

FEBRUARY 8, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 8, 2016 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Dianne Leubert, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Susan Ivy, Parks Manager
Emilio Garcia, Health Director
Robert Rodriguez, Library Director
David Mason, Purchasing Director
Ricardo Torres, Police Chief
Willie Vera, Task Force Commander
Melissa Perez, Risk Manager
Leo Alarcon, Tourism Director
Frank Garcia, Waste Water Supervisor
Bill Donnell, Assistant Public Works Director
Alicia Tijerina, Administrative Assistant II

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 Leubert being absent.

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)

Regular Meeting – January 25, 2016

Mayor Fugate called for a motion to approve the minutes of January 25, 2016.

Motion made by Commissioner Garcia to approve the minutes of January 25, 2016 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Pena, Pecos, 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."

Mr. Garza presented a certificate to Alicia Tijerina for Employee of the Month for the month of January for her dedication and hard work. Mr. Garza announced that the Texas Department of Agriculture has awarded grant funding to the City of Kingsville in the amount of \$58,000 which will be used for downtown projects. He further announced that Melissa Perez Risk Manager has submitted her resignation for any opportunity to work with Brazos County. Mrs. Perez's last day with the city is February 29th.

Mrs. Courtney Alvarez announced that the next regular meeting is scheduled for February 22nd. Agenda items for this meeting are due by Friday, February 12th. Staff will be doing a bond rating call on Wednesday, February 11th and bond bids will open on February 22nd; there should be an action at the meeting scheduled on February 22nd to award the bid for the bonds with the anticipated delivery date of March 17th.

Mr. Garza stated that the Certificates of Obligation that staff is pursuing includes \$250,000 for the Golf Course. Some discussion has been taking place exploring the options for course of action for improvements at the Golf Course. The idea is to convert the driving range into a practice facility which will include adding some synthetic greens and bunkers to create more of a practice facility. The second thing are the greens and fairways, there were a few options that are being taken into consideration; one being to completely redo the greens and fairways but due to the labor extensive component behind it, would require to shut down the Golf Course. The other option is to close nine holes at a time and complete the project that way. The first nine holes will close March 1st and plan on finishing this project by June 1st.

Commissioner Pecos stated that option 2, closing nine holes at a time is the best option as the Golf Course will still be operating on a daily basis. Pecos further asked about the kitchen area. Mr. Garza state that some monies have been allocated for the kitchen area. At this time staff is working with Aramark of TAMUK to potential assets the equipment that is in the kitchen. Staff has already worked on the physical improvements the kitchen needs as well as the addition of some potential furniture.

Commissioner Garcia stated that his concern is the cleanliness of the kitchen and has it been addressed. Mr. Garza responded that he was not sure at this time.

Mayor Fugate asked about the lighting at the Golf Course. Mr. Garza stated that funding has not been allocated at this time. Mayor Fugate commented that he did not understand why the Golf Course has not applied for alcohol license. Mr. Garza responded that the preference is for a third party to come in and do the concessions, and they would need to retrieve the license for the sale of alcohol.

Commissioner Garcia asked that if a third party handles the beer sales, how would this benefit the City. Mr. Garza responded that with a concessionaire contract, the concessionaire would pay rent and a percentage of their profits.

Mrs. Deborah Balli, Finance Director presented the Fiscal Year 2015-2016 First Quarter Investment Report for quarter ended December 31, 2015. Total Cash and Investments are as follows: Kleberg Bank Non Investment Cash Balances \$4,698,939.80; Texas Class Investment Bank Accounts \$13,797,141.83; Certificates of Deposits \$10,160,138.02, for a total cash and investments \$28,656,219.65. Total Cash & Investments – Annual Comparative for 1st Quarter ended December 31, 2015 is Kleberg Bank Non Investment Cash Balances last was \$4.2 million versus \$4.6 million this year; Texas Class Investment Bank Account had \$17.3 million versus \$13.7 million for this year; Certificates of Deposit were \$8 million versus \$10.1 million this year; for a total cash & investments of \$29.5 million for last year versus \$28.6 million for this year. Balli stated that investment requirements are as followed; percentages in cash should be at least 35% with it now being 64%. Percentage in CD's at least 10% with is now being 35%. Percentage in US Treasuries not to exceed 10% is at 0.00%. Total Non-Investment Cash Account Balances is \$4,298,939.80. Balli further discussed the City of Kingsville's CD's from October 1, 2015 through December 31, 2015. Total of this

account as of December 31, 2015 is principal amount of \$10,160,138.02, interest earned through 1st Quarter totals to \$23,050.03 and Principal plus interest total \$10,183,188.05. Balli further discussed the investment summary comparison quarter ended September 30, 2015 versus quarter ended December 31, 2015.

Mrs. Balli presented the 2015-2016 Quarterly Budget Report for quarter ending December 31, 2015. Balli stated that all revenue accounts are trending as expected in relation to current year projections and past year performances.

IV. Public Comment on Agenda Items³

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

No public comments were made.

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

1. Motion to approve final passage of an ordinance granting a special use permit for 3430 S. U.S. Hwy. 77 Bypass (6.07 acres at Lot 2, Abinco Ind Park 1 (amended replat) (A/K/A Hwy. 77 One Stop) for a recreational vehicle park. (Planning & Development Services Director).

2. Motion to approve final passage of an ordinance amending the City of Kingsville Fiscal Year 2015-2016 General Fund Budget to accept and expend donation for the Parks Department. (Finance Director).

3. Motion to approve resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Douglass Youth Center, Inc. (Task Force Commander).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider final passage of an ordinance changing the zoning map in reference to Lot 1, Block 1, Terrace Village, known as 1227 E. Lott St. from R1-Single Family District to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Planning & Development Services Director).

Mr. Ginter stated that there is language in the Code that it doesn't meet all the codes; a Certificate of Occupancy cannot be issued. There is allowance regarding the parking within this lot and that is that within 300 feet of the building they can use as a parking area. Ginter further stated that CASA has received permission, in writing, from the church next door allowing them to use their parking lot if needed.

Mayor Fugate asked how many complaints staff received regarding this rezone. Mr. Ginter commented that staff received two complaints of the nineteen that were noticed.

Motioned made by Commissioner Pecos to approve this ordinance, seconded by Commissioner Garcia.

Mayor Fugate commented that due to the Planning & Zoning Commission decision to deny this item, it will take a super majority vote of the City Commission to approve this item.

Mrs. Alvarez commented that this was correct as it states it in Section 15-6-4(a).

Mayor Fugate commented that CASA is a great organization and does some good work for our community. This vote is not a reflection on CASA but only a zoning issue. Fugate further stated that when he has one person complaining, he needs to listen to that citizen.

Motion failed for a lack of a Super Majority required by Code of Ordinances Section 15-6-4(a): Pena, Garcia, Pecos voting "FOR". Fugate voting "AGAINST".

5. Consider resolution ordering the City of Kingsville General Election, designating voting precincts, polling places establishing election procedures and appointing Early Voting Clerk. (City Secretary).

(CONSIDERACION DE UNA RESOLUCIÓN QUE ORDENA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, DESIGNA LOS DISTRITOS ELECTORALES Y LOS SITIOS DE VOTACIÓN, ESTABLECE LOS PROCEDIMIENTOS DE LAS ELECCIONES Y NOMBRA A LA SECRETARIA ENCARGADA DE LA VOTACIÓN ANTICIPADA). (SECRETARIA MUNICIPAL).

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

6. Consider introduction of an ordinance amending Chapter VII, Article 5, Traffic Schedules, reducing the speed limit on certain areas of Santa Gertrudis (from Seale Street west to Santa Monica Street) to 20 miles per hour, providing for appropriate penalties, fines, and fees regarding the regulation thereof. (City Engineer/Public Works Director).

This item is to extend the speed zone on Santa Gertrudis Avenue from Seale Street to Santa Monica Street, from the existing 30 mile per hour to 20 miles per hour.

Introduction item.

7. Consider introduction of an ordinance amending the Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add a Capital Improvements Manager position and correct clerical error to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2015-2016. (City Manager).

Request amendment of the City of Kingsville Classification and Compensation Plan for 2015-2016 to create a new position Capital Improvements Manager, Management Level 3, with a salary range of \$41,621 to \$68,685 funded by the Utility Fund. The annual budgetary impact for the proposed position is \$78,206 to the Utility Fund based on an annual salary of \$55,000. The annual budgetary impact includes salary, benefits and taxes for the position for an entire fiscal year. It will require \$45,725 for the remainder of this Fiscal Year 2015-2016 the breakdown will be Salary \$32,084; Benefits \$10,835; and Taxes \$2,806.

Mr. Garza commented that this position will report directly to the City Engineer/Public Works Director. In the future, this position will be split between the Utility Fund and General Fund accounts.

Commissioner Pena requested that a copy of the job description be included in the packet for the next meeting.

Introduction item.

8. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Utility Fund Budget for the addition of a Capital Improvements Manager. (Finance Director).

Introduction item.

9. Consider a resolution authorizing the City Manager to enter into an Interlocal Participation Agreement between the City of Kingsville and TASB Energy Cooperative for all allowable fuel purchases. (Purchasing & Technology Director).

This item authorizes the City of Kingsville to participate with the TASB Energy Cooperative. The City has been using the BuyBoard Fuel Cooperative to purchase bulk gasoline and this program is being moved under the TASB Energy Corp. It is staff recommendation to enter into this interlocal with TASB which keeps our coop pricing on

bulk gasoline and also affords different options for fuel and energy purchases in the future.

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

10. Consider authorizing the purchase of office furniture for the new city hall via the TCPN Cooperative contract with HON, as per staff recommendation. (Purchasing & Technology Director).

This item authorizes the purchase of furniture for various department in conjunction with the move to the new City Hall. This is a budgeted purchase of which \$100,000 is available. It is recommended the Commission approve the purchase of furniture from HON in the amount of \$59,853.40 with an additional 10% allowance for any changes, bringing the approved amount to be no more than \$65,838.74. An additional purchase order will be issued to Gateway Printing in the amount of \$16,400.00 for delivery and setup of said furniture.

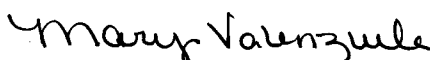
Motion made by Commissioner Pecos to authorize the purchase of office furniture for the new City Hall via TCPN Cooperative contract with HON, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pena, Garcia, Pecos, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:13 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary