

JANUARY 14, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 14, 2019 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Edna Lopez, Commissioner
Dianne Leubert, Commissioner
Hector Hinojosa, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Jesus Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Derek Williams, IT
Susan Ivy, Parks Manager
Emilio Garcia, Health Director
Adrian Garcia, Fire Chief
Deborah Balli, Finance Director
Janine Reyes, Tourism Director
Ricardo Torres, Police Chief
Tom Ginter, Director of Planning & Development Services
Jennifer Bernal, Parks Manager
Charlie Sosa, Purchasing Manager
Robert Rodriguez, Library Director
Cynthia Martin, Downtown Manager
Manny Buentello, Building Inspector
Mary Ann Trejo, Community Appearance Inspector

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)

Special Meeting – December 18, 2018

Motion made by Commissioner Lopez to approve the minutes of December 18, 2018 as amended, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

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

1. Public Hearing on ordinance amending the zoning ordinance by granting a special use permit for 1900 Shelly Blvd. (Lot 1, Block 1, Carriage Park) to use entire home for a daycare facility only. (Director of Planning & Development Services).

Mrs. Courtney Alvarez reported that staff was notified by the applicant that they would like to withdraw their application, therefore, public hearing is not needed. Therefore the ordinance on the regular agenda will not be needed.

2. Public Hearing on preliminary and final plats for Section 20, Lot 5 of Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 3 in the City's extra-territorial jurisdiction. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:04 P.M.

Mr. Tom Ginter reported that June, 2005, Kleberg County and the City of Kingsville entered into an agreement by which developments in the Extra Territorial Jurisdiction (ETJ) can be reviewed and approved by the Planning and Zoning Commission and City Commission. Review and approval of the preliminary plat and final plat are the only responsibility the city has concerning a development. The City will have no other involvement such as collecting a building permit or making inspections during

construction. Preliminary and final plats were submitted for Escondido Ranch No. 3 by S&S Construction.

Staff displayed a map showing the development and its relationship to the city limits in Kingsville.

Mr. Ginter further reported that while there is no property tax until the development is completed. Once development is completed, it will have a property tax increase that will benefit the County, since the development will be outside the city limits. Ginter stated that the Planning & Zoning heard this item and approved it by a 5-0 vote to recommend approval of the preliminary and final plat with no changes.

Commissioner Hinojosa asked if the streets built in this area would be built according to city standards, in the case of annexation in the future.

Mr. Charlie Sosa responded that what they did is a joint venture with the county where the developer will pay the county to build the road. He further commented that he would be paying for all the materials and the county will be doing the labor work.

Mr. Garza commented that today's conversation has nothing to do with annexing this area; this is merely to focus on the development in this area.

Commissioner Hinojosa commented that he is only looking at long-term, in the case that an annexation would take place. Commissioner Hinojosa further asked how many street lights would be in this area. Mr. Sosa responded that there will be one street light.

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.

There being no further comments, Mayor Fugate closed this public hearing at 6:09 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; Landfill Update, 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, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course Update. No formal action can be taken on these items at this time."*

Mayor Fugate read and presented a proclamation to students from St. Gertrude's Catholic School for Catholic School Week.

Mr. Bill Donnell, Public Works Director gave an update on streets.

Mayor Fugate commented that with the rains that have been received in the past few weeks, it has caused for potholes to resurface. He asked if there is any way possible for staff to do a pothole blitz.

Commissioner Pecos thanked staff for locating the bad smell that was detected on 14th Street and King Street.

Mr. Garza gave an update some reorganizations that are occurring. He spoke about the idea that was brought up about 2 years ago, one stop shop. The vision was that the one stop shop would be located in the Cottage Building (Planning Department). This would be for anything that had to do with development in one building. This would be where citizens could come in and schedule their inspections and purchase permits all within one location. The vision is to relocate the Fire Marshall into the Cottage Building where it would make thing easier for the developer to come into one office schedule its fire inspection and purchase permits. The other vision is to move the Health inspection into this building as well, which is a plan that is in the works and will be presented to the Commission in a future meeting. This would help from an efficiency standpoint with staff but also improve the customer service experience.

Commission Lopez asked that with regards to the Health Inspectors, since it is a 50/50 share with Kleberg County, would the County be involved.

Mr. Garza responded no and stated that even though the County is involve from an accounting standpoint, all administrative decision are decided by the City. He further stated that within the agreement between the City and County, it does not stipulate a particular location where the employees would need to be located.

Mayor Fugate commented that it would still be good idea to inform the County of the changes.

Mr. Garza commented that he is in communication with the County Judge on the vision. Garza further commented that for sure the Fire Marshall will be moved into the Cottage Building and are in the process of evaluating the operation at the Health Department.

Commissioner Hinojosa asked if that the city will now be receiving monies that the Health Department brings in, as it is his understanding that currently the County is collecting that money.

Mr. Garza responded that he is not tying in the money collection issue with administrative decisions that are being made regarding the department. If it is Commission interest to have a conversation with regards to the financials of the department, it can be done at a later time.

Commissioner Lopez asked that staff get with the County on the changes being proposed and also asked for Mr. Emilio Garcia, Health Director to be involved with the proposed changes.

Mr. Garza commented that Mr. Garcia is involved in the conversations. Garza stated that he has been transparent with Mr. Garcia and the Health Department staff in what is being proposed.

Mrs. Alvarez reported that the next Commission meeting is scheduled for January 28th with the deadline to submit agenda items being on Thursday, January 17th. City offices will be closed on Monday, January 21st in observance of Martin Luther King Holiday. Alvarez reported that the JAZB has an opening on their Board. She further stated that under the consent agenda, there is an item posted for two donations for the parks. The parks received a third donation for the Task Force late Thursday afternoon, after the agenda was posted, therefore the third donation will be listed for approval on the January 28th agenda and following will be the final approval of the budget amendment.

IV. Public Comment on Agenda Items.³

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

No comments made.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)

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

1. **Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to provide additional funds for the purchase of a new ambulance. (Fire Chief).**

2. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to Communities in Schools for drug abuse prevention programs. (Police Chief).
3. Motion to approve a resolution authorizing the Chief of Police to enter into a Cooperative Working Agreement with Crime Victim Services, a Division of Family Counseling Services. (Police Chief).
4. Motion to accept donations from Kleberg County Sheriff's Department and Castaneda Clinic for Parks Department's Healthy Partners Recreational Programs. (Director of Parks & Recreation).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit for 1900 Shelly Blvd. (Lot 1, Block 1, Carriage Park) to use entire home for a daycare facility only. (Director of Planning & Development Services).

Item not discussed as applicant pulled their request.

6. Consider approval of preliminary plat for Section 20, Lot 5 of Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 3 in the City's extra-territorial jurisdiction, as per P&Z recommendation. (Director of Planning & Development Services).

Motion made by Commissioner Lopez and Commissioner Leubert to approve the preliminary plat for Section 20, Lot 5 of Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 3 in the City's extra-territorial jurisdiction, as per P&Z recommendation, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Leubert, Fugate voting "FOR".

7. Consider approval of final plat for Section 20, Lot 5 of Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 3 in the City's extra-territorial jurisdiction, as per P&Z recommendation. (Director of Planning & Development Services).

Motion made by Commissioner Lopez to approve the final plat for Section 20, Lot 5 of Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 3 in the City's extra-territorial jurisdiction, as per P&Z recommendation, seconded by Commissioner Hinojosa and Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

8. Consider a resolution authorizing the City Manager to enter into a contract for professional services between City of Kingsville and LNV, Inc. for Engineering Services for sewer systems improvements project (Manhole Rehabilitation Project) TxCDBG #721869. (City Engineer).

Motion made by Commissioner Pecos to approve the resolution authorizing the City Manager to enter into a contract for professional services between City of Kingsville and LNV, Inc. for Engineering Services for sewer systems improvements project (Manhole Rehabilitation Project) TxCDBG #721869, seconded by Commissioner Lopez and Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

9. Consider a resolution by the City Commission of the City of Kingsville, Texas providing for a Sports and Community Venue Project pursuant to Chapter 334, as amended, Texas Local Government Code. (City Manager).

Mr. Garza stated as it was presented at a prior meeting, this is the first process to a Sports and Community Venue Project. This resolution is to be sent to the State Comptroller's Office where they will evaluate whether this project would have budgetary impact for them. City should hear back from the State Comptroller within 15 days.

Motion made by Commissioner Lopez and Commissioner Pecos to approve the resolution by the City Commission of the City of Kingsville, Texas providing for a Sports and Community Venue Project pursuant to Chapter 334, as amended, Texas Local Government Code, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

10. Consider out-of-state travel for Commission and staff to attend the National League of Cities Congressional City Conference from March 9-14, 2019 in Washington, DC. (City Manager).

Mr. Garza commented that this is a conference that typically Commission attends. Recently, Mr. Kyle Benson, IT Manager has been appointed to the IT Communications Federal Advocacy Committee that will meet during the conference.

Motion made by Commissioner Pecos to approve the out-of-state travel for Commission and staff to attend the National League of Cities Congressional City Conference from March 9-14, 2019 in Washington, DC, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".

11. Consider authorization to purchase a new ambulance for the Fire Department via HGAC, as per staff recommendation. (Fire Chief).

Mr. Adrian Garcia, Fire Chief reported that the Kingsville Fire Department recently requested funding from vehicle account to purchase a new 2019 Wheeled Coach Ford F450 Ambulance from Siddons-Martin Emergency Group, LLC. The new MICU will replace Medic 141, a 2011 year model with over 65,046 miles of service. Due to increasing maintenance costs and down time of the unit, it is no longer adequately servicing our community and its residents. The purchase of this new ambulance will expend a total of \$211,865.00 with the amount coming from account 033-5-2200-71100.

Mr. Garza asked what the timeline would be for this new ambulance. Chief Garcia responded that the turnaround would be 90 days.

Commissioner Hinojosa asked if the money would be coming out of the \$600,000 that is authorized for the Fire apparatus pumper. Mr. Garza responded no, the \$600,000 is used for the pumper. The money for the ambulance is coming from the vehicle replacement fund.

Motion made by Commissioner Pecos to authorize the purchase of a new ambulance for the Fire Department via HGAC, as per staff recommendation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

12. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to accept and expend Park donations from the Kleberg County Sheriff's Department and South Texas Crimes and Narcotics Task Force and Castaneda Clinic for Family Partners Recreational Programs. (Director of Parks & Recreation).

Introduction item.

13. Consider a resolution authorizing the purchase of land for environmental abatement and future redevelopment of the site of Old County Hospital located at 400 E. Caesar Avenue, Kingsville, Texas for possible Brownfield Grant Program. (Director of Planning & Development Services).

Motion made by Commissioner Hinojosa to approve the resolution authorizing the purchase of land for environmental abatement and future redevelopment of the site of Old County Hospital located at 400 E. Caesar Avenue, Kingsville, Texas for possible Brownfield Grant Program, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

14. Discuss status of condemnations and seek direction on substandard homes policy. (City Manager).

Mrs. Jennifer Bernal, Parks Manager gave a presentation on demolition schedule and review. Upcoming scheduled demolitions are 226 E. Alice, 411 E. Lee, and 426 E. Richard. A total of eight notices of violations were sent out, 201 S. US Hwy 77, 231 E. Santa Gertrudis, 326 E. Alice, 502 W. Santa Gertrudis, 611 E. Corral, 630 W. Fordyce, 630 W. Johnston, and 1009 Gillett. Bernal further spoke about residential and commercial structures to be demolished. Occupied substandard structures, which are structures that residents still reside in are 231 W. Santa Gertrudis, 712 E. Johnston, and 510 E. Ave B.

Mr. Garza commented that as for the occupied substandard structures, these structures do have utilities on.

Mayor Fugate commented that these structures are a safety issue.

Both Commissioner Hinojosa and Commissioner Lopez agree that they are a safety and health issue. Hinojosa asked if there is any way that the Housing Authority could

assist, should the residents need to move out due to safety and health issue of the structure.

Commissioner Leubert asked if there is an ordinance that enforces living standards.

Commissioner Pecos asked if anyone has made contact with the individuals living in the substandard homes.

Mr. Ginter commented that the Building Official has made contact with the individuals.

Mr. Manny Buentello, Building Inspector commented that the majority of the individuals living in these homes are elderly and have nowhere else to go.

Commissioner Lopez stated that the Housing Authority needs to get involved to assist these individuals.

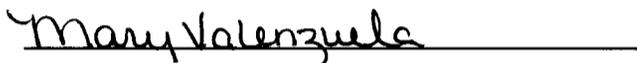
The Commission gave the direction to staff to move forward on substandard home policy.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:00 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary