

JUNE 6, 2016

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 6, 2016 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 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  
Emilio Garcia, Health Director  
Ricardo Torres, Police Chief  
Bill Donnell, Assistant Public Works Director  
Carol Rogers, Risk Managers  
Diana Gonzales, Human Resources Director  
David Mason, Purchasing/IT Director  
Jim DeVisser, Interim Fire Chief  
Pete Pina, Landfill Supervisor  
Jennifer Bernal, Community Appearance Supervisor  
Johnny Campos, Police Officer  
Leo Alarcon, Tourism Director  
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 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)**

None.

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

1. None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*“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.”*

Mrs. Courtney Alvarez, City Attorney, reported that the next City Commission is scheduled for Monday, June 13<sup>th</sup>.

**IV. Public Comment on Agenda Items.<sup>3</sup>**

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

Ms. Yolanda Espinoza, 325 W. Ave. D, commented that property located at 321 W. Ave. D is in need of repairs. She has reported this property in the past and has seen nothing done. She further stated that there are rodents that come from the property onto hers and she would like something done by the City.

Mr. James Hoysradt 2106 Kelly Lane, reported that due to the storm last week, this subdivision suffered with flooding and water coming into their homes. He further stated that when the subdivision was built one drainage was built on his street. It is important that any future developers comply with city ordinance regarding drainage systems.

Ms. Sherry Castle, 1902 Brooke Lane, commented that during the storm last week the sirens were sounded but were not heard in the Paulson Falls Subdivision. She would like to see a siren installed closer to this area.

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

- 1. Motion to approve final passage 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).**
- 2. Motion to approve the reappointment of Ms. Dora Martinez to the Civil Service Commission for another three (3) year term. (Human Resources Director).**
- 3. Motion to approve the appointment of Tamara Brennan to the Historical Development Board for a three (3) year term. (Downtown Manager).**

### REGULAR AGENDA

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

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

- 4. Discuss response and recovery efforts related to Kingsville's severe weather events (16-008) and the FEMA Public Assistance Program. (City Manager).**

Mr. Jesús Garza, City Manager, updated the City Commission on response and recovery efforts related to the severe weather events on May 31<sup>st</sup>. Garza introduced Brandy Fischer, District Coordinator for Texas Division of Emergency Management Division and Leeann Fox, Disaster Program Manager for the American Red Cross. Mr. Garza gave the City Commission a timeline of the events that took place during and after the storm on May 31<sup>st</sup>. It had been determined that three tornadoes hit the County out of the three; two were inside the City limits and one in the County area. One initiated around the Dick Kleberg Park area and moved eastward on FM 1717. The second one that hit the City was around the area of Ailsie. On the evening of the storm, a City Commission was held and throughout that time staff was receiving updates on what was going on with the storm. Sirens were activated to make the citizens aware of the storm.

Mayor Fugate commented that sirens are not meant to be heard indoors rather they are meant to be heard for those that are outdoors. Fugate further commented that the local news didn't not send out any warnings that the storm was heading this way. The storm just came in unexpectedly.

Mr. Garza commented that the National Weather Service determined that the tornadoes made landfall around 7:00 P.M. Staffs immediate response was to activate the City's EEOC which occurred around 7:00 P.M. Some efforts from city crews had begun clearing the road ways of debris to allow any emergency personnel and citizens to travel the roadways. The cleanup continued throughout the week as well as damage assessment

throughout the city. There were 100 homes with damage to some degree which range from shingles being flown off to an entire roof that had been displaced. There was also an apartment complex that was hit strong with this storm which caused the displacement of some citizens from their homes. Staff was able to assist these citizens by locating family members that can house them for the time being. An emergency shelter was activated for six individuals that couldn't find a place to stay during that evening. Citizens have begun the cleanup of brush within their properties. City crews have begun to haul brush to the landfill. So far the amount hauled is around 165 tons of brush which equates to 653 cubic yards. After doing a thorough assessment of brush, it has been determined that there is approximately 16,000 to 18,000 cubic yards of brush still remaining to be cleaned up. It will take city crews a month to be able to collect all the brush around the city. There have been questions by city commission regarding the Ashbritt Contract for cleanup efforts. If the Ashbritt Contract was to be activated for cleanup efforts the cost would be around \$220,000. The contract with Ashbritt is a bit more extensive as it is intended for disaster relief, so the services that Ashbritt provide range from assistance with clearing the roadways of brush and biohazard removal. Staff made the decision not to engage their services after the assessment that occurred today, staff is still in the position in terms of financially, the city does not have the money to pay Ashbritt for their services. Other options are being looked into such as renting equipment which would be a less cost to the City as staff would be used to operate the equipment and do the cleanup. Garza further spoke about establishing a Disaster Response Recovery Fund for expenses. This could be used for any overtime that is required for staff to be able to continue the cleanup efforts. With four months left in this budget year, it is important that department do not use their normal budget for this type of work. Garza further stated that aside from the brush cleanup, we are thankful there weren't any lives lost or any severe injuries.

Commissioner Garcia asked if staff is aware on how many homes were flooded on the first level. Interim Fire Chief DeVisser responded that they weren't of any homes with inches of water but as far as apartment complexes, some units did have water within the bottom units. DeVisser further stated that 99% of the water in these dwellings was from coming in through the roof or the windows. There were some homes that water came up to the foundation of the home and these were in the Paulson Falls Division. DeVisser further stated that even if water came into the home, as per FEMA if it was less than eighteen inches it does not qualify as major damage, it would be considered minor damage.

Commissioner Lopez asked if staff has assessed damage within the Lawndale area as they do get water within their homes when there is flooding. Lopez stated that she has family residing within this area that has made her aware that they have water within their home. Lopez further stated that she received reports from a resident near Harvey Elementary School that their home did receive some water in their home. She further stated that in the Lawndale area, residents are beginning to pull carpets from their homes which show that they did receive some water in their homes.

Mr. Garza commented that staff is aware of some of the other areas that received some water, which prompted the Engineering staff to draw up a map identifying these areas so that staff can track it and evaluate drainage issues.

Commissioner Lopez commented that this is a constant problem within the Lawndale area as water drains from 14<sup>th</sup> Street on to Lawndale. She further commented that Mr. Bill Donnell, Assistant Public Works Director with a crew working on the drains within the areas.

Brandy Fischer, District Coordinator for Texas Division of Emergency Management, liaison for the City of Kingsville. Fischer spoke about the assistance that the government can provide once the area is declared a disaster. She further stated that she responded to the City of Kingsville EEOC on June 1st. A Disaster of Declaration and a letter to the Governor were drafted and signed by Mayor Fugate and submitted to the State. Fischer further stated that there are certain thresholds that the City and County must meet. For Individual assistance Kleberg County must meet a threshold of \$114,458. What this means is that in Kleberg County the public assistance such as debris, building and city vehicle damage has to exceed \$114,458. This threshold amount is a combination of both city and county numbers. Now the State also has to meet a \$35 million dollar threshold in order for FEMA to be able to assist the State of Texas. There are different categories of assistance such as debris; FEMA is very particular on their debris removal. Some of the issues they have had are when the vegetated debris and construction debris and any white goods get mixed together; it is frowned upon by FEMA. It is important that the community is aware that these items must be separated in order for them to be considered by FEMA.

Commissioner Garcia what criteria is used to come up with the threshold of \$114,458. Ms. Fischer responded that it is based upon population and the consumer price index which fluctuates from year to year.

Commissioner Pecos asked what happens if the State does not meet their threshold of \$35 million, what happens. Ms. Fischer responded that the process will end at that point.

Mr. Garza commented that this is a lengthy process and therefore the City would need to be cautious with their money as it is not guaranteed that the City will get any reimbursement from the State.

Leeann Fox, Disaster Program Manager for the American Red Cross, briefed the City Commission on the role and responsibilities of the American Red Cross and how they can assist the citizens of Kingsville during a disaster. The American Red Cross also offers mental health support for those citizens who are in need of it after a disaster.

Mr. Garza thanked staff for their assistance during and after the storm.

Commissioner Pecos asked about the type of equipment rental and the cost for this equipment.

Mr. Bill Donnell, Assistant Public Works Director, stated that staff is looking at a Knuckle boom to rent which is a one man operation machine. The rental fee will be \$5,000 per month.

Commissioner Lopez asked how long it will take for staff to pick up all brush around the City.

Mr. Garza responded that without outside assistance it could take up to a month.

Commissioner Lopez stated that her concern was that brush be left in neighborhoods and risks that another storm coming in and blowing brush around the area.

Mr. Garza stated that a representative from Ashbritt will be coming into Kingsville to assess the amount of brush that would need to be collected and provide an estimate to the City.

Commissioner Garcia asked about the Landfill accessibility with all the rain received.

Mr. Garza commented that the Landfill is open as usual.

**5. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget to include transfers for the creation of a Disaster Response Recovery Fund for city expenses. (City Manager).**

Commissioner Pecos asked why \$100,000 budget.

Mr. Garza responded that staff does not want to impact the City's reserves.

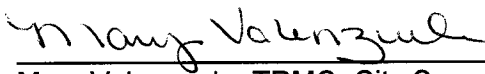
Introduction item.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:00 P.M.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, TRMC, City Secretary