayor Fugate commented that the City should pay for the cost of this project as the city changed those names back in the 1950, therefore the city should pay for the change.

Mr. Garza responded that staff would like to provide the Commission with a cost estimate first.

7. Consider awarding the contract for bid (RFP 17-17) for Santa Gertrudis Street Improvement Project 2017, as per staff recommendation. (Capital Improvements Manager).

Mr. Sharam Santillan, Capital Improvements Manager commented that staff advertised for bids on July 16, 2017 and July 23, 2017. A pre-bid meeting was held July 26, 2017 with two potential bidders attending. Two responsive bids were received by the deadline of Tuesday, August 8, 2017 at 2:00 p.m. Bid proposals were broken down by unit price of material quantities. The project was bid on material quantities for the completion of Santa Gertrudis Avenue from 6th Street to 14th Street. Based on our budget, staff recommends awarding the contract to Jimmy Evans Company for the completion of street improvements to Santa Gertrudis Avenue from 6th Street to the Tranquitas Creek Bridge. The financial impact will be an amount of \$656,917.60.

Commissioner Lopez asked why not complete the entire street.

Mr. Santillan commented that the difference would be \$60,00 to \$70,000, to finish the entire street.

Mr. Garza commented that this is for complete project cost. This is something that may be done in the next fiscal year.

Mayor Fugate asked for the timeline on this project.

Mr. Santillan stated that the company can start the second week of September.

Mrs. Alvarez commented that if the Commission were to approve the item as recommended by staff, then the vendor would receive a notification letter of award which would be the time for them to finish getting all their required bonds together and submitted to the City for approval. At that time, they will receive a letter to proceed which will start the clock for the project.

Motion made by Commissioner Pena to award the contract for bid RFP 17-17 as per staff's recommendation, seconded by Commissioner Pecos and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

8. Consider appointments of members to the Parks & Recreation Advisory Board. (Parks & Recreation Director).

No discussion or action taken on this item.

9. Consider a resolution authorizing the City to submit an application to the Lowe's Community Partners Grant program for the purpose of requesting grant funding for a walking path at Dick Kleberg Park along Escondido Road for the Kingsville Parks Department with an anticipated cash match, authorizing the City Manager to submit the grant and the City Parks & Recreation Director as the grant official to act on the City's behalf with such grant program. (Parks & Recreation Director).

Mr. Alfaro stated that this will approve the submission of a Lowe's Community Grant in the amount of \$122,000 for a walking path at Dick Kleberg Park along Escondido Road. The grant is a 50/50 match with a \$61,000 match from the City.

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

10. Consider accepting donation from the Kleberg County Sheriff's Association in the amount of \$300 for the Parks & Recreation Department movie in the park. (Parks & Recreation Director).

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

11. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend a donation from the Kleberg County Sheriff's Association for the Parks Department. (Parks & Recreation Director).

Introduction item.

12. Consider a resolution in support of the construction and operation of the Raven Petroleum Refinery. (Mayor Fugate).

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

13. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Mary Lou Gonzalez for property located at 228 E. Kleberg Avenue, Kingsville, Texas. (Downtown Manager).

Mr. Ginter stated this is a request for a façade grant in the amount of \$2,750 for a sign. It is staff's recommendation that the City Commission approve this request.

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

14. Consider a resolution adopting the City of Kingsville Fraud Prevention and Detection Policy. (Finance Director).

Mrs. Balli commented that after consulting with the City's external auditors, the Finance Department has created several policies including the creation of the Fraud Prevention and Detection Policy and the Grand Administration Policy. Staff recommends approval of these policies to increase and strength internal controls.

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

15. Consider a resolution adopting the City of Kingsville Grant Administration Policy. (Finance Director).

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

16. Consider a resolution authorizing the City to submit an application to the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program's FY2017 JAG Program Local Solicitation Grant requesting funding for law enforcement equipment on behalf of the Kingsville Police Department with no anticipated cash match. (Police Chief).

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

17. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, zoning, amending Section 15-6-21 Definitions to add fairgrounds, rodeo grounds, farm, ranch, and orchard; and amending Appendix A-Land Use Categories to add fairgrounds, rodeo grounds, and farm. (Director of Planning & Development Services).

Mr. Ginter stated that the following changes are being recommended due to receiving several request. Revise the definition of fairgrounds to add on a permanent location; separate farm, ranch, orchard definitions in Section 15-6-21; add rodeo grounds to the Appendix A and definition in Section 15-6-21 for it; keep park and playground together in the Land Use Chart; add farm and the Land Use Chart wit it being permitted in Agriculture; and add ranch to Land Use with a Special Use Permit in 11, 12 and Agriculture. Ginter stated that the Planning & Zoning Commission voted 5 to 0 to

recommend approval of the amendments to Appendix A – Land Use categories and Section 15-6-12 definitions.

Introduction item.

18. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Electric Code Sections 15-1-56-Definitions and 15-1-59-Qualifications and Registration. (Director of Planning and Development Services).

Mayor Fugate stated that this is due to a law change.

Introduction item.

19. Consider introduction of an ordinance adopting Article 8-Use of Public R.O.W.- Network Nodes & Support Structures, in Chapter V-Public Works; regulating the physical use, occupancy, and maintenance of City Rights-of-Way by wireless network providers; describing the purpose; providing for definitions; requiring compliance with the City Design Manual and applicable codes for the installation of network nodes and node support poles pursuant to Chapter 284 of the Texas Local Government Code; providing City procedures for applications for permits; establishing time periods for approval of permit applications; providing application fees and annual public Right-of-Way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts, and design districts; providing indemnity for the City. (Director of Planning and Development Services).

Introduction item.

20. Consider introduction of an ordinance approving a Design Manual for the installation of network nodes and node support poles; and approving a pole attachment agreement regulating the installation of network nodes on City service poles and utility poles. (Director of Planning and Development Services).

Introduction item.

21. 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).

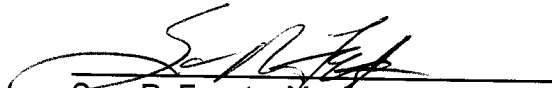
Mayor Fugate announced the Executive Session and went into closed session at 7:35 p.m.

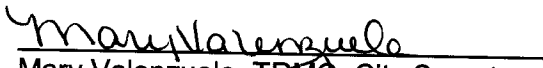
Mayor Fugate reconvened the meeting back into open session at 7:45 p.m.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:45 P.M.

ATTEST:


Sam R. Fugate, Mayor


Mary Valenzuela, TRMC, City Secretary