

JULY 11, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 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
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner

CITY COMMISSION ABSENT:

Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
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
Cynthia Martin, Downtown Manager
Susan Ivy, Parks Manager
David Solis, Risk Manager
Deborah Balli, Finance Director
Adrian Garcia, Fire Chief
Charlie Cardenas
Ricardo Torres, Police Chief
Sharam Santanilla, Capital Improvement Manager
Leo Alarcon, Tourism Director
Tony Verdin, Systems Specialist
Kyle Benson, Help Desk
David Mason, Purchasing Director
Pete Pina, Landfill Supervisor

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 Garcia 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 – June 13, 2016

Motion made by Commissioner Pecos to approve the minutes of June 13, 2016 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, 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."

Mrs. Courtney Alvarez, City Attorney stated that the next regular scheduled City Commission will be on July 25, 2016. The deadline to submit agenda items for this meeting will be on Friday, July 15th.

IV. Public Comment on Agenda Items.³

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

No public comments 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 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, Fugate voting "FOR".

1. **Motion to approve final passage of an ordinance amending the FY15-16 Budget to accept and expend donations for the Parks Department for summer programs. (Finance Director).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Budget to accept and expend donation from the Kingsville Area Educators Federal credit Union for police officer medical kits. (Finance Director).**
3. **Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Budget to include Homeland Security Grant Project #3146701 for the Police Department. (Finance Director).**
4. **Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Budget for the purchase of generator equipment and storm debris collection expenses. (Finance Director).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. **Consider a resolution authorizing the City Manager to enter into an Agreement between the City of Kingsville and Naismith Engineering for Professional Services for design and construction of partial "Sector 4" of the City Landfill. (City Engineer/Public Works Director).**

Mr. Charlie Cardenas, Public Works Director reported that this item authorizes the approval of a resolution to enter into an agreement with Naismith Engineering for the design and construction of Sector 4 of the City Landfill. The financial impact is \$1,811,900.00, of which a budget amendment was approved for in May, 2016.

Mrs. Alvarez commented that staff has asked the Risk Manager to review Exhibit G with regards to the insurance. There was a slight change in under B, Additional Insured, under the revision that was received late Friday, that reads that the owner shall be listed in the Engineer's General Liability Policy as provided in paragraph 6.04(a).

Mayor Fugate asked if the Commission makes a motion, would it need to be as amended?

Mrs. Alvarez responded that it would be inclusive of the change to Exhibit G.

Mayor Fugate commented that the City has slowed down on the demolitions which is something that is disappointing. Fugate further asked staff if this will expedite that, where staff can get back on track. Fugate also asked if there is a timeline for this.

Mr. Cardenas response was that this will put things on track again.

Mr. Grant Jackson of Naismith Engineering commented that the proposal before them is for the design of Sector 4 that will take, depending on some testing that need to be done, may take two to three months. Then there will be a process where they will have to put the project out for bids which will create a construction time frame which will take approximately eight to nine months.

Mayor Fugate asked that before any demolition work can be done, it will be eight months.

Mr. Cardenas responded that the landfill can still in those structure, such as burned homes that may need to be demolished.

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

6. Consider a resolution authorizing the City Manager to enter into an Agreement between the City of Kingsville and Naismith Engineering for Phase II of the Landfill Permit Amendment for the City Landfill. (City Engineer/Public Works Director).

Mr. Cardenas stated that this time authorizes the approval of a resolution to enter into an agreement with Naismith Engineering to continue the next phase in the City of Kingsville Landfill permit amendment process with the TCEQ. There will also be a phase three which is the implementation. At this time the City of Kingsville is in phase two or the permit process.

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

7. Consider a resolution authorizing participation in Operation Border Star with the Homeland Security Grants Division of the Governor's Office for local border security to interdict criminal activity with no anticipated cash match; authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

Ricardo Torres, Chief of Police, commented that the Homeland Security Grants Division of the Governor's Office is soliciting grant applications for projects that support Operation Border Star during the 2017 grant cycle. The Kingsville Police Department has been invited to participate in this project. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols in an effort to deter and facilitate directed actions to interdict criminal activity. Torres stated that there is \$85,000.00 in funds to cover personnel costs, fuel, and maintenance.

Commissioner Pecos asked if this money would need to be shared with the Sheriff's Office.

Chief Torres response was that each entity applies separately.

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

8. Consider a resolution authorizing participation in Operation Stonegarden with the Homeland Security Grants Division of the Governor's Office for local border security to interdict criminal activity with no anticipated cash match; authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

Chief Torres commented that the Kingsville Police Department (KPD) is a sub-recipient under the Sheriff's Office, who has allowed the KPD to receive a portion of the 2015 Operations Stonegarden Funds of \$122,533.58. The sum of \$30,000 will be used for radio equipment leaving the remaining funds to be used for personnel cost and fuel.

Commissioner Pena asked that with regards to the radio equipment, there is some Certificate of Obligations monies that were allocated for radio equipment as well. Is this an additional amount of funds? Chief Torres responded that there is still some backfill some of the radios for their units. Commissioner Pena further asked if the KPD has been receiving this grant consecutively every year. Chief Torres responded that is was not received last year. There is an application for the year 2016.

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

9. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget to accept a 2017 Operation Border Star Grant for the Kingsville Police Department. (Director of Finance).

Introduction item.

10. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget to accept a 2015 Operation Stonegarden Grant for the Kingsville Police Department. (Director of Finance).

Introduction item.

11. Consider authorizing the acquisition and installation of audio visual equipment at the new City Hall AVES Audio Visual Systems, Inc. via BuyBoard Contract, as per staff recommendation. (Director of Purchasing & Technology).

Mr. David Mason, Purchasing Director stated that this item authorizes the installation of audio visual equipment at the new City Hall Community Room. This equipment will expend \$60,640.10 including installation. It is recommended the City contracts with Audio Visual Technologies Group of Stafford, TX.

Mr. Garza clarified that this equipment will be used for the City Commission meetings. These funds have been previously allocated for the new City Hall.

Motion made by Commissioner Pena to authorize the acquisition and installation of audio visual equipment at the new City Hall, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Fugate voting "FOR".

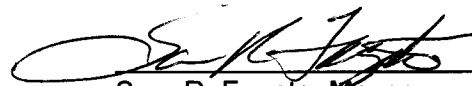
12. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget for CO2013 to include a drainage master plan. (Director of Finance).

Mr. Cardenas reported that this is part of the 2013 Certificates of Obligation Series. At this time the City has a five-year maintenance plan but there is a need for an overall drainage master plan. The financial impact to hire professional services to create a drainage master plan is \$100,000.00.

Introduction item.

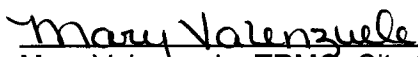
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:57 p.m.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, TRMC, City Secretary