

APRIL 2, 2020

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, APRIL 2, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 12:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT Department

STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM:

Bill Donnell, Public Works Director
Deborah Balli, Finance Director

**Conference Line call: 1 (408) 418-9388 and
when prompted type access code: 620805471#**

OR

Live Videostream: <http://www.cityofkingsville.com/webex>

I. Preliminary Proceedings.**OPEN MEETING**

Mayor Fugate opened the meeting at 12:00 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)

None.

****AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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

1. None.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal

League. Staff reports include the following: Building & Development, Code Enforcement, 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.”

Mr. Mark McLaughlin, City Manager reported that the City Commission has received their CAFR Report. The report comes with no findings and is an excellent report which was filed on time. He further reported that the Street Department continues to work outside. At this moment they are currently working on the sidewalks off Santa Gertrudis. McLaughlin also stated that department heads are looking in their budgets to see what purchases can be deferred until further notice. He stated that Mrs. Balli has been able to identify a total of \$700,000 in deferment expenses. Mr. McLaughlin further reported that the City of Kingsville did not get selected for the DEAGG Grant. This grant was for the HVAC System at the Captain’s Club located inside NAS Kingsville. He stated that the city is about 70% done for the August submission for the sewer line from South to North that will connect together using Navy land and connecting the Navy to it so that there is redundancy for them for the sewage treatment plant.

Mrs. Courtney Alvarez, City Attorney reported that the deadline for staff to submit agenda items for the April 13th meeting is today, April 2nd. She further stated that City offices will be closed next Friday, April 10th for Good Friday. Alvarez further reported that Governor Abbot came out with a new Executive Order, GA-14. After reviewing the city’s existing order with GA-14, there is one paragraph that even though the Governor’s order supersedes our order, it would be best to make it consistent to the Governor’s order. She further stated that the reason we would have to have the extension is the Government Code, the head of the local entity can impose certain things for up to 7 days. After that point in time, the City Commission as a whole has to meet in order to extend those emergency order if necessary or to modify them. She continued to state that the order that is in the agenda packet was put out before noon on Monday, March 31, 2020 which currently has an expiration date of midnight on April 13th. She stated that the reason for this is to make sure the Commission had sufficient time between now and then, as everything changes minute by minute, to have some time as to what was going to happen in the event that we need to extend the order again, we would have time to do it at the meeting on April 13th. Alvarez stated that a draft has been provided to the Commission that extends the declaration of disaster which was implemented last week. She stated that the draft before the Commission contains a revision from the GA-14 with regards to Worship Services.

IV. ****Public Comment on Agenda Items.**³

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

No public comments made via conference call or through livestream or received via email.

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 Lopez and Commissioner Pecos to approve the consent agenda as presented, seconded by Commissioner Leubert and

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2019-2020 Budget to accept and expend donations received for Pony League costs of uniforms and umpires. (Parks Director).
2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV-Land Use, Article 6, Section 4-Changes and Amendments to include clarification on the vote required. (Director of Planning and Development Services/ City Attorney).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of ordinances by amending Section 15-6-124, providing for the maximum height of pole signs along U.S. Highway 77 Bypass. (Director of Planning & Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider a resolution ordering the extension of the Local State of Disaster and Order to Stay Home/Work Safe declared by the Mayor of the City of Kingsville on March 26, 2020. (City Attorney).

Motion made by Commissioner Leubert to approve the resolution ordering the extension of the Local State of Disaster and Order to Stay Home/Work Safe declared by the Mayor of the City of Kingsville on March 26, 2020, seconded by Commissioner Lopez and Commissioner Pecos.

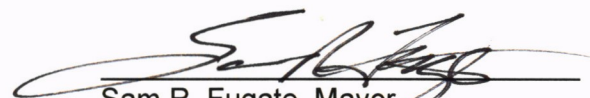
Mayor Fugate asked if the City is to spend any money and with it being a disaster, a declaration would need to be put in place for FEMA purposes.

Mrs. Alvarez responded that the city has the original order that was done on the 17th and modified on the 18th, which was the one that kicked off the city 's emergency management plan, so it would be the one that would cover any of the expenditures. She further stated that, that one is still in place and not modified by this one. This one acknowledges that the other one is in place and the other order is still good up until the time the Commission rescinds it or amend it, so this one would be a secondary one.

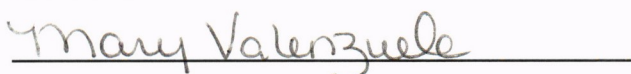
The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 12:10 P.M.


 Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, TRMC, CMC, City Secretary