

APRIL 14, 2014

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 14, 2014 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Dianne Leubert, Commissioner
Al Garcia, Commissioner
Noel Pena, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vincent J. Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Bill Donnell, Asst. Public Works Director
Emilio Garcia, Health Director
Charlie Cardenas, Public Works Director/City Engineer
Robert Isassi, Director of Planning & Development Services
Willie Vera, Task Force Commander
Diana Gonzales, Human Resources Director
David Mason, Purchasing/IT Director
Melissa Perez, Risk Manager
Ricardo Torres, Chief of Police
Robert Rodriguez, Library Director
James Bryson, Finance Manager
Joey Reed, Fire Chief
Pete Pina, Landfill Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum with five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Regular Meeting – March 10, 2014

Mayor Fugate asked for a motion to approve the minutes as presented.

Motion made by Commissioner Pecos to approve the minutes as presented, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting “FOR”.

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

1. NONE.

III. Reports from Commission & Staff.² (City Manager’s Staff Report Attached).

“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, 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,. No formal action can be taken on these items at this time.”

Mr. Vince Capell, City Manager reported that on Saturday, April 26, 2014 the City will be hosting an employee tailgate at the Javelina baseball game. Food, beverages, and

tickets will be available to employees and their families. Mr. Capell further stated that the County has approved the economic incentive agreement for the development of 24 townhomes.

Mrs. Courtney Alvarez, City Attorney, reported that Kleberg County approved their agreement with the developer they also approved an interlocal agreement with the City to administer the agreement they approve with the developer as has been done with the prior two EDA agreements. She further stated that on April 23rd, an agenda item will be brought forward to the City Commission to approve the interlocal agreement. Alvarez further reported on the bond trading taking place this week with a funding sale on April 28th which will require a special Commission meeting to approve the ordinance for the bond refunding sale. She further stated that upon a request from the Purchasing Director, he would like to move agenda item #6 before item #5.

Mayor Fugate presented a retirement certificate to Mr. Jesse Ybarra. Mr. Ybarra has worked for the City of Kingsville for 15 years in the Health Department.

IV. Public Comment on Agenda Items ³

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

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.

Motion made by Commissioner Pecos to accept the consent agenda as presented, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

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)

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 8, Traffic Control Devices, providing for the installation of a stop sign at the Naval Air Station Kingsville Gate. (City Engineer/Public Works Director).
2. Motion to approve final passage of an ordinance amending the fiscal year 2013-2014 budget for Community Appearance to purchase five (5) benches and seventeen (17) litter/recycling receptacles for the downtown area. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners. ⁴

3. Consider a resolution authorizing the City Manager and Chief of Police to participate in the Texas 1033 Surplus Property Program on behalf of the Kingsville Police Department. (Police Chief).

Ricardo Torres Police Chief, reported that this item is to the application and participation in the Texas 1033 Surplus property program on behalf of the Kingsville Police Department. The Police Department has use for surplus property from the Department of Defense that can be transferred to law enforcement agencies. Chief Torres stated that

KPD has read through the information provided and has designated individuals to request authorization for screening and receiving surplus property.

Commissioner Garcia asked what the KPD is requesting. Chief Torres stated what he is requesting is an armored vehicle for the tactical unit. Garcia asked what the market for insuring this type of vehicle is and will there be any training on how to operate the vehicle. Chief Torres stated that there is a market to insure the vehicle. Torres further stated that the training can be done through the National Guard or staff that has operated this type of vehicle while in military active duty.

Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Pena, Garcia, Leubert, Fugate voting "FOR".

4. Consider authorizing LNV, Inc. to negotiate the acquisition of a 15 foot utility easement for the Lift Station/Force Main Sanitary Sewer Improvements project. (City Engineer/Public Works Director).

Charlie Cardenas, Director of Public Works/City Engineer stated that this item will authorize the engineer of record, LNV, Inc. to negotiate the acquisition of a 15 foot utility easement for the Sanitary Sewer Force Main Improvement Project within the city limits.

Motion made by Commissioner Pena to authorize LNV, Inc. to negotiate the acquisition of a 15 foot utility easement for the Lift Station/Force Main Sanitary Sewer Improvements, seconded by Commission Pecos. The motion was passed and approved by the following vote: Pena, Garcia, Luebert, Pecos, Pena, Fugate voting "FOR".

5. Consider a resolution authorizing the City Manager to enter into a governmental Lease/Purchase Agreement (M 14-02A) between Capital City Leasing, Inc. and the City of Kingsville for road improvement equipment. (Director of Purchasing & Technology).

Mr. Mason reported that with Commission approval to proceed with the acquisition of the leasing funds necessary for the Roadtec Paving machine and the Mauldin Distributor the City has acquired those two items by legal means through seal bid. The payments are under the budgeted amount with the lease rate of 2 ½%. The annual payments will be \$70,427.35 per year.

Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

6. Consider awarding bid (#14-12) for oil distributor for the Street Department to Closner Equipment, as per staff recommendation. (Director of Purchasing & Technology).

Mr. Mason reported that this item authorizes the purchase of one Mauldin 2000 gal. oil distributor for the Street Department. The City advertised for sealed bids on March 19, 2014 and March 26, 2014. There were two respondents to Bid 14-12 opened on April 3, 2104 at 3:00 p.m. Staff recommends that the best value for the City is a Mauldin MPS 2000 at \$157,000. This unit is in stock and available for immediately delivery. Mason further stated that leasing funds are available as \$80,000 is budgeted for FY 14, from account 001-5-305.0-641.00.

Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".

7. Consider introduction of an ordinance amending the Fiscal year 2013-2014 budget for the General Fund Street Department to lease/purchase a 2013 Roadtec asphalt paver and Maudlin distributor on an International Truck chassis. (Director of Finance).

Introduction item.

8. Consider introduction of an ordinance amending the Fiscal year 2013-2014 budget for the General Fund Landfill Department to pay for equipment repair costs and engineering services. (Director of Finance).

Introduction item.

9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, by amending Sections 55-61-Planned Unit Development District regulations. (Director of Planning & Development Services).

Mr. Isassi reported that this is an updated for the Planned Unit Development Code.

Introduction item.

10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, by adopting Sections 194-203-Wind Energy Conversion Systems regulations. (Director of Planning & Development Services).

Introduction item.

11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, by adopting Sections 174-187-Solar Energy Systems regulations. (Director of Planning & Development Services).

Introduction item.

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 1, by amending Section 6-Schedule of Permit Fees to add fence construction permit fee and clarify the existing plan review fee. (Director of Planning & Development Services).

Introduction item.

13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, by amending Section 21-Definitions to add construction fence, home occupation, kennel, planned unit development, sight-obscuring fence and sight-visibility triangle. (Director of Planning & Development Services).

Introduction item.

14. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances, Chapter XV, Land Use, Article 6, by amending Appendix A-Land Use Categories of Section 1-Land Use Chart to add land usage guidance for home occupation, planned unit development, solar energy systems and wind energy systems (Director of Planning & Development Services).

Introduction item.

15. Consider introduction of an ordinance Chapter XV, Land Use, Article 6, by adopting Section 28-Fence regulations. (Director of Planning & Development Services).

Introduction item.

16. Consider introduction of an ordinance by amending Chapter XV, Land Use, Article 6, Section 27, providing for accessory uses and structures. (Director of Planning & Development Services).

Introduction item.

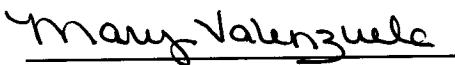
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:35 P.M.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, City Secretary