

SEPTEMBER 23, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 23, 2019 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

**CITY COMMISSION PRESENT:**

Sam R. Fugate, Mayor  
Edna Lopez, Commissioner  
Hector Hinojosa, Commissioner  
Dianne Leubert, Commissioner  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Kyle Benson, IT Manager  
Derek Williams, IT  
Susan Ivy, Parks Manager  
Deborah Balli, Finance Director  
Charlie Sosa, Purchasing Manager  
Diana Gonzales, Human Resources Director  
Emilio Garcia, Health Director  
Rudy Mora, City Engineer  
Adrian Garcia, Fire Chief  
Ricardo Torres, Police Chief  
Ron Lee, Fire Marshall

**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)****Special Meeting- August 19, 2019**

Motion made by Commissioner Pecos to approve the minutes of August 19, 2019 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

**Special Meeting- September 3, 2019**

Motion made by Commissioner Lopez to approve the minutes of September 3, 2019 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, voting: "FOR". Fugate "ABSTAINED".

**Special Meeting- September 17, 2019**

Motion made by Commissioner Hinojosa to approve the minutes of September 17, 2019 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Fugate voting "FOR". Lopez "ABSTAINED".

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

1. None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*"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, **Condemnation Update**, 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; Landfill Update, Building*

*Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time.”*

Mrs. Cynthia Martin, Downtown Manager gave a brief update on condemnations. Martin reported that four demolitions were completed, 428 Ailsie, 630 W. Fordyce, 513 W. Johnston, and 510 E. Ave. B. These demolitions were done by city crews. Voluntary demolitions are 721 E. Johnston and 1503 E. Santa Gertrudis. There is one pending demolition which is the old Kingsville Publishing building. Mrs. Martin further stated that progress has been made to 213 E. Santa Gertrudis. They have restored the east side of the building and most of the front. It is still a working in progress project.

Commissioner Lopez asked what the time was for the 213 E. Santa Gertrudis project to be completed. Mrs. Martin responded that she believes it is the 12<sup>th</sup> of September to do the two sides, which they are very close to completion.

Commissioner Hinojosa commented that he has seen that they are making progress on this property.

Mayor Fugate asked if the City will make them bring this property up to code, such as the plumbing and electrical.

Mrs. Martin responded that she believes that the agreement with Mr. Ginter was to take care of the exterior of the structure.

Commissioner Lopez asked Mrs. Courtney Alvarez, City Attorney if she would be able to answer these questions. Mrs. Alvarez responded that she would prefer to look at the agreement before making any comments as she does not want to misquote.

Mayor Fugate commented that he would like to know what was on that agreement. He further commented that if he recalls correctly, there were children living in this house and the house was not up to code, particularly the electrical.

Commissioner Lopez commented that if she recalls correctly, the windows to this property were boarded up which is against city ordinance. Mrs. Martin commented that those boards have been removed as they have replaced the windows.

Commissioner Leubert commented that the property owner has done a lot of work and are working very hard to bring this property to where it needs to be.

Mayor Fugate presented a proclamation for Fire Prevention Month.

Mr. Jaime Cantu of the Kingsville Boxing Club recognized two Boxer, Damian Guajardo and Fabian Navarro. These two gentlemen have been with the Boxing Club for a while.

Mrs. Alvarez reported that the next City Commission is scheduled for October 15<sup>th</sup> with a deadline to staff to submit agendas items on October 2<sup>nd</sup>. She further commented that there was a notice in the Kingsville Record for a public hearing that was scheduled for tonight's meeting, but the property owner has decided to rethink what they would like to do with the property, so they opted to not placing the item before the Planning & Zoning Commission and not to move forward with the public hearing tonight.

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

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

Mrs. Lucy Camarillo, 1001 S. 24<sup>th</sup> she praised the City for a good job that has been done on Caesar Street between 6<sup>th</sup> Street and 14<sup>th</sup> Street. She further commented that since she lives on 24<sup>th</sup> Street there is a ditch on Caesar. With about 125 homes that have been built in the Wild Wood Trails Subdivision, there is a lot more traffic. She stated that her neighbor's family was concerned about their loved one walking up and down doing her exercises that they have removed her from her home and have taken her to a nursing home. They are now disposing of all her furniture simply because there is no walkway down that street. Camarillo further commented that something needs to be done with that ditch. She stated that she has volunteered her humble services to the City once before and she did it again today and she was challenged. She stated that

the reason she is here today, is to get some grant money and do something with that ditch. She feels that the street needs to be widened and something needs to be done. She further stated that the revenue that is being generated from the taxes from these 125 homes, there should be a few extra monies that can be used to do something about the ditch. She further offered her assistance to the city should they need assistance in getting a grant.

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 Pecos to approve the consent agenda as presented, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".**

1. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to clear up deficit accounts (receive and expend grant funds for Law Enforcement Off Stand Fund 009). (Director of Finance).**
3. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter IX-General Regulations, Article 8-Parks and Recreation, providing for revised fees for the L.E. Ramey Golf Course Annual Cart Fee & Green Fee and the Monthly Locker Fee. (Parks Director).**
4. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedule II, providing for the removal of a school zone on East Caesar Ave. for St. Gertrude School and the removal of school zone signs. (City Engineer).**

### **REGULAR AGENDA**

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

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

5. **Discuss and consider presentation by County Judge for potential application to USDA for loan for additional animal control building. (Interim City Manager).**

No discussion or action was taken on this item as County Judge Madrid not able to make the meeting.

6. **Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter V, Article 3-Water, providing for an increase in water rates. (Interim City Manager).**

**Motion made by Commissioner Leubert to approve the ordinance amending the City of Kingsville Code of Ordinances, Chapter V, Article 3-Water, providing for an increase in water rates, seconded by Commissioner Pecos.**

Mayor Fugate asked if the rate was to be increase by 1%. Mrs. Balli responded that they will be increased by 1%.

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

7. **Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances, Chapter V, Article 2-Sewers, providing for an increase in sewer rates. (Interim City Manager).**

**Motion made by Commissioner Pecos to approve the ordinance amending the City of Kingsville Code of Ordinances, Chapter V, Article 2-Sewers, providing for an increase in sewer rates, seconded by Commissioner Leubert.**

Mayor Fugate asked if the rate was to be increased by 8%. Mrs. Balli responded that they will be increased by 8%.

Commissioner Leubert commented that it had been suggested to increase by 16% but only doing 8%. She stated that they want the citizens of this community to have water and sewer and this is what it takes. She further commented that this is not something that they want to do, but they have no other choice. Reason for the increase being so high is that this rate had been slowly increased in the last few years. She further commented that repairs to the clarifier are not cheap or repair anything else it is not cheap. Therefore, this must be done in order to give the citizens the services they deserve.

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

8. **Consider a resolution approving the City of Kingsville's 2019 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e). (Finance Director).**

**Motion made by Commissioner Pecos to approve the resolution approving the City of Kingsville's 2019 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e), seconded by Commissioner Leubert.**

Commissioner Leubert commented that if they want to do their due diligence, they have no choice than to make sure that our citizens are protected.

**The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".**

9. **Consider a resolution authorizing the Interim City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville and the Kingsville Law Enforcement Association for Fiscal Year 2019-2020. (Human Resource Director).**

Mrs. Diana Gonzales, Human Resources Director went over some of the changes to the Collective Bargaining Agreement with the Kingsville Law Enforcement. She stated that this is a 1-year agreement. There are a few articles that were adjusted/revised. Some of the changes are: clarifying language in Article 7 for entry level hiring of those who actively police officers; Article 9 Promotions, Section 4 promotion process; Article 16 shotgun racks; Article 20 holidays; Article 29 compensation; Article 31 employees' investigation and disciplinary action. Gonzales further commented that the agreement has been approved by KLEA.

**Motion made by Commissioner Leubert to approve the resolution authorizing the Interim City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville and the Kingsville Law Enforcement Association for Fiscal Year 2019-2020, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

10. **Executive Session: Pursuant to Section 551.074, Texas Government Code, the Personnel Exception, the City Commission shall convene in Executive Session to deliberate the appointment, employment, and duties of the City Manager. (Mayor Fugate).**

**Mayor Fugate announced the executive session and convened the meeting into closed session at 6:32 p.m.**

**Mayor Fugate reconvened the meeting into open session at 7:06 p.m.**

11. **Consider acting on information from executive search consultant for the City Manager position. (Mayor Fugate).**

Mayor Fugate stated that it is the consensus of the Commission that the following candidates will be interviewed for the position of City Manager: Shawna Burkhart from Lamesa; Mark McLaughlin from Flatonia; Dawn Doering from Edna; Chris Whittaker from Rockdale; Craig Lindholm from Winnisboro; and David Harris from Balcones Heights. These are the six finalists that the Commission will be interviewing on October 16<sup>th</sup>.

**Motion made by Commissioner Leubert to approve the six finalist candidates to be interviewed by the City Commission for the position of City Manager, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".**

**12. Consider health insurance stop-loss carrier for FY19-20. (Human Resources Director).**

Mrs. Gonzales stated that the fiscal year 2019-2020 is year 2<sup>nd</sup> of a 3-year administrative services agreement with ENTRUST, INC. for third-party health administration. Each year ENTRUST evaluates stop-loss proposals for the City's Stop Loss coverage. For FY 2019-2020, ENTRUST has indicated the best value of the City was to change from Westport Insurance to Companion life. On July 16, 2018, City Commission approved ENTRUST as the City's third-party administrator. On September 17, 2018, City Commission approved Stop Loss by Westport Insurance. As the Stop Loss was specifically approved, this item is before the City Commission for consideration of Companion Life for Stop Loss coverage for FY 2019-2020. Based on projections, the estimated annual cost for Specific Stop Loss with Companion Life is \$609,708 which is a \$63,953 increase from FY 18-19 and an estimated annual cost for Aggregate Stop Loss is \$18,135 which is a \$4,261 increase from FY 18-19. The projections were presented during the FY 2019-2020 budget workshop and incorporated in the final FY 2019-2020 budget. Utilize Companion Life as Stop Loss carrier as per ENTRUST recommendation for FY 2019-2020 as the best value for the City.

**Motion made by Commissioner Leubert to approve this item, seconded by Commission Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

**13. Consider a resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy No. 830.00-Substance Abuse Policy. (Human Resources Director).**

Mrs. Gonzales stated that Policy 830 Substance Abuse is recommended for revision to update policy and clarify classifications eligible for testing. The Policy addresses the following: Applicant Testing, for individuals having received a conditional offer of employment; Reasonable Suspicion Testing, Physical symptoms or manifestations of being under the influence, Direct observation of drug or alcohol use, Reliable, credible and independently corroborated report, Evidence that individual has tampered with a test, Evidence that individual involved in use, possession, sale, solicitation or transfer of drugs/alcohol; Post Accident Testing, When operating City vehicle and or mobile equipment which involves injury and/or property damage; Random Testing, Employees in safety sensitive positions and employees maintaining commercial drivers' license; Return to Duty and Follow up Testing, After completion of qualified substance abuse program, Substance Abuse Professional (SAP) for CDL drivers, Other qualifies program for non-CDL individuals; Scheduled, Periodic Testing, Designation of DOT group for CDL holders as mandated by federal regulation and Designation of non-DOT groups. Policy 830.00 was last updated on August 28, 2006. Incorporated in the Human Resource budget.

**Motion made by Commissioner Leubert to approve the resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy No. 830.00-Substance Abuse Policy, seconded by Commissioner Hinojosa and Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".**

**14. Consider a resolution authorizing the Mayor to execute a Sister Cities Declaration between the City of Valle Hermosa, Tamaulipas, United Mexican States and the City of Kingsville, Texas, United States of America. (Interim City Manager).**

**Motion made by Commissioner Leubert to approve the resolution authorizing the Mayor to execute a Sister Cities Declaration between the City of Valle Hermosa, Tamaulipas, United Mexican States and the City of Kingsville, Texas, United States of America, seconded by Commissioner Lopez and Commission Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

**15. Consider a resolution providing for a credit/debit card convenience fee for credit/debit card transactions with the City of Kingsville. (Finance Director).**

**Motion made by Commissioner Pecos to approve the resolution providing for a credit/debit card convenience fee for credit/debit card transactions with the City of Kingsville, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".**

**16. Consider accepting a donation from AEP for the TML Region 11 Meeting hosted by the City of Kingsville. (City Secretary).**

**Motion made by Commissioner Lopez to approve the donation from AEP for the TML Region 11 Meeting hosted by the City of Kingsville, seconded by**

Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

17. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to receive and expend funds for the donation from AEP for the TML Region 11 Meeting. (City Secretary).

Introduction item.

18. Consider a donation from the Civitan Club for specialized playground equipment. (Parks Director).

Motion made by Commissioner Leubert to approve the donation from the Civitan Club for specialized playground equipment, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

19. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to receive and expend funds for the donation from the Civitan Club for a therapeutic swing and a generational swing for Corral Park. (Parks Director).

Introduction item.

20. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to set aside additional cash match for the City's commitment to the County's EDA Grant for JK Northway Renovations. (Interim City Manager).

Mrs. Alvarez stated that at the last meeting, the Commission as a body authorized the change of the cash match since they were no longer going to be allowing the in-kind services. Because the Commission authorized this to occur, now this will allow it to be reflected in the budget.

Introduction item.

21. Consider a resolution authorizing the Interim City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for Water Well #19 Ground Storage Tank Replacement Project (RFP#19-11). (City Engineer).

Mr. Rudy Mora, City Engineer reported that this was brought on September 9<sup>th</sup> where it didn't include the resolution. This project is under \$190,000. It is staff's recommendation and authorizing the City Manager to execute a contract with TTE, LLC of Spicewood, TX.

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

22. Consider a resolution authorizing the Interim City Manager to enter into a Business Service Agreement between NewWave, Inc. and the City of Kingsville for internet and data services (RFP#19-09). (Purchasing Manager).

Motion made by Commissioner Pecos to approve this resolution authorizing the Interim City Manager to enter into a Business Service Agreement between NewWave, Inc. and the City of Kingsville for internet and data services (RFP#19-09), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

23. Discussion of the City of Kingsville Street Improvement & Maintenance Program FY19-20 and financing options. (City Engineer).

Mr. Mora stated that a list of streets was provided to the City Commission that were in the proposed budget. The list has approximately 31 streets for improvements. He stated that he is aware that Santa Rosa and Corral have been mentioned before, which is not on the list. If this road is done, which does need to be rehabilitated, it would wipe out what is being allocated for what we have in our budget. Mora stated that what staff is looking for is some direction from the Commission would like to allocate the money into. Mora further stated that he is following the Street Maintenance Improvement Program (SMIT) which is based per year on certain streets. He stated that the way this list came out was the items from 2016, 2017, & 2018 there were certain streets that only half of them were done. They never went back to those streets in order to finish out those years. Therefore, this list before the Commission is a compilation of those streets in the previous years.

Commissioner Leubert asked how long it will take to get all the streets on the list finished, weather permitting.

Mr. Mora responded that it would take about one week per block.

Commissioner Hinojosa asked about that the Caesar Corridor Project, \$600,000.

Mr. Mora responded that this project is already done and has been zeroed out.

Mayor Fugate asked what staff would like to do.

Mr. Mora stated that staff did budget for a consultant, Integrated Management Systems, and they will go back to analyze the streets as well as reprioritize the streets. What we have currently we haven't been able to keep up with it. Staffing issues and weathering permitting, play into how much can be done. Mora stated that he is looking at what the consultant recommends, but what is listed on the list now, is a good start until the consultant comes onboard.

Commissioner Lopez asked when this list was put together. Mr. Mora responded that this is a list from 2015.

Commissioner Leubert commented that the money that will be used to pay a consultant, can be put back into the streets. She asked why staff is looking into hiring a consultant.

Mr. Mora commented that he feels that having a third party can bring back an unbiased recommendation.

Commissioner Lopez asked if she can get an estimate of what the consultant's fee. Mr. Mora responded the fee is \$40,000, which half would be paid from General Fund and the other half from Utility Fund.

Mayor Fugate asked direction from the Commission.

The Commission recommend for staff to work on neighborhood streets.

**24. Discuss and consider how to move forward with Census preparation. (Interim City Manager).**

Mrs. Balli stated that she has spoken with the County Judge letting him know that the City is interested in joining them, so now she is waiting to hear from him to see what all they will need from the City.

Mayor Fugate stated that this is a good idea as we would want a good count for the 2020 Census.

No action taken.

**25. Consider out-of-state travel for Mayor Fugate to Washington, D.C. September 29-October 2, 2019 for naval affairs. (Mayor Fugate).**

**Motion made by Commissioner Leubert to approve this out-of-state travel for Mayor Fugate, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR". Fugate "ABSTAINED".**

**26. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, providing for revision of Article 1-City Commission). (City Attorney).**

Mrs. Alvarez stated that there was a new House Bill in the last Legislative Session that indicated that governing bodies should make time before or during the body's consideration of the item for the public to speak. The Commission can set rules on time limits on how long an individual can speak. If a member of the public addresses the Commission through a translator, they will be given twice the amount of times as a member for the public who does not require the assistance of a translator. Some other small revisions were made to this section of the ordinance such as changing the time of the start of Commission meetings from 6:00 p.m. to 5:00 p.m. Also updated was the street address for City Hall. There was also some change to comply with the State Law as well as cleaned up some language such as in Section I, stating persons not permitted within the rails, change to dais.

Introduction item.

**27. Discussion of new state legislation and impacts on City. (Interim City Manager).**

Mrs. Balli mentioned that there are two items that need to be discussed, One the Cyber Security Training that will need to be taken by all elected officials. The second item is the temporary custodian of records. This is for any city business that is done via any electronic device by an elected official. As this new law came into effect, it is staff's recommendation that all elected officials be issued a city cell phone so that any city business can be done through that device.

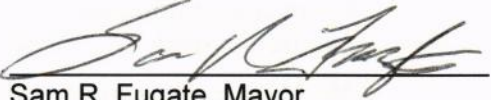
**28. Consider a resolution authorizing the City to purchase 30.469 acres of land near NAS-Kingsville for encroachment prevention near the base pursuant to the State Defense Economic Adjustment Assistance Grant program award and authorizing the Interim City Manager to execute any necessary documents on the City's behalf. (Purchasing Manager).**

**Motion made by Commissioner Pecos to approve the resolution authorizing the City to purchase 30.469 acres of land near NAS-Kingsville for encroachment**

prevention near the base pursuant to the State Defense Economic Adjustment Assistance Grant program award and authorizing the Interim City Manager to execute any necessary documents on the City's behalf, seconded by Commissioner Leubert and Commissioner Hinojosa. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:44 P.M.

  
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Sam R. Fugate, Mayor

**ATTEST:**

  
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Mary Valenzuela, TRMG, CMC, City Secretary