

AUGUST 24, 2020

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 24, 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
Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Derek Williams, IT
Ricardo Torres, Police Chief
Janine Reyes, Tourism Director
Uchechukwu Echeozo, Director of Planning & Development Services

STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM

Bill Donnell, Public Works Director
Emilio Garcia, Health Director
Diana Gonzalez, Human Resources Director
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Alicia Tijerina, Special Events Coordinator
Susan Ivy, Parks & Recreation Director

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 – August 10, 2020

Motion made by Commissioner Pecos to approve the minutes of August 10, 2020 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

****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. **Public Hearing on an ordinance amending the zoning ordinance by granting a special use permit for an R2 Two-Family Use (duplex) in C1 Neighborhood Service District at 314 E. Ave B, Kingsville, Texas, also known as Colonia**

Mexicana, Block 15, Lot 26-28; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. Victor Saenz (owner/applicant). (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:01 P.M.

Mr. Uchechukwu Echeozo, Director of Planning & Development Services stated that the Planning and Zoning Commission met on August 19, 2020 where they voted 5-0 in approval of the special use permit. Mayor Fugate asked if there were any complaints received. Mr. Uche responded that no complaints were received regarding this request.

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 5:07 P.M.

2. Public Hearing on Main Street Grant application to the Texas Department of Agriculture as part of the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:07 P.M.

Mr. Echeozo stated that this is for the development of sidewalks and lighting. Similar projects are already being done. This would extend the project for the targeted area between 4th Street and 5th Street. The plan is to conclude all of Kleberg Street from City Hall down to the Kleberg County Courthouse. The amount of the grant is \$500,000.

Commissioner Leubert asked if the grant requires a cash match. Mr. Echeozo responded that there is a minimum match is 3.5% which is \$17,500. With this there will be in-kind engineering services as well. Commissioner Leubert asked if the in-kind engineering services will be part of the \$17,500 match. Mr. Echeozo responded no, the in-kind is separate. Leubert further asked if this was a continuation from the grant that was received for the improvements downtown by Mrs. Cynthia Martin, previous Downtown Manager? Mr. Echeozo responded yes.

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

There being no further comments, Mayor Fugate closed this public hearing at 5:12 P.M.

3. Public Hearing on Planning and Capacity Building Grant application to the Texas Department of Agriculture as part of the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:12 P.M.

Mr. Echeozo stated that this is a TXCDBG grant. This is a grant that has not been applied for but will come in handy as staff is looking at preparing a Comprehensive Plan for the City. Money for this grant is not as much as for the Main Street Grant. This is for an amount of \$75,000 which would be used for carrying out the relevant studies and some professional services need in the plan preparation.

Commissioner Leubert asked if this grant requires a cash match. Mr. Echeozo responded that there is a cash match of 25% that is based on population size which amounts to around \$19,000.

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 5:03 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, 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 crews are preparing for possible storm.

Mrs. Courtney Alvarez, City Attorney reported that there is a budget workshop scheduled for tomorrow, August 25, 2020. There is also a special meeting scheduled for August 31, 2020 and September 8, 2020. A regular meeting is scheduled for September 14, 2020. Alvarez further stated that negotiations with Police Department and Fire Department continue. The Police Department approved tentatively the proposal. Staff will continue to meet with the Fire Department Union on August 25th.

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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

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

1. **Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit for an R2 Two-Family Use (duplex) in C1 Neighborhood Service District at 314 E. Ave B, Kingsville, Texas, also known as Col. Mex., Block 15, Lot 26-28; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

Introduction item.

2. **Discuss and consider designating an engineering service provider for the 2020 Community Development-MIT Program application and project implementation administered through the Texas General Land Office and consider a resolution authorizing the selection of a professional service provider for the Community Development Block Grant-Mitigation (CDBG-MIT) Program funded through the Texas General Land Office (GLO). (RFQ#20-13). (City Engineer).**

Mr. Rudy Mora, Engineer stated that an RFP Bid #20-13 for Professional Engineering Services was advertised in the local newspaper and an email was sent to 10 Engineering Firms on July 30, 2020. The last day to receive RFQ's was August 14, 2020 at 3:00 p.m. Four RFQ's were received by the city, CivilCorp, International Consulting Engineers (ICE), LJA Engineering and LNV. All the companies that submitted RFQ's are located in Corpus Christi. The Selection Review Committee has three members as per General Land Office Grant requirements. The Committee consists of Commissioner Leubert, Mark McLaughlin, City Manager, and Rudy Mora, City Engineer. Based on the Engineer/Architect/Surveyor Rating Sheet reviewed by the Committee, the evaluated totals recommend designating International Consulting Engineers (ICE) as the Professional Engineering Services Provider. A Professional Engineering Services Contract will be negotiated and executed at a late date. The grant will provide 99% of the funds for Administration, Engineering, and Construction. The City is required to contribute a 1% cash match, plus pre-funding engineering services unless otherwise negotiated. It is staff's recommendation to approve International Consulting Engineers (ICE) as the Professional Engineering Services Provider.

Motion made by Commissioner Pecos to approve this item as per staff's recommendation, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Pecos, Lopez, Fugate voting "FOR". Leubert "ABSTAINED".

3. Discussion on health insurance plan options for FY20-21. (City Manager).

Mayor Fugate asked if the plan was to keep what the city had last year and only tweak the employee contribution amount. He further asked if the proposal from staff is that everyone goes to 10% and goes with Option 4 of the plan.

Mr. McLaughlin commented that Option 4 basically sets the premiums, the percentage paid between the employer and the employee for all four ways to get into the one plan. City employees will pay 10% of the premium with the City paying 90% of the premium. This will increase the cost to each individual which will be discussed in the next item (agenda item #4).

4. Discussion on compensation plan proposals for FY20-21. (City Manager).

Mr. McLaughlin stated that he would like to move those employees that are in the \$10 an hour range. With regards to splitting the insurance premiums, 10% paid by employee and 90% paid by city, for an individual who gets paid \$10.45 an hour plus 1.5% COLA increase equals to \$25.00 extra per month.

Mayor Fugate asked that for a new employee who is with the city for 6 months, don't they receive an increase after their probation period. Mrs. Gonzales responded that it is after a year that they receive a 3% increase.

Mr. McLaughlin further stated that with a COLA increase of 1.5% and the employee having to pay 10% of the insurance premium, the employee would be paying an extra \$25 per month out of pocket. McLaughlin stated that it is his recommendation to increase the COLA by an additional 1% and give a 2.5% COLA increase. This will add to the general fund about \$60,000 and on the utility fund and Tourism, split the last \$20,000. By doing this, that employee making \$10.45 an hour plus the 2.5% COLA equals to \$45.00 extra per month and with that they pay \$25.00 towards their premium but still making an additional \$20.00 a month. McLaughlin stated that this is something that the budget can afford and it will move us out of the \$10.00 range.

Commissioner Hinojosa that on the compensation plan Equipment Operator 1 and the Equipment Service Worker were moved to a different class. He asked how many of those employees were affected by making that move and was there a raise increase. Mrs. Gonzales responded yes there will be an increase as for the number of individual that it will affect, Equipment Operator 1 there are 3 employees, Equipment Service Worker has 1 position. Commissioner Hinojosa asked if the minimum wage does not increase, is there any way to move those employees that are within the class 1 through 4 can they be moved up to higher classes within the plan.

Mrs. Gonzales stated that at one point this had been done in the past when staff started eliminated the old schedule. Some positions were eliminated from the lower levels and moving those positions up. Gonzales further stated that she, at this time, does not have the cost if the city decided to make the minimum wage \$15 an hour. If those that were under \$15 were the only ones addressed or if there would be any other movement of classes as some of the lower ones are being moved to \$15. She further stated that this is a project should be looking into and getting some numbers in case it's an incremental increase.

Commissioner Leubert commented that she feels that the City is moving in the right direction when it comes to employees pay. She further stated that there are some employees that are well paid but for those making the lower wages, this would be a great help to them.

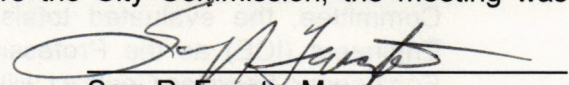
5. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the duties of the Tourism Director, City Manager, City Attorney, and Municipal Court Judge. (Mayor Fugate).

Mayor Fugate read and convened he meeting into closed session at 5:33 p.m.

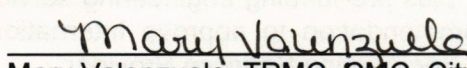
Mayor Fugate reconvened the meeting into open session at 5:50 p.m.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:51 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, GMC, City Secretary