

MAY 26, 2020

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, MAY 26, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 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
Ricardo Torres, Police Chief

STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM

Deborah Balli, Finance Director
Bill Donnell, Public Works Director
Emilio Garcia, Health Director
Rudy Mora, Engineer
Diana Gonzalez, Human Resources Director
Janine Reyes, Tourism Director
Uchechukwu Echeozo, Director of Planning & Development Services

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting- May 11, 2020

Motion made by Commissioner Lopez to approve the minutes of May 11, 2020 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Fugate voting "FOR". Pecos "ABSTAINED".

****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 introduced newly hired Fire Chief Mr. Juan J. Adame. Chief Adame will begin his duty with the City of Kingsville on June 1, 2020. McLaughlin further announced that City Hall will be opening its doors to the public on June 1st with some restrictions. He also stated that due to the work underway at the golf course to improve the fairways and repair equipment, the County Judge and County Commissioners' court voted the approval of \$35,000 from the County's Golf Course fund to be matched by the City to apply to more fairway repairs, a water pump repair and a top dresser machine for use on the course. He further reported on Series 2020 bond refunding. He stated that as the market has been favorable during the efforts to refund the 20011 series bonds. The market improved another 3 basis points today as of last Friday during a pre-call, the total savings of the then market price would achieve a bit over \$700,000 in bond payoff through maturity in 2032. Mr. McLaughlin continued to report that with the economy opening back up, the billing department will be sending out notices in the June utility bills that announce the City will begin cutoffs and assessing late fees for all delinquent accounts on and after September 1, 2020.

Mrs. Courtney Alvarez, City Attorney reported that the next scheduled Commission meeting will be on June 8th with a deadline for staff to submit their agenda items by Friday, May 29th.

Commission Hinojosa commented that he has spoken with the City's auditors and the auditors have informed him that their fee to the City for the next audit will be \$99,000.00, which is less than originally quoted, due to the pandemic.

Mayor Fugate read a proclamation for Emergency Medical Service Week.

IV. **Public Comment on Agenda Items.³

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

No public comments made or received.

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 Leubert to approve the consent agenda as presented, seconded by Commissioner Lopez. 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 FY2019-2020 Budget to cover the additional costs of the I-69 (US77) TxDOT Utility Line Relocation Project due to the received bids and testing cost. (City Engineer).
2. Motion to approve final passage of an ordinance amending the FY2019-2020 Budget to accept and expend funds awarded to the Police Department for the 2019 Operation Stonegarden Grant. (Police Chief).
3. Motion to approve a resolution authorizing the City Manager to enter into an Engagement Letter between the City of Kingsville, Texas and John Womack & Co., P.C. for the 2019-2020 fiscal year audit. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider accepting the Comprehensive Annual Financial Report of the City of Kingsville for Fiscal Year 2018-2019. (Finance Director).

Commissioner Hinojosa commented that the City received a very good audit report.

Mayor Fugate commented that this has been three in a row where the City has no findings. Congratulated staff on a great job.

Motion made by Commissioner Pecos to accept the Comprehensive Annual Financial Report of the City of Kingsville for Fiscal Year 2018-2019, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".

5. Consider a resolution authorizing application to and acceptance of Coronavirus Emergency Supplemental Funding (CESF) Program FY2020, authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Motion made by Commissioner Leubert to approve the resolution authorizing application to and acceptance of Coronavirus Emergency Supplemental Funding (CESF) Program FY2020, authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

6. Consider introduction of an ordinance amending Fiscal Year 2019-2020 budget to accept and expend reimbursements from FEMA and Insurance Recovery Claims. (Finance Director).

Mr. McLaughlin commented that the City received FEMA reimbursements of \$215,305.77 and Insurance Claim Recoveries of \$10,063.30.

Introduction item.

7. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 Budget to set up a budget to complete the ADA sidewalk project near El Pastel Bakery (7th Street and Richard Ave). (City Engineer).

Mr. McLaughlin reported that the sidewalk in this location is in the city's right-away which is not ADA compliant. The cost to remediate this is in the amount of \$9,000.00

Commissioner Lopez commented that the elderly park in the alley in order to get to the sidewalk.

Introduction item.

8. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).

Mayor Fugate read the executive session and convened the meeting into close session at 5:13 p.m.

Mayor Fugate reconvened the meeting into open session at 5:32 p.m.

9. Consider authorizing adjustment conditionally provided for in the City Manager Employment Agreement. (Mayor Fugate).

Mayor Fugate asked if Commission needed to take action on his item.

Mrs. Alvarez stated that in the contract, paragraph B states that if there was going to be the increase that is referenced, it can only be done after a favorable evaluation and since no action could occur in executive session, a vote would need to be taken, only if a favorable evaluation was reached.

Mayor Fugate commented that there was a favorable evaluation that was received and asked if it would be proper to make it a motion.

Mrs. Alvarez responded that it may be easier to authorize the conditional increase that is referenced in paragraph B of the contract.

Motion made by Commissioner Leubert and Commissioner Pecos to approve the conditional increase that is referenced in paragraph B of the City Manager's contract which he has received a favorable evaluation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

10. Workshop: Discussion on Goal Setting for City. (City Manager).

Mr. McLaughlin commented that the goals that will be mentioned today are goals that are in alignment with previous administrations when they put a priority list for budgeting purposes or goals that they would like to see in the next year or out years. These are goals that are from 2017 or 2018 that were put out, critical infrastructure with streets being the number one issue. The second big item that they wanted to see was economic development; third was employee benefits; fourth was code enforcement and quality of life.

Mr. McLaughlin referred to a list of goals he that broke done into sections. You can find this list attached to the end of these minutes as "Exhibit A".

Mr. McLaughlin further mentioned the following items that were on Exhibit A; Street Maintenance Program, which include: Stormwater Drainage, Waterline Repairs, Sewer System, and Fire Department. He stated that this these items are in the same priority as they were two years ago.

Mayor Fugate commented that for alley maintenance, back in 2006-2007 the City spent a few hundred thousand dollars cleaning up all the city alleys and asked for Code Enforcement to stay on top of the citizens in keeping their part of the alley clean.

Mr. McLaughlin commented that not all alleys are in bad shape when it comes to keeping them clean, it is really the roads that are in the alleys, as they have some deep potholes.

Commissioner Leubert commented that originally the alleys were part of the drainage, which were lower than the backyards. Over the years, they have been caliche or asphalt so now they are higher, which in some of the older neighborhoods the water doesn't drain into the streets or into the sewer, it drains into garages and backyards. She further asked that when staff is doing the alley maintenance, she would like for them to check on the drainage.

Commissioner Lopez commented that she agrees with Commission Leubert. Just recently she worked on her fence and she was having the drainage problem as well.

Mayor Fugate moved on by given each Commissioner the opportunity to mention their city goals for next year.

Commissioner Leubert commented that she would like accomplish everything that is listed on Exhibit A which was provided by the City Manager and make them the goals.

Commissioner Pecos commented that he would like to see the streets done. This is a major complaint from everyone in the city. He would like to see economic development done as well, such as bring in factories or big companies to come in and hire our citizens. By bringing in these factories, it would help our city for revenue purposes. Pecos further stated that another important factor is quality of life. It is important that the parks and golf course get improved as it is important to our citizens and those that look into moving into our city.

Commissioner Hinojosa commented that streets are the number one priority in our community. He further stated that what is listed on Exhibit A are the goals that he would like to see for our city.

Commissioner Lopez commented that streets are the main concern for our citizens as well for our Commission. Lopez further commented that she would like to see the hiring of more firefighters on a yearly basis. This is something that had been mentioned to be done, one firefighter per year, and has not been done. She also stated that the other important thing that needs to be looked into is having a third Fire Station located on the Southside of the city. She would also like to see Thompson Park upgraded for the quality of life. She commented that she would like some type of recreation to be put in place at this park so that children will not have to travel to the eastside of town for some recreation enjoyment. Commissioner Lopez further commented that what is listed on Exhibit A will move the city in the right direction.

Mayor Fugate commented that the one problem that we have had, since he has been Mayor of the City is leakage. He commented that we have way too many people that work in Kingsville but don't live here which there are several factors for that; some the

city has control over and some we don't. Fugate further stated that the school district would need to be improved. Two things that the city has control over is curb appeal around the city. He stated that for the last five to six years the city has gotten away from demolishing dilapidated buildings and doing beautification projects. The city has not done a beautification project in five years. Beautification is important to our community so that when some new citizen comes to Kingsville and decides whether or not they would like live here, we want them to feel that this is a nice town to live in. The second thing is housing. It is important to get developers in Kingsville and offer incentives so that they can building in our community. Fugate also commented that he agrees with Commissioner Lopez, the eastside did receive some goodies in the parks, but we do need to do the same with the westside.

Mr. McLaughlin commented that he received this afternoon some documents and drawings for Chamberlain Park, but has not been able to review the information as of yet.

Mayor Fugate further commented that the city has made some great improvements. Streets is another important factor in the goals for the city. It is also important to look into insurance plans for city employees.

Mr. McLaughlin commented that at the next Commission meeting a presentation will be given on the city's insurance plan.

Commissioner Leubert commented that her concern is about those employees that don't make the high dollar amount per hour as those that do but pay the same amount for insurance.

Commissioner Lopez commented that she had not had to use the insurance but started using it recently and she noticed that the deductibles are high, which make it difficult for those employees with lower wages to pay their deductibles. Although it is good insurance, but some can afford it and some cannot.

Mayor Fugate commented that just because the city doesn't single out different parts of the city does not necessarily mean that the city doesn't recognize that there are some issues that need to be looked into. Fugate further commented that after speaking with Chief of Police and the District Attorney, Chapter 59 funds are depleting. This money has been used to fund vehicles and equipment which is something the city will need to factor in as well. The other big item that needs to be focused on is the South Treatment Plant. This is something that needs to be looked into as the southside of town continues to grow.

Mr. McLaughlin commented that he has sent a letter to Captain Spritzer, Commanding Officer of Naval Air Station-Kingsville stating that the city would be going after a DEAGG Grant for an estimated amount of \$3 million dollars with a city match of 20% for the sewer line. He further commented that the North Plant is at about 50% and the South Plant is at about 65 to 68% capacity.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:03 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary

Goals for the City of Kingsville attached to minutes as "EXHIBIT A".

May 26, 2020

City Commission Goals for the City Manager, Kingsville, Texas.

City Infrastructure

1. Street Maintenance Program
 - a. Prioritize Street Maintenance based on 2020 Survey
 - b. Man/Equip/Train a qualified Street Department
 - c. Address Alley Maintenance-remove impediments to drainage
 - d. Have shovel-ready street projects ready to execute
2. Stormwater Drainage
 - a. Address stormwater drainage deficiencies
 - b. Prioritize stormwater/street flooding
 - c. Coordinate stormwater capital improvements with street maintenance
 - d. Seek grants for drainage improvements
 - e. Add/repair/correct curbing to facilitate stormwater drainage
3. Waterline Repairs
 - a. Address aging cast iron and Asbestos Concrete (AC) waterlines
 - b. Develop a master water map depicting water system with types and sizes of pipes
 - c. Develop a prioritized water line replacement plan
 - d. Seek CDBG grants for replacement plan
4. Sewer System
 - a. Develop a plan to address South WWTP capacity issues
 - b. Seek grant opportunities to address South WWTP capacity issues
5. Fire Department
 - a. Develop a long-range plan for a 3rd fire station

Economic Development

1. Implement TIRZ/TIF
 - a. Develop prioritized project list for TIF
2. Identify JK Northway Project for Venue Tax
3. Establish goals/priorities with EDC Director for retail and industrial development
 - a. Develop and propose to Commission EDC revenue stream
 - b. Develop strategies for downtown business in-fill
 - c. Identify solutions to address leakage
 - d. Implement EcDev strategies to target industrial development
 - e. Identify strategies to address "leakage"

Employee Benefits

1. Analyze and propose solutions to the City's medical insurance plan
2. Conduct wage study and propose options for City Commission on billet/wage assignment

" EXHIBIT A "
Part 2

Code Enforcement

1. Improve overall City curb appeal
2. Address dilapidated structures for demolition
3. Address code enforcement violations for property maintenance
 - a. Weedy lots/brush/dead vegetation
 - b. Unkept buildings
 - c. Illegal parking on property
 - d. Illegal care of animals
4. Address junk/abandoned vehicles on private property
 - a. Seek State approval for CEO's to access state licensing database for faster resolution of vehicle notices

Quality of Life Initiatives

1. Parks
 - a. Prioritize parks improvements Master Plan into the City's Capital Improvement Plan
 - b. Balance park amenities in future expansion across city parks
 - c. Correct Parks Interlocal Agreement with the County to remove JK Northway from the agreement
 - d. In coordination with the County, develop and propose a JK Northway Interlocal agreement
 - e. Develop a sustainable annual Parks Department program for events throughout the year
2. Golf Course
 - a. Identify, prioritize and plan future year budgets to improve fairways, greens, and bunkers
 - b. Perform a manpower study to address proper golf course manning to meet maintenance requirements
 - c. Develop a golf course maintenance and equipment replacement plan into the City's capital improvement plan
 - d. Budget and schedule Golf Course Manager continuing education training
3. Downtown Beautification
 - a. Establish a downtown beautification list for the Capital Improvement Plan
4. Housing
 - a. Work with known partners to address housing needs and construction plans for the City