

MARCH 27, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 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
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
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Robert Rodriguez, Library Director
David Solis, Risk Manager
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Bill Donnell, Asst. Public Works Director
Dereck Williams, Systems Specialist
Israel Vasquez, Facilities Manager
Daniel Ramirez, Building Official
Leo Alarcon, Tourism Director
Jennifer Bernal, Community Appearance Supervisor
Austin Jurica, Engineer's Assistant
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Cindy Flores, Patrol Officer
Eric Perez, Patrol Officer

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:02 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)

None.

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

1. Public hearing regarding condemnation proceeding for structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced the Public Hearing at 6:03 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. Tom Ginter, Director of Planning & Development Services, reported that this structure that has been reviewed and inspected. Staff has considered the structure to be substandard and has been approved by the Historical Development Board as a condemned property. In the past couple of weeks, the junk and debris on this site has been picked up. The only thing that is left are two structures that are being presented tonight. This property owes back taxes by the owner and has had no water services since May, 2016.

Mayor Fugate commented that at one point this property did not have power going through the structure.

Mr. Ginter confirmed that this property has not had power for almost two years.

Mayor Fugate asked how many city staff have gone out to this location and cleaned this property.

Mrs. Courtney Alvarez, City Attorney, commented that staff can only speak with regards to the structures only. She stated that she understands that the site has been a need but for purposes of meeting the requirements of the condemnation ordinance, staff needs to concentrate on the substandard on the condition of the property. She further stated that the City Commission has had this property for consideration of condemnation back on January 25, 2016. At that time, the City Commission willing to give the property owner at least 90 days to try and hire some professionals to come and look at the property and advise them on what needed to be done to make repairs and bring the property up to code.

Mr. Jose Flores, property owner, stated that within the last couple of weeks, the City came by and made the property look better. Mr. Flores commented that since the last time, he has gotten in contact with a certified electrician and as of today, the house is sturdy and leveled. It has the proper wiring and plumbing. Flores stated that the electrical part is a little off so he needs to get a certified electrician to come out to the property as he plans on updating the electric meter box. He stated that he has had someone come out and look at each individual part and see what he is lacking on regarding the electric part right now.

Commissioner Garcia asked how many times has this property been cleaned up.

Mayor Fugate responded that as per the City Attorney, this could not be discussed at this time. The only thing that can be discussed is the structures.

Mrs. Alvarez commented that for purposes of condemnation, you need to look at the building and the structures that have been deemed by the Building Official to be substandard.

Mr. Flores commented that he did have someone look at it.

Mayor Fugate asked who looked at it.

Mr. Flores responded that Galvan for the plumbing and David Hickman who will be upgrading the electrical system. He called about two weeks ago to see about permits and what it would take to get a permit. Flores stated that they wouldn't give him any kind of information on this as the certified electrician would need to come in for the permit himself.

Mayor Fugate asked if he had received any estimates or quotes from either the plumber or electrician.

Mr. Flores commented that the electrician told him it would be around \$900.00 for his part as he already has all the components already. Flores stated that his plumbing is in order and all his electrical wiring has been upgraded from when they put the suspended ceiling.

Mayor Fugate asked if this structure had water services now.

Mr. Flores responded that he does not have water now.

Mayor Fugate asked how long has it been since there has been no water service going to this property.

Mr. Flores responded that it's been about half a year.

Mayor Fugate asked about the electricity on the property.

Mr. Flores responded that it's been a year since he has had electricity as it was a matter of having to take care of some city fines, so someone came in and took the meter out and direct wired it. AEP happened to be doing their routine inspection and saw that so they went up and cut the lines at the pole. Because of this, he is having trouble to upgrade all his system as he was going to get an inspector to look at it and he got a certified electrician before this happened to look at it and he told him what he had to do get it done.

Mayor Fugate commented that the problem he has is that the Commission granted him 90 days, but had almost a year, and here you are asking for more time. Staff has worked hard to get this done and Mr. Flores it making them work on projects they shouldn't have to work on. Fugate commented to Mr. Flores that he has had more than enough time to get this house up to code. Fugate further commented that the City has to go out to the property time and time again and the neighbors are complaining and wanting something done.

Mr. Flores commented that he is working off a zero income and it is hard for him but he is trying his best.

Mr. David Flores, resides in Corpus Christi, brother of Mr. Jose Flores, commented that he is the owner of record of the two lots on the corner and is not aware of what cost have been accrued to his property. He stated that he would like to get this information if possible. He further stated that as far as his brother's lack of resources, he needs to know what it will cost and knows that there are issues they need to work out.

Mayor Fugate commented that he is listening but they have had plenty of time. It's the city having to push the property owner. Fugate further commented how Mr. Flores would like this structure to be next door to his home which is located on the island in Corpus Christi.

Mr. Flores commented that he understands where the Mayor's comments. He is aware that this is a nuisance. He further commented that according to his brother, individuals come in and dump trash on the property. Mr. Flores commented that what he is looking for is a solution as well. This house has been in their family for 100 years. Flores commented that the family has allowed enough time for his brother to handle this on his own and has contacted his other siblings, one of which is the owner of the Salazar Building.

Mayor Fugate asked if he received notice on the property. Mr. Flores responded that he never received notice. Mayor Fugate asked that he understood that he was the land owner. Mr. Flores stated that he is the land owner but never received notice.

Mr. Flores stated that he is the owner of the two lots adjacent to this property. Flores further asked if he could receive information that he needs regarding whether there are any liens on the property he may not be aware of. Mr. Flores commented that this is all about money. Mayor Fugate commented that this is not about money. Mr. Flores commented that he would like documentation so that he can be aware of what is going on.

Mrs. Alvarez commented that Mr. Flores can contact her department to make an open records request.

Mr. Flores stated that he is looking for a solution as well. Mayor Fugate asked how often does he visit Kingsville. Mr. Flores responded that he visits once a month. Mayor Fugate asked if would go by and look at the property while visiting and let the structure get to where it is at now.

Mayor Fugate stated that Mr. Flores stands in front of this Commission and tells them all this stuff, which he feels for him because it is a house that's in their family but they haven't taken care of it. Fugate further commented that this Commission is dedicated to improving the appearance of this community. This property ruins the entire neighborhood. Fugate commented that what aggravates him is that people wait to come to the Commission meeting at the last minute and ask for relief, when all they have to do is go out there and get it done.

Mr. Flores commented that he is here today to find a solution.

Commissioner Lopez asked Mr. Flores, for clarification, if he and his other brother owned the property on the corner. Mr. Flores responded that he is the owner of the property located on the corner. Lopez further asked if he owned the house. Mr. Flores responded no. Lopez further asked whose name was the property under. Mr. Flores responded that it is under his name David and his brother Bobby. Mr. Flores asked for additional time to get this issue rectified.

Mayor Fugate commented that he is very aggravated and having staff work every time this happens which is frustrating to them as well. This is not the first time this property comes before the Commission, it's the second time.

Mr. Flores commented that he and his family will figure this out.

There being no further comments, Mayor Fugate closed this public hearing at 6:19 P.M.

2. Public hearing regarding condemnation proceeding for structures located at 624 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced the Public Hearing at 6:19 P.M.

Mr. Ginter commented that this property is also in the Historical District. This property was heard and approved by the Historical Board for demolition. Property taxes are owed and there has been no water service since November 2010. Ginter stated that it is his understanding that after the Historical Board meeting, there were no complaints or anyone to speak on behalf of this property.

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.

Mrs. Alvarez commented that for the record, there is no electricity at this location either and based on the photographs, the meter has been pulled.

There being no further comments, Mayor Fugate closed this public hearing at 6:20 P.M.

3. Public hearing for an ordinance granting a special use permit for 1900 S. Brahma Blvd., being a 2.53 acre tract of land out of Lot 11, Block 17, KT&I Subdivision to be named Sanchez Real Estate Subdivision, Lot 1, Block 1, for an animal clinic with outdoor pens. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:20 P.M.

Mr. Ginter reported that approximately 1 year ago, Dr. Eddie Sanchez purchased 2.53 acres from the First Christian Church to build an animal clinic. The rezoning of the property to do that was approved in May 2016. They are now requesting a Special Use Permit to

have outdoor pens at this location. Outdoor pens will allow him to continue to provide service to his equine clients. The Planning and Zoning Commission has approved the Special Use Permit. These pens will be primarily for horses. The stables itself will be behind the Vet Clinic and not seen from Brahma Boulevard. The clean the area a couple of hours every evening to eliminate the odor from the Veterinarian Clinic. They don't anticipate a lot of overnight animals at the location. The stable area will have a privacy fence with a double gate for security purposes. The area will also have lighting but only enough not to impact the school or the church.

Commissioner Pena asked for the Planning & Zoning Commission vote. Mr. Ginter responded that they voted 6-0 to approve the recommendation.

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.

Commissioner Lopez asked if the location for the Vet Clinic is between the High School and the Church on the corner. Mr. Ginter responded that it is between the High School and south of the Church.

Commissioner Garcia asked that with regards to the horses that they plan on leaving overnight, what is the average stay for a horse and how many horses do they plan on housing at this location per month. Also, how high will the fence be.

Mrs. Shelley Sanchez, 290 N. CR 1050, commented that what they are planning on building is a privacy fence that is planning on being 8 foot that will skirt the perimeter of the property. Everything that is behind the building will be behind a privacy fence that will, everything but the parking lot will be perimeter fenced. This is not only for security purpose but it will allow the kids at the High School or if there is people walking on the sidewalk will not be able to see in the backyard if there should be any medical procedure happening on any type of animal. Sanchez commented that the way the clinic will be setup it will be longer and wide facing the street. There will be kennels on half the side of the building, which will be an indoor boarding facility for dogs and cats. All the kennels and the yard will be interior as of the plans right now. The other half of the building will be the Veterinary Clinic and behind that will be the surgery room and operating room for large animals. Sanchez stated that now they do not have a facility to do surgeries on horses. All work for larger animals is done from their home where they have an exam room and if there is an animal that needs to be kept overnight, it is kept on their own property. Only critical cases will be brought to the clinic which will have 24-hour care.

Commissioner Garcia asked that on the pen area, will this area be concrete. Mrs. Sanchez responded that the pens are not planned to be concrete. Commissioner Garcia asked if there was any protection for runoff. Mrs. Sanchez commented that for the pens, they will be sand based with shavings on top of that which will prevent runoff. As per city code, the property owner needs to have control of runoff around the entire property which is two and a half acres, and what they plan on doing is ditches around the exterior of the property that will control their runoff that is on the property itself. This will skirt it to those ditches for flow to city storm water drainage system.

Commissioner Pena asked how far east does this property go.

Someone from the audience responded to Commissioner Pena's question which was not picked up on audio.

Mrs. Sanchez commented that the property will have gated entrances on both driveways that will allow for trailers to drive around the property and will have gates that will be shut close.

Mr. Hector Hinojosa, Supervisor of STARS Restaurant located at 2111 S. Brahma Blvd., commented that their concern is the odor that will be coming from this location. They are an outside drive-in style restaurant where people eat outside or sit in their vehicles and if the winds are coming from the east towards the west, their concern is the odor. Hinojosa stated that they are excited about having new neighbors but their concern is the possible odor that will come from the establishment while their customers are dining out.

Eddie Sanchez commented that they will not have large amounts of livestock at the location. If an animal needs hospital stay, it usually stays on private grounds which is at his home. As for odor, they will have staff cleaning up after the livestock daily.

Commissioner Garcia asked about fly control. Mr. Sanchez responded that they can use different fly control measures, he doesn't think there will be horses housed at this location all the time. If manure is picked up quickly, there shouldn't be a fly problem.

There being no further comments, Mayor Fugate closed this public hearing at 6:32 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 & 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.”

Commissioner Lopez introduced the MicroSociety Pantherville City Council. These students are from Perez Elementary School.

Ms. Esperanza DeLeon, Coordinator for Pantherville MicroSociety explained when Pantherville was created and how the students are elected into the position of Mayor, Vice-Mayor, Secretary, Treasurer.

Mr. Jesus Garza, City Manager, presented the February Employee of the Month to Cindy Flores, KPD Patrol Officer.

Mr. Charlie Cardenas, gave a brief update on where the city stands on street projects for the last four to five years. As for the street productivity report for Fiscal Year 2017, with the new propatcher staff was able to repair more potholes. Staff has repaired 449 potholes by zones and 181 by work orders. There are two propatch machines, that works off work orders that citizens submit via online or call in. The Street Department does some patches for the Water Department and Wastewater Department and this is when they go in and do their water line repairs. Staff has also done 22 blocks of street maintenance program this fiscal year alone. Mr. Cardenas showed some photos of streets that staff has recently worked on. He further showed a slide of the street plan completed to date.

Commissioner Pena asked how city streets are selected. This is a question that he receives from citizens.

Mr. Cardenas responded that out of the 100 miles of streets that our city has, there are about 1,000 city blocks. Every street is separated into blocks; the blocks are the units of measure that staff goes by. Staff goes and periodically updates the scoring of the streets, which there are some streets that are deteriorating faster than others which is dependent on different factors such as heavy loads, heavy volumes of traffic, and turning movements. All the streets were given a grade and a score with 100 being the best to zero being the worst. Those streets that were in the poor category which is a score of under 60, were given preferences as far as when that street will be fixed first.

Commissioner Pecos asked about concrete streets in the city. Mr. Cardenas responded that the city has some concrete streets which is on phase six of the concrete street project. Cardenas stated that city crew is working on a concrete pad in front of Fire Station No. 1 on 10th Street.

Mr. Garza mentioned that the existing street program that Mr. Cardenas has been talking about that was developed in 2013 didn't include concrete streets, was only for asphalt streets. Staff is on the process of figuring out a new program to develop different scoring and evaluation criteria specific for concrete streets. Staff is also in the process of evaluating the concrete streets to determine what the best reconstruction of that street is as there are some concrete streets that may need to be asphalt instead of concrete.

Commissioner Lopez asked what type of work was done on Doddridge between Popeye's and Subway. Mr. Cardenas responded that this street received sealcoating. Seal coating seals the street for moisture and oxidation, which is a maintenance method that should be done every four to five years. Sealcoating a street is less expensive.

Mrs. Courtney Alvarez announced that the next regular meeting is scheduled for Monday, April 10, 2017 with a deadline to submit agendas items for this meeting is March 29th by 5:00 p.m. Reminder that there will be a Trash Off Event on Saturday, April 8th from 8:30 a.m. to 12:00 p.m. Alvarez further announced that agenda item #3 is not needed as staff received word that Mobilitie LLC has decided not proceed with a tower at that location, and so they withdrew their application for the special use permit. Alvarez further mentioned that the second item on this agenda that the City Commission will not need to take any action on is agenda item #7 regarding the Community Festival; the date has changed and there is no determined date as to when this festival will take place.

Mayor Fugate commented that if the city is going to waive these fees, let's just don't the fees to begin with. Fugate further stated that these fees are there for a purpose and he doesn't like to see them on the agenda.

Mr. Garza commented that the fees that staff is referring to are related to street closures. When a private contractor that needs to close the street for specific reason and so obviously in those cases it would make sense to collect some fee for it, but when it's for community wide event it's different.

Commissioner Garcia commented that the MicroSociety Annual Conference will be hosted in Kingsville this summer, July 9-11, 2017.

IV. Public Comment on Agenda Items.³

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

Mr. Roy Adams, 233 CR 1026, stated that he would like to know why food trucks are not allowed in the Park area. He stated that Susan Ivy does not allow his food truck in the parks and would like to know why.

Ms. Katie Shelter, stated that her company, Mobilitie will not be pursuing agenda item #3 at this time, but will be pursuing agenda item #4.

Mrs. Sharon Michalk, 1221 W. Santa Gertrudis, commented that her property is located two houses from where Mobilitie is pursuing in placing a pole. She is asking the Commission to consider not approving the item. The Planning & Zoning Committee met and voted 6-0 not to approve it. She is asking the Commission to consider that as it is a residential area. There is a University across the street where the pole is can be placed or even where the apartment complex is located.

Mrs. Peggy Hayes, 1213 W. Santa Gertrudis, commented that she is opposed with the Mobilitie pole being placed in front of her house. She does believe that there may be a need for some upgrades when it comes to communications in this area, but she is adamantly opposed to having this pole located in her front yard. Hayes further commented that there is no way that a pole this size can be concealed while it sits in front of your house.

Dawn Shunamann, 519 Seale Street, commented that she would like to ask the Commission to abide by the golden rule of doing to others. She further commented that the Commission would not want this in their front yard or the apartments in their backyard. What the Commission needs to understand that was not mentioned here but was mentioned in the Planning & Zoning meeting, is there was a citizen that stepped forward that works for telecommunications and talked about if it was in a different location not in residential property it could be a taller pole. By having it at a taller height, it creates a flashlight affect which encompasses a grader area of service for our community. She further commented that she is asking for the City Commission to vote no.

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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider condemnation of structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate asked that agenda item #1 be moved to the end after agenda item #8. No objections were made on this request.

Commissioner Pena asked if anyone was living in this property.

Mr. Flores stated that he lived in the property. He is buying water and operating electricity through a generator.

Commissioner Pena further asked that if the City Commission voted to condemn this property, would Mr. Flores have any place to live.

Mr. Flores responded that he would have no place to live.

Commissioner Garcia asked Mr. Flores how long has he been living under the conditions of supplying his own water and electricity?

Mr. Flores responded that he's been living under these conditions for about nine months. Prior to that he was a prepaid CPL customer prior to the meter being removed from the property.

Commissioner Garcia asked if this information was verifiable.

Mrs. Alvarez stated that staff can confirm the water service through the Collections Department which staff has verified that it had been since May 2016 since this location has been without water service.

Commissioner Pecos motioned that because staff now has other members of the family coming forward and asking the City Commission for an extension for the present person that was living there and not taking care of business, maybe with the other family member that has come forward and states that they are willing to fix the property according to ordinance of the city, he would move that this Commission gives them an extension of three months and see if they really will do what they say they are going to do.

Mayor Fugate asked Mrs. Alvarez that the Commission has two options, making a motion finding repairable, what does this do and instead of saying to give them an extension can the Commission make that motion to where the Commission does make the finding that the structure is unsafe and is in violation of ordinances, which he thinks everyone agrees with that, but steps can be taken to correct these conditions and specify when they get this house up to code and don't give them 90 days. Fugate commented that 90 days was too long of an extension. As he is concerned, they should be working day and night on this property to get any kind of a chance. Mayor Fugate further commented that he does not want to give the property owner another chance and the neighbors around this location deserve better than this.

Mrs. Alvarez responded to Mayor Fugate's questions that because there is differentiation if the Commission wanted to extend it beyond a certain period of time, she would need to double check this. Alvarez commented that if the Commission wanted to give them up to 90 days' extension the Commission could. The Commission could not give them, to the State Statue more than 90 days unless they were to submit a detail plan and a time schedule for the work at the hearing and establish at the hearing that the work can't reasonably completed within 90 days because of scope and complexity of the work with regards to the time, therefore it would have to be less than.

Mr. Garza commented that nothing was presented at the hearing tonight.

Mayor Fugate asked less than 90 days to bring it up to code? Mrs. Alvarez responded that the Commission could say that they will be on a timetable making substantial progress or the Commission could say that they are going to have it up to code within that period of time which may or may not be reasonable we don't know as we don't have the detail plan from the electrician.

Commissioner Pena asked if the motion was for 90 days and can it be revised to 59 days? Mrs. Alvarez responded that he could amend his motion to reduce the time frame technically which may or may not provide them the time they need in order to get the work done. Commissioner Pena commented that just for the record, the last time the Commission dealt with the property there were no other family members that were present as there is this time and maybe they can work together and bring the property up to code.

Seconded by Commissioner Lopez to allow 426 E. Alice 90 days to be in compliance with the ordinance of the City of Kingsville. The motion was passed and approved by the following vote: Lopez, Pena, Pecos voting "FOR". Garcia and Fugate voting "AGAINST".

Mayor Fugate commented that he wants this item back on the agenda if they are not in compliance on the first meeting after the 90 days. Fugate further commented that this staff has tons of other things to do for work to be done. To dedicate as much time and energy as staff has had to do to this property is totally unacceptable. Fugate commented that as soon as 90 days and if it's not done he wants this item back on the agenda.

2. Consider condemnation of structures located at 624 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Pecos to finding not able to repair building or structure is unsafe and present condition is a violation of ordinance and cannot be corrected without substantial reconstruction; then declare the building or structure

to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pena Pecos, Garcia, Lopez, Fugate voting "FOR".

3. Consider final passage of an ordinance granting a special use permit to install a wireless telecommunications pole for Mobilitie LLC at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue. (Director of Planning & Development Services).

No discussion or action taken.

4. Consider final passage of an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Motion made by Commissioner Lopez NOT to approve the ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue, seconded by Commissioner Pena and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

5. Consider introduction of an ordinance granting a special use permit for 1900 S. Brahma Blvd., being a 2.53 acre tract of land out of Lot 11, Block 17, KT&I Subdivision to be named Sanchez Real Estate Subdivision, Lot 1, Block 1, for an animal clinic with outdoor pens. (Director of Planning and Development Services).

Commissioner Garcia asked what will be the duration of this permit.

Mrs. Alvarez commented that in the ordinance it states that the special permit is good for the duration of the business from the date of this ordinance unless (a) the property is not being used for the purpose outlined in Condition 1, or (b) any other conditions have not been complied with, or (c) there is a change in ownership of the business.

Introduction item.

6. Consider final passage of an ordinance adopting the Kingsville Parks Master Plan. (City Manager).

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

7. Consider City participation in the Kingsville United Community Festival via waiver of certain fees for this spring downtown festival. (Downtown Manager).

No discussion or action taken on this item.

8. Consider a resolution authorizing the Police Chief to enter into an Operating Agreement between Naval Air Station Kingsville and the City of Kingsville Police Department relating to force protection. (Chief of Police).

Chief Torres stated that this item is for an operating agreement between Naval Air Station Kingsville and the City of Kingsville Police Department relating to force protection. The last operating agreement between the two entities was done in 2011 and is ready for an update as there has been a change of command at Naval Air Station Kingsville.

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

9. 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 Session items (agenda item 10 and 11) and convened the meeting into closed session at 7:21 P.M.

Mayor Fugate reconvened the meeting into open session at 7:46 P.M.

10. Consider authorizing staff to negotiate economic development incentives with a food establishment in a value not to exceed a certain amount, which would be brought back for Commission approval. (City Manager).

Motion made by Commissioner Pena to authorizing staff to negotiate economic development incentives with a food establishment in a value not to exceed \$450,000.00, seconded by Commissioner Lopez.

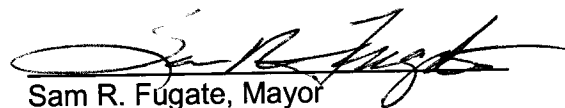
Commissioner Pecos asked that if this item only authorizes the negotiation and will come back to the City Commission for approval.

Mr. Garza responded yes, only authorizing staff to negotiate an economic development incentive.

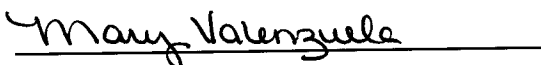
The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:47 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary