

JANUARY 23, 2012

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 23, 2012 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 4:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
 Al Garcia, Commissioner – arrived at 4:10 pm
 Charles Wilson, Commissioner
 Stanley Laskowski, Commissioner
 Arturo Pecos, Commissioner – arrived at 4:05 pm

CITY STAFF PRESENT:

Vince Capell, City Manager
 Edna S Lopez, City Secretary
 Courtney Alvarez, City Attorney
 Mike Kellam, Director of Development Services
 Bob Trescott, Downtown Manager
 Yolanda Cadena, Health Director
 Diana Gonzales, Human Resource Director
 Robert Rodriguez, Library Director
 Julian Cavazos, Police Lieutenant
 Willie Vera, Task Force Commander
 Naim Khan, City Engineer/Public Works Director
 Al Lopez, Fire Chief
 Bill Donnell, Asst Public Works Director
 Dave Mason, Purchasing Director
 Mark Rushing, Finance Director
 Tony Verdin, Information System Technician
 John Garcia, Risk Manager
 Caron Vela, Accounting Manager
 Gary Fuselier, Landfill Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the workshop to order in the City Commission Chamber at 4:00 P.M, and announced quorum as present with Commissioner Pecos & Commissioner Garcia absent.

CONVENE INTO REPORTS FROM COMMISSION & STAFF – ITEM III- REGARDING PROPOSED EXPENDITURE OF FY 2011 BUDGET SAVINGS.

City Manager Capell stated the purpose of the workshop is to discuss projects that were submitted to them last week. Today's meeting is to receive Commission direction or consensus. If there's agreement among Commission members for Staff to pursue these projects, Staff will do a more refine cost estimates and come back to the Commission later for final approval. He stated that the contents he provided were a cover memo, and a spreadsheet that was cross referenced to individual project sheets. He added the spreadsheet has a Council priority column that is left blank for Commission to assign priorities. All the individual project sheets are included. He would like to start with the projects with the most research. When the City thought it had less money, these were the projects that were focused on. It was found that the City's Fiscal Year 2011 finances were actually looking quite a bit better. The actual sales tax, property taxes and all over revenues are in and the final expenses are known. If the Commission has any questions on how this was determined, Finance Director Mark Rushing is available to explain. He stated he felt confident that the City has the number accurately stated at about \$1.5 million. The cost estimates are high. One of the things about these projects is that if the money is spent the results are almost guaranteed. There are options that the Commission have, for example, to establish a reserve for equipment replacements. They could double down on some things, if they like them a lot in addition to what is being proposed, and they could substitute projects on their own. There's a lot of discretion. The projects were provided by the department heads who know what is needed in their department. City Manager Capell called for questions or comments from the Commission.

Commissioner Laskowski voiced his concern about aging equipment being used by service workers. He stated this is a key element because in the past the City always had to borrow money to buy pickups. He stated he is the firm believe that the City needs to get away from that and the best way to do that is whenever the City has surpluses like this the City go ahead and

make those purchases. He added all this stuff is nice and will enhance the appearance of the community but his focus is to be able to provide basic services efficiently. City Manager Capell responded that he agreed and if the Commission wants it can self-designate a certain amount of money as reserve for future equipment replacements and continue to keep that funded through the operating budget. The best purpose of CO money is used in major infrastructure. Commissioner Laskowski stated the saving grace is that the Police Department has made large drug seizures and they have purchased vehicles, but this money might not be there. City Manager Capell stated if at tonight's meeting Staff could get a consensus from the Commission to proceed on a few projects then Staff could come back later with more information.

Mayor Fugate stated the paving of Ailsie Street is a given and the Commission agrees.

Commissioner Garcia voiced his concern for repair of the streets but that a lot of the listed projects have merit. City Manager Capell stated there's 120 miles of city streets and provided some suggestions on spreading the money for repairs. He stated Staff will try to take the Commission's direction. Commissioner Garcia voiced his concern about the Task Force being able to be self-sufficient, self-supportive and stated he is trying to show the importance of the Task Force to this community.

Mayor Fugate stated he had attended a County Commissioners' meeting and right now the City has a great problem. City Manager Capell responded he'd like to think it all happened because he came to town, but obviously that's not true, the hard work was done before and the economy is improving. City Manager Capell stated that the city won't have these kinds of savings every year and this should be considered one-time monies to be spent for one time projects to the extent possible.

Director of Development Service Mike Kellam addressed the Commission and provided information on the dumpster enclosure proposal. He stated this came about as part of the continuing effort to enhance the overall community appearance, consistent with current City Commission goals and the City's Master Plan. The intent is to enhance the aesthetics of the city by reducing the visibility of commercial dumpsters, while keeping them accessible, so they're not prominently displayed at major focal points along the city's busiest thoroughfares. A simple, cost effective remedy to the dumpster appearance problems is to lessen the visual exposure of the commercial dumpsters so they are not what the eye is automatically drawn to. A simple dumpster screen or enclosure can be constructed to provide a clean, organized look that will obscure or screen the physically unattractive dumpsters dramatically improving the appearance for that section of the corridor. A solution that was researched, analyzed and found to be feasible is providing/requiring dumpster enclosure for all commercial dumpsters with the assistance from the City. He explained three options and stated that option #3 is the preferred. The third option would do all 75 dumpster enclosures in one process with a complete screening of the top 75 dumpsters along all identified major thoroughfares. He further explained the one-time cost ranging from \$20,000-\$60,000 that would need to be supplemented periodically with money for maintaining the enclosures, in a manner similar to that required for the dumpsters themselves. Staff recommendation for financing is that the entire cost from fund balance FY2011 actual budget savings (now in fund balance) to be recovered overtime, in whole or in part, through existing commercial sanitation fees. In conclusion, staff performed extensive research in preparing the above information for Commission consideration in an effort to assist in the accomplishment of your goals for city beautification, consistent with the City's Master Plan. The options that have been provided herein are priority based and allow flexibility dependent upon available funding. Staff also performed the necessary research and preparation to continue the effort beyond the 25, 50, or 75 dumpsters.

City Manager Capell stated what Staff looked for was a major dramatic positive impact using the least amount of money. This project and the landscape corridor project met those requirements. He stated that he thought about charging the customer for the dumpster enclosures but when he saw the amount of revenue the City was generating the City is already generating that profit from Sanitation operations.

Commissioner Laskowski asked how much thought was given to investing \$60,000 to cover 75 dumpsters. He stated he had read the proposed ordinance and did not see anything as to who would be responsible for the enclosures. He stated this is a significant investment and the City is picking 75 businesses. Mr. Kellam explained the on-going maintenance would be the same as fences. City Manager Capell stated the City purchased some of the dumpsters with CO's and the dumpsters are not different from the enclosure or a concrete pad. In his view, the City's fees should pay for the cost of the dumpster, enclosure, and pad, this is a package deal. He stated the City is already collecting more than the service in cost.

Commissioner Wilson stated since it's a pilot program, why the City didn't stick with red, roll that out, put those in place and see how those work before picking 75. Mr. Kellam responded that

was prepared giving the Commission those options, but Staff just thought they could have a massive immediate impact by doing 75.

City Manager Capell stated what he would anticipate the Commission approves the expenditure of this \$1.5 million. He asked for a general cense of Commission. Mayor Fugate asked how this should be handled, if with a thumbs up or down on each project. City Manager Capell responded that would be fine since there's no vote being taken. Commissioner Garcia stated he had no problem putting these in major thoroughfares.

Mr. Kellam provided information on the corridor landscaping project every thoroughfare within the City was researched but felt that the best pilot area is the area between Highway 77 and South 14th Street. This area is a wide right-of-way which lacks any vegetation other than what's on site of the businesses. This area is heavily traveled with major businesses located in that area. The proposal is provide ample vegetation mostly trees, potentially some shrubs as part of this proposal or at a later date. This would create attractive corridors and entrances to enhance the community character. The estimated costs will total \$55,000 for materials, delivery and installation of the trees plus contingency inclusion of \$5,000 for a total of \$60,000. Based on this research and analysis, Staff is confident the return on investment will be exponential in terms of enhanced community appearance as well as providing a point of pride for the community on one of its most heavily traveled routes.

Mayor Fugate stated this is something that is needed and it's a good place to start. Commissioner Garcia asked what kind of trees would be planted. Mr. Kellam replied they are still researching but are looking at some type of palm tree.

Mr. Kellam provided information on the Community Appearance Building project. This project consists of filling in cracks on the building and painting the outside of the building at a cost of approximately \$20,000. Mayor Fugate stated this is truly needed.

City Engineer Naim Khan addressed the Commission. Mayor Fugate called for questions or comments from the Commission on paving Armstrong and Ailsie Streets. The Commission was in agreement. Mr. Khan stated that Kleberg Street is historically one of the most important streets in town. Currently this street has a lot of big cracks which is a tipping hazard. The sidewalks are outdated and inconvenient to the pedestrians. The reconstruction of this street will help revitalize the downtown and attract businesses and tourists. The cost to repair this street from the Courthouse to 3rd Street is \$300,000. City Manager Capell stated this would be the engineering part of the work. He stated he proposed \$20,000 in matching funds for adding a garage bay at the Volunteer Fire Station. He stated there might be a way of turning the pump house into a garage bays. Mayor Fugate stated this is a great old building that is still being used, but the roof does need some work.

Mr. Khan provided information on Water Well #19 Pump House. He stated this is a historic industrial building that is ideal for the adaptive reuse and the existing pump house and surrounding land can be donated to Kingsville Historic Preservation Foundation. The building requires extensive repair and since it is a historic building, the repair cost will be very expensive. The total money needed is \$200,000. Mayor Fugate suggested taking a closer look at this project.

Mr. Khan stated the parking lot at 7th & Yoakum needs extensive work and will be used to support our event policy, at total cost of \$60,000. This will provide additional parking for downtown. Ms Alvarez stated the property would have to be leased from the landowner, Mr. Mike Krueger.

As for the GIS equipment and server currently used by the City, the City is now borrowing the equipment from the University; the cost is \$4,400 for two units. The Public Works yard projects include a welding shed, auto gate opener, pressure washer and catwalk, gas pump canopy and fence slats for a total of \$94,300. At the Recycling Center the project includes, fence slats, fence closure, and bailer, for a total of \$94,500. Grand Total for Public Works projects is \$1,720,347.

Commissioner Pecos suggested installing recycling bins at the Recycling Center so that people can recycle after hours.

City Manager Capell stated the Rotary Club has made a proposal to improve the lot at the Post Office. He stated he just came up with a figure of \$30,000, but has heard cost estimates as much as \$130,000. He stated the idea is for the City to put matching funds.

Downtown Manager, Bob Trescott addressed the Commission and stated Rotary has \$35,000 from the Brookshire Foundation. City Manager Capell stated he has not presented the plans to

Rotary. Mr. Trescott stated the Rotary, the Foundation and University Students are involved in this project.

Commissioner Wilson stated that both he and Commissioner Laskowski located the amount of \$50,000 for the project. He stated if the City's taking on this type of project, the City needs to take a step back and find out how all the utilities, signal lights and everything else that wraps around that corner can be taken out so that it actually has no features but the park available to the site.

City Manager Capell stated it seems that the Commission is willing to spend some money on this project. Commissioner Laskowski stated that the City needs to make sure that whatever investment is made on that corner, it is fully understood by the US Postal Service that they have to maintain it. Commissioner Wilson stated they will not maintain it. City Manager Capell stated this is just one of the many things that need to be clarified through the process.

As for the canopy, Mr. Trescott stated HEB will be removing the canopy to expand their parking lot. The structure can be used for downtown events to provide shade. This will be located between the pump house and the Xerioscape Garden. The cost for this project is \$23,500.

The Wayfinding project would promote identity to the City. The project cost is \$30,000.

Mr. Trescott stated the Application for a Certified Local Government (CLG) Grant, the City Commission on November 4th applied for this grant. The CLG Grant is a 50/50 matching grant whose match can be cash or in-kind. The requested cash dollar amount for grant is \$25,000.

Mayor Fugate asked the Commission if they had any problems with the Fire Department's request of \$22,207 for 2 laptops and 2 power stretchers. Consensus of the Commission was to approve. Mayor Fugate stated as far as the Volunteer Fire Department's request, he would suggest looking at \$20,000 along with the \$200,000 for redoing the pump house and see what type of package could be put together for that project.

Mayor Fugate stated that the Library needs these projects, the air conditioning and plumbing, but the City needs to talk to the County about putting in their half.

Lt Cavazos stated that the Police Department has made some beautification improvements to their location. There are three projects that need attention, landscaping, building repairs and body armor. There is money in the budget to maintain these projects. Commissioner Wilson suggested concentrating on the body armor first, building repairs, and then landscaping.

Mayor Fugate stated the Commission has no problem with upgrading the time clocks.

Mr. Kellam stated the GIS projects would allow staff to be more efficient. He gave an example of his experience. The city would sell subscriptions to this. Mr. Verdin stated this is solely for web base application. He further explained the capabilities for the GIS.

Mayor Fugate stated he appreciated Staffs work because they spent a lot of time and the effort on this, and the Commission appreciates it. City Manager Capell stated he understands the Commission wants further study on the reserves for equipment replacement and asked if there was anything else.

The Workshop was closed at 5:43 P.M.

6:00 P.M. – Regular Session of the Agenda continues.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mr. Mark Rushing, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the regular meeting of Monday, January 9th, 2012. **Commissioner Laskowski made a motion to accept the minutes, as presented, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".**

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

III. Reports from Commission & Staff²

"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, Convention and Visitor's Bureau, 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, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor presentation. No formal action can be taken on these items at this time."

City Manager Capell asked Mr. Rushing to introduce Ms Rose Morrow the new Court Manager for the City of Kingsville.

Ms Alvarez reported on the Special Commission meeting/workshop on Monday, January 30th at 5:30 P.M., the next regular meeting is scheduled on February 13th, agenda items for the meeting of the 13th are due on Friday, February 3rd. Municipal court is scheduled for Thursday, February 2nd. She congratulated Ms Yolanda Vasquez for her combined years of service to the City of 47 years.

Mayor Fugate presented three proclamations – The International Year of Cooperatives; Black History Month; and Catholic Schools Week.

Commissioner Laskowski presented a Because You Care Award to the Department of Agriculture, Agribusiness & Environmental Services Agra 1201-Fall 11.

Mayor Fugate presented a plaque to Commissioner Laskowski for his years of service to the beautification to the City of Kingsville - Keep Kingsville Beautiful.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called for comments on all agenda and non-agenda items. There were no comments.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-4. **Commissioner Wilson made a motion to adopt the Consent Agenda, as presented, seconded by Commissioner Laskowski and Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pecos, Laskowski, Garcia, Wilson voting "FOR".**

V.

Consent Agenda

1. ORDINANCE No. 2012-01 Motion to approve final passage of ordinance amending the Fiscal Year 2011-2012 General Fund Budget for the City of Kingsville to accept donations for Keep Kingsville Beautiful Projects. (Finance Director).
2. RESOLUTION No. 2012-01 Motion to approve a resolution of the City of Kingsville supporting Bullying Awareness. (Mayor Fugate).
3. Motion to approve authorizing participation in 2012 Ride on the Wild Side Charity Bike Ride to be held on April 21, 2012. (City Attorney).
4. Motion to approve waiving all City fees and any fees for services for participants of the Kleberg-Kenedy County Junior Livestock Show Parade to be held on January 27th, 2012. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

NONE

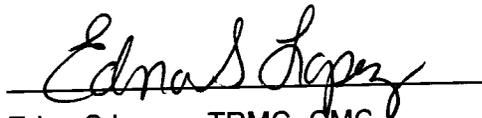
VII Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:18 P.M.



Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC

City Secretary