

APRIL 11, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 11, 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
 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
 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
 Leo Alarcon, Tourism Director
 Bill Donnell, Assistant Public Works Director
 Tony Verdin, System Specialist
 Diana Gonzalez, Human Resources Director
 Carol Rogers, Interim Risk Manager
 Cynthia Martin, Downtown Manager

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 Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – March 28, 2016

Mayor Fugate called for a motion to approve the minutes of March 28, 2016.

Motion made by Commissioner Pena to approve the minutes of March 28, 2016 as presented, seconded by Commissioner Pecos. 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. Public Hearing to on an ordinance amending the zoning map in reference to Subr Gardens, Block 1, Lot E 47.5 OF 3 also known as 1110 W. King; Subr Gardens, Block 1 also known as 1108 W. King; KT&I CO, Block 9, Lot PT SE/4 7 also known as King; KT&I CO, Block 9, Lot PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner; Brooks, Block 5, Lot 1, 2 also known as 1029 W. Kleberg from C2-Retail District to MU-Mixed Use District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan, in order to develop a project with commercial on the bottom and residential on the top. (Planning & Development Services Director).

Mayor Fugate announced and opened this public hearing at 6:02 P.M.

Mr. Tom Ginter, Planning & Development Services Director reported that Mr. Dick Watson has submitted a request to rezone his property at University and King Street from C2 to Mixed Use. A mixed use project is one that would allow commercial on the bottom with living units above them. Currently there are no sites in the city currently zoned as such. The Mixed Use Ordinance also gives the developer more flexibility for example he can use shared parking to meet the parking space requirement ordinance. The Planning & Zoning Commission has reviewed and voted unanimously 6-0 to approve this request. All proper notices were sent to surrounding property owners.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so at this time with a five minute time limit. Additional time cannot be extended by City Commission.

With no further comments made on behalf of this item, Mayor Fugate closed this public hearing at 6:05 P.M.

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. Jesús Garza, City Manager thanked staff for all their hard work during this past weekend's Wings over South Texas Air Show. Garza further discussed the March Performance Measure Report and announced the March Employee of the Month, Mrs. Sharon Shaw. Mrs. Shaw was presented with an Employee of the Month certificate.

Mrs. Courtney Alvarez, City Attorney announced that due to Early Voting beginning on Monday, April 25th, 2016, the next City Commission that was originally scheduled for that day has been moved up to Monday, April 18th. The next regularly scheduled meeting after the April 18th meeting is scheduled for Monday, May 9th with agenda items due Friday, April 29th.

Mayor Fugate thanked staff for a job well done during the Wings over South Texas Air Show. Mayor Fugate went on in presenting three proclamations; TAMUK ROTC; Sexual Assault Awareness & Prevention Month; and Public Safety Telecommunicators Week.

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.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Tourism Fund budget for improvements to the downtown pavilion. (Finance Director).

2. Motion to approve resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Boys

Scouts of America South Texas Council for drug abuse prevention programs. (Task Force Commander).

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 Center for Continuing Education at Texas A&M University-Kingsville for "College for Kids" program for drug abuse prevention programs. (Task Force Commander).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider introduction of an ordinance amending the zoning map in reference to Subr Gardens, Block 1, Lot E 47.5 OF 3 also known as 1110 W. King; Subr Gardens, Block 1 also known as 1108 W. King; KT&I CO, Block 9, Lot PT SE/4 7 also known as King; KT&I CO, Block 9, Lot PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner; Brooks, Block 5, Lot 1, 2 also known as 1029 W. Kleberg from C2-Retail District to MU-Mixed Use District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Planning & Development Services Director).

Mr. Ginter commented that there will be 20 apartments with each having one bedroom.

Introduction item.

5. Consider introduction of an ordinance amending Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to place all way stop signs on Armstrong Ave. at Avenue B. (City Engineer/Public Works Director).

Mr. Charlie Cardenas, City Engineer/Public Works Director and Mr. Austin Jurica, GIS Technician reported that the Engineering Department received a request in November, 2015 from the Texas A&M University-Kingsville (TAMUK) Student Government Association to evaluate the safety along Armstrong Street. Students from TAMUK evaluated the safety along Armstrong Street which consisted of traffic and pedestrian safety. It was evaluated and determined that Avenue B at Armstrong needed attention due to geometry and the amount of vehicular and pedestrian traffic. This intersection is a stop condition on Avenue B and free flow movement on Armstrong Street. It was also determined that Armstrong Street serves as the primary collector street and Avenue B serves as a secondary collector street. As part of the Engineering Study, traffic counts and movements were conducted during the peak hours of the day. Based on the pedestrian traffic crossing Armstrong, the Engineering study concluded that this intersection meets an All Way Stop warrant.

Mayor Fugate asked if staff has considered lowering the speed limit within this area. Mr. Cardenas responded that it is being looked into.

Commissioner Pena asked why a study was only done on Avenue B and no other streets.

Mr. Jurica responded that there is more foot traffic and accidents that occur within Avenue B and Armstrong.

Commissioner Leubert asked what the length of period for the study performed was. Mr. Jurica responded that the study was done through the period of four days.

Introduction item.

6. Consider a resolution authorizing participation in Operation Border Star with the Homeland Security Grants Division of the Governor's Office for Operation Border Star to interdict criminal activity; authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

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".

7. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for traffic safety vests and portable traffic control devices from Municipal Court fees collected to enhance public safety and security. (Finance Director).

Mrs. Deborah Balli, Finance Director reported that this budget amendment will enhance public traffic safety and the security of our students at school.

Introduction item.

8. Consider introduction of an ordinance amending Chapter II-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-100 through 3-3-110, providing for creation of a Hotel Occupancy Tax Advisory Board, terms for members, meetings, quorum and voting at meetings, removal and vacancy. (City Manager).

Mr. Garza reported that this ordinance is for the creation of a Hotel Occupancy Tax Advisory Board which will consist of seven voting members made up by representatives of our local museums, hotels, the University, downtown merchants and a resident. The purpose of the Advisory Board will be to assist the City Manager and City Commission in making recommendations to enhance the City's tourism efforts. The Board will meet on a quarterly basis.

Introduction item.

9. Consider a resolution rescinding authority to conclude the acquisition of real property for a new Tourism/Visitors Center site. (City Manager).

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

10. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for an assessment and master site plan for the J.K. Northway Coliseum. (City Manager).

Mr. Garza stated that this item requests \$40,000 be taken from Tourism Fund Reserves in light of savings caused by not proceeding with the purchase of real property for a new Visitors Center. The funds will be used to develop a building assessment of the JK Northway as well as a Site Master Plan for the coliseum and fairgrounds. Garza also stated that when the City took over management of the Park System from the County, JK Northway Improvements were part of the vision. The JK Northway is in the process of being transitioned from the Parks Department to the Tourism Department.

Mayor Fugate asked how long the transition would take. Mr. Garza responded that he transition phase will be done soon.

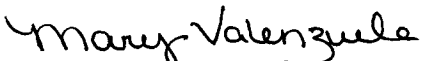
Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:51 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary