

NOVEMBER 16, 2020

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 16, 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

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY STAFF PRESENT:

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

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with three Commission members present. Commissioner Leubert and Commissioner Pecos absent.

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 - November 09, 2020

Motion made by Commissioner Lopez to approve the minutes of November 9, 2020 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, 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. 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 new Capital Improvements Manager, Mr. Michael Mora started his first day with the City of Kingsville today. He further updated the Commission on the chip seal of Santa Gertrudis up to University Boulevard. Mr. McLaughlin further thanked the Kingsville Police Department for their hard work on a drug seizure that occurred this past weekend.

Ms. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for Thursday, November 19th at 5:30 p.m. This is a special meeting for the swearing-in of the newly elected officials. The next regular Commission meeting is scheduled for Monday, November 23rd at 5:00 p.m. The Commission will also be meeting on December 14th at 5:00 p.m. for their regular City Commission meeting. The deadline for staff to submit agenda items for the December 14th meeting is Thursday, December 3rd. Alvarez further reported that traditionally the second meeting in December is usually cancelled as it comes close to the holidays.

Mayor Fugate thanked staff for their assistance with Chick-fil-A agreements. He further announced that Harbor Freights will be opening soon. Fugate mentioned that there is a large truck stop interested in coming to Kingsville which will probably be located by Hwy 77.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to accept and expend grant funding from the Patrick Leahy Bulletproof Vest for Police Body Armor, the Coronavirus Emergency Supplemental Funding Program for overtime, the Local Boarder Security Program for operational overtime, and the Enhancement Body Worn Camera Policy and Implementation Program for replacement cameras. (Police Chief).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the carry-over purchase orders that were for projects started last fiscal year and will be completed in this fiscal year. (Finance Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the purchase of a narcotics detection K9. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider a resolution authorizing the Mayor to enter into three Texas Water Code Section 15.005 Memorandums of Understanding between Kleberg County and the City of Kingsville for the shared sub watersheds of Tranquitas, Santa Gertrudis, and Escondido Creeks as needed for TWDB. (City Engineer).

Mr. McLaughlin stated that these agreements are required by GrantWorks for the Texas Water Development Board applications. Anytime the City works on its portion of the water shed or the County works on their side of the water shed could have an impact on the other. These agreements say that all parties will work together and report annually together through the course of the project.

Mrs. Alvarez commented that this does not bind either party to the other financially.

Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to enter into three Texas Water Code Section 15.005 Memorandums of Understanding between Kleberg County and the City of Kingsville for the shared sub watersheds of Tranquitas, Santa Gertrudis, and Escondido Creeks as needed for TWDB, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting "FOR".

5. Consider a resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and New Urban Development Corporation, LLC. (Planning & Economic Development Director).

Mr. McLaughlin stated that this agreement is for Chick-fil-A. The agreement states that the company desires to build a driveway on the easement owned by the City. The City will allow, based on certain conditions. As a condition to allow the driveway in the easement, the Company agrees to pay for the permitting, construction, and maintenance of the driveway and acknowledges and agrees that the City may require at some point in the future for the movement, relocation, removal, and or reconstruction of the driveway at the business owner's expense in order for the City to access the property to inspect, maintain, repair, and or replace the utilities located within the City's easement.

Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and New Urban Development Corporation, LLC, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Lopez, Fugate voting "FOR".

6. Consider a resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on November 3, 2020. (City Secretary).

Mrs. Mary Valenzuela, City Secretary commented that the reason for having two separate resolutions for the canvassing of the November 3rd election is election results for the Charter Amendments are required to be filed with the Texas Secretary of State Office. The General Election is not an election that would need to be filed with the Secretary of State Office.

Motion made by Commissioner Lopez to approve the resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on November 3, 2020, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting "FOR".

7. Consider a resolution and order canvassing the election returns and declaring the results of the City of Kingsville's Special Election conducted on November 3, 2020. (City Secretary).

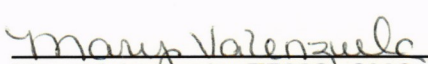
Motion made by Commissioner Lopez to approve the resolution and order canvassing the election returns and declaring the results of the City of Kingsville's Special Election conducted on November 3, 2020, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Lopez, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:13 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary