

MAY 31, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 31, 2016 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 5:30 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Al Garcia, Commissioner
Noel Pena, 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
Susan Ivy, Parks Manager
Emilio Garcia, Health Director
Carol Rogers, Risk Managers
Diana Gonzales, Human Resources Director
David Mason, Purchasing/IT Director
Robert Rodriguez, Library Director
Stacie Pena, Accounting Manager
David Solis, Risk Manager
Leo Alarcon, Tourism Director
Tony Verdin, IT Specialist
Kyle Benson, Help Desk
James Creek, Firefighter
Charlie Cardenas, Public Works Director/Engineer

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:30 P.M. with a workshop. All five members of the City Commission were present.

WORKSHOP: Fiscal Year 2016-2017 Preliminary Budget Workshop. (City Manager).

Mr. Jesús Garza, City Manager discussed the preliminary budget for fiscal year 2016-2017. The pre-budget input process consisted of City Commission Survey, City Staff Survey, and Community Input. The objectives are to determine services that need improvements or enhancements; establish a benchmark to be able to track improvements in future years; and develop priorities for upcoming Fiscal Year 2016-2017 budget. The City Commission survey overview consisted of rating city services such as Public Safety, Infrastructure, Parks & Recreation, Library, Animal Control, Code Enforcement, Economic Development, Tourism/Events, Utility Billing, Municipal Court, Planning & Development, City Staff Compensation & Benefits, and Revenue Enhancements. Mr. Garza went on to comment on the results of the survey of which half came back unsatisfactory which included Public Safety Staffing; Street & Drainage Infrastructure Improvements; Economic Development (Downtown Initiatives & City Wide Incentive Funds); Code Enforcement (Community Appearance); Animal Shelter; Park & Recreation; JK Northway Events; Planning (Permitting Process, Inspections, & Historic District); Utility (Water Meter Replacement, Customer Service and Set up & Payment Options); Municipal Court (Layout & Improvements). Staff will review and assess fees and fines to compare with industry standards and with recovery of expenditures. The following fees & fines will be assessed: Building Permits & License Fees, Park Fees (Recreational), Golf Course Fees, Rental Fees (Facilities), Landfill Fees, EMS Fees, Code Enforcement Fines, Animal Control Fines & Fees, Sanitation Fees, Storm Water & Utility Fees. This does not mean that these fees will be increased but rather looked at as per the Commission's consensus from the survey. The following fees will not be assessed at this time: Street User Fee and Water & Sewer Fees. Regarding compensation & benefits, staff will be reviewing competitive salary structure, in terms of market and area; equitable salary structure within organization; equitable leave benefits within organization; additional leave benefits, competitive medical benefits; training & staff development; and safety incentive program. City staff also had the opportunity to submit a survey, different from what the City Commission received. Rating of internal services that assist in staff production: Human Resources; IT& Purchasing; Finance; Facility Maintenance; Benefits

& Compensation. The dissatisfied and neutral results of the survey are as followed: Information Technology IT (Help Desk and Software Assistance); Finance/Purchasing (P-Card & Purchase Order Assistance); Human Resources (Benefits Assistance and New Employee Orientation Program). The new initiatives to consider are tuition reimbursement program and Wellness Program (Gym membership, etc.).

Commissioner Garcia complimented Mr. Garza on his presentation to the City Commission. He further stated that a presentation like this has never been done in the past.

Mayor Fugate recessed the meeting at 5:50 P.M.

REGULAR MEETING RESUMES

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 P.M. and announced quorum with 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 – April 18, 2016

Regular Meeting – May 9, 2016

Special Meeting – May 16, 2016

Mayor Fugate called for a motion to approve the minutes listed below.

Motion made by Commissioner Pena to approve the minutes of April 18, 2016, May 9, 2016, and May 16, 2016 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Fugate voting "FOR". Lopez 'ABSTAINED'.

Special Meeting – May 19, 2016

Motion made by Commissioner Pena to approve the minutes of May 19, 2016 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, 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. Jesús Garza, City Manager introduced the new Risk Manager, Mr. David Solis. Garza further passed out a project schedule for the Parks Master Plan. A Parks Master Plan Advisory Committee will be established.

Mrs. Susan Ivy, Parks Manager spoke about the 2016 Summer Youth Activities. Brochures of these events were given to all KISD Campus's to be passed out to their students.

Mrs. Alvarez reported that the next scheduled City Commission meeting is scheduled for June 13th with agenda item deadline on June 3rd.

Commissioner Lopez thanked staff for their assistance in getting police escort for the Lady Lions Softball Team. The Lady Lions have advanced to the State Tournament that

will be taking place in Austin. Lopez further announced that the last day of school for KISD is June 2nd with High School graduations on June 3rd.

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

1. Motion to approve out of state travel for Downtown Manager/Historic Preservation Officer and Historical Board member Sandra Rexroat to attend the National Alliance of Preservation Commissions conference in Mobile, Alabama July 27 – 31, 2016. (Downtown Manager).

2. Motion to approve a resolution appointing Edna S. Lopez as Mayor Pro Tempore. (City Attorney).

3. Consider out-of-state travel for City Manager to attend the International City Managers Association (ICMA) Annual Conference in Kansas City, Missouri from September 24-28, 2016. (City Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider appointments to the Hotel Occupancy Tax Fund Advisory Board. (Tourism Director).

Mr. Leo Alarcon commented that this item is for the appointment of seven individuals to the Hotel Occupancy Tax Fund Advisory Board. The individuals include, Rajendra Bhakta, represent the Hotel Industry; Toni Nagel-Mason, King Ranch Museum/King Ranch Visitor Center; Jonathan Plant, Conner Museum; Amanda Cherry, historical downtown district/merchants; Dr. Terisa Riley, Texas A&M University-Kingsville; Diana Lozano, resident of the City of Kingsville; and Leo Alarcon, Director of Tourism Services for the City of Kingsville. All board members will hold office for two years without term limits. In addition to the regular voting members of the Board, the City Manager and the Kleberg County Judge shall serve as ex-officio members of the board with no voting privileges.

Motion made by Commissioner Pena to approve the appointments to the Hotel Occupancy Tax Fund Advisory Board, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

5. Consider selection of a commission member to be a representative on the Kingsville Parks Master Plan Steering Committee. (City Manager).

Mayor Fugate stated that the one individual on this Commission that holds the Parks near to his heart should be the appointed member to the Kingsville Parks Master Plan Steering Committee, Commissioner Al Garcia.

Motion made by Mayor Fugate to appoint Commissioner Al Garcia to be a representative on the Kingsville Parks Master Plan Steering Committee, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

6. Consider introduction of an ordinance amending the fiscal year 2015-2016 budget to transfer funds from the Task Force Criminal Justice Division to CO Series 2016 for backbone infrastructure costs of upgrading the current radio communications system. (Finance Director).

Mrs. Deborah Balli, Finance Director reported that this item authorizes the transfer of \$250,000 from the Task Force-Criminal Justice Division Fund to the CO Series 2016 Fund to cover half of the backbone infrastructure costs needed for the new radio communications equipment. The City issued CO Series 2016 that included the purchase of emergency radio communications equipment. When the 2016 CO Project Recommendations were presented to the Commission in January, \$500,000 was recommended for radio communications equipment for the Kingsville Police Department and the Kingsville Specialized Crimes and Narcotics Task Force with half of the backbone infrastructure costs to be contributed from the Task Force-Criminal Justice Division Fund.

Introduction item.

7. Consider a resolution authorizing the City Manager to enter into a contract for professional services between the City of Kingsville and Killis Almond Architects, PC for the old Pump House Renovation Project. (Planning & Development Services Director).

Mr. Tom Ginter, Planning & Development Services Director reported that the City has determined that the renovation of the Pump House would be a positive thing for the downtown and the history of the City. The contract with Killis Almond Architects calls for architectural services for the renovation of the Pump House for a fee of \$35,700. This fee includes design work putting together construction documents and construction administration. The fee also includes two trips that the firm will make to Kingsville. If additional trips are needed, each trip if approved by the City will cost \$350.00.

Commissioner Pecos asked if this was the lowest bidder.

Mrs. Courtney Alvarez, City Attorney responded that with professional services, the city cannot go with the lowest bid.

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".

8. Consider introduction of an ordinance amending Chapter XV, Article 5, Historical Districts and Landmarks, Sections 15-5-17 through 15-5-33, providing for a revised application and permit approval process. (Planning & Development Services Director).

Mr. Ginter reported that the current Historic Development Board has contradictory language and doesn't clarify the review process between staff and the Historical Development Board. Because of the contradictory language staff was putting permits for approval on the City Commission agenda after review by the Historical Development Board. It was felt that this was an extra step that wasn't needed but to make it clear, the ordinance language should be clearer for the applicant and staff. The recommended revisions are intended to do the following: Clarify what permits are reviewed and approved by staff and what permits go to the Historical Development Board for their review and approval; that only a permit denied by the Historical Development Board and the applicant wanting to appeal that decision will it then go to the City Commission; that an application for a historic landmark, district, site will be reviewed by the Historical Development Board with a recommendation going to the City Commission.

Commissioner Lopez asked if the appointment of a Historical Preservation Officer has been done.

Mr. Ginter responded that Cynthia Martin has been appointed the Historical Preservation Officer.

Commissioner Lopez further asked how the process was done for this appointment.

Mr. Ginter responded that the Board shall appoint a qualified city official, staff person, or appropriate resident of the municipal entity to serve as Historic Preservation Officer.

Introduction item.

9. Consider authorizing repairs to roofs at Fire Station One and Parks Equipment Barn to Parsons Commercial Roofing, Inc. via TIPS Purchasing Cooperative, as per staff recommendation. (Purchasing Director).

Mr. David Mason, Purchasing Director reported that this item authorizes the installation of a new roof for Fire Station 1 and the Equipment Barn at Dick Kleberg Park. The roofs at these buildings are in dire need of repair/replacement. The Fire Department flat roof will use a thermoplastic polyolefin system manufactured by Duro-Last while the roof at the Park will be a conventional roof with new decking, felt and 30 year shingles. Funds are available through CO 2016 with no more than \$46,903 expended from 033-5-22000-71300, Station 1 improvements of which \$175,000 is available and \$19,518 from 033-5-4503-71300, Equipment Barn improvements of which \$25,000 is available as well.

Commissioner Lopez commented that the roof at this Fire Station had already been replaced about 7 to 8 years ago. She further asked staff if they had looked into the warranty of the roof and if the company had been contacted. Lopez also asked if this would include yearly inspections.

Mr. Mason commented that the original company that had worked on the roof was sold to new vendor; therefore the warranty would have probably expired.

Motion made by Commissioner Garcia to authorized these repairs, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Pena, Fugate voting "FOR". Lopez "AGAINST".

10. Consider a building permit for renovations to 612 E. Henrietta that was approved by the Historical Development Board. (Downtown Manager).

Mrs. Cynthia Martin, Downtown Manager reported that the Historical Board met on May 18, 2016, to evaluate an application for a permit for replacement of front and back doors, replacement of four windows, new flooring on front porch and repair of roof in utility room and walkway. The Historical Board unanimously recommended approval of the permit application as submitted.

Motion made by Commissioner Pena to approve a building permit for renovations to 612 E. Henrietta, seconded by Commissioner Pecos and Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

11. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).

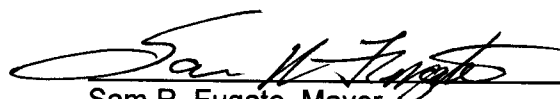
12. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Mayor Fugate announced the Executive Sessions for both agenda item #11 and #12 and convened the meeting into Executive Session at 6:47 P.M.


Mayor Fugate reconvened the meeting into open session at 7:25 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:25 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary