

JANUARY 12, 2015

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 12, 2015 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  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Vince Capell, City Manager  
Courtney Alvarez, City Attorney  
Deborah Balli, Finance Director  
Tom Ginter, Director of Planning & Development Services  
Leo Alarcon, Tourism Director  
Emilio Garcia, Health Director  
Diana Gonzales, Human Resources Director  
Joey Reed, Fire Chief  
Willie Vera, Task Force Commander  
Cynthia Martin, Downtown Manager  
Joey Reed, Fire Chief  
Melissa Perez, Risk Manager  
Charlie Sosa, Street Supervisor  
Bill Donnell, Assistant Public Works Director  
Jennifer Bernal, Community Appearance Supervisor  
Robert Rodriguez, Library Director  
Susan Ivy, Parks & Recreation Manager  
Kyle Benson, Help Desk  
Charlie Cardenas, Public Works Director/Engineer

**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 all 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 – December 8, 2014  
Special Meeting – December 15, 2014

**Motion made by Commissioner Pena to approve the minutes for December 8<sup>th</sup> and December 15, 2014 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Pena, Garcia, Leubert, Fugate voting “FOR”.**

**Public Hearing - (Required by Law).<sup>1</sup>**

1. NONE.

**II. Reports from Commission & Staff.<sup>2</sup> (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 announced that after a long holiday city staff is back and ready for the New Year.

Mrs. Courtney Alvarez, City Attorney, reported that there is one proclamation to present during tonight's meeting for Catholic School Week. Alvarez further reported that due to the absence of Mr. David Mason, Purchasing Director and Tony Verdin, Information Technician Specialist, staff is recommending that the City Commission take no action on agenda item #15. This item will be brought back to Commission at a later time. Mrs. Alvarez also reported that the next regular City Commission meeting is scheduled for Monday, January 26, 2015, with agenda items due Friday, January 16, 2015. Alvarez further stated that City Hall offices will be closed on January 19, 2015 in observance of Martin Luther King Holiday.

Mayor Fugate presented the Catholic School Week Proclamation to representatives of Saint Gertrudis Catholic Church.

Mr. Charlie Cardenas, Public Works Director/Engineer, reported that tree recycling is opened over at the Public Works Department on 1300 E. Corral Street. This recycling location is for citizens to drop off their live Christmas trees where they can be mulched and given back to the citizens to be used for gardening.

Commissioner Leubert stated that on the second day of January, we lost our internet, had a gas leak and had sewer backed up. Public works employees came out and did a fantastic job in repairing these issues. Leubert stated that she would like to thank staff for their hard work.

### III. Public Comment on Agenda Items.<sup>3</sup>

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

No comments made from the public.

### IV.

#### 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)*

Commissioner Pena requested that agenda item #3 be pulled from the consent agenda and moved to the regular agenda for discussion.

Commissioner Garcia requested for agenda item #1 be pulled from the consent agenda and moved to the regular agenda for discussion.

Mayor Fugate asked for a motion to approve the consent agenda for agenda item #2 only.

**Motion made by Commissioner Leubert to approve the consent agenda as amended which is to approve agenda item #2 only, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Garcia, Fugate voting "FOR".**

#### **1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 15-6-130, providing for revisions to the electronic variable messaging sign ordinance. (Director of Planning and Development Services).**

Mr. Tom Ginter, Director of Planning and Development Services, reported that pertaining to the last meeting and the questions that the City Commission asked about, to which Mr. Ginter has made contact with Mr. Glen Jones, who is present at tonight's meeting, the three things that this amendment will not impact Naval Air Station-Kingsville is that the billboards along Hwy. 77 are not eligible for electronic signs only in front of businesses. There are high restrictions that come into play and also there are amendments in the ordinance which have a brightness level. After having some discussions, we don't believe it would interfere with any pilot activity at Naval Air Station-Kingsville.

Mr. Glen Jones, Community Plans Liasion Officer Naval Air Station-Kingsville, reported that the FAA does not have a lot of information on this as he had researched it. Mr. Jones

stated that he made a call to Mr. Mike Kellam who worked on this quite a bit. Jones stated that he spoke with the Aircraft Facility officer to receive his input. Jones stated that it is the intensity and the frequency that they are concerned about which it seems that this ordinance addresses that already. Mr. Jones stated that their only concern are signs along Hwy. 77, the billboards out with height restrictions. A sign like Gem's, if it was really bright would probably cause a problem for the naval base. Mr. Jones stated that they have a sign similar to this on base but they don't turn it up obnoxiously bright. Mr. Jones stated that driving along Senator Carlos Truan Blvd. where there is a church off the left hand side that has an electronic sign that is quite bright but doesn't bother the base cause of its location being so low to the ground. He further commented that with Walgreen's, CVS, and Sonic having these types of signs even though the city has an ordinance that prohibits them, they are still located in town. Mr. Jones stated that by passing this ordinance it gives the city more authority and ability to regulate these types of signs so that there not a hazard to drivers or aircrafts. He further stated that what is happening now is that citizens are going around this code by going to the Board of Adjustments for approval. Jones stated that it's best for the city to approve this ordinance and if it turns out that there is a problem because there is an ordinance in place, the City can go back and amend the ordinance to make sure that the lexes or luminaire that the brightness can be regulated. Mr. Jones stated that his only comment would be not to grandfather anybody and any sign that exist would have to comply with this ordinance.

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

**2. Motion to approve re-appointment of Raymond Perez to the Joint Airport Zoning Board for a two-year term. (Director of Planning and Development Services).**

**3. Motion to approve out-of-state travel for City Commission and staff to attend the National League of Cities Conference in Washington, DC on March 7-12, 2015. (Commissioner Garcia).**

Commissioner Pena commented that the reason he has requested for this item to be pulled from the consent agenda is for the benefit of the public. He stated that he doesn't attend out-of-state conferences and since we have quite a few agenda items coming up here pretty soon on how to deal with financial issues dealing with streets and a whole series of events that will take an initiative on the Commission's part as to how some of these things will be funded. Pena stated that since the legislature is also meeting in January, 2015, it is to the Commission's benefit that any travels should be, that the Commission use to some fiscal constraint and use this travel here in state, would better benefit the City of Kingsville. Pena further stated that he just wants to put this out there that he is working on this with the members of the City Commission so that they think more about travel before going out-of-state.

Commissioner Pecos commented that he is one of the members that will be traveling to Washington, DC. He stated that he did not attend the National League of Cities in Austin to which some of the other Commission members did attend. He further stated that he has money within the budget that was appropriated by this Commission for traveling. This is the only opportunity that he has that will able him to speak with Senators and Congressman of our state with regards to issues that we have in our city, county, and veterans. Pecos further stated that he will be attending this particular conference because there is money within his budget that will allow him to attend.

**Motion made by Commissioner Garcia to approve out-of-state travel, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Leubert, Garcia, Fugate voting "FOR". Pena voting "AGAINST".**

## REGULAR AGENDA

### CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

#### VI. Items for consideration by Commissioners.<sup>4</sup>

**4. Discussion on potential Tax Credit Housing Project by Cayetano Housing. (Director of Planning and Development Services).**

Mr. Ginter reported that he has visited with Mr. Matt Long of Cayetano Housing regarding a project using tax credit housing. Cayetano Housing has asked to make a presentation only to the City Commission regarding this project.

Mr. Matt Long reported that Cayetano Housing is a developer based out of Austin, TX. Cayetano Housing has been doing residential development for about 20 years, and moved into multi-family about three years ago and focusing on tax credit projects. A tax credit program is a Federal Program that encourages private industry to invest in affordable housing. The program enables developer to charge low rents for high quality accommodations. This does not equate to lower quality of tenant. All tenants must go

through a thorough screening process. The program has zero tolerance for criminal violations. This does not equate to lower quality construction. Mr. Long further stated that Kingsville has six existing TCCs in Kingsville some being the Courts of Palomas, Kings Crossing, and The Heights of Corral. Mr. Long stated that what they have in mind is a 48 unit two story complex. This would be a gated community with private parking. The construction materials would be Austin Stone with concrete siding, hardy plank and include a clubhouse, playground and be a mix of one, two, or three bedroom unit. The location would be on General Cavazos Blvd. Long stated that this location was chosen because it is a competitive program so they will be competing with other persons that would like to do similar housing within the Corpus Christi area. The cycle that has been chosen scores well, so it's believed to have a good chance of winning. Long stated that another reason they like it is that it's directly next to three existing multi-family communities. Long explained what his company does that is different to section-eight housing. He stated that this is not a section-eight housing. Section-eight housing is a HUD Program to where Tax Credit Communities are sponsored and regulated by the IRS. HUD targets persons who earn between 0% of adjusted gross median earned income and 30% of adjusted gross median earned income as to where they meet persons that make 30% of meeting the income all the way to 100%. Tax Credit Communities will have persons that are making 30%, 50%, 60% of median income as well people that are making 100% such as oilfield workers. Long further stated that the Community will be managed by professional management company named Alpha Barnes Real Estate Services based in San Antonio, TX. Alpha Barnes manages approximately 85 properties or 15,000 units that are primarily located in Texas. They have on-site management and staff as well as professional landscaping and maintenance and ongoing preventive maintenance for both the buildings and units. Residents are screened thoroughly via various checks that include credit, criminal, rental history, and income. Residents must comply with community rules and regulations or may be evicted. The benefits to Kingsville economically are a \$7 million dollar construction investment to the City with a creation of 60 plus jobs during construction and the creation of three permanent jobs after construction. It will create new property taxes paid annually to the city of approximately \$35,000 and the generation of permitting and fees for the city. It will create new utility revenues and new sales tax generated for the city. Mr. Long further commented that what is needed from Kingsville in order to win the allocation is two resolutions from the City Commission. One resolution showing the support for the project and a second resolution of support of local finding. For this project it is needed \$160,000 of local support which is typically done through a loan such as deferment of fees or taxes. Long further stated that the \$160,000 may be sourced by their own lender and run through the Kingsville Housing Finance Corporation.

Commissioner Leubert stated that during a conference she attended in Austin, she attended a mobile session regarding tax credit communities. She stated that this was a very successful program with lots of amenities to the residents.

Mayor Fugate asked what the timeline is for this project.

Mr. Long responded that they will submit a pre-application and based on the feedback received from the City Commission a full application will be submitted by February 27, 2015. Cayetano Housing will then be notified if they have won the allocation sometime in July. After notification, construction will begin about this time next year.

Mayor Fugate suggested that Mr. Long get with the City Manager and Mr. Ginter where they work on a formula to see if it is worthwhile for Kingsville financially.

Commissioner Garcia asked how many projects like this does this company have throughout the state of Texas and why choose Kingsville.

Mr. Long responded that there are three with a new one beginning construction in George West. He further stated that they like this area and Kingsville has the population, schools, and demands that qualify for this type of program.

**5. Consider a resolution of the City Commission of Kingsville, Texas authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund; and authorizing the Mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (City Engineer/Public Works Director).**

Mr. Cardenas stated that this resolution to enter into an agreement to proceed with applying for a Block Grant Program. He further stated that Ms. Mary Mora is the individual who is writing and submitting this grant. This grant requires a 20% match from the City of Kingsville which is around \$60,000. This grant is for utility improvements in the locations near Memorial School area.

Ms. Mary Mora stated that she already has some of the research for this particular grant application. She further stated that advertisement in the newspaper as well as a public hearing have already been done. The grant application must be submitted by February 27, 2015. Mora stated that she should be notified on the status of the grant within a few

months. She further stated that this grant is for \$300,000 and all surveys have been completed.

Commissioner Pecos asked that if the grant gets approved, when the city will need to meet its 20% match.

Ms. Mora's response was three to four months after submission. Once the approval is received, the process will begin for receiving bids for engineers and administrators.

Commissioner Pecos further asked staff that if this grant is approved and the match would need to come from this budget, does the city have the funds already budgeted.

Mr. Capell stated that money is there within the bonds.

**Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Pecos.**

Commissioner Pecos further commented that while going to conferences in Washington, DC the last four years, the federal government has been trying to remove the development block grant from the community. He stated that he has had the opportunity to speak with congressman regarding the removal. Pecos further stated that this is why it is important to attend this particular conferences.

**The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".**

**6. Consider a resolution of the City of Kingsville City Commission requesting the members of the 84<sup>th</sup> Legislative Session of the State of Texas to support legislation that increases funding for the Texas Recreation & Parks Account and Large County and Municipality Recreation and Parks Account Local Park Grant Programs, and the Texas State Park System. (Parks and Recreation Manager).**

Ms. Susan Ivy, Parks and Recreation Manager, reported that she is requesting for the City Commission to approve this resolution to the Texas State Legislative members asking them to increase funding to Texas Parks & Wildlife to continue their efforts to improve and maintain State Parks and increase grant funding to the many community park systems in need of assistance. Ivy further stated that they will develop a Master Plan for the Parks System in the next year that will allow them to apply for funding from Texas Parks & Wildlife. Increased funding will better our chances to benefit from their grant program.

Commissioner Leubert asked when is the "walk the halls" of the capitol.

Ms. Ivy stated that this takes place in the latter part of this month. She further stated that due to the Livestock show occurring during that time, she is unable to attend the Walk the Halls this year.

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

**7. Consider a resolution authorizing the City Manager as the authorized representative to enter into project agreements for utilization of inmate worker program from the Glossbrenner Unit Community Squad. (Risk Manager).**

Mrs. Melissa Perez, Risk Manager, reported that the Texas Department of Criminal Justice provides offender labor for the purposes of developing, improving, and restoring public land and buildings as well as providing vocational programs for offenders to enhance rehabilitation and aid in reducing recidivism. Offender labor also can be utilized in order for certain offenders to fulfill community service court requirements while saving taxpayer dollars with no displacement of jobs currently held in the community. Some of the facts and information about the Community Service Squad working in Kingsville is that two correctional officers from the San Diego Facility will be with the offenders at all times. The officers provide water for the offenders and offenders will be escorted by an officer to utilize the bathroom facilities in the park area. A 12 passenger van will be provided to transport the offenders to and from San Diego and Kingsville during the duration of time the offenders will be working. Gas for the van will be supplied by the City of Kingsville as well as equipment such as lawnmowers, riding mowers, saws, and personal protective equipment will be provided by the City. Safety training will be provided by the Risk Manager and Public Works staff if needed. This is free labor there is no charge to the City of their services and assistance they will be providing. There will be 6 to 8 offenders with 2 correctional officers. Offenders will come half days, 3 to 4 hours for 3 to 4 days of the week. One day possibly being a full day which will require a box lunch that will be provided by the City of Kingsville. Perez further stated that the only time the offenders would not come to work in the City would be if there was inclement weather, Unit shakedown or lockdown, or short on staff with officers to which the city will be notified early in the morning. Notification to the local Police Departments and Sheriff office will be made notifying them of the offender's location.

Commissioner Garcia asked about the liability and responsibility of the offenders.

Mrs. Perez stated that if for any reason and offender was to get hurt, it will be reported to the Risk Manager of the facility. She further stated that the offenders are minimal risk offenders that are in for DWI and DUI offenses.

Chief Torres reported that these individuals are very low risk individuals that go through a strenuous screening process. Most of these individuals are about ready to be released to halfway housing or they will be out in the next 6 months or so. Torres stated that this project will be very useful for the community. Chief Torres further stated that he has used this type of program to build the fencing around the Kingsville Police Department.

Mayor Fugate stated that this is a good idea and asked Mrs. Alvarez, City Attorney for her legal opinion on this project.

Mrs. Alvarez stated that there is a directive in the Texas Administrative Code that sets out certain parameters for the project. She further stated that it seems to be very sound and solid throughout the State.

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

**8. Consider accepting \$500 grant for Keep Kingsville Beautiful from Keep Texas Beautiful and Lowes for maintenance of a Native Garden Project. (Director of Planning and Development Services).**

Mr. Ginter reported that the organization has been awarded \$500 grant which will require the City Commission to accept the award.

Commissioner Pecos asked where this work will be done.

Ms. Jennifer Bernal, Community Appearance Supervisor, reported that the project is 75 – 80% completed. The project is located behind the Recycling Center and will be used as an educational tool for citizens to get an idea of what type of xeriscape plants to use in their gardens at home. This is a big push towards water conservation education.

**Motion made by Commissioner Garcia to accept the \$500 grant, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Garcia, Fugate voting "FOR".**

**9. Consider a resolution approving an application and agreement for Historic District Façade Grant Program from David Thibodeaux for the V. Salazar Building. (Downtown Manager).**

Mrs. Cynthia Martin, Downtown Manager, reported that there are three façade grant application on this agenda tonight. She further stated that there are updated memos for these façade grants. The memos and resolution included in the agenda packet reflect maximum loan amounts. Mrs. Martin is recommending for grant and amount awards that would help meet the budget of \$50,000 which was budgeted for this fiscal year.

Commissioner Pena asked what the recommended award is.

Mrs. Martin responded that a grant award of \$20,000 is being recommended. Martin stated that the Salazar building is a great project that residents are excited about. She further stated that the restoring of this building honors its history and restores its character back.

Commissioner Pena asked that if \$50,000 will be allocated for this fiscal year. Mrs. Martin's response was yes. Commissioner Pena asked if the \$50,000 will be expended within these three façade projects. Mrs. Martin responded yes and maybe a little more.

Mr. Capell responded that it may be up to \$56,000 which will require a budget amendment that is for introduction during tonight's agenda.

Commissioner Pena stated that the reason he is asking is that he has been approached by citizens regarding façade grants, and at least this way he can respond that they would have to probably wait until next budget year.

Mayor Fugate stated that this grant was created by the Commission three to four years ago. When it was first started, the city never came close to spending the money. He further asked if this money rolled over.

Mr. Capell stated that the unused money went into fund balance.

Mayor Fugate further asked if the unused money would accumulate into the next year. Mr. Capell's response was no.

Mrs. Martin stated that with the two big projects of the Salazar Building and the Texas Theatre, it is a great thing for the city.

Commissioner Leubert commented that this is a great project. Being that the façade grant states that it is for façade improvements and the grant of money is for \$10,000, maybe staff needs to revisit the guidelines first before increasing the money amount.

Mayor Fugate commented that this is not coming out of general fund, this is coming out of Tourism Funds. These monies were set aside and not spent in years gone by. It is his

opinion that this money should be available for these grants because it was set aside in that fund to be used for these façade grants. He further stated that it is his opinion that there should be money available for this year.

Mrs. Martin stated that one of the scoring categories is if it will promote tourism.

Commissioner Leubert stated that she agrees with Mayor Fugate and recommends staff to revisit the guidelines and maybe stated that money unused is to accumulate to the next year.

Commissioner Garcia asked how many applications have been received just in this fiscal year. Mrs. Martin responded that they have only received three applications. Commissioner Garcia further asked who does the scoring of the application. Mrs. Martin stated that she does the scoring of each application. She further stated that it may be a good idea to have a committee in place to do the scoring process.

**Motion made by Commissioner Pena to approve this resolution for the façade grant to the Salazar Building for \$20,000, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Garcia, Fugate voting "FOR".**

**10. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Dr. Steven Nix for the Javelina Innovation Lab. (Downtown Manager).**

Mrs. Martin stated that it is being recommended to approve \$15,000 for this application. She further stated that it is being requested to approve \$18,000 to which \$2,500 will be used for asbestos removal that was arbitral placed but doesn't think they will need it.

Mayor Fugate that it is his understanding that David at the Salazar Building never asked for a particular dollar amount.

Mrs. Martin stated that she personally spoke with him and he was happy with the \$20,000.

Mayor Fugate further asked if Dr. Nix specifically asked for \$18,000. Mrs. Martin stated that after speaking with Dr. Nix about the dollar amount requested, Dr. Nix stated that the \$2,500 for the asbestos fee was not needed.

**Motion made by Commissioner Pena to approve this façade grant in the amount of \$15,000, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".**

**11. Consider a resolution approving an application and agreement for Historic District Façade Grant Program from Cal Collins for the Texas Theater. (Downtown Manager).**

Mrs. Martin reported that Mr. Collins is close to finishing his façade restoration. She further stated that she would like to see this restoration completed because having the outside done will spur a lot more investment and confidence by the merchants nearby the area.

Commissioner Pena asked what is the dollar amount being requested. Mrs. Martin stated that the dollar amount requested is \$21,000.

**Motion made by Commissioner Leubert to approve this façade grant, seconded by Commissioner Pena.**

Commissioner Garcia asked when work will begin in the interior of the building. Mrs. Martin responded that by next spring.

**The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".**

**12. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 budget for the Tourism Fund to provide funding to the Façade Grant Program. (Director of Finance).**

Mrs. Deborah Balli, Finance Director, reported that the net amount needed to cover the three grant applications proposed for January 12<sup>th</sup> is Texas Theatre for \$21,000, Innovation Lab \$15,000, Salazar Building \$20,000, and \$10,000 for Al's Hair Designs that was approved last year but funds did not get expended. This gives us a total of \$66,000 minus the \$50,000 which was budgeted makes this amendment for the amount of \$16,000.

Introduction item.

**13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 1, General Business Regulations, adopting Sections 2 & 3- Miscellaneous Health Department inspection fees and foster home/group home inspections. (Director of Health).**

Mr. Emilio Garcia Health Director, that after a request made by the City Manager to review user fees and permit fees. After reviewing these it was discovered that when foster homes are inspected yearly there is no fee. Garcia further stated that after doing research on

other cities and their fees, it was determined and approved by the Health Board that a \$50.00 fee be charged.

Commissioner Garcia asked what the hourly rate is for inspector that go out inspect.

Mr. Garcia stated that one is at about \$21.00 and the other at about \$20.00 an hour.

Mayor Fugate asked how many foster homes are within the city.

Mr. Garcia responded that in 2011 there were six foster homes, 2012 there were eight, 2013 there were seven, and for 2014 there were nine.

Introduction item.

**14. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 7, Food Sales and Food Service Establishments, Sections 17 & 18, providing for changes for user fees, permit fees, and length of licenses and adding a re-inspection fee. (Director of Health).**

Mr. Garcia stated that after a request was made to review their permit fees for food service and other services provided by the Health Department, some research was done on other cities surrounding Kingsville regarding their charges. It was determined that Kingsville was at a lower fee than others. After extensive research, several user fees and permit fees for food service were introduced to the Board of Health for their review and consideration for approval. Garcia further stated that the user fees and permit fees for food service have not be evaluated and increased since November, 2000. It is being recommended that the fee be increased to \$150 beginning in 2016.

Mayor Fugate asked why wait until 2016. Mr. Garcia responded that renewals for this year have already been mailed out to business owners.

Introduction item.

**15. Consider a resolution authorizing the City Manager to enter into a Master Service Agreement by and between Foremost Telecommunications and the City of Kingsville. (Director of Purchasing and Technology).**

No discussion or action taken on this item.

**16. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, providing for three alternate Board of Adjustment members. (Director of Planning and Development Services).**

Mr. Ginter stated that it has been brought up to his attention that this board has had some trouble getting a majority of members to attend the meetings. In order for this board to conduct business, a quorum of four out of the five members need be present at the meeting. State law allows the governing body to appoint alternates to the Board of Adjustments and it is staff's recommendation that the City Commission approve this ordinance.

Mayor Fugate commented that this is an ongoing issue. He further stated that we have members that have conflicted themselves to the degree that we couldn't get a vote. Fugate further commented that this makes perfect sense.

Introduction item.

**17. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Commissioner Garcia).**

Mayor Fugate announced and convened the City commission into Executive Session at 7:15 p.m.

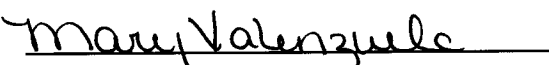
Mayor Fugate reconvened the meeting into open session at 8:15 p.m.

**VII. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 8:15 P.M.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, City Secretary