

MARCH 26, 2018

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 26, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Edna Lopez, Commissioner
Diana Guerrero-Pena

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
David Solis, Risk Manager
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Deborah Balli, Finance Director
Charlie Sosa, Purchasing Manager
Israel Vasquez, Maintenance Facility Manager
Diana Gonzalez, Human Resources Director
Janine Reyes, Tourism Director
Sharam Santillan, Capital Improvements Manager
Leo Alarcon, Special Events Coordinator
Richard Flores, Golf Course Manager
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Adrian Garcia, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. with three Commission members present. Commissioner Lopez and Commission Guerrero-Pena absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – February 12, 2018
Regular Meeting – February 26, 2018
Special Meeting – March 5, 2018
Special Meeting- March 8, 2018

Motion made by Commissioner Pecos to approve the minutes of February, 12, 2018, February 26, 2018, March 5, 2018, and March 8, 2018 as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Fugate voting "FOR".

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

1. Public Hearing on an ordinance to change the zoning map in reference to Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family District to R2-Two-Family District. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:01 P.M.

Mr. Tom Ginter, Director of Planning & Development Services stated that Mr. Ruben Ruiz desires to build a single family house at 507 W. Richard. The size of the lot is 50x75 which equals to 3,500 square feet. The size of the lots is too small in R3 to build what he wants and also in R1 since the minimum lot size is 5,500 square feet. The only way for him to build a single family house on this lot is to rezone to R2. The minimum

lot size for R2 is 2,500 square feet. The Planning and Zoning Commission met on March 21, 2018 and voted 7-0 to recommend approval of the rezoning at 507 W. Richard from R3 to R2.

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

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

2. Public Hearing on an ordinance to change the zoning map in reference to 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District. (Director of Planning & Development Services).

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

Mr. Ginter stated that due to recent events in part of the Historical Development District, there has been concern on the part of the homeowners on the increase number of multifamily buildings. To protect the homeowners, but also to provide the building of multifamily projects, the Planning and Zoning Commission will be recommending a portion of the Historical Development, west of 6th Street to be rezoned from R3 to R1. He further stated that in the past few months, the approval of a multifamily structure at 531 W. Alice and the demo of the house at 702 W. Henrietta which could allow the building a multifamily structure there has ignited a concern by the surrounding property owners. The discussion with the Planning and Zoning Commission went well with the goal of protecting homeowners and allowing the building of multi family structures for an affordable housing option. The Historical Development Board has been involved in this discussion and are in agreement with the rezoning area that is under consideration. Since the last City Commission meeting , letters have been sent to the property owners within the rezoning area and the buffer area. The calls I have received are generally supportive of the rezoning area and action. The other type of call that I have been receiving are from owners of multi family structures and how that impacts them. I have been telling them that since we are changing the zoning that their property will be grandfathered in and can continue to be operated as multifamily. I also tell them that in so many years from now if the structure is torn down then the grandfather dies and the R1 zone would then kick in. The Planning & Zoning Commission met on March 21, 2018 and voted 7-0 to recommend approval of the rezoning as submitted from R3 to R1.

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.

Ms. Linda Peasey, stated that she has property (apartments) on W. Lee Street and asked if this would affect their existing property.

Both Mayor Fugate and the City Attorney, Courtney Alvarez responded that her property would be grandfathered in. Alvarez further commented that if the use is existing, it would be grandfathered.

Mayor Fugate closed this public hearing at 6:10 P.M.

III. Reports from Commission & Staff.²

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police-Communications Update; Police & Fire Department – Grant Update, Police & Fire Reports; **Streets Update**; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street*

*Downtown, Chapter 59 project, Financial Advisor, Landfill Update, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Demolition Update, Planning Development Update, **Golf Course Update**, Municipal Court Update. No formal action can be taken on these items at this time."*

Mr. Garza presented the Employee of the Month for the month of February to Sharam Santillan, Capital Improvements Manager.

Mr. Bill Donnell, Public Works Director gave an update on streets. Donnell stated that on the road construction site staff finished up Huisache between 3rd Street and 5th Street. They have not moved over to 22nd Street between John and Louisiana, which they are hoping to be able to get seal coated and hot mixed. He further reported that they will then move on to an overlay street and as soon as the concrete is cured by the Park, they will move to that area, as they don't want to start another project until this one is done. Crews focused a lot of the time on mowing and litter control along the highway in preparation for the Wings Over South Texas event. Crews are crack sealing on Santa Gertrudis and patching in Zones 11 and 12 as well as sweeping in the thoroughfares. At the JK for a special project, crews hauled out the dirt from in there and assisted in getting it cleaned out. As for the Golf Course, staff is working on a maintainer and as time permits, staff will work with the Golf Course Manager they will get those thing cut out as soon as possible.

Mr. Richard Flores, Golf Course Manager gave an update on the Golf Course. He made a PowerPoint on the Golf Course and stated that a greens renovation project, which will be supported by the new irrigation installation will start on March 26th. The project will consist of resurfacing the old greens and planting on ultra-dwarf Bermuda grass to the putting surface. When the greens are sprigged the same contractor, GreenScapes Six will start to renovate the strategic sand traps around the green complexes. The project should be complete and playing should begin on new putting surfaces on June 1st. Greens renovation project consists of spraying out old turf on green surfaces. Aeration of greens and cutting temporaries for play, all 19 greens will be aeriated twice to breakup any layering which may have occurred by past superintendents using different topdressing materials. The breaking up of the layering will insure that water and chemicals percolate through the profile consistently. This will make the management of the putting surfaces consistent and reduce localized dry spots. Temporary greens will be created in front of regular greens for golfing public. Sand traps will be renovated as they grow in the sprigs. The project will be completed by June 1st and they should open the greens and sand traps for tournament and regular play at the same time. A finished putting surface with sand traps will modernize the golf course and increase tournament and daily rounds of golf. Staff will be better able to launch a marketing and promotional plat to increase revenue. Mr. Flores stated that the goals for the Golf Course are to increase the rounds played including tournament participation; more sponsors for special events; attraction to tourists and Winter Texans to Kingsville; better playing conditions to grow the game for the future; increase to the quality of life; and contribute to the economic development of the community.

Mrs. Courtney Alvarez, City Attorney reported that the next City Commission is scheduled for April 9th. Due to the upcoming holiday, the deadline for staff to submit items for the April 9th meeting is March 28th. She further reported that City office will be closed on Friday, March 30th for the Good Friday. She also stated that on April 12th will be the State of the City luncheon.

Mayor Fugate commented that with the Blue Angels event this past weekend, this event brought in lots of visitors into our city. He further stated that he was glad to see the old fire truck being displayed at the old pump house off 6th Street.

IV. Public Comment on Agenda Items.³

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

Mr. John Temple, 519 S. 19th Street commented on his concerns for the skatepark located near the Brookshire Pool. He commented that skaters have been leaning against his car and have written on his car. He stated that he reported this to the Kingsville Police Department and the Officer who responded to his call, mentioned to him that the police have been called out to the skatepark on a daily basis. He is asking for city staff to look into how many times the Kingsville Police Department gets called out to the skatepark. He further commented that with summer coming around soon, he will be calling the police department at 10:01 p.m. if there are any minors at the skatepark as it will be a violation of nighttime curfew. Temple also commented that there is continuous bullying and stealing going on at the skatepark as well. He stated that the skatepark needs to be regulated just as Dick Kleberg Park is.

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 Garcia to approve the consent agenda as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Pecos, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to include a sewer line repair. (Public Works Director).

2. Motion to approve a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the Texas DPS and the City of Kingsville for the Texas Statewide Interoperability Channel Plan, which is an update to existing agreement. (Police Chief).

3. Motion to approve a resolution authorizing application for, participation in, and acceptance of funds from the 2019 Operation Border Star Program with the Homeland Security Grants Division of the Governor's Office for Local Border Security to interdict criminal activity with no anticipated cash match, authorizing the Chief of police to act on the City's behalf with such program. (Police Chief).

4. Motion to approve a resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville General Election on May 5, 2018. (City Secretary).

(MOCIÓN PARA APROBAR UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, QUE SE LLEVARÁN A CABO EL 5 DE MAYO DE 2018.) (SECRETARIA MUNICIPAL).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider accepting donation of \$2,500 from the Kingsville Rotary Club for the Dick Kleberg Park dog park. (City Manager).

Mr. Garza stated that the Kingsville Rotary Club has donated \$2,500 for the Dick Kleberg Park dog park. He further stated that at this time, the dog park is behind schedule but will be giving an update on that at the next city commission meeting.

Mr. J. Dean Craig, 1210 W. Lee Street, commented that the Kingsville Rotary Club is made of professionals and local community leaders that are dedicated for the betterment of our communities. This group has large projects abroad, but also like to contribute to the their local community and make it a better place. He stated that the Rotary Club recognizes that this Commission is focused on quality of life for a better place to place their resources and with Rotary being a stakeholder in this community, they give their full support to this Commission and would like to donate \$2,500 towards a dog park.

Motion made by Commissioner Garcia to accept the donation of \$2,500 from the Kingsville Rotary Club for the Dick Kleberg Dog Park, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Fugate voting "FOR".

6. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a Park's donation from the Kingsville Rotary Club. (City Manager).

Introduction item.

7. Consider a resolution authorizing the Mayor to enter into an Amended Interlocal Agreement between Kleberg County and the City of Kingsville for the L.E. Ramey Golf Course and area. (City Manager).

Mrs. Courtney Alvarez, City Attorney stated that the resolution that was prepared for this item, it reminds everyone that back on October 13, 2014 the City approved a resolution for an Interlocal Agreement, known as a Concession Agreement to take responsibility of the maintenance and operation of the L.E. Ramey Golf Course and surrounding areas. The total acreage is roughly 534 acres, which the golf course itself

doesn't take the whole 534 acres, but the area of responsibility was that. Over the last year, staff had been in contact with Kleberg County Sheriff and Kleberg County Judge and the County Attorney with regards to a proposal that the Sheriff had for a potential use of approximately 147.9 acres out of the 534 acres. Both the Sheriff and County Judge will modify the existing agreement and carve out the 147.9 acres from the 534 acre. Everything else in the agreement between the parties will remain the same. Alvarez stated that the only changes that were made to the agreement is the addition of two WHEREAS's; one is to give some knowledge as to why the changes were being made and the other is Exhibit B, which carves out the 147.9 acres from the 534 acres. She further stated that she attended a Commissioner Court Meeting on March 12th where this item was presented to the County Commissioners Court, and voted 5-0 in approval.

Mr. Garza commented that staff is supportive of the change. With the additional amenities being added to area parks, the city does not have the staff and resources to focus the attention on the Skeet Range site.

Mayor Fugate commented that he agrees with the City Manager on his comment. He further commented that he doesn't have any problems with this project, but his only concern is, he looked at the Quick Claim Deed that the Federal Government gave the County and this property is to be used for strictly recreational purposes, which what they are asking to do with the area is not for recreational purposes.

Mr. Richard Kirkpatrick, Kleberg County Sheriff commented that this is correct. He stated that back when this deal was done back in 1970, the Department of DOD Defense went out and surplus the land to the County during that time. It was through that mechanism of Section 203 from the Federal Land Act 1949 that gave the County the ability to go through the Department of Interior to purchase the land as it was explained. At this point, the section of the law that allowed them to do this was due to Section 203 that able to give the county the ability to make the entire 534 acres was to be used for recreational purposes. It wasn't until the thought process of the County that they could make it suitable for their use that they further looked into Section 203 that gives law enforcement the ability to repurpose any proposed federal land. Kirkpatrick further stated that it was from that section that they went back and visited with the General Services Administration (GSA) and met with the Department of Interior and gave them their proposal and let them know what they were planning. He stated that they told him that if this was what they were proposing they had statutory to do so. At this point, they moved forward and worked with the Department of Justice to apply for the repurposing of the 147.9 acres. Kirkpatrick gave the Commission an update on this application and stated that they are almost to final approval. They have been asked by the Department of Justice and the GSA to provide some environmental impacts, particularly to the proposed site when it deals with a construction of a building or the renovation of a building. He stated that those renovation that are out there and have asked them to only answer three of the questions that deal with the National Environmental Impact Protection Act, and as of today, they are working with a group that specializes in those types of studies in order to be able to answer those questions. At that point, they will go ahead and award the re-deed the Quick Deed as mentioned and allow it to continue. Kirkpatrick stated that he would like to let the Commission know that this entire project, when it was first spoken of a year ago, it basically involved them in creating a shooting range. With a skeet range being on this site, and because they had a need to do this, they talked about how this fits something that they would like to do. In going forward with the project, once they got the land awarded and were able to go forward from there, he would like to make this an invitation to the Kingsville Police Department, which they are more than welcome to utilize this facility. Kirkpatrick stated that the ongoing thought process is that after the application was approved they have the vision of going forward and making a regional training academy out in this location. He also stated that this would be available for to the Kingsville Fire Department. This would not only satisfy the needs for the Kleberg County Sheriff's Office but opens it up to the City of Kingsville Police and Fire Departments.

Mr. Rudy Madrid, Kleberg County Judge commented that it is also important to mention that aside from the City of Kingsville and Kleberg County, they have reached out to all of the neighboring counties who are very excited about this.

Commissioner Garcia asked if the Border Patrol would be allowed to use the facility.

Sheriff Kirkpatrick responded yes. They have met with the Border Patrol and are excited about it. Currently the Border Patrol drives 65 miles one way to complete their fire arms qualifications.

Motion made by Commissioner Garcia to approve the request from the Sheriff's Office and Kleberg County to allow for the extraction of 147.9 acres contingent on the approval from the proper authorities, seconded by Commissioner Pecos.

Mayor Fugate commented that we need to make sure that the Department of Interior signs off on this.

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

8. Consider a resolution authorizing the Mayor to enter into a Master Professional Services Agreement between LNV Engineering, Inc. and the City of Kingsville for wastewater system improvements. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager mentioned that this item authorizes the city to enter into a contract with LNV Engineering for Wastewater System Improvements Engineering Services for the City of Kingsville. Staff has published a Request for Qualifications #18-09 in the newspaper on December 17, 2017 and December 24, 2017. Responses were accepted until 2:00 p.m. on January 16, 2018. Seven responses were received. Staff reviewed the responses received and found the information received to be responsive to the RFQ. A review committee had interviews with the top four respondents and made a recommendation to the City Commission. On February 26, 2018, at a City Commission meeting, the Commission awarded the RFQ and authorized staff to negotiate a contract with the recommended engineering firm, LNV Engineering, Inc. The agreement for professional services is a master agreement that does not require the expenditure of funds by itself. As task orders are prepared under the master agreement, then funds will be needed to pay for the agreed upon task orders. It is staff's recommendation that the city commission authorizes staff to enter into a contract with LNV Engineering.

Mr. Garza commented that this is part of the overall effort in trying to bring a resolution to the city's capacity situation at the South Plant. He would like to make the commission aware that staff continues to work on this and will probably be ready to provide a comprehensive update to the Commission during a meeting in May, after the election.

Motion made by Commissioner Pecos to approve the resolution authorizing the Mayor to enter into a Master Professional Services Agreement between LNV Engineering, Inc. and the City of Kingsville for wastewater system improvements, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include additional engineering services for the wastewater system. (Finance Director).

Introduction item.

10. Consider introduction of an ordinance to change the zoning map in reference to Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family District to R2-Two-Family District. (Director of Planning & Development Services).

Introduction item.

11. Consider introduction of an ordinance to change the zoning map in reference to 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hqts, Block 3, Lots 1-32; Henrietta Hqts, Block 4, Lots 1-32; Henrietta Hqts, Block 5, Lots 1-32; Henrietta Hqts, Block 6, Lots 1-32; Henrietta Hqts, Block 7, Lots 1-32; Henrietta Hqts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District. (Director of Planning & Development Services).

Introduction item.

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Business Regulations, Article 3, Alcoholic Beverages, providing for a change to the distance for the sale of alcoholic beverages within 300 feet of a church, public or private school, daycare or child care facility, or hospital. (Director of Planning & Development Services).

Mayor Fugate commented that this item gets the city in compliance with the State.

Introduction item.

13. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to purchase Red Ribbon Drug Awareness promotional items from previous donations to the Red Ribbon Drug Awareness Fund. (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that the police department raised funds locally in fundraisers 2002-2005. The funds for Red Ribbon week were never spent. Staff will be purchasing Red Ribbon Drug Awareness promotional items with the funds.

Introduction item.

14. Consider waiver of daily rental fee for JK Northway building for the International BBQ Cookers Association Heritage Cookoff event on October 26-27, 2018. (Tourism Director).

Ms. Janine Reyes, Tourism Director mentioned that she has been approached by Roddy Trevino and Lars Flores for a complete fee waiver with the rental of the J.K. Northway Exposition for the International BBQ Cookers Association Heritage cookoff to take place on Friday and Saturday, October 26th and 27th, 2018. This event would be the first time the IBCA cookoff is hosted south of Houston and is anticipated to draw an estimated 250 teams comprised of 4 people per team. The amount of fees to be waived is the daily rental fee of \$1,500 per day, for a total of \$3,000.

Commissioner Garcia asked if the city is going to be asked to provide garbage bins for this event.

Mr. Roddy Trevino, 703 Alexander commented that when they had their event here in 2016, the County was still in charge of the JK Northway which they were able to provide county workers to collect trash. He further stated that he would hope that it would be an expectation.

Mr. Garza commented that the city normally, for any type of event, staff accordingly makes sure that restrooms are clean on a daily basis and make sure that trash is getting picked up. These are types of things, as a landlord, are responsible for.

Mr. Trevino commented that the event has been looked at by Schertz, Uvalde, San Antonio, and Beeville He stated that luckily for Kingsville, he is the Region III Director and would like to bring it back home to Kingsville. This event should bring in about 250 teams as previously mentioned. This is a good event for our city as it would gain some revenue through the hotels, restaurants, and convenient stores.

Mayor Fugate asked staff, as it has been spoken about in the past, in lieu of waiving the fee, can the city just give money.

Mr. Garza responded that the city doesn't give money, for other events the city has provided marketing assistance such as it was approved for the boxing event just recently. In this particular case, they are not asking for marketing assistance, just requesting a waiver of fee for the JK Northway.

Commissioner Garcia asked about restroom facilities. Mr. Trevino responded that they are looking for sponsorship for extra restroom facilities.

Motion made by Commissioner Garcia to approve the waiver of daily rental fee for JK Northway building for the International BBQ Cookers Association Heritage Cookoff event on October 26-27, 2018, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Pecos, Fugate voting "FOR".

15. Discussion and consideration on street corridors, street capital improvement update, and recommendations. (City Engineer).

Mr. Sharam Santillan, Capital Improvements Manager stated that since the last meeting where staff presented a master list of corridors that were being considered to work be done to them. Staff has narrowed it down to two corridors. The selection was based off of that they serve as both residential neighborhood and corridors of which are considered destination corridors. First corridor that is being considered is Santa Gertrudis from Armstrong to 6th Street. Staff knows that this corridor services a lot of the mid part of town neighborhoods and connects the University to the center part of town as well. He stated that this street has already shown some signs of base failures which is it is considered at the top of the list for some sort of activity to happen, although it is still salvageable. Santillan stated that they went through the exercise of assessing the streets and putting together two comparable cost estimates as to if staff goes in and does a maintenance activity with some full depth reconstruction to prolong the life and not have invest capital cost in a few years. The Commission at this time was provided with a packet of which shows cost estimates for two course seal coat for Santa Gertrudis from Armstrong to 6th Street and with some spot full depth reconstruction. Santillan continued to report that the spot full depth reconstruction is on locations where there is some excessive base failures. The estimate for this comes right around \$285,000, which is for a two course seal coat with some spot FDC through the project.

Mr. Garza commented that this dollar amount is only an estimate.

Mr. Santillan further commented that this will consist of restriping the street as well with continuous left turn lanes and two bike lanes on each side. For comparison analysis of the full depth reconstruction if the Commission chooses not to do anything to this section of the street, in a few years it will deteriorate as time goes by and with the increase traffic on this street, the city can look at an estimate of \$775,000 to \$830,000 to completely reconstruct this corridor. Santillan stated that the next corridor that staff

considered was Caesar Avenue from 6th Street to 14th Street. This is another street that services the direct connect of two commercial areas as well as neighborhoods in the center of town. The cost estimate for a two course seal coat with spot FDC is \$345,000 with restriping. If it is chosen to do nothing and left it as is and with increase traffic volume on the corridor, the cost for a full depth reconstruction the estimate is \$790,000 to \$850,000.

Mr. Garza commented that what staff wants direction from the Commission is, in which order does staff take in those projects. Garza stated that at the last city commission meeting, he recommended looking at taking \$400,000 from the Street Fund to do one of these projects. Garza further stated that what staff is looking for is direction from the City Commission to pick one project. If the Commission chooses to pick one of these plans, staff would need time to put the plans together, which would make the project begin in the summer months.

Mayor Fugate commented that he feels that staff would be in a better position to tell the Commission which of the two plans they would like to do first, as staff knows these streets better than the Commission.

Mr. Garza responded that staff can tell the Commission the pros and cons of both situations. The price for Caesar is more expensive, as it is in worse condition. If staff would have to pick according to which is the worse of the two, staff would pick Caesar.

Commissioner Garcia asked that on a two course seal coat, how long will that prolong the life of either of the projects.

Mr. Santillan responded that on a single course seal coat with regular maintenance activity is estimated that it will prolong for about five years; with a two course seal coat, it can prolong it from seven to ten years.

Commissioner Garcia stated that Caesar has alligator cracking, and when you seal you are just covering it.

Mr. Garza commented that between 6th and 7th Street it will be reconstructed and where the stops that have alligator cracking, which are too wide and passed salvaging, those areas will be full depth reconstruction.

Commissioner Garcia asked if staff is looking at a ten year life on both. Mr. Santillan responded yes, for a two course. He further stated that if you tackle the failure spots, yes.

Mr. Garza commented that not included in this is any additional work that may be needed to some of the curb and gutter and some of the utilities that staff may want to address as part of this project.

Mayor Fugate commented that as for the street fund, he feels that staff will have a hard time spending all that money on keeping our residential streets up-to-date. He believes that if the Commission approves both of these projects it would probably take a year to get them all done.

Mr. Garza stated that there are a lot of factors that play into this that need to be considered. There are a lot of special projects that are assigned.

Mayor Fugate commented that if staff only did the first project and it looked like we were getting short on funds, we can easily hold up on the second project.

Mr. Santillan stated that for this year's list of streets to be done off the SMIT list, it is expected to spend \$790,000. If staff was to reallocate \$400,000 to work on the street corridors, the city would lose about 50% of the streets to be constructed off the SMIT list. Instead of doing 42 blocks in-house, we will only be able to do 21 blocks in-house.

Mayor Fugate commented that what staff is not considering is that it will cost \$790,000 to do the streets on the SMIT list, but in the meantime every month goes by we are adding to that street fund. Fugate stated that there will be money to be able to do most of these projects plus the two projects of Caesar and Santa Gertrudis.

Mr. Garza responded that staff disagrees. He stated that there is not enough money as the list is a continual list, not a list that exist once and then it over. When the SMIT was developed it had a very specific list by year.

Mayor Fugate asked for staff to show him the SMIT list from last year. Mr. Garza responded that staff didn't get to finish the list. Fugate asked again for staff to show him the SMIT list that was done last year, and how many streets did staff get to last year. Mr. Garza responded that he is not able to tell him what was done last year, but some got done. He stated that staff didn't get to finish the list for a combination of reasons,

but his point is that if staff reallocated \$400,000 from the fund to go towards this corridor project, it will have an impact on the delay of this list.

Mayor Fugate stated that staff had the money last year and it wasn't done. Mr. Garza commented that what the Commission is suggesting is this year by taking \$400,000 somehow the staff will be able to do all the list, but last year, staff didn't take \$400,000 and still didn't do it.

Mayor Fugate commented that staff had the money and it didn't get done, and staff will not get it done this year.

Commissioner Pecos asked if staff was subcontracting the work or is it being done in-house. Mr. Garza responded that the work is being done by city staff. Pecos further asked if there is money to do both projects.

Mayor Fugate commented that there is money.

Mr. Garza stated that by redirecting this money, it will have an impact on the list.

Mayor Fugate asked if staff was working faster. Mr. Bill Donnell, Public Works Director commented that it depends on staffing. He stated that he lost a supervisor last year and two operator 3's that are key to this operation. You lose that staff, there is no seal coating. Fugate asked about staffing now. Mr. Donnell stated that he is short an operator 3 and an operator 2.

Mr. Garza stated that one of the things that he has been exploring is that the inconsistent with staffing is to possibly developing an RFP for streets. This would allow staff to subcontract to a company to do some streets.

Commissioner Garcia asked if the RFP would include material or just equipment and labor.

Mr. Garza responded that he hasn't explored that just yet, but do have a contract for materials, so more than likely it would be both. In the case that makes sense, the city can provide the materials and in the cases that it doesn't, then the city will have the option not to.

Mr. Garza stated that by simply reallocating the \$400,000 to go towards the corridor project would not necessitate a budget amendment as the money will not be pulled from the funding, but simply changing what it will be used for.

Mrs. Deborah Balli, Finance Director commented that it wouldn't require a budget amendment.

Mayor Fugate asked if this would violate any agreement that the city has with the tax payers that are paying this fee?

Mrs. Alvarez responded no. The way that the SMIT was setup, it was for the City Engineer and staff to reassess as needs come up, and so they have the ability to move projects around within the list, it is not a contract.

Mr. Garza commented that these corridors are, in certain capacity mentioned in the list.

Mr. Santillan commented that they were part of the original SMIT list.

Mayor Fugate stated that it would be prudent to approve both projects and after staff get through the first one, see where we are on our funds and then don't do the second one, if there isn't any money.

Motion made by Commissioner Garcia to approve staff's recommendation and start with Caesar first and the second project would be Santa Gertrudis.

Mr. Garza commented, also utilizing \$400,000 from the Street Fund.

Mayor Fugate responded absolutely. Fugate further asked if staff wanted to limit themselves to that. Mr. Garza responded that for now, yes, until this can be studied a little further as it is getting done.

Mayor Fugate asked Commissioner Garcia if this was his motion. Commissioner Garcia responded Yes.

Motion was seconded by Commissioner Pecos.

Mayor Fugate commented that he thinks staff has enough money to be able to do both projects.

Commissioner Pecos commented that it will all be fine.

Commissioner Garcia commented that whatever it is, it needs to get done.

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

16. Discuss parameters for employee health care plan request for proposals. (Human Resources Director).

No discussion took place on this item. Mayor Fugate would like to wait on discussing this until all five Commission members are present. Mayor Fugate has asked for this item to be placed on the April 9th Commission Agenda.

17. 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).

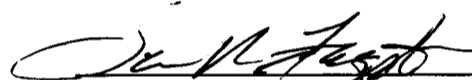
18. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate read both Executive Session items # 17 and 18. He convened the meeting into close session at 7:25 p.m.

Mayor Fugate reconvened the meeting into open session at 7:48 p.m.

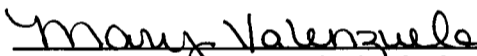
VI. Adjournment.

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, ~~CMC~~, City Secretary