

JANUARY 23, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 23, 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
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, 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
Diana Gonzales, Human Resources Director
David Mason, Director of Purchasing
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Ricardo Torres, Police Chief
Susan Ivy, Parks Manager
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Richard Flores, Golf Course Manager
Robert Rodriguez, Library Director
Erica Hinojosa-Bruce, Customer Service Specialist
Vincent Murray, Corporal
Tomas Davis, Warrant Officer
Pete Pina, Landfill Supervisor
Austin Jurica, Engineer's Assistant

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. with all 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 – January 9, 2017

Motion made by Commissioner Lopez to approve the minutes of January 9, 2017 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, 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, **Utilities Billing 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, 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."

Mayor Fugate presented a Proclamation to students from Saint Gertrude Catholic Church for Catholic School Week.

Mr. Jesús A. Garza, City Manager presented the December Employee(s) of the Month to Corporal Vincent Murray and Municipal Court Warrant Officer Tomas Davis.

Mrs. Courtney Alvarez, City Attorney, announced the next City Commission meeting scheduled for February 13, 2017. Deadline for agenda items for this meeting is February 3, 2017.

Mr. Garza made a presentation to the City Commission on Utilities Billing Update. The new payment and billing service will allow residents to pay by one of the following options; online, on a free mobile app, via text, calling an automated phone payment system, call in the Payment Service Network (PSN) Call Center (which has extended days and hours that customers will be able to pay their bill), at a Kiosk, and through their bank. This payment service will take all major credit cards as well as paper check and cash. Residents will be able to view their utility bill online, view bills on their mobile app, hear up-to-date balances due via online, on the mobile app, automated phone payment system, text message, or by simply calling the PSN Call Center. Payment Service Network, Inc., is a company based out of Madison, Wisconsin that was established in 1999. PSN is used by over 600 municipalities throughout the United States and specializes in ePayments, eBills and eCommunications for municipalities, utilities and property management. PSN is a PCI Level 1 Certified which means that they have the seal of accreditation. Making an online payment, customers will click on pay and view bill links via the City of Kingsville website and go to the secure PSN payment and billing portal. Depending on the department, residents can make a quick one-time payment or set-up auto-pay, recurring payments. The system will also allow citizens to see previous bills. For text payments, customers sign up for the text payments. PSN sends text showing balance due, last four digits of payment method, option to stop texts and PSN Customer Service number. Automated phone payments can be done by calling a toll free number. They can opt for English or Spanish. First call, they will validate themselves so that any future calls it will automatically recognize the customer. PSN maintains a call center direct payer calls or payers who opt out of the IVR. Counter payments will still be available to customers who prefer to come in and make a payment. Staff is also looking into a Kiosk where customers can make a payment. The Kiosk can accept check, savings, credit card and cash payments. The payment process is the same as the PSN online portal. The Kiosk would be located on the first floor of the Municipal Building. Customer will still have the option to sign up for ACH Bank Drafts. Costs to the City for this service is as followed: Implementation Fee is a one-time fee of \$149 which will include implementation team, training, online portal setup, standard mobile app setup, IVR setup, PSN Call Center training, merchant application processing, eBill Design, and marketing support. Web customization fee will be waived, but will include integration specialist, creating specifications, developing interface, coordination with your software supplier, and testing. Support maintenance has a fee of \$14.95 per month and will include online portal, standard mobile app, IVR system upgrades and maintenance, call center support for customers, email notifications to payers and staff, service account manager for staff, interface/integration support, reports, online account management center, system and account monitoring (24/7). Ebill will cost \$65.00 monthly, and will include creation of PDF eBills, posting online, archiving for 24 months, and email notifications. PCI Security has a fee of \$89.00 per year. This will include required PCI certification, compliance with credit card security requirements and auditing. The equipment has a \$219 each/1-time fee, which will include the terminal, setup, and shipping. A \$200.00 one-time fee is for the website customization which is for the development of web portal with the City's header and links. The Kiosk equipment will cost a one-time fee of \$10,633, which will consist of thru-the-wall unit which accepts eChecks, eSavings, credit cards, and cash. Support and maintenance will cost \$225 per month. The benefits to the City are, no matter how customers pay, all payments flow through PSN for automated posting to the software which eliminates errors and saves time. The more choices provided to the customer, the more apt they are to pay on time which reduces fewer delinquencies. It will also reduce calls to the office as PSN will take customer calls. Staff will have the opportunity to look up info in real time for prompt service which will enhance customer service. It will also reduce cost in printing and mailing bills which makes it a green initiative. The major benefits for customers is that the system will take all major payment methods. The customer can pay from anywhere, at any time 24/7. It gives the customer the option to pay through multiple devices and will eliminate paper bills. Customers will be able to manager their payment profile online, view pending payments, past payments, save payment methods, manage auto-pay, recurring payments and much more.

Commissioner Garcia asked that if this service is offered to customers, will it reduce the number of employees needed to run the Collections Department.

Mr. Garza responded that it will not reduce the number of employees as there is plenty of work to be done. The plan is not to cut employees but to offer better customer service. Although, it could lead up to overhead reduction in the future.

Commissioner Garcia further asked for the number of credit card transactions, number of those paying cash or check. Mr. Garza responded that from October, 2015 to June, 2016, 16,000 paid with cash and 10,000 paid with credit cards.

Commissioner Garcia also asked how soon the City would receive its funds that were collected by PSN. Mr. Garza responded that the deposit would take place daily.

Commissioner Pecos commented that if 600 cities are participating in this type of service with PSN, it shows their strong strengths. It also gives those customers that work out-of-town the option to pay for their bill on time without incurring a late fee.

Commissioner Garcia asked if the Kiosk is included in the initial agreement. Mr. Garza responded that the Kiosk is a separate item.

IV. Public Comment on Agenda Items.³

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

Mrs. Lucy Camarillo, 24th Street, announced that the Crime Stoppers of Kingsville will be hosting a Community Education Series Class on Synthetic Marijuana on Thursday, January 26, 2017 from 6:00 P.M. to 7:00 P.M. at the HEB Education Center. She urged for all to attend as this is an important subject on what is affecting Kingsville. Mrs. Camarillo further stated that the Crime Stoppers will have future classes for the community throughout the year.

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 consent agenda items 1 through 4 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

1. ORDINANCE NO. 2017-02. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Westside AC, Lot TR 9, acres 0.9753 also known as 211 W. Corral Ave. from R1-Single Family to R3-Multi-Family District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

2. ORDINANCE NO. 2017-03. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI-Business Regulations, Article 14-Vendor Solicitations, Section 16-Charitable Solicitations, providing for modification of the number of times in a year that charitable solicitations can be done in the streets or right of ways. (City Manager).

3. ORDINANCE NO. 2017-04. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend a donation to the Parks Department from La Posada de Kingsville Foundation. (Director of Finance).

4. ORDINANCE NO. 2017-05. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to include unforeseen network and IT projects. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. RESOLUTION NO. 2017-06. Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Kingsville and the Texas A&M University-Kingsville relating to TAMUK Women's Golf Team and the L.E. Ramey Golf Course. (Golf Course Manager).

Mr. Richard Flores, Golf Course Manager stated that this interlocal agreement is solely to provide a locker room at the L.E. Ramey Golf Course for the Texas A&M University-Kingsville Women's Golf Team. This room will be used for team meetings and golf club storage. There is no financial impact to the City and no lease fees would be received by the Women's Golf Team.

Motion made by Commissioner Pecos, Commissioner Lopez, Commissioner Pena, and Commissioner Garcia to approve this resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Kingsville and the Texas A&M University-Kingsville relating to TAMUK Women's Golf Team and the L.E. Ramey Golf Course, seconded by Mayor Fugate. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

6. RESOLUTION NO. 2017-07. Consider a resolution authorizing the City Manager to enter into an Addendum to the Service Agreement between the City of Kingsville (EMS & Fire Department) and Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation, for ambulance billing with the Addendum for Ambulance Supplemental Payment Program. (Fire Chief).

Mr. Garza stated that this addendum to the Intermedix Service Agreement will allow an IMX Consultant Public Consulting Group to develop for a fee for Ambulance Supplemental Payment Program for the Kingsville Fire Department. The additional revenue will assist in replacing Fire/EMS related equipment, apparatus, and overall Fire/EMS related expenses. The change in the existing contract will be approximately \$18,000 per month with an estimate of \$216,000 of additional funds annually, while the program is in existence. Public Consulting Group will receive 13% of the revenue generated from the Ambulance Supplemental Payment Program each year when the total amount is received annually. Garza further commented that this would not increase fees to the user.

Motion made by Commissioner Garcia to approve this resolution authorizing the City Manager to enter into an Addendum to the Service Agreement between the City of Kingsville (EMS & Fire Department) and Advanced Data Processing, Inc., a subsidiary of Intermedix Corporation, for ambulance billing with the Addendum for Ambulance Supplemental Payment Program, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

7. RESOLUTION NO. 2017-08. Consider a resolution authorizing the City to submit an application to the U.S. Department of Homeland Security's Federal Emergency Management Agency for the purpose of requesting grant funding on behalf of the City for the 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program for additional firefighters for the Kingsville Fire Department with an anticipated cash match. (Fire Chief).

Mr. Garza presented the City Commission with a presentation on the Kingsville Fire Department Staffing Grant Opportunity. The SAFER Grant will provide funding for approved firefighter salaries and benefits for 3 years for newly hired, full-time firefighter positions on a declining scale of; Year 1 SAFER 75%, City 25%; Year 2 SAFER 75%, City 25%; Year 3 SAFER 35%, City 65%; Year 4 SAFER 0%, City 100%. The benefits are that the city participates in a three-year Cost Sharing Grant Program; four responding units will be available instead of 3; decrease overtime; and increased safety for responding personnel. Grant deadline is February 10, 2017. The award will be announced in July. If awarded the grant, the item would need to come before the City Commission for approval. The grant will impact the budget in Fiscal Year 2017-2018. Mr. Garza further stated that the cost for the City on the first year is \$74,974, second year \$57,836, third year 148,895, and fourth year \$227,820.

Commissioner Lopez commented that this is a good start, as she feels that the Fire Department needs additional assistance.

Motion made by Commissioner Garcia to approve this resolution authorizing the City to submit an application to the U.S. Department of Homeland Security's Federal Emergency Management Agency for the purpose of requesting grant funding on behalf of the City for the 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program for additional firefighters for the Kingsville Fire Department with an anticipated cash match, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

8. Consider awarding a contract for concrete street improvements (Bid #17-09) as per staff recommendation. (Director of Purchasing).

Mr. David Mason, Director of Purchasing stated that this item authorizes the award of a contract for concrete street improvements. The City advertised for bids on December 18, 2016 and December 25, 2016. A non-mandatory pre-bid meeting was held January 4, 2017 with four potential bidders attending. Four responsive bids were received by the deadline of January 10, 2017 at 1:30 P.M. The lowest bid received was from E-Tech Construction at \$178,445.50. Funding is available through the drainage fund where there is \$1.3 Million available. It is staff's recommendation that the city contract with E-Tech Construction, 1115 Cedar Park, San Antonio, TX 78249 for Concrete Street Improvements Phase VI in the amount of \$178,445.50.

Mayor Fugate commented that E-Tech Construction has done work for the City of Kingsville in the past.

Motion made by Commissioner Pena to approve the award of a contract for concrete street improvements Bid #17-09 to E-Tech Construction, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

9. Consider awarding request for proposal for Brookshire Pool PVC Membrane Lining System and RecDeck PVC Recreation Flooring (RFP 17-08) as per staff recommendation. (Director of Purchasing).

Mr. Mason stated that this item is for RFP 17-08 Brookshire Pool PVC Membrane Lining System and RecDeck PVC Recreation Flooring. The proposal was advertised on December 18, 2016 and December 25, 2016. A non-mandatory pre-submittal meeting was held on January 23, 2017 with no attendees. One submission was received by the deadline of January 10, 2017 at 1:30 P.M. This item will expend \$61,740.00 from account 033-5-450.3-712.25 of which funds in the amount of \$124,450.00 are available. Staff recommends the award for RFP 17-08 Brookshire Pool PVC, Membrane Lining System and RecDeck PVC Recreation Flooring be awarded to RenoSys, 2825 E. 55th Place, Indianapolis, IN 46220.

Commissioner Garcia asked about the warranty on the liner as well as its thickness.

Mr. Mason responded that the warranty on the liner is ten years. The thickness of the liner is an 80 mil liner.

Mr. Garza commented that this will be in place by the time the pool opens in March, 2017, as the pool schedule has changed.

Motion made by Commissioner Pecos to award request for proposal for Brookshire Pool PVC Membrane Lining System and RecDeck PVC Recreation Flooring (RFP 17-08), seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

10. Consider authorizing the acquisition of a crawler dozer for the Landfill via BuyBoard and the capital lease for said equipment, as per staff recommendation. (Director of Purchasing).

Mr. Mason stated that this item is for the acquisition and capital lease of a 2017 John Deere 850K Dozer equipped for landfill operations. This will replace the current Caterpillar Dozer at the Landfill which has reached the end of its useful life. Staff received three quotes on lease rates for a 5-year term, payment in arrears capital lease as follows: Capital City Leasing at 2.4%; Government Capital 3.262%; and Deere Leasing at 7%. Staff recommends that acquisition through BuyBoard of the John Deere 850K for \$318,216.00 and lease through Capital City Leasing at a rate of 2.4% for annual payments of \$68,307.60. Leasing with payments in arrears allows the first payment to be in Fiscal Year 2017 and the final payment in Fiscal Year 2022.

Motion made by Commissioner Pena to authorize the acquisition of a crawler dozer for the Landfill via BuyBoard and the capital lease for said equipment, as per staff recommendation, seconded by 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 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

12. 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).

Mayor Fugate announced both executive sessions (agenda item #12 and #13) and convened the meeting into closed session at 7:13 P.M.

Mayor Fugate reconvened the meeting into open session at 7:29 P.M.

13. RESOLUTION NO. 2017-09. Consider a resolution authorizing the Mayor to execute an Economic Incentive Agreement between the City of Kingsville, Texas and Vinod Builders, Inc. for a hotel and restaurant. (City Manager).

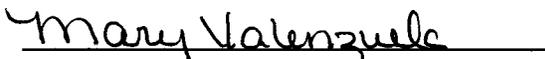
Motion made by Commissioner Pena to approve a resolution authorizing the Mayor to execute an Economic Incentive Agreement between the City of Kingsville, Texas and Vinod Builders, Inc. for a hotel and restaurant, seconded by Commissioner Lopez. The motion was passed and approve by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:30 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary