

MARCH 20, 2017

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 20, 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
Diana Gonzales, Human Resources Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Sharam Santillan, Capital Projects Manager
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Pete Pina, Landfill Supervisor
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Leo Alarcon, Tourism Director

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 – March 13, 2017

Motion made by Commissioner Pena and Commissioner Pecos to approve the minutes of March 13, 2017 as presented, seconded by Commissioner Lopez. 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.”

Mrs. Courtney Alvarez, City Attorney, reported that the next regular City Commission meeting will be on Monday, March 27th. Alvarez further announced the following upcoming events; Kingsville Fire Department open house ceremony Monday, March 27th at 5:00

P.M. and City of Kingsville Trash-Off Day, Saturday, April 8, 2017 from 8:30 A.M. to 12:00 P.M., at its original location.

IV. Public Comment on Agenda Items.³

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

Jack Perkins, 402 W. Henrietta, commented that he has heard about money that is available to the city. He stated that there is a charter that states that a city can only borrow so much of that money in each period. He stated that understands that money has been allocated. He has heard that the Parks Plan is to generate tourism for the city. He further asked if all the money that is generated by tourism stay in the City of Kingsville. Perkins further asked how many tourist will be taking advantage of the city's parks.

Herlinda Perkins, 402 W. Henrietta, commented that she would like to express her concerns pertaining to the excessive spending approved by the City Commission that do not benefit the community. Tax payer's money need to be spent for services for the residents. Perkins further commented that the city needs to allocate money to repair city streets, to insure the safety of drivers and walkers, especially in the downtown area. She is one of the two people that fell in the area of H.E.B. while pushing her shopping cart on city road. She further commented about the renovation of the Cottage Building and the cost of \$600,000 which she feels will not benefit her or the people of Kingsville. She also commented about the fact that some city streets are made of concrete and some of asphalt. She stated that the Kingsville Downtown Plan does not show include the fixing of city streets.

Lance Hamm, 912 South Creek, commented that he is concerned about the city not having a Risk Manager that can tell the City Manager and City Commission what risk and safety hazardous the city has. Hamm stated that this position is very important to have as they can tell where the dangerous areas are at within the city. He further commented about lighting on Hwy 77. Hamm further commented that if the city can't maintain what we have now, how is it supposed to maintain the new things coming in. He also commented about the need of additional crosswalks around the University and the High School. Mr. Hamm stated that the City needs to see the big picture about safety.

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

1. Motion to approve final passage of an ordinance amending Chapter III, Article 7- Personnel Policies, Section 1-Classification and Compensation Plan to reclassify and rename a certain position within the exempt schedule of the Fiscal Year 2016-2017 City of Kingsville Classification and Compensation Plan. (City Manager).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to include the purchase and installation of a 4th Emergency Warning Siren. (Chief of Police).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to include Special Events Overtime for the Kingsville Police & Fire Departments. (Finance Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to increase the Equipment Rental and Equipment Maintenance Budgets for the landfill. (City Engineer/Public Works Director).

5. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to increase the contribution for the Kleberg County Airport Grant cash match. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Presentation and discussion of the Parks Master Plan. (City Manager).

Mr. Garza commented that by having a master plan in place helps not only with making improvements to the Parks but also helps with applying for grants. Over the last year the City has been working with Halff Associates in the preparation of a Parks Master Plan which will be presented during tonight's meeting.

Christina Lentz and Joshua Donaldson of Halff Associates made the presentation of the Parks Master Plan to the City Commission.

Christian Lentz, Senior Planner, Halff Associates stated that the plan is a plan that can be done in phases. This plan is a reflection from public feedback as well as feedback from staff. One of the key reasons to prepare a master plan is if the City ever applies for grant funding to score well in the grants process. Having this document in place assist the city in the scoring of the grant requirements that is submitted to the Parks & Wildlife. Another key aspect of having the plan is that it needs to be in place and have parkland acreage goals which is used as the bases to develop a parkland dedication ordinance that may be added to a subdivision regulation in a future date. If the city ever chooses to adopt a dedicated parkland ordinance it has to have a reason that it created the formula for which it requests from the development community either parkland dedication or fees in lieu of which have to be based on the parkland goals that are in the park plan. Lentz commented that the key to the process is the publication participation that was received, as we had stakeholder input meetings, online public input survey that received 500 responses to that online survey. There was also a public open house at the beginning of the process to try a verify and provide some validity and feedback that was received from the public survey. There were four meetings of the Parks Advisory Committee and an addition to that there was a workshop for the Dick Kleberg Park conceptual plan. By receiving the public input the five-chapter master plan was then drafted. The Parks Advisory Committee is an important part of the planning process particularly if you are not able to have a substantial number of public meetings throughout the planning process. The Parks Advisory Committee are the eyes and ears of the planning process. The individuals that helped in trying to get the word out, there is a process going on they were in instrumental in encouraging people in participating in the public survey, for which a community this size, had an excellent response to the survey.. There are six Kingsville goals in the Parks Master Plan; maintain Kingsville park properties and facilities in a exceptional condition and appearance; provide a balanced distribution of city park properties and facilities to ensure citizen access to recreational opportunities; increase the value of neighborhood parks to surrounding residents; develop a comprehensive system of linear parks, and bicycle and pedestrian trails, to connect Kingsville's neighborhoods to public parks and other destinations; provide a diverse offering of recreational programming and community events to increase residents quality of life; and support the Kingsville parks and recreation system through a mix of public and private funding methods, sources, and partnerships. There are six essential public benefits to parks; improve health and wellbeing; provide opportunity to be involved; safe haven to youth; increase tourism, contribute to the economy; and promote conversation. The demand based assessment was created from online public survey, stakeholder meetings, and Dick Kleberg Park workshop. The standard based assessment was based on parkland acreage, park accessibility, and facility measures.

Mr. Joshua Donaldson, Landscape Designer and Planner of Halff Associates commented that the resource based assessment shows that creeks, floodplains, and drainage areas are key contributions to the development of a linear park network. KISD properties are located inclose proximity to neighborhood parks should be leverage to expand park recreational offerings, specifically field space for sports based recreation. It is important to build a relationship with KISD, to expand practice space which will be closer for residents than going out to Dick Kleberg Park. Mr. Donaldson further stated that the standard based assessment is service ratios compared to population, parkland service ratios, facility service ratios, and establish benchmarks. As for neighborhood park service area, standards are established for both acreage and proximity, does not currently meet the recommended acreage standards, and locate in proximity to many of the community residents. Community park service area, standards are established for both acreage and proximity. Currently exceed the acreage standards and location currently leaves many residents outside recommended proximity standards.

Mayor Fugate thanked Mr. Lentz and Mr. Donaldson for their hard work on the preparation of the Parks Master Plan. Fugate further asked if the majority of the people that will benefit from the use of these Parks will used by our own citizens. Mr. Lentz responded that it would be used by the citizens of this community. Fugate further commented that very few tourist will use this parks system. Lentz responded that he would agree with that comment, but

the only case where tourist would use the parks system is depending on the investments for the JK Northway Exposition. Fugate commented that he understands about tourist at the JK Northway Exposition but what he is asking about is the trails and neighborhood park, will primarily be used by the citizens of Kingsville. Lentz responded yes as the plan is designed to meet the citizen's needs. Mayor Fugate stated that this is a quality of life issue that has been addressed in the past that is being addressed now. Fugate stated that for anyone to come in and say that money is being spent for tourist is not the situation.

Mr. Lentz spoke about the Needs Assessment and Summary Findings. There is a strong demand for trails. Standards needed for nature parks/preserves and linear parks. Aquatic activities are highly desired by the community, such as splash pads. Lentz further commented that the neighborhood parks are currently well placed. There are many partnership opportunities with KISD to add recreation space. There is a lack of field space to practice. Maintenance is the greatest priority for improving the park system. Establishing a parks land dedication ordinance would likely address many long-term park land needs. Parks system recommendations; improve neighborhood park levels of service through public partnerships; develop the lawn next to City Hall in Kingsville City Green; construct a skate park at Brookshire 2 Park; construct covered basketball court at Thompson Park; construct multi-use trails along key corridors; prepare and implement prairie or woodland restoration plan; develop park management plan for maintenance; develop aquatic facilities plan; create L.E. Ramey Trap and Skeet Range task force; and develop park land dedication ordinance. Other recommendations are signature element for almost every park. For example, Brookshire 1 Park: BMX Pump Track; Brookshire 2 Park, skate park/pool; Corral Park, trailhead for Tranquitas Creek Trail; Flato Park, apply neighborhood park development principles; Los Hermanos Park, splash pad; Thompson Park, covered basketball court. It is recommended to remove Kenedy Park from the system as it overlaps by other parks near the area. This Park is located on a very small space and located near a busy street in Kingsville.

Mayor Fugate commented that Kenedy Park is not a park. This was a donation to the city in 1944 by the King Ranch. This property was to be used as a park and if not used as a park it was to be returned to the King Ranch.

Mr. Lentz commented that the plan recommendation also includes neighborhood park design recommendations. Used as an example was Los Hermanos Park as how neighborhood park spaces can be reorganized and decluttered and developed in a way that you can look at maintenance cost over time. Mr. Lentz showed the Commission a map of linear parks and how to construct multi-use trails along creek corridors, initial phase between Corral Park to Los Hermanos Flores Park. Lentz discussed Dick Kleberg Park Conceptual Development Plan. Stakeholders input was from Planning Advisory Committee, stakeholders, and city staff that were engaged as part of a design workshop to provide recommendations for the future of Dick Kleberg Park. This input became the program elements for the conceptual design to Dick Kleberg Park. Stakeholders input, a series of concepts for the Park were presented to Planning Advisory Committee members and city staff, comments were integrated into the final concept design. A presentation of an illustrative concept for Dick Kleberg Park was delayed to incorporate redevelopment design concepts for the J.K. Northway Exposition Center. The recommendation for Dick Kleberg Park is to have sports fields, community gathering and festival area and amenity and picnic area.

Mr. Donaldson discussed three specific areas in Dick Kleberg Park. These areas are the sport fields, community gathering and festival area, and amenity and picnic area. It is being recommended to construct the Saddle Horn Plaza and parking addition next to soccer complex. Renovate and construct youth softball and youth baseball fields. Renovate and construct baseball field, football field, and soccer field facilities. As for the amenity and picnic area, it is recommended to redevelop and add facilities to the amenity and picnic area north of Escondido Creek. Develop new west entrance from 6th Street and preserve/acquire south bank of Escondido Creek.

Mr. Lentz discussed the methodology for developing cost estimate. Project cost are based upon Halff Associates' multi-disciplinary experience. Real and recent project data as a foundation for cost per unit connection. Partnering with cities in reviewing bid packages. Lentz mentioned certain ways that the city could fund these projects. Municipal Bonds, city issues bond and receives immediate payment and bond amount is paid over time through installments. Tax increment financing, financing mechanism using increase in property tax collected to pay for bonding. Park Improvement fee funds, funds collected by the city from the developer to offset impact on park system. Park land dedication, fee in-lieu, cash payment by developer for assembly of park land, this is often used as a contribution method instead of land dedication. Utility bill contributions, cities may allow residents to electively add funds to their utility collection bills to help fund park improvements. Grant funding is also available. Texas Parks and Wildlife Department offers several competitive grant opportunities, often with matching fund incentives. Land and Water Conservation Fund provides state grants which can be used for park development and park land acquisition. Texas Department of Transportation allocates grants that can be used for trails and

streetscapes, in terms of active transportation there is the potential for overlap on projects that focus on the development of trails and side-paths. Foundation and Company Grants, local and regional opportunities for park funding are often available, these mechanisms can often be used to help leverage other stated of federal park funding initiatives.

Commissioner Garcia asked that the cost estimates, are these typical of labor, material cost to our general area. Mr. Lentz response was yes, not just general area but also not only communities in South Texas but also communities that are about the size of this area. When these cost estimates are put together, they do run their estimates by their McAllen office even though they are created in the Austin area where their main office is located.

7. Consider introduction of an ordinance adopting the Kingsville Parks Master Plan. (City Manager).

Mayor Fugate commented that the County ran the Parks System for many year in Kingsville and the city only contributed money as the city didn't have a lot of say in the day to day operations of the parks. The parks system has not been where it needs to be. It has been a constant decline over 30 years. A couple of years ago, the city decided to take the lead in developing the parks. Fugate stated that there have been some comments made about taking care of our citizens first, but he believes this is a critical part of taking care of our citizens. Fugate commented that he would challenge anyone to look at the city's budget and see how this Commission spends their money. The majority of our tax dollars go to public safety, Police and Fire. Part of it also goes to streets, water, wastewater, health, tourism, and a lot of different parts of this city that we are responsible for which we take very seriously. The parks in this community have been neglected for many years and it's time to do something about them. It is not for people outside of Kingsville, it's for all citizens of Kingsville. Fugate commended Commissioner Garcia for pushing the park system issue.

Mrs. Alvarez commented that citizens will have the opportunity to make comments again on the Parks Master Plan at the next meeting when the item will be presented for final approval, Monday, March 27, 2017 during the Public Comments section of the agenda.

Introduction item.

8. Consider final passage of an ordinance adopting the Kingsville Downtown Vision Plan. (City Manager).

Mr. Garza stated that has presented the Downtown Vision Plan to the Historical Board as well as have spoken to some downtown merchants and citizens. They are excited about the plan. The feedback he has received is about the downtown street being a huge priority in this project. Staff is looking at solution to address the street issue. Another concern is the parallel parking configuration. Some don't like the parallel parking. Staff is looking at UTSA to assist on renderings for parking. Garza further commented that if the Commission wasn't comfortable with adopting this plan tonight and they rather wait until they see some other options, that would be ok.

Mayor Fugate asked that if the Commission adopts the plan, individual components will come to the City Commission for approval.

Mr. Garza responded that individual components will come to the City Commission for final approval. There are options if it is the desire of the Commission to wait, staff will do that. If the Commission feels comfortable in adopting the plan staff can come back later with those options, that can be done as well.

Mayor Fugate asked that the next item is asking for a grant, it this time sensitive.

Mr. Garza this specific grant does not have a deadline. Staff wants to make sure they get it in sooner rather than later, as we don't know what's going to happen to those funds as it is a federal grant. Staff wants to take advantage of the funds that are allocated this fiscal year for the program.

Commissioner Pena asked if the grant was for this vision plan. Mr. Garza responded yes.

Mrs. Alvarez commented that this is just a plan, an observation of things that can be done in the future if the Commission chooses to do them and allocate funding for them. As they Mayor mentioned, these items will come up on a piece mill basis where if it was the City Commission and City Manager's choice to proceed with the project they can identify the project and identify funding for the project and move forward with it at that time. Just by adopting the plan doesn't commit or tie the city to doing any and everything that is in the plan as it's just a vision.

Mayor Fugate commented that the complaint that he has received is about streets. This plan does not keep the city from allocating funds and repairing those streets. The other complaint he has received is having to do with parallel parking.

Commissioner Lopez commented that she has received calls about the plan. Citizens aren't happy with any part of the plan; they want their streets fixed. She understands that part of the funding is coming from Certificates of Obligation that was approved by the prior commission, before she was elected to office. She further commented that the citizens that she has heard from don't anything other than the streets fixed.

Mr. Garza responded that he agrees that streets are a priority and the cost of the Downtown Vision Plan was \$5,000 due the partnership with the University. If the plan was done by a private firm it could have cost between \$50,000 to \$70,000. The million dollars that was allocated to the downtown area is specifically for downtown infrastructure. Garza further commented that he is aware that there is an educational part that needs to be done by staff, this would be to educate citizens that not all that is proposed in the downtown plan will be at the cost to the tax payers. For example, the Downtown Event Center and the Texas Theatre would not be at the cost to the city. Money that will be spent by the city will be used to fix Kleberg Street.

Commissioner Lopez commented that this is where the problem is, citizens are seeing the event center and they feel that the city is spending money on these types of building. Lopez further commented that city staff has not educated the citizens of this community with regards to the Downtown Vision Plan.

Mr. Garza commented that he agrees that there is a lot more that staff can do to help put out information and this is something that he has discussed with the City Commission during his one on one meetings. There is a need to improve the organization of structure to help that front. Garza stated that this is something that staff is conscious of as it is a priority for staff to improve on certain areas.

Mayor Fugate commented that this is a problem throughout the community as we don't have a lot of media coverage so it's a real problem in trying to educate our citizens on what is going on in our city. Fugate further commented that he understands that there are a few people that don't care to dream or look at visions, which he is not one of those, but this has been lacking within our community. People need to plan and see the vision of our community for the future.

Commissioner Lopez commented that while she was watching the news this morning and they mentioned the Downtown Vision Plan but was showing the Parks Master Plan instead, which is confusing to the citizens.

Commissioner Garcia commented that on having vision and a view on what could be and what is it is very important to a community that wants to grow. Garcia further commented that he is an individual who wants his community to grow and doesn't want to see status quo. This community has seen status quo for a long time, and if this Commission and staff doesn't do it, who else will do it. Garcia further commented that the County Commissioners Court, Kingsville Independent School District can't do what the City Commission can do. The city is the only that has the tools and the skilled individuals that can promote changes. If the city doesn't do it, nobody else will do it. He wants the future generation of Kingsville to have the opportunity that we didn't have.

Motion made by Commissioner Garcia to approve the Kingsville Downtown Vision Plan, seconded by Commissioner Pena.

Commissioner Lopez asked for clarification on the million dollars that has been allocated to the Downtown Vision Plan. Lopez asked that if this money is for infrastructure. Mr. Garza responded that it is for downtown infrastructure which will include streets, sidewalks, lighting, drainage improvements, and parking lot improvements. Lopez further asked if staff was going to try to do all this up to the Courthouse. Mr. Garza responded that the vision that staff has is to go from City Hall all the way down to the Courthouse.

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

9. Consider a resolution authorizing participation in the U.S. Department of Commerce's Economic Development Administration Grant Program called the Economic Adjustment Assistance and Public Works Programs for improvements to downtown, authorizing the Mayor to act on the City's behalf with such programs. (Capital Improvements Manager).

Mr. Sharam Santillan, Capital Improvements Manager, stated that the Economic Development Administration solicits applications from applicants in rural and urban areas to provide investments that support construction, non-construction, technical assistance, and revolving loan fund projects under EDA's Public Works and EAA programs. Grants and cooperative agreements made under these programs are designed to leverage existing regional assets and support the implementation of economic development strategies that advance new ideas and creative approaches to advance economic prosperity in distressed

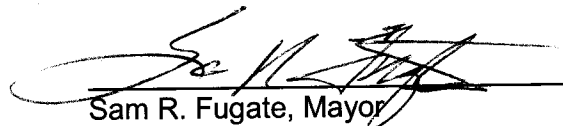
communities. The City of Kingsville intends to apply for the Economic Development Administration's Public Works Program under this federal funding opportunity. The application will be for up to \$2.25 Million of grant funds to carry out downtown improvements which include street, sidewalk, infrastructure, landscaping and lighting improvements. The downtown improvements will be primarily focused on Kleberg Avenue between 6th Street and 8th Street and on 7th Street between Yoakum Avenue and King Avenue. Santillan further stated that per the U.S. Census Tract Data, the project location meets the distress criteria for a 60/40 percent match grant. The City intends to use moneys from the 2016 Certificates of Obligations that were set aside from downtown improvements. The City would match \$900,000 and in return receive \$1.3 Million of grant funds for a total of \$2.25 Million. Santillan commented that it is staff's recommendation to move forward with authorizing the submission of the Fiscal Year 2017 Economic Development Assistance Program application.

Mayor Fugate asked if there were any additional grants that the City could apply for. Mr. Garza responded no.

Motion made by Commissioner Pena to approve this resolution authorizing participation in the U.S. Department of Commerce's Economic Development Administration Grant Program called the Economic Adjustment Assistance and Public Works Programs for improvements to downtown, authorizing the Mayor to act on the City's behalf with such programs, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

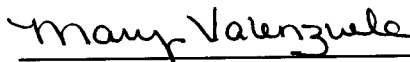
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:48 P.M.



Sam R. Fugate, Mayor

ATTEST:


 Mary Valenzuela, TRMC, City Secretary