

OCTOBER 10, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 10, 2016 IN THE CITY HALL COMMUNITY ROOM 400 EAST KING AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Bill Donnell, Assistant Public Works Director
Diana Gonzales, Human Resources Director
David Solis, Risk Manager
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Sharam Santanilla, Capital Improvement Manager
Leo Alarcon, Tourism Director
Robert Rodriguez, Library Director
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Kyle Benson, IT Help Desk Coordinator
David Mason, Purchasing Director
Jessica Montalvo, Health Department
Jennifer Bernal, Community Appearance Supervisor
Adrian Garcia, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. with all five Commission members present.

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)

Special Meeting – August 31, 2016

Regular Meeting – September 26, 2016

Mayor Fugate asked for a motion to approve the minutes of August 31, 2016 and September 26, 2016.

Motion made by Commissioner Lopez and Commissioner Pena to approve the minutes of August 31, 2016 and September 26, 2016. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting “FOR”.

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, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, 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, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

Mayor Fugate announced that today is the first City Commission meeting held in the new City Hall Community Room. This has been an eleven-year project as talks about making this building into the new City Hall started back in 2005. Fugate thanked the King Ranch Family and the community for helping with the project. He further thanked prior Commission members such as Stanley Laskowski, Dianne Leubert, and Charlie Wilson. This was an old building that was renovated and put to good use.

Commissioner Garcia thanked the citizens and staff for seeing this project through. He further thanked the King Ranch Family and the Foundation for assisting in this project.

Commissioner Lopez stated that when she was City Secretary this project was beginning and felt that she wouldn't be able to enjoy the new City Hall as she retired prior to the project being completed. Lopez further stated that she's back now as a City Commissioner and will be able to enjoy the new City Hall.

Commissioner Pecos commented that he is proud of the City of Kingsville citizens for allowing the restoration of the new City Hall. He further stated that the City of Kingsville's priority is still the repairs of the city streets.

Commissioner Pena commented that he at one point taught a class back when this building was a school. He has seen it transition from an educational building to Municipal Government building. Pena further stated that he would like for staff to look into making this building a Historical site.

Mayor Fugate commented that the project is not yet complete as the landscaping and the renovation of the Cottage Building still needs to be completed. He further commented that in the evenings, you can see about 50 to 100 kids practicing football to cheerleading or just playing around the grounds.

Mayor Fugate read and presented a proclamation to Fire Chief Garcia for Fire Prevention Week.

Mr. Jesús Garza, City Manager presented two Employee of the Month certificates to Jessica Montalvo for the month of July and George Delgado for the month of August. Mr. Garza commented that the 6th Street project is about complete. The only thing left to do on this project is the striping of the road.

Mrs. Courtney Alvarez, City Attorney reminded staff that the next scheduled City Commission meeting will be on October 24th. Agenda items for this meeting are due on Friday, October 14, 2016.

IV. Public Comment on Agenda Items.³

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

Mr. David Richard Barrera, a student of Texas A&M University-Kingsville commented that recently a student was struck by a vehicle near the Legend Apartment Complex. He asked that the City look into how to prevent another incident like this to occur.

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 approve the consent agenda as presented, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, 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 acceptance of Keep Kingsville Beautiful donation/fundraiser proceeds of \$700.13 for that organization. (Director of Finance).
2. Motion to appointment of Rey Suarez to the Zoning Board of Adjustment for a two (2) year term. (Director of Planning and Economic Development).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. RESOLUTION NO. 2016-67. Consider a resolution of the City of Kingsville City Commission in support of the planning, design, and construction of sidewalks on SH 141 (King Street), from BU77V (14th Street) to US77. (City Engineer/Public Works Director)

Mr. Charlie Cardenas, Engineer/Public Works Director stated that this is a resolution in support for the planning, design, and construction of sidewalk on King Street between 14th Street and US Highway 77. This will be funded by Texas Department of Transportation.

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

4. Consider out of state travel for two Fire Department personnel to Winter Park, Florida within the last week of October 2016 and the first week of November 2016 to conduct a final inspection of a new Fire/EMS Ambulance for the department. (Fire Chief).

Mr. Adrian Garcia, Fire Chief commented that there has been a last minute change in the travel timeframe. This travel will take place sometime in November 2016 and not the last week of October 2016 and the first week of November 2016.

Commissioner Garcia asked exactly what will be inspected.

Fire Chief Garcia responded that they will conduct a final inspection of a new Fire/EMS Ambulance that is being assembled in Winter Park, FL.

Motion made by Commissioner Pena to approve the out of state travel for two Fire Department personnel anytime in November 2016 to conduct a final inspection of a new Fire/EMS Ambulance of the department, seconded by Commissioner Pecos. The motion was approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

5. RESOLUTION NO. 2016-68. Consider a resolution expanding the Main Street District for the City of Kingsville, Texas. (Downtown Manager).

Mrs. Cynthia Martin, Downtown Manager stated that this item seeks to expand the boundaries of Kingsville's current Main Street District to include properties along Kleberg Avenue from the railroad tracks on the east to 2nd Street on the west and from Yoakum Avenue on the north to King Ave. on the south. Martin further stated that there is no expense to the city or zoning changes.

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

6. RESOLUTION NO. 2016-69. Consider a resolution authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville, Texas and the Kingsville Law Enforcement Association for Fiscal Years 2016 through 2019. (City Manager).

Mr. Garza stated that the Collective Bargaining between the City of Kingsville and the Kingsville Law Enforcement Association has concluded. He thanked Mrs. Alvarez and Mrs. Gonzalez for their hard work during the negotiations. These negotiations lasted in a span of ten meetings. In the agreement there was some typo corrections of common things that both parties agreed too. There are also some language revisions and with the biggest impact being compensation. For this particular there was a big emphasis based on salaries as oppose as soft money issues. The summary of the expenses for the City is for the first year is zero to minimal. There was one adjustment made to an entry level rate that can be absorbed with the current budget. Year one is settled with the settlement that this City Commission approved at a prior meeting. This contract begins with year two with a financial impact to be estimated at \$77,000 and year three at \$83,000.

Mrs. Alvarez announced that staff received an email from KLEA had a meeting on September 28, 2016 approving this contract. The only action left is for the City of Kingsville to approve and for both parties to sign the contract.

Commissioner Pecos asked for a percentage that was agreed and if it was done across the board.

Mrs. Alvarez responded that there are not across the board increases. As with the 2013-2016 contract the parties looked at the various ranked positions such as patrol corporal lieutenant and see where they were at market as what was done with the non-civil service staff.

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

7. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter VII, Article 6, Schedule II, providing for no parking on the southernmost side of Corral Avenue lying anywhere between its intersection with Seale Street to its intersection with Santa Rosa Avenue. (City Engineer/Public Works Director).

Mr. Charlie Cardenas, City Engineer/Public Works Director, reported that on August 22, 2016, the Engineering Department received a request from Officer Eric Perez of the Kingsville Police Department to establish a no parking zone on the south side of Corral Avenue, from Seale Street to Santa Rosa Ave. It was observed that the cars parking on Corral Avenue was unsafe to pedestrians and west bound Corral Avenue traffic. Cars parked in this area are in danger of driving into the drainage ditch. There is currently no parking on the south side of Corral Avenue from Armstrong Avenue to Seale Street. There is no financial impact to the City. Changing this condition is in accordance with State and Federal Guidelines and the Manual of Uniformed Traffic Control Devices (MUTCD). Staff has been in contact to make them aware of what the City is trying to accomplish.

Mr. Garza commented that staff has communicated this to the University and is in support with this effort.

Commissioner Lopez asked if signs will be placed. Mr. Cardenas responded that once this ordinance is approved, staff will be installing signs.

Introduction item.

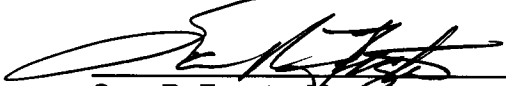
8. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate announced and convened the meeting into Executive Session at 6:41 P.M.

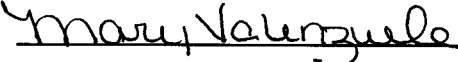
Mayor Fugate reconvened the meeting into open session at 6:58 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:58 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary