

FEBRUARY 25, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 25, 2019 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Edna Lopez, Mayor Pro-tem
Hector Hinojosa, Commissioner
Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY COMMISSION ABSENT:

Sam R. Fugate, Mayor

CITY STAFF PRESENT:

Jesus Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Bill Donnell, Public Works Director
Derek Williams, IT
Susan Ivy, Parks Manager
Deborah Balli, Finance Director
Janine Reyes, Tourism Director
Ricardo Torres, Police Chief
Tom Ginter, Director of Planning & Development Services
Charlie Sosa, Purchasing Manager
Cynthia Martin, Downtown Manager
Diana Gonzales, Human Resources Director
Jennifer Bernal, Parks Manager
Emilio Garcia, Health Director
Robert Rodriguez, Library Director
David Soliz, Risk Manager
Gary Fuselier, Landfill Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Pro-tem Lopez opened the meeting at 6:00 P.M. with four Commission members present. Mayor Fugate 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. Commissioner Lopez asked for a moment of silence in memory of Mr. Mario Garcia who recently passed. Mr. Garcia was an employee of the City of Kingsville Wastewater Division.

MINUTES OF PREVIOUS MEETING(S)

None.

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

1. Public Hearing on decommissioning of certain real property of the City of Kingsville designated as park land. (City Manager).

Mayor Pro-tem Lopez read and opened this public hearing at 6:02 P.M.

Mayor Pro-tem Lopez 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. Jesús Garza, City Manager reported that this is part of the legal process in order to continue the decommissioning of Park Land. Garza mentioned the three parks that the city will be taking to the voters for decommissioning approval: Kenedy Park, 900 E. Kenedy Block; Corner of Lantana and Richard Avenue; and Corner of Alice and Richard Avenue.

There being no further comments, Mayor Pro-tem Lopez closed this public hearing at 6:03 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, **Health Department**, 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.”

Mr. Garza introduced and welcomed Mr. Gary Fuselier, city’s new Landfill Supervisor. Garza further reported that the 2018-2019 proposed Capital Outlay budget was passed out to the Commission for their review.

Mr. Bill Donnell gave his bi-weekly update on Streets. He stated that crews are working on 2nd Street, but due to the rain/moisture that was accumulated on the ground, the crew mixed in 22 tons of lime stabilization and working on the compaction at this time. Crews had it tested this morning with it being a few points off from being at optimum compaction. He stated that on 6th and Santa Gertrudis, the lights at this intersection are flashing red, of which the cabinet comes in tomorrow and getting installed.

Mr. Garza commented that at the last meeting, there was a resident that commented that there were some issues with the signals regarding the crosswalks. Staff has checked with TXDOT on their signals, which are up to better standards than the signals the city manages, therefore staff is waiting for quotes on how much it would cost the city to upgrade those signals to the quality of TXDOT.

Commissioner Hinojosa asked how many traffic lights the city manages. Mr. Garza responded that there are four traffic lights the city manages.

Mr. Donnell further reported that crews have been patching in Zone 2 and have worked on work orders in Paulson Falls and on Ceasar Street between 18th & 20th Street. Curb and gutter crews are working on Zones 13 & 14 and sweeping in Zone 12. Mowing crew is working on Trant Rd, Franklin Adams and Escondido. For special projects, crews assisted with a demolition at 503 E. Kenedy. Crews have also started work on the Dog Park parking lot and the Water Department is working on a re-route to remove the water line out of the Dog Park. Crews also assisted with the set-up of bleachers at the JK Northway for the Rodeo.

Mr. Garza commented that staff is expecting RFP’s tomorrow for the Ceasar Project and hope to have the evaluation done in the next couple of weeks so that the item can be brought to the Commission for approval on March 11th. He further stated that staff is looking at striping some of the roads as they are needed.

Commissioner Lopez thanked staff for their work on city streets. She also commented that she has received some complaints from citizens regarding the speeding near Flores Park on Santa Gertrudis.

Mr. Garza stated that he has spoken with the City Engineer about getting a traffic study to analyze if it would warrant placing a Stop sign at the intersection near Flores Park.

Ms. Jennifer Bernal, Parks Manager reported on Keep Kingsville Beautiful. Bernal reported on the beautification of 8 selected medians on Santa Gertrudis located between Seale St. and FM Hwy 141. There are approximately 35 cedar elms still standing, with some needing to be removed. The proposal for the landscaping will include the irrigation, grass, and Crepe Myrtle trees. This will create an aesthetically pleasing entrance and exit to and from Texas A&M University-Kingsville and the King Ranch. Water source from median to median, A’s Construction will be boring from end to end of 8 medians which will cost around \$4,000. Irrigation and grass will be done by Hebert Irrigation for a cost of \$30,000. There will be 60 Crepe Myrtles from Top Notch Tree Farms for a cost of \$4,500. Sodding for the median will cost approximately \$9,000. The entire project has an estimated cost of \$50,000. Alternatives for the median are partial xeriscape and partial soft hardscape; more hardscape with minimal plants; low water landscape, would still need watering however very minimal and more so at the beginning; or hardscape throughout.

Mr. Garza commented that the purpose for the update is to see what the Commission would like to see on this corridor as it has been discussed in the past. He stated that what

staff is looking for is some support in terms of which options the Commission would like for staff to pursue.

Commissioner Hinojosa asked that since the amount is close to \$50,000, is the city going to be asking for proposals. Mr. Garza responded no, as the city would not be using a general contractor. City will be using several contractors for the different things that need to be done.

Commissioner Leubert asked what type of sod is staff looking at? Mr. Sosa responded that it would be carpet grass. Leubert further asked if staff has looked at leaving it natural? Mr. Sosa commented that the reason the trees haven't grown is because there is no water. Leubert further asked if the natural grass that is there, can it be left as is? Mr. Sosa commented that staff has walked the area and the area has more weeds than grass. Leubert commented that if the natural grass still flowers and keeps the soil down as well as its moisture. Leubert further commented that instead of placing irrigation in this area, place a water facet. She further commented that if Crepe Myrtles are placed in this location, they will have to be watered for a few years but then after that you will not have to have an irrigation system unless you put down carpet grass, which is higher maintenance. Mr. Sosa commented that in order to place faucets in the area, we would need to place an irrigation system as there is no water in the medians.

Ms. Bernal commented that when doing this project, they wanted to mirror what the University has already in place.

Commissioner Leubert asked if they had carpet grass. Mr. Sosa commented that the corridor coming from Hwy 141 to Santa Gertrudis is where they have the Oak Trees and carpet grass. Leubert further asked how many crepe myrtles will be placed in each median and will the planted close to the lights?

Ms. Bernal responded that they are different due to the size of median but they range between 6 and 8. She further stated that staff can look into the planting of trees and or around the lighting.

Commissioner Hinojosa asked for staff to make a pros and cons list with the suggestions that Commissioner Leubert has mentioned.

Mr. Garza commented that staff can put together a list with the suggestions and see which option works best.

Mrs. Alvarez reported that the next meeting is scheduled for March 11th with agenda items being due by Friday, March 1st.

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 Hinojosa to remove agenda item #2 from the consent agenda and place it under the regular agenda section to allow for some discussion, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

Motion made by Commissioner Hinojosa to approve agenda item #1 as presented under the consent agenda, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Lopez voting "FOR".

1. **Motion to approve final passage of an ordinance designating a certain area as a reinvestment zone. (City Attorney).**
2. **Motion to approve a resolution authorizing the City Manager to enter into an Amendment to Commercial Real Estate Listing Agreement exclusive right to sell between the City of Kingsville and Lynn Yaklin. (Purchasing Manager).**

Mr. Sosa stated that the city entered into a real estate contract on November 6, 2017 with Coldwell Banker to list a 10.98 acre tract of land located on Loop 428, Lot Pt. 9&10, Block 18, KT&I Co. The real estate company has had some interested parties, but none have committed to enter into a sale at this time. It is staffs recommendation to extend the real estate contract.

Commissioner Hinojosa asked if staff had gone out for quotes. Mr. Garza responded that staff got three quotes and this was the most affordable for the City. Because the amount is less than \$50,000, there was no need to go out for RFP's. Garza further stated that when the this item was brought forward last year, in the packet for this item, it included pricing for all three quotes.

Commissioner Lopez commented that it would help the Commission if staff included additional information if the item was brought to the Commission once before. This would assist the new Commission, that was not on the Commission, understand the items that are brought back for any adjustments or revisions.

Commissioner Hinojosa asked that the information for the broker services, he asked if there would be some corrections on the documents, as there is an individual that is listed who is deceased, Mr. Cunningham. He further asked that as for the term, will it be for a year, cause on the agreement it states the date of November 6, 2017. He further asked that under the brokers compensation, has that amount been negotiated or was it something that was....?

Mr. Sosa responded that as for the brokers compensation, all brokers charge the same amount.

Commissioner Hinojosa further asked that whenever there is an MLS participants, there is a certain percentage and is this an additional to the brokers compensation.

Mr. Sosa responded that if it sales, they will split it.

Commissioner Hinojosa also asked about the language that stated that on the brokers authority and financial options, it only list conventional and cash. Did staff not consider VA, FHA, or Texas Veterans Land Program?

Mr. Sosa stated that those are just the most common ones, but if someone wants to come in with a VA or an FHA loan, they are more than welcome to as it is an option.

Mr. Garza asked if the Commission feels comfortable voting on this item tonight or would they like to table the item and bring forth at the next meeting?

Commissioner Hinojosa responded that he would like to table the item.

Commissioner Leubert commented that what if the Commission votes on it tonight with the amendments that Commissioner Hinojosa brought up so long as they are addressed in the contract.

Commissioner Hinojosa responded that he is receptive to that.

Mr. Sosa commented that this is the original contract that was provided by Coldwell Banker. All the city is doing is accept the extension.

Commissioner Leubert commented that Commissioner Hinojosa had a point with regards to the amendments he mentioned.

Commissioner Hinojosa asked if last time there was no earnest money on the previous contract and can it be built in to this agreement?

Mr. Sosa commented that earnest money is included in this contract, but staff does not know why there was no money put up. He further stated that they said they put the money up but was never received. He stated that staff kept calling them and asking them for the earnest money but it was a different broker out of the Valley that Coldwell Banker was working with.

Commissioner Hinojosa motion to approve a resolution authorizing the City Manager to enter into an Amendment to Commercial Real Estate Listing Agreement exclusive right to sell between the City of Kingsville and Lynn Yaklin, with the changes he came up with..

Mr. Garza asked for clarification on the changes he is requesting to be added.

Mrs. Alvarez stated that currently there is an amendment to the commercial real estate listing agreement for the extension of time. So if the city is going to be opening other things on the contract the city is wanting to extend, then we would want that clarified as it is something that would need to be taken back to the broker.

Commissioner Hinojosa commented that in the resolution it is listed as February to the end of the year. Is this the way it would have to go, and if they don't approve, will it have to go back to the broker and have an agreement with her? He further stated that he has no problems with the end of the year. He further mentioned that the other one was the brokers compensation, which was clarified that it was the same on all of them, which is fine and no change is needed. The other one was the MLS Participation, he question was on the brokers listing, whether it stays the same, the 6% that is allocated is the highest the city will pay. The other changes were the financial options, to include VA, FHA , and Texas Veteran's Land.

Mr. Garza commented that the only changes that are being requested is to add VA, FHA, and Texas Veteran's Land and the other items were addressed during the discussion portion of this item.

Commissioner Hinojosa responded that 6 or 7, no, which is owner finance and other, which is number 11 on the agreement. Broker Authority (c), which list all the financial options which list conventional, which has an X, but no X on VA, FHA, or Texas Veteran's Land Commission. Of all that are listed, six or seven have no X on them, and needs to remain that way. Hinojosa asked City Secretary Mrs. Mary Valenzuela if his motion was clear for the record?

Commissioner Leubert asked if this Commissioner Hinojosa's motion?

Commissioner Lopez commented that she believes Commission Hinojosa had already made a motion and that Commissioner Hinojosa was only clarifying what he had motion to.

Mr. Garza commented that he doesn't think that Commissioner Hinojosa had made a motion, that he was only verbalizing what he motion would be.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to enter into an Amendment to Commercial Real Estate Listing Agreement exclusive right to sell between the City of Kingsville and Lynn Yaklin, and include VA, FHA, and Texas Veteran's Land Program to the contract, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. **Consider a resolution decommissioning certain real property owned by the City and designated as park land. (City Manager).**

Mr. Garza commented that this is one of the items that is required. Nothing will be done until after the election in May, 2019.

Motion made by Commissioner Leubert to approve the resolution decommissioning certain real property owned by the City and designated as park land, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Lopez voting "FOR".

4. **Consider a resolution approving an application and agreement for the historic district façade grant program from Lonnie Schwirtlich on behalf of Physicians Premier Real Estate Holdings-Kingsville for Access Urgent Care for property located at 401 E. King Avenue, Kingsville, Texas. (Downtown Manager).**

Ms. Cynthia Martin, Downtown Manager stated that Physicians Premier Real Estate Holdings-Kingsville has submitted a grant amount of \$20,000 for signage, a new roof, and landscaping. Façade grants are meant to be a 50-50 reimbursement match on a dollar for dollar basis generally not to exceed \$20,000, subject to availability of budgeted funds.

Mr. Garza commented that the façade program is funded through the Hotel Occupancy Tax fund and \$50,000 is allocated to this fund every year. Those that are on the Historical District qualify to apply for this grant, which are reimbursable grants. He stated that the current guidelines allows for the city to go up to \$20,000, unless specifically requested, approved or discussed with the Commission, the specific recommendation today is for the award to be up to the \$20,000 amount, even though the expenditures will be higher than that amount. The memo in the packet talks about what the money will be used for, which is for the roof and signage. Garza stated that from his stand point, is that he feels that nine out of ten times the applicants that come forward are businesses that are already in operation. But the city has had not so good experiences with businesses that have not opened yet as well, such as the award that went to the Texas Theatre, which has not been opened to this day. Garza stated that staff went through a revision of the façade guidelines a few years ago where staff tried

to make it easier for people to apply for the program but also help to protect the city in better ways. Garza is recommending that the city support the project but have the city put a stipulation that if the business doesn't open, have the business refund the city on what the city supported them for the project or that they don't get the refund until they open. This is just based on the experiences that the city has had, when they grant monies to businesses that don't open after being awarded the grant.

Commissioner Lopez asked if what the City Manager is asking for, is that if the Commission was to make a motion, to add the stipulation to the motion?

Mr. Garza responded that the Commission has the authority to do so, if they agree with that logic.

Mrs. Alvarez commented that if the City Manager is looking at putting an extra condition on the request, it would be helpful to have some kind of timeframe. She further commented that she is trying to understand if we would not be receiving receipts for the work that is done than reimbursing up to the maximum of \$20,000 until they are open or would we be doing that, but if they don't open by the end of the year they will have to reimburse the city any funds received. She commented that she is not sure which way the city is wanting to go.

Mr. Garza commented that either way would be an option.

Dr. Martin Grimey of Physician Premiere commented that they are looking at opening between March...

Commissioner Leubert commented that the Commission has this request on the table, under the contract that is previous valid. She asked if maybe staff can look on working on this one as it is presented then go back to the table and modify the guidelines for any future request. It would not be fair to the requestor now to have this stipulation put into place now, when the stipulation was not listed at the time the request was made.

Commissioner Lopez asked if the requestor was aware of the stipulation that staff would like to add to the contract?

Mr. Garza commented that one of the additions that was new in the new guidelines that were adopted two years ago, there was a timeline feature attached to it, which he believes was six months. He stated that there use to be that there was no timeline attached to it which then put the city in a predicament of, 12 months ago, the city awarded the \$5,000 for the project but can that money be used for someone else. The timeline issues were addressed with the revised timelines, but this is different since the business isn't operational yet.

Commissioner Lopez commented that she agrees with Commission Leubert that the requestor was made aware of how the contract is now.

Mr. Garza commented that he interrupted Commissioner Leubert suggesting that to proceed as presented and at a later time, look into amending the guidelines for future request.

Commissioner Lopez stated that it is not fair to the requestor now, to make these types of revisions to the guidelines that were not there at the time he applied.

Mr. Garza commented that he and Mrs. Martin had already had some discussion about the recommended changes.

Commissioner Lopez responded that the requestor was not aware of it and it is not something that is part of the current guidelines.

Dr. Martin Grimey commented that they are looking at an opening date of April 1st. He further commented that they have put a lot of money into this business and they will be opening soon.

Motion made by Commissioner Leubert to approve the resolution approving an application and agreement for the historic district façade grant program from Lonnie Schwirtlich on behalf of Physicians Premier Real Estate Holdings-Kingsville for Access Urgent Care for property located at 401 E. King Avenue, Kingsville, Texas, seconded by Commissioner Pecos. The motion was passed and approve by the following vote: Pecos, Hinojosa, Leubert, Lopez voting "FOR"

5. Consider a resolution authorizing the City Manager to enter into the 2019 Election Services Agreement between the City of Kingsville and the Kleberg County Clerk. (City Secretary).

Motion made by Commissioner Hinojosa to approve a resolution authorizing the City Manager to enter into the 2019 Election Services Agreement between the City of Kingsville and the Kleberg County Clerk, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

6. **Consider a resolution establishing guidelines and criteria governing tax abatement for all taxing entities located within the City of Kingsville, authorizing the City Manager to accept applications on behalf of the City for presentation to the Commission, stating the City elects to be eligible to participate in tax abatements, and providing for evaluation of each application for conformity with such guidelines and criteria prior to submission to the Commission. (City Attorney).**

Mrs. Alvarez stated that over the last couple of meetings, staff has been taking steps to get to this point. Part of the process in being able to do tax abatements in the State of Texas is that you have a reinvestment zone designated to which the city has already done. The reinvestment zone is good for five years. The city also has to prepare a tax abatement guidelines which has been done. These are the same guidelines that have been used in the past. Besides from having the public hearing and designating the reinvestment zone, the city also provided a copy of the tax abatement guidelines to the heads of the local taxing entities to make them aware of what the city was looking to do. Reason for this, is that if the Commission chooses to approve this resolution tonight, to put those guidelines in place, they would be effective for the next two years. Alvarez further commented that while most new economic development is done through Chapter 380 agreements, as there is a lot more flexibility in the statute for that, there are still instances where you might run across a developer who prefers to have a straight up tax abatement. In order to do that through the various statutes, you would have to have these various things done and in place. The city is basically having this ready in the event that the city should ever need it in the next two years. Alvarez also stated that if the city was to receive a request, from the developer for tax abatement for a particular project, they would submit the application with the backup information, then staff would get that and bring the agreement before Commission. At that time, the Commission could choose whether they did or didn't want to enter into an abatement agreement and what percentage and what length of time you would want the abatement to last for. That abatement agreement would only be good for the city's portion of taxes that the developer would pay. If the developer would want an abatement from the other local entities, those entities would need to approve the guidelines and then approve an agreement with that developer to have their own individual taxes abated as well. She stated that this all gets sent to the Tax Appraisal Office. Then the applicant is still required to go and file with the Appraisal District Office the notice that they have an abatement in place, in order to receive the benefit of the agreement that we have with them.

Commissioner Pecos asked if this was the standard operation? Mrs. Alvarez responded, yes.

Motion made by Commissioner Pecos to approve resolution establishing guidelines and criteria governing tax abatement for all taxing entities located within the City of Kingsville, authorizing the City Manager to accept applications on behalf of the City for presentation to the Commission, stating the City elects to be eligible to participate in tax abatements, and providing for evaluation of each application for conformity with such guidelines and criteria prior to submission to the Commission, seconded by Commissioner Hinojosa.

Commissioner Hinojosa commented that he saw the breakdown, so if somebody comes in with a contract or an improvement of \$2 million dollars, but in reality it is \$1 million dollars, what type of follow-up will the city have to make sure that what they submitted is correct.

Mrs. Alvarez commented that with regards to this, the schedule is like a guide. If someone came in, regardless of what the abatement is, it will be up to the Appraisal District to determine what taxes are going to be accessed to that property and depending on what our agreement says, they will either receive a 2%, 50% or 100% for whatever period of years that the city puts into the agreement.

Mr. Garza commented that through the Planning Department, people get a permit that is based off the investment of the building.

Commissioner Hinojosa asked that if he understood Mrs. Alvarez, the burden of proof would be up to the Appraisal District.

Mrs. Alvarez responded that this was correct, as they would assess the tax.

The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Lopez voting "FOR".

7. **Consider award of RFP #19-03 for Extermination Pest Control Services to Kingsville Pest Control, as per staff recommendation, and authorize staff to negotiate a contract. (Purchasing Manager).**

Mr. Sosa stated that this item authorizes the City to negotiate into a contract with Kingsville Pest Control for the City. RFP 19-03 Extermination Pest Control Services will

provide extermination and pest control services for all city owned buildings. Request for proposals was published in the local newspaper on January 27th and February 3, 2019. Staff accepted until 2:00 p.m. on February 12th. Three responses were received from Kingsville Pest Control of Kingsville, TX, Serenity Pest Control of Kingsville, TX, and Pro-Tex Pest Management of Riviera, TX. Purchasing reviewed the RFP's and found the information received to be responsive. Based on the proposals submitted from the three firms, Kingsville Pest Control of Kingsville, TX is the apparent low bidder, which they currently service some of the city owned buildings. It is staffs recommendations to negotiate into a contract with Kingsville Pest Control for pest control services for the City of Kingsville.

Motion made by Commissioner Hinojosa to award RFP #19-03 for Extermination Pest Control Services to Kingsville Pest Control, as per staff recommendation, and authorize staff to negotiate a contract, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Pecos, Hinojosa, Leubert, Lopez voting "FOR".

8. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to expend funds for professional services related to landfill permit amendment responses to TCEQ. (Public Works Director).

Mr. Bill Donnell, Public Works Director reported that this budget amendment request is due to the permit amendment being submitted after the budget process was completed for this current year and that TCEQ has expedited the review process which they have already made two reviews. In order to continue the process they have taken some of their professional engineering services and created a purchase order to cover the work that is done up to now. Funds have been exhausted, so with this permit amendment for \$75,000 it would put money back into engineering services and continue to the responses to TCEQ so that the process can continue.

Mr. Garza commented that the budget amendment request will be coming from the post-closure fund and not general fund.

Introduction item.

9. Consider a resolution authorizing the Mayor to enter into a Revised Second Amendment to Tower Attachment Lease Agreement with GTP Acquisition Partners II, LLC. (IT Manager).

Mr. Kyle Benson, IT Manager stated that this is the same amendment that came before Commission during a previous meeting, which was approved. GTP is now asking for some minor modifications to the agreement. Mrs. Alvarez has reviewed the modified language and approved for the item to be brought to the Commission for consideration.

Mrs. Alvarez commented that if they were only correcting spelling errors or adding some punctuation changes, it might had been feasible. But because they are swapping out or adding new words, that is enough of a modification that would require for it to come back to the Commission for approval. She stated that the changes they requested do make the language in the first amended contract and this contract more consistent. Alvarez stated that this does not materially change what the Commission approved in December, it just makes it a little cleaner and consistent with terminology.

Commissioner Lopez asked if Mrs. Alvarez approves of the amendment. Mrs. Alvarez responded yes.

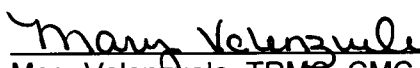
Motion made by Commissioner Pecos to approve resolution authorizing the Mayor to enter into a Revised Second Amendment to Tower Attachment Lease Agreement with GTP Acquisition Partners II, LLC, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

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