

DECEMBER 18, 2017

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 18, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Kyle Benson, IT Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Derek Williams, Systems Specialist
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Diana Gonzales, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with three Commission members present. Pecos absent from this meeting.

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

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, 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, Golf Course Update. No formal action can be taken on these items at this time.”

Mr. Garza commented that staff has provided the City Commission with a street weekly report for their review. Garza further stated that Mrs. Deborah Balli, Finance Director will give an update on how much funds are available in the Street Fund.

Mrs. Balli reported that on December 12, there was approximately \$633,698.00 in the bank. For this fiscal year, it was budgeted \$812,000.00 in revenues and have billed out \$148,588.00. Then it was budgeted \$831,533.00 for expenditures in street & bridge and

so far, have encumbered \$163,107.00. Balli stated that this was carry over money from last year's unfinished projects.

Mrs. Alvarez reported that City offices will be closed next Monday and Tuesday for the Christmas Holidays as well as January 1st for the New Year Holiday. The regularly scheduled City Commission meeting will be on January 8, 2018. The deadline to submit agenda items for this meeting is on December 28th.

IV. Public Comment on Agenda Items.³

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

No comments were 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 Lopez to approve the consent agenda as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Lopez, Garcia, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend a Parks donation from the 12th Annual Vishal Bhagat Memorial Golf Tournament. (Parks Director).
2. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend a Police donation from the Kingsville Area Educators Federal Credit Union. (Chief of Police).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider final passage of an ordinance amending the Fiscal Year 2017-2018 budget for the renovation of the Municipal Building. (City Manager).

Mr. Garza announced that staff has done a minor change to this ordinance regarding the process of the funds. Staff realized after the introduction of this item that the original source of funds for one of the transfers came from a Certificate of Obligations that was for a specific use. Garza stated that rather than transferring \$95,000 from the 2011 Utility Fund CO, what staff is now doing is that they are selecting project that were funded in the Utility Fund to be paid for from that CO, such as machinery equipment, as this is what the purpose of this CO is for. By doing this, it creates the capacity of the \$95,000 to be transferred from the Utility Fund for the project.

Commissioner Lopez stated that she was the one that brought it to the attention of the City Attorney and asked if this was something that was legal for staff to do. Lopez further stated that she is wondering if staff is checking every time staff tries to spend monies from CO's or move money around if staff is really checking on this.

Mr. Garza commented that it is staff's intention to check, but in this particular case it should have been caught prior to bringing it to the City Commission for consideration. Garza stated that he will make sure that staff has more comprehensive conversations whenever staff brings changes like such to the City Commission. He stated that it is important to catch things like this, but staff appreciates when any members of the Commission brings things like this to staff's attention, which serves as a checks and balance.

Commissioner Lopez commented that she would appreciate it as this could have gotten the city into a lot of trouble.

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

Mayor Fugate asked that if there were no objections from the Commission, he would like to move agenda item #7 before agenda #4. No objections were made.

4. Consider awarding RFP#18-05 for Municipal Building first floor renovations and authorizing staff to negotiate a contract, as per the architect's recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the City to award the bid and authorize staff to negotiate a contract with Rusty Van Fleet for the Municipal Building first floor renovations. Staff published competitive sealed proposals Bid 18-05 in the newspaper on October 29, 2017 and November 5, 2017. Bids were accepted until 2:00 p.m. on November 14, 2017. Two responses were received from Victory Building Team of Corpus Christi and Rusty Van Fleet of Kingsville. Staff reviewed RFQ 18-05 and found the information received to be responsive. The Municipal Building first floor renovations architect Solka Nava Torno, Inc., reviewed the qualifications and discussed the two firm's bids based on a point evaluation system. Solka Nava Torno, Inc., recommends Rusty Van Fleet to be the best firm for the City of Kingsville Municipal Building first floor renovation.

Motion made by Commissioner Garcia to approve this award, seconded by Commissioner Lopez.

Commissioner Lopez asked if there was a price difference of a few thousand dollars.

Mr. Sosa responded that there was a price difference of \$2,000 on the base bid and if the additive alternates are done is was \$7,500. Although Rusty Van Fleet came in lower if we did alternates 1 and 2, which are the fire alarm system and roof replacement.

Mayor Fugate commented that the City knows what type of product it will receive from Rusty Van Fleet, as the new City Hall is exhibit A.

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

5. Consider accepting \$2,000 in Academy Sports & Outdoors gift cards from iHeartMedia's radio station KYRS for the Kingsville Police Department. (Chief of Police).

Motion made by Commissioner Lopez to accept this donation, seconded by Commissioner Garcia.

Commissioner Garcia asked if this was a donation.

Mrs. Alvarez stated that is was her understanding that someone can go and enter into a drawing to win but they are also supposed to name a community group that would get like and award. So, whoever won submitted the Police Department in with the drawing as well.

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

6. Consider waiver of building permit fees for HOME Program to assist County with grant cash match. (Planning & Development Services Director).

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

7. Consider waiver of building permit fee and plan review fee for the remodel of the Pete De La Garza (former Exxon Building) for Kleberg County. (Planning & Development Services Director).

Mr. Garza commented that this request is for the waiver of building permit fee and plan review fee for an amount of \$9,697.50.

Mr. Rudy Madrid, Kleberg County Judge stated that the County is in a unique situation as it is an exciting time for Kleberg County at this time, as it is their fifth major project in the last three years which will not cost our tax payers any money. This remodel will be a great addition to the City's Downtown Renovation Plan. Madrid stated that when he became part of the County Commissioner's Court, he did a group analysis cost on the County. He wanted to see where their wasteful spending was and without a doubt, the

Pete De La Garza Building was one of the County's biggest downfalls in Kleberg County's pocketbook. Madrid stated that he wants to make a negative into a positive and turn this building into something that can generate revenue for Kleberg County. The County has been losing money on this building for the last ten years. When they stopped construction on this building, the County still had the note to pay back. There were several changes orders made and a list of other things that went wrong during that tenure. The top floor of the building was completed which houses Child Protective Services and Adult Protective Services. These two agencies pay a rental fee, but is a very minimal amount per month. He stated that he would like to turn this around for the County and make it into something that can bring in the revenues, in order to pay the note on this building. The idea Madrid has is to make this a State building, to house most of the State offices here in Kleberg County. The timeframe for the completion of this project is June, 2018. Madrid further stated that the area that is housing election equipment, he would like to move the Veteran's Affairs office, which will serve for both the County and City.

Motion made by Commissioner Garcia to approve waiver of building permit fee and plan review fee for the remodel of the Pete De La Garza (former Exxon Building) for Kleberg County, seconded by Commissioner Lopez. The motion was approved and approved by the following vote: Garcia, Lopez, Fugate voting "FOR".

8. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include JK Northway project not completed in FY2016-2017. (Finance Director).**

Introduction item.

9. **Consider accepting donation of approximately \$1,800 bench for the downtown district from the Kingsville Historic Downtown District Association. (Downtown Manager).**

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

10. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a donation from the Kingsville Historic Downtown District Association. (Downtown Manager).**

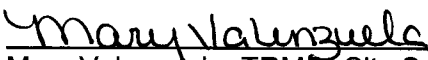
Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:23 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary