

NOVEMBER 27, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 27, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Diana Gonzales, Human Resources Director
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Derek Williams, Systems Specialist
David Solis, Risk Manager
Adrian Garcia, Fire Chief
Leo Alarcon, Tourism Director
Deborah Balli, Finance Director
Susan Ivy, Parks Manager
Daniel Ramirez, Building Official
Marco Jimenez, Water Supervisor
Bill Donnell, Public Works Director
Joe Casillas, Water Production Supervisor
Ricardo Torres, Chief of Police
Cynthia Martin, Downtown Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. with four Commission members present. Commissioner Pecos 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)

None.

II. Public Hearing - (Required by Law).¹

1. Public Hearing on an ordinance changing the zoning map in reference to 6th Addition, Block 3, Lots 1&2, also known as 801 E. Alice Street, from R1-Single Family to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan, Silvia Aparicio, EVP and authorized agent on behalf of owner First Community Bank of Texas, Applicant. (Director of Planning & Development Services).

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

Mr. Ginter reported that currently First Community Bank owns this property. There is a tenant that is interested in the property, depending on what the Commission decides tonight, who is a dentist and would like to operate an Orthodontist Practice. This property is the old Austin Elementary School that has been closed for a number of years. Currently, PDAP is being housed in the property at this time.

Mayor Fugate commented that this school has been closed for almost 40 years.

Mr. Ginter further reported that Dr. Jolly has done work in Beeville. His plan is to operate an Orthodontist Practice for one to two days out of the week. He resides in Corpus Christi. He has chosen this building as it meets his budget. If the rezoning is approved, Dr. Jolly would need to submit plans for the remodel. Ginter stated that he has received two phone calls regarding this rezoning request. One caller, once she found out it was going to be an Orthodontist Office, had no problem with the rezone, the other caller commented that he would like to keep it zoned R1, which is what it is currently zoned now. The Planning & Zoning Commission met on this item and voted in favor of the rezoning with a vote of 4-0.

Commissioner Lopez asked about parking for this establishment.

Mr. Ginter responded that it would require ten parking spaces with one ADA parking space, which he believes it has enough space for them.

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

Mayor Fugate closed this public hearing at 6:07 P.M.

2. Public Hearing on an ordinance amending the zoning ordinance by granting a Special Use Permit for 620 E. King Avenue, also known as 6th Addition, Block 17, Lots 17-24, for a poker card club, Paul Espinoza, agent for owner Don Haggerton. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:07 P.M.

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

Mr. Paul Espinoza, 2511 Golf Course Road, commented that what he is trying to do is bring another form of entertainment to Kingsville in the form of a legal poker card room. These types of establishments are all around Texas and he would like to bring it here as he is aware that there are a wide variety of players that are in the vicinity of the city and in the outskirts. Individuals travel hours to Louisiana, Oklahoma, and Las Vegas. At times they also travel to San Antonio, Austin, and Houston to go out and play in these card rooms. His idea is to bring this here so that individuals don't have to travel so far and to where there is another form of entertainment.

Mr. Espinoza distributed a handout to the City Commission regarding Poker Clubs and their policies.

Mayor Fugate closed this public hearing at 6:12 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, Utilities Billing Update; Police-Communications Update; Police & Fire Department – Grant Update, Police & Fire Reports; **Streets Update**; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, **Demolition Update**. No formal action can be taken on these items at this time."*

Mr. Garza gave the Commission an update on the Quarterly Budget Report, Streets Update, and Demolition Update. Garza congratulated Mrs. Mary Valenzuela, City Secretary for receiving her Certified Municipal Clerk Certification. Mrs. Valenzuela has completed all of the requirements through the International Municipal Clerks which requires a lot of active participation through her part. It required for her to attend two professional trainings and other experiences. Garza further introduced Interns that have been working with city departments; Johnathan Tuck, GIS Intern working in the Planning Department. Mr. Tuck will be updating the zoning maps, specifically updating location of mobile homes as well as other assets that the city has such as fire hydrants. Tuck will also play a role in the implementation of Accela. Garza introduced Amanda Guthrie, who is interning with the Health Department. Ms. Guthrie is assisting in the Animal Control Division. Garza also introduced Rachel Hernandez who is interning in the IT Department. Ms. Hernandez is assisting the IT Department with the implementation of new hardware and other IT task. The interns come from Texas A&M University-Kingsville and Texas A&M Corpus Christi. Garza moved on to introducing the October Employee of the Month, Mr. Desiderio Garza of the Landfill Department. Mr. Garza has been employed with the city since 2012 as an Equipment Operator 2. He is a dedicated and loyal employee to the city. Since 2012 and has only used a handful of vacation days.

Mr. Garza reported on the Fourth Quarter Budget Report. The report shows that the General Fund is on track. It has exceeded slightly with the amount of revenues budgeted

to estimated actuals. The Ad Valorem taxes shows that the city is on track with what was budgeted. One of the things to point out is the accuracy of the percentage. Several years back, the city has come in lower than what was projected. Non-property taxes, which includes sales tax, fines, permit fees, things of other sort, came in above of what was budgeted. It came in at 102%, which came in at a higher amount. In sales tax, projected to come in higher as what was anticipated. The estimated actual for FY 2017 is \$4.784 million dollars. What was budgeted in FY 2018 was \$4.7 million dollars, which was pretty much budgeted for the current fiscal year the city is in, what more than will be the actual for this past fiscal year. In the past few years, the sales tax is trending upwards in a positive direction. Staffs believes that this is not a coincidence, it is believed that it's attributed to a lot of the growth the last several years such as housing and retail. Garza stated that as has it's been discussed during other quarterly presentations, there are other revenues that are trending downward. Permits & Licenses out of the Planning Department has been trending lower. It has be estimated for end of this past fiscal year that just ended, the revenues coming in at 87% of what was budgeted. Garza stated that this last fiscal, FY 2017, it was budgeted \$275,000 for the Planning Department. The actual came in at \$241,000. For fiscal year 2018, it is important that it has been budgeted \$256,000 which is \$20,000 less than what was budgeted in fiscal year 2017, which is trending downward. Municipal Court fines, is also trending downward. This came in at 85% of what was budgeted, estimated at \$716,000.00, which is lower from the actual from the previous year. There have been a lot of challenges that were discussed at previous meetings. With Municipal Court fines, this is not a revenue that is not expected to increase year over year. The city has a limited number of police officers, which doesn't change. In fiscal year 2014, it was at \$722,000, FY 2015 was \$907,000, FY 2016 at \$751,000, and FY 2017 at \$716,000. For fiscal year 2018 it was budgeted to be \$760,000.00, which is less than the \$835,000 budgeted for last year, which is lower. Garza commented that it is important to know that the same thing that happened this last fiscal year will occur this year. As staff starts working on the quarterly budget reports for fiscal year 2018, staff will be discussing increases in sales tax revenue. It is important to understand that even though the city is experiencing those increases it doesn't necessarily mean that we have additional funds to do things as we have other revenues that are decreasing. Under Golf Course and Parks Departments, the potential actual of \$400,000 for fiscal year 2017. This is primarily driven because of the capital lease that needed to be recorded in the books. Without the capital lease recordation, revenues were \$266,000. Parks & Recreation revenues received represent 106.26% of their current year budget compared to 103.09% for last year. The County contributes \$550,000 annually. Solid Waste fund, revenues for this fiscal year have increased from last fiscal year due to changes in our ability to accept outside haulers, even though revenues ended up less than expected. Tourism Fund Revenues, revenues received for FY 2017 are higher than what was received for last year and what was expected. As for the JK Northway, revenues for this are for the most part consistent which will remain true with the budgeted numbers for FY 2018, which will keep those revenues in the \$37,000 range. Utility fund revenue, revenues ended up better than expected for FY 2016. It was budgeted \$7.9 million dollars for FY 2017 with the potential actual at \$8.5 million. For FY 2018, the budgeted amount for utility fund in water sales was \$7.98 million.

Mayor Fugate commented that finishing the projects that are being funded with utility monies, that the fund is going to be a lot healthier once the pumphouse and the renovations at the old city hall have been completed. Money is being used for some of these projects.

Mr. Garza commented that this was correct. Staff has budgeted some funds for these projects in previous fiscal years, so some of that money has been carried over for several years in order to complete those projects. For example, the pump house project is not using any money from FY 2017 as this project has been in the books since FY 2014 to which the money has been carried over for several years. Garza further commented that it helps in finishing up some of the projects, but that money is money that has been held on to and carried over for several years.

Commissioner Garcia asked about FY 15-16, under utility fund, show that \$10 million dollars came in for the fourth quarter. Garcia asked what the difference in that year verses last year it shows \$2 million dollars difference.

Mr. Garza stated that he doesn't know if it was attributed to the \$2 million dollars, but in conversations that have taken place internally, some of that had to deal with some of the companies that were hooking up to the cities fire hydrants and taking water, such as oil field related projects and contractors that were paying for water. It could have to deal with the fact that the city had issues with meter endpoints as well.

Mayor Fugate commented that some of this has to do with rainfall as well.

Commissioner Garcia asked that as far as the meter issue, have they been corrected.

Mr. Garza responded that the water meters have not been replaced. But for clarification sake, it was the endpoints, so the endpoints on the meters have been replaced. Although there are still ongoing issues, as every week there is about 20 meters that the endpoints start failing, so staff is routinely replacing those endpoints.

Mr. Bill Donnell, Public Works Director gave an update on streets. Staff is in the process of working on 7th Street between Shelton and Miller. On Tuesday, that street was hot mixed. The rest of that week, staff prepared for the Ranch Hand Breakfast and the downtown lighting ceremony, mowing, and placing decorations downtown. On Monday, November 20th, the street department started reconstruction on Lott Street off of 22nd and 4th street on W. Lott.

Mr. Garza commented that this was a full depth reconstruction.

Mayor Fugate commented that this is what this commission is looking for reconstruction projects. He knows that there are a lot of other things to do, which has been an age-old problem. Instead of fixing streets, they have this department hanging Christmas ornaments.

Mr. Donnell commented that on a day by day, they have three people assigned to street construction, so there is a couple of days that they didn't do it.

Mayor Fugate commented that he would like to see the 20 year plan, and see where staff is on that list and see how far behind the city is on that.

Commissioner Garcia asked if this department is still short staffed and how many employees.

Mr. Donnell stated that this department is short 6 employees.

Commissioner Garcia asked what are the efforts to bring in more staff. Mr. Donnell stated that there are some applicants but the majority of the applicants have limited experience to none, so it will require rigorous training, but it's on the job training.

Mayor Fugate commented that he recalls at one time when the city was in a situation like this, staff went out and contracted with private contractors to assist with some of the projects and asked if staff has considered doing same thing again. Mr. Garza responded no, not with the street user fund, but staff can explore some options and see what there is to work with. Mayor Fugate commented that this may be an option for staff, it may work depending on funds available.

Commissioner Lopez commented that maybe staff shouldn't be pulled away to do other projects. This is one of the departments that gets pulled to do other projects when they should be focused on streets, as this is the main complaint made by our citizens.

Mr. Garza commented that this is a big challenge for staff.

Mr. Donnell commented that the department will stay focused on reconstruction projects.

Mr. Richard Floes, Golf Course Manager gave report on the Golf Course. Currently greens have a mix of Bermuda and Zoysia grass. Majority of greens are being taken over by Zoysia grass. Zoysia is not typically used in our area for putting surfaces on greens. When cut very low (putting surface) Zoysia undergoes stress and develops disease such as large patch. Over time large patch has gotten worse on the golf course greens creating large areas of dieback and pitting of the surface. Greens Surfacing for Winter Play, Monday, November 20th, golf and parks staff placed 50lbs. of Winter Rye grass on each green. Placement of seed and follow-up procedures took staff two days to complete. Germination of grass is expected 14-21 days after initial application. Staff will follow-up with spreading more Winter Rye seed on areas that did not take during initial application. Staff applied the Winter Rye grass seed to each green with a walk behind spreader. Staff applied slow release fertilizer to each green. This will help keep current grass and new seed "fed" throughout the Winter months. After the greens had been fertilized and the seed had been spread, topdressing occurred. Topdressing is sand that's spread on top of the greens to help aid the over-seeding process. It is a continuous cultural practice that has many benefits. Finally, staff drug the greens with a drag mat and cart to help the seed, fertilizer, and sand stay in the turf canopy. Watering took place after the greens were completed. What's Next? Staff has contacted Kevin Bryant with King Ranch Turf grass to help us explore options for our Spring and Summer months. Staff contacted Morris Brown with Champion Turf Farms. Mr. Brown visited L.E. Ramey, took soil samples, and is compiling a summary of what he saw at the golf course during his visit. We are exploring pricing of

complete renovations of all the greens at the golf course, that would include removing old grass and completely replacing with new Bermuda grass and will be presented to the City Manager. Flores further stated that as for the irrigation, staff has met with contractor today. The irrigation manufacture has made sure that everything is in place.

Mayor Fugate when the project will begin on the irrigation. Mr. Flores responded that plow gets here on Wednesday and project should take about 30 days.

Commissioner Garcia asked if the course was going to be closed while they replace the grass.

Mr. Flores stated that staff will need to make a decision on placing temporaries in front, while renovating greens.

Mrs. Courtney Alvarez reported that the next Commission meeting is scheduled for Monday, December 11th. Agenda items for this meeting will be due on Friday, December 1st. She further announced that the City will be hosting its Safety Banquet on Friday, December 8th at the KC Hall on North 14th Street. Alvarez mentioned that agenda item #3, under the consent agenda, there has been a correction made with regards to the lift, there was a line item that was in correctly referenced in that budget amendment, although the numbers did not change, just the line item, which should read a different number for the ground maintenance is the correct number. Whenever the commission comes to approve the consent agenda, if the Commission doesn't want to pull this item from the consent, the Commission can make a motion to approve the consent agenda with the amended budget amendment. Alvarez further mentioned that activities that the city will be participating in during La Posada event.

Commissioner Lopez commented that she has received several calls about streets lights being out, such as Brahma Blvd. and General Cavazos and some of the neighborhood lights.

Mr. Garza commented that some of the streets in town belong to TXDOT. Staff will contact them and notify them of the issue.

Commissioner Pecos asked if AEP are in charge of the lights. If so, they aren't doing their job. From Corral and Armstrong going North, there aren't any lights out in this area.

Mr. Garza commented that part of what staff can do during the next meeting is to show a map of TXDOT lights and city lights.

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 Pecos to approve the consent agenda with the amended budget amendment, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR".

1. **Motion to approve final passage of an ordinance changing the zoning map in reference to Retama Park, Block 29, Lot 2, also known as 907 E. Fordyce Street, from R2-Two Family to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to include projects not completed in Fiscal Year 2016-2017. (Finance Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to reallocate funds to purchase a Genie Z60/34 boom lift for the Street Department. (Purchasing Manager).
4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 5-1-56, providing for an increase in the truck rental fees. (Public Works Director).
5. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, Section 74, providing for an increase in septic tank or liquid waste disposal rates and adding sludge disposal rates. (Public Works Director).
6. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Section 52, providing for an increase in water tapping charges and adding water boring tap charges. (Public Works Director).
7. Motion to approve resolution authorizing the Release of Chapter 59 Funds of the Kingsville Police Department for donation to the Kingsville Amateur Boxing Club, Inc. for drug and alcohol prevention programs. (Police Chief).
8. Motion to approve resolution authorizing the Release of Chapter 59 Funds of the Kingsville Police Department for donation to Communities in Schools for drug abuse prevention programs. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider appointing Steve Davis to the City-County Health Board for a three-year term. (Health Director).

Mr. Garcia reported that this appointment is for three years. Mr. Davis has a positive attitude and will be a good asset to the Board.

Motion made by Commissioner Pecos to approve Mr. Davis for this Board, seconded by Commissioner Lopez, and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Fugate voting "FOR".

10. Consider final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for 916 S. 14th Street in the Village Shopping Center, 1.157 acres of land out of CAD TERR, Block 1, Lot 1-6, for a poker card club. (Director of Planning & Development Services).

Mayor Fugate asked Mrs. Alvarez to clarify that the Commission will not be making the determination or do not have to make a determination on whether or not an establishment like this is legal or not.

Mrs. Alvarez commented that all this is, is just approval of a special use permit to have either a private club or the type of entertainment provided through our zoning chart which will require a special use permit, by the way its defined, amusement commercial indoor.

Mayor Fugate further asked if this would require us to make a determination whether or not this business is legal or not.

Mrs. Alvarez responded that the commission is not looking at the individuals' operation, just looking at the type of use. The type of use would be a private club, in order to have a private club in C2, you have to have a special use permit.

Mayor Fugate further asked that if the Commission decided to approve this special use permit, then there are other agencies and other departments in the city might look at this and determine whether or not these activities are legal to which they would have the abilities to close this club.

Mrs. Alvarez responded this was correct.

Commissioner Garcia commented that he has been made aware that in Falfurrias, when they closed the 8-liners, even though it's different, the legality is under the realm

of gambling, the Federal Government did include the elected official that was involved in approving those particular businesses to take place in the City of Falfurrias.

Mayor Fugate commented that there was one elected official that was prosecuted, that individual, the commission member, not in her official capacity, it was what she did with the game rooms itself, as she got involved with them. This was her downfall. Fugate further stated that in the footnotes that were provided by Mrs. Alvarez, there are ways that these businesses can still run and be legal.

Mrs. Alvarez responded that this is what other cities and other City Attorneys have found. She herself is not making a legal opinion with regards to the legality of the individual operations.

Commissioner Pecos asked that what the Commission is voting on tonight is just for the type of use.

Mrs. Alvarez responded that a type of use that falls within our zoning chart for the requested use.

Commissioner Pecos stated that the information that was given to them, was that the Attorney General's Office has deemed it as a legal operation for the Texas Card House. If they follow certain rules, it will be a legal operation and if they don't, they are in violation, just as the 8-liners. If they were to have given what they were supposed to give, instead of giving cash, some would probably still be opened.

Commissioner Lopez asked if what the Commission is voting on is just for the land use part.

Mrs. Alvarez responded that it was only for the land use component, not the legality of it. Alvarez further stated that you can have private club and you can have it indoor commercial amusement in a C2, but only with a special use permit. The special use permit does say that they have to comply with all existing state, federal and local laws, otherwise, it's revoked.

Motion made by Commissioner Pecos to approve the special use permit, seconded by Commissioner Lopez.

Commissioner Garcia stated that even though the Commission is discussing a special use permit, it's through the decision of the Commission that this will come forth, he personally feels that the Commission could be held responsible as the Commission is approving this particular use in the permit.

Mayor Fugate stated that he understands Commissioner Garcia's concerns and shares that, but from what the City's legal counsel is telling them is that, the Commission is not making a determination on whether or not it's legal and there are other Attorneys in governmental agencies that have said that these things can be operated legally. So the Commission is not making that determination.

Commissioner Garcia commented that there have been others that have said that it's illegal.

Mayor Fugate commented that this will be up to the Chief of Police and the District Attorney's Office on whether or not these things are legal.

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

- 11. Consider introduction of an ordinance changing the zoning map in reference to 6th Addition, Block 3, Lots 1&2, also known as 801 E. Alice Street, from R1-Single Family to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

Introduction item.

- 12. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for 620 E. King Avenue, also known as 6th Addition, Block 17, Lots 17-24, for a poker card club. (Director of Planning & Development Services).**

Introduction item.

13. **Consider resolution authorizing the City Manager to enter into a Professional Services Agreement with HDR Engineering, Inc. for a Utility Rate Study for the City of Kingsville, Texas. (Purchasing Manager).**

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

14. **Consider awarding RFP#17-18 for electrical services to Mia Electrical Services, as per staff recommendation, and authorizing staff to negotiate a contract with Mia Electrical Services for the Annual Electrical Services Contract for the City of Kingsville. (Purchasing Manager).**

Mayor Fugate commented that this company has done for work for the City.

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

15. **Consider awarding RFP#18-01 for curb, gutter, and driveway repair project to AR Energy Services, LLC, as per staff recommendation. (Capital Projects Manager).**

Mr. Santillan reported that staff advertised for bids on October 25, 2017 and November 1, 2017. A mandatory pre-bid meeting was held November 7, 2017 with four potential bidders attending. Three responsive bids were received by the deadline of Tuesday, November 14, 2017 at 11:00 a.m. the base bid consists of approximately 3,000 linear feet of curb and gutter and approximately 3,600 square feet of driveway which gives staff a way to make a comparative analysis of the bids based on unit price on anticipated annual projects. It is recommended that the city contracts with AR Energy Services for bid 18-01 curb, gutter and driveway repair project.

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

16. **Consider a resolution authorizing the City Manager to enter into service agreements between the City of Kingsville and Accela and Byrne Software Technologies, Inc. via Carahsoft Technology Corp. for software and implementation services. (I.T. Manager).**

Mr. Ginter stated that this item will allow staff to move forward on the purchase and implementation of software which will be utilized by the Planning Department and Community Appearance. Total cost is expected to be \$46,219.70.

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

17. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to purchase traffic safety vests from Municipal Court fees collected to enhance public safety and security. (Chief of Police).**

Introduction item.

18. **Consider accepting donations totaling \$900 for the Kid's Zone at the Ranch Hand Festival hosted by the Parks Department. (Parks & Recreation Director).**

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

19. **Consider introduction of an ordinance amending the FY17-18 budget to accept and expend Park donations for the Ranch Hand Festival Event. (Parks & Recreation Director).**

Introduction item.

20. **Consider accepting donation of \$25 from the Kingsville Women's Club for the Tourism Department for the Ranch Hand Festival. (Tourism Director).**

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

21. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a Tourism donation for the Ranch Hand Festival. (Tourism Director).**

Introduction item.

22. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget for personnel expenses in the Planning Department. (Director of Planning & Development Services).

Introduction item.

23. Consider a resolution of the City of Kingsville, Texas suspending the Kingsville effective date of CenterPoint Energy Entex and CenterPoint Energy Texas Gas South Texas Division requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with other cities in the CenterPoint South Texas Service Area; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals; authorizing intervention in GUD No.10660 at the Railroad Commission; authorizing legal representation; requiring reimbursement of cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. (City Attorney).

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

24. Consider accepting \$1,000 in prize money from talent contest for parks project. (City Manager).

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

25. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget-prize money for parks project. (City Manager).

Introduction item.


26. Executive Session: Pursuant to Section 551.074, Texas Government Code, Open Meetings Act, Personnel Matters, the City Commission shall convene in Executive Session to deliberate the evaluation of the City Manager. (Mayor Fugate).

Mayor Fugate announced and convened the meeting into Executive Session at 7:16 P.M.

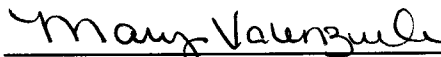
Mayor Fugate reconvened the meeting into open session at 8:20 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 8:20 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary