

OCTOBER 13, 2014

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 13, 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
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vince Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
David Mason, Purchasing/IT Director
Deborah Balli, Finance Director
Tom Ginter, Director of Planning & Development Services
Leo Alarcon, Tourism Director
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Bill Donnell, Assistant Public Works Director
Charlie Cardenas, Public Works Director/Engineer
Joey Reed, Fire Chief
Ricardo Torres, Police Chief
Susan Ivy, Parks Director
Robert Rodriguez, Library Director
Melissa Perez, Risk Manager
Willie Vera, Task Force Commander
Jessica Storck, Administrative Assistant
Cynthia Martin, Downtown Manager
Rose Morrow, Municipal Court Manager
Frank Garcia, Wastewater 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 four Commission members present. Commissioner Pecos absent.

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

Mayor Fugate requested that a separate vote be taken for the minutes of September 2, 2014 as he will be abstaining from voting on this set due to his absence at this meeting. No objections were made by the City Commission.

Special Meeting – September 2, 2014

Motion made by Commissioner Pena to approve the minutes of September 2, 2014 as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Leubert, Pena voting “FOR”. Fugate “ABSTAIN”.

Special Meeting – September 3, 2014
Regular Meeting – September 8, 2014
Special Meeting – September 15, 2014
Special Meeting – September 18, 2014
Regular Meeting – September 22, 2014

Motion made by Commissioner Pena to approve the minutes of September 3rd, September 8th, September 15th, September 18th, and September 22, 2014 as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Leubert, Pena, Garcia, 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, introduced Mr. Tom Ginter, new Director of Planning & Development Services. Mr. Ginter's first day of work was on Monday, October 13, 2014. Mr. Capell further announced the City of Kingsville Game Night 2014 Employee Appreciation Event which is scheduled for Saturday, November 1, 2014 @ 4:30 p.m. at Texas A&M University - Kingsville.

Mrs. Courtney Alvarez, City Attorney, reported that the next City Commission meeting is scheduled for Monday, October 27, 2014 with a deadline to submit agenda items Thursday, October 16, 2014.

Mayor Fugate presented a proclamation for National Domestic Awareness Month to Ms. Elvia Garcia and Ms. Erica DeLaPaz representatives of the Women's Shelter.

IV. Public Comment on Agenda Items.³

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

No public comments.

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

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 3, Subdivisions, Sections 15-3-15 through 15-3-25, revising the platting procedures. (Interim Director of Planning & Development Services).
2. Motion to approve out-of-state travel for the City Engineer/Public Works Director and the Wastewater Supervisor to tour and evaluate the Centrisys facility in Kenosha, Wisconsin in late October or November of 2014, with all travel and lodging expenses paid by the company. (City Engineer/Public Works Director).
3. Motion to approve membership renewal with Electric Reliability Council of Texas ("ERCOT") for 2015 membership year. (City Attorney).

4. **Motion to approve a resolution authorizing the City Manager to enter into an engagement letter agreement between the City of Kingsville, Texas and John Womack & CO., P.C. for the 2013-2014 Fiscal Year Audit. (Finance Director).**

5. **Motion to approve appointment of Jonathan Plant to the Historical Development Board for a three year term. (Downtown Manager).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. **Consider authorizing participation in the Kingsville Heritage Rodeo & Cook-off, November 21 & 22, 2014 during the King Ranch Breakfast and the Ranch Hand Festival. (Director of Tourism).**

Mr. Leo Alarcon, Tourism Director, reported that the Kingsville Chamber of Commerce is requesting sponsorship from the City of Kingsville for Kingsville Heritage Rodeo & Cook-off. This event is to be held in November, 2014 during the weekend of the King Ranch Breakfast and the Ranch Hand Festival, November 21st & 22nd, 2014. It is being requested that the City donate an estimate of \$10,000 in in-kind services. The Board is requesting City support in the form of the rental fee of \$3,000 for the Expo Center at Dick Kleberg Park, advertising from the department of Tourism in the amount of \$2,800, security from the Kingsville Police Department and Task Force Agency to total an estimate of \$4,000, and trash pickup of Friday and Saturday nights for an estimated total of \$200.

Commissioner Leubert commented that within the agenda packet there are two memos, one requesting \$10,000 in in-kind services submitted by Mr. Alarcon and the other requesting \$5,000 in cash with \$5,000 in in-kind services submitted by Mrs. Alice Byers of the Kingsville Chamber of Commerce. Leubert requested some clarification between both memos as to which request is accurate.

Mrs. Alice Byers responded by stating that after she and Mr. Alarcon spoke, it was decided that Mr. Alarcon's memo is the correct memo which states the request of \$10,000 in in-kind services with no cash donation.

Commissioner Garcia commented that he has a concern with these types of request being made on the newly acquired J.K Northway. He further stated that he recalls a discussion about these types of request and the giveaway programs that Kleberg County had in the past, which put the Parks in the condition they are in now. Garcia stated that he is all in supporting the community, but these types of events should come before the City Commission prior to them being scheduled.

Mr. Capell commented that some of the upcoming events for this year were already pre-scheduled and pre-approved through the County, to which back then they controlled the J.K. Northway. Capell continued to state that with next year's events, they will be brought to the City Commission if any request of support is being made from the City.

Mayor Fugate commented that if a request is being made for any fees to be waived, fees should be paid by the City and given to the Parks Department. He further stated that he doesn't want for organizations to try and take advantage by requesting waivers. These types of request should be looked into on a case by case basis.

Commissioner Pena commented that a Commission workshop may be needed to evaluate all the different types of events that occur in Kingsville.

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

7. **Consider introduction of an ordinance amending the fiscal year 2014-2015 budget for the General Fund to provide funding for building improvements to the city property at 2211 South Brahma Blvd. (Director of Finance).**

Mrs. Deborah Balli, Finance Manager, reported that this amendment is for work that needs to be completed at the GCS Building. Work was started last fiscal year for a total budget of \$20,325, of which \$12,309 of that work was done with the remaining balance going into fund balance. The work still needed to be completed at the GCS Building totals to \$16,989.

Commissioner Garcia asked when the tenant will be occupying the building. Mrs. Jessica Storck, Administrative Assistant, responded that the tenant will occupy the building on October 15, 2014. Commissioner Garcia further asked if the additional money that is being requested is for unpaid work that has already been done.

Mr. Capell commented that he has already authorized the work to be done as he felt that the City Commission would have wanted it to be done.

Mayor Fugate commented that the Commission would have wanted it done.

Commissioner Leubert asked for the total amount for the renovation. Mrs. Balli commented that the total is about \$30,000.

Introduction item.

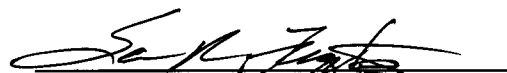
8. Consider a resolution authorizing the Mayor to enter into a Concession Agreement between Kleberg County and the City of Kingsville for the L.E. Ramey Golf Course. (City Attorney).

Mrs. Alvarez reported that with regards to this agreement, Kleberg County contacted the Department of Interior and any time that Federal Land is under contract or going to be leased, the Department of Interior has a preferred template that they would like to see in place. This template is called a concession agreement. The Department of Interior requires initials by certain paragraphs for mandatory language, mandatory applicable and optional applicable. Mrs. Alvarez further commented that when the County Attorney contacted the gentleman with the Department of Interior, he strongly recommended that their template be used, which should facilitate and ease the process in getting it through the support center within the Department of Interior.

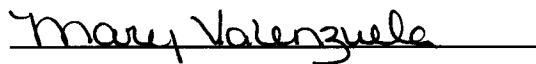
Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Leubert, Pena, Garcia, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:25 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary