

JUNE 24, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 24, 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
Dianne Leubert, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Sam R. Fugate, Mayor

CITY STAFF PRESENT:

Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Deborah Balli, Finance Director
Tom Ginter, Director of Planning & Development Services
Charlie Sosa, Purchasing Manager
Diana Gonzales, Human Resources Director
Emilio Garcia, Health Director
Adrian Garcia, Fire Chief
Ricardo Torres, Police Chief
Joseph Ramirez, Engineers Assistant
Bill Donnell, Public Works Director
Robert Rodriguez, Library Director
Cynthia Martin, Downtown Manager
David Soliz, Risk Manager

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

May 28, 2019-Regular Meeting

June 10, 2019-Regular Meeting

Motion made by Commissioner Pecos to approve the minutes of May 28th and June 10, 2019 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

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

1. Public hearing on ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 19-21, also known as 800 W. Kleberg, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District), Santiago Cantu owner/applicant. (Director of Planning & Development Services).

Mayor Pro-tem Lopez read and opened this public hearing at 6:01 p.m.

Mr. Tom Ginter, Director of Planning & Development Services reported that Mr. Santiago Cantu has submitted a request for rezoning's in the past and has built multi-family units in Kingsville. The location that is being asked to be rezoned is a good location for the project that Mr. Santiago would like to do as it is a short distance to the University. Mr. Santiago's plan at this time is to build four units. Staff has not received any complaints to the request. Mr. Ginter stated that he did have a citizen who received a letter arrived late to the Planning & Zoning Meeting and after the Planning & Zoning Commissioner had acted on the agenda item. After the meeting was over, the citizen mentioned that he wanted to speak on the item and stated that he was against the rezone. Staff responded back to the citizen and stated that the Planning & Zoning Commission had already acted on the item and voted to recommend approval. He was told that he would have another opportunity to speak on the rezone at a Commission meeting scheduled for Monday, June 24, 2019. Mr. Ginter further stated that the Planning & Zoning Commission voted on June 19, 2019, 4-0 to recommend approval of the rezoning request.

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. Ricardo Vega, 805 W. Kleberg Ave. commented that he is against this rezone and is asking the Commission not to approve the Planning & Zonings recommendation. He stated that with the added units, it would cause heavier traffic in a neighborhood that is dealing with some heavy traffic already. Vega further stated that he did try to make his comments at the Planning & Zoning Commission meeting, but was told that the Planning & Zoning Commission had already taken action on the item. He stated that he asked the Planning Department Secretary to send out letters to those that reside near the area that is being considered, but only two letters were mailed out. Vega further commented that he is asking the City Commission to not approve.

Helen Rodriguez, 806 W. Kleberg commented that she also objects the rezone as it would cause for heavier traffic in the area. She further stated that with an additional four families in the area would also cause more noise for their neighborhood.

At this time, Mr. Ginter passed out copies of letters that Mr. Vega was referring to for Commission review. No copies were given to the City Secretary for the record.

Commissioner Hinojosa asked if the two other residence were in the meeting. Mr. Ginter responded no.

There being no further comments, Mayor Pro-tem Lopez closed this public hearing at 6:12 P.M.

2. Public hearing on, ordinance amending the zoning ordinance by changing the zoning map in reference to Westside AC, Lot 10 (.9989 Acres), also known as 209 W. Corral, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District), Santiago Cantu owner/applicant. (Director of Planning & Development Services).

Mayor Pro-tem Lopez read and opened this public hearing at 6:12 p.m.

Mr. Ginter reported that on the west side of this property the City Commission approved a rezone for the applicants brother. He further stated that the Planning & Zoning Commission has approved this item with a 4-0 vote for recommendation. Staff did not receive any phone calls or letters from citizens within this area. The Planning & Zoning Commission did bring up the fact that there is a sewer line that runs through the property. The requestor is aware of this, and requestor is ok with it. He further stated that the requestor will also be asking for some alley access and if the Fire Department agrees, it would give them another way out. The requestor is planning on building sixteen units on this property.

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. Ricardo Vega, 805 W. Kleberg commented that he owns the property east of this location and is close to 200 feet from the property. He stated that there is a sewer line that runs through that property. He also commented that this property is divided into quarter lots and stated that the City may have the opportunity to improve the alley to make it an accessible road to others.

Commissioner Hinojosa asked if the sewer line runs west on the property? Mr. Ginter responded that it runs in the middle, East to West. Hinojosa further stated that a comment was made on the information that was provided in the packet, and asked how far east does staff want to go? He then commented that this may be a case by case issue, based on owners wanting to expand.

Commissioner Leubert asked if the sewer line will be in the way of the construction? Mr. Ginter commented no, as they know it's there. Commissioner Leubert asked if it was going to be in the way of the construction and will construction be where we will have access to it after constructing? Mr. Ginter responded yes. Leubert further asked who would be responsible for the sewer line if something goes wrong during the construction or after construction? Mr. Ginter stated that the City will be responsible and further stated that there will be no permanent construction that will be on top of the line. Commissioner Leubert asked what would be on top of it? Mr. Ginter responded parking. Leubert asked if the city would have to repair the concrete if the city had to tear it up? She also commented that the city would be responsible for it and normally the city does not allow anyone to build on top of sewer lines.

Commissioner Hinojosa commented that all these issues will be addressed when staffs receives the plans.

Mr. Bill Donnell, Public Works Director commented that plans have been reviewed and the building is separated over the easements so there no building on there. The parking lot is cement which there would be an expansion joint requested where the sewer line is located. In preparation for this project, staff went in and surveyed the line and replaced the portion of the line that is shown on the map.

Commissioner Leubert commented that as to the alley, what is it that is being requested for the city to do with that alley? Mr. Ginter commented that we would make it drivable for Fire Trucks. Leubert asked how accessible is the alley now, and what is being requested is for it to make it as a regular road.

Mrs. Courtney Alvarez, City Attorney commented that the rezones were done for different property owners and since we already have a site plan that has been developed and based on what the Planning Director has said, permits approved for it, then it would have to build out as planned were submitted.

There being no further comments, Mayor Pro-tem Lopez closed this public hearing at 6:25 P.M.

3. Public hearing on the replat of Orig Town, Block 49, Lots 11-18; Orig Town, Block 49, Lots 19-22; and Orig Town, Block 49, Lots 23-26, also known as 105 S. 5th St., 119 S. 5th St., and 200 W. King, Kingsville, Texas, John Cowan and Associates, applicant for Dollar General Inc. (Director of Planning & Development Services).

Mayor Pro-tem Lopez read and opened this public hearing at 6:25 p.m.

Mr. Ginter displayed a map as to where the location of this property will be located. Map was not provided for the record.

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. Phillip Cornett, representative for Dollar General commented that there request is to take the existing lots as they are platted now and consolidate them into one lot, abandon the alley and convert it into a utility easement. He state that there has been some discussion with the Engineering Department and the Historical Board concerning the façade of the building and the utilities that are in the alley being redesigned. Once they approve those utilities there will be a cement parking across, which he is sure that the same thing will apply as to what the concerns were previously.

Commissioner Hinojosa asked if Dollar General would be taking care of the relocation of utilities. Mr. Cornett commented that he believe this is correct. Hinojosa further commented that he is sure that this is in writing as well. Hinojosa asked staff if staff had something in writing from CenterPoint that they would cover the cost from the relocation. Mr. Ginter responded that they don't have to do this if they don't want to, but they were doing because of the condition and age of our water line and material. He stated that CenterPoint may leave it as it is. It is not necessary for it to be relocated.

There being no further comments, Mayor Pro-tem Lopez closed this public hearing at 6:29 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, Condemnation Update, 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, **Library Summer Programs**, **Grants Update**. No formal action can be taken on these items at this time."*

Mayor Pro-tem Edna Lopez presented a proclamation to the Noon's Lion Club proclaiming June 28, 2019 as "Noon's Lion Club Day".

The following updates were made to the City Commission: Streets update was given by Mr. Bill Donnell, Public Works Director. Ms. Emily, Children's Librarian gave an update on the Library Summer Programs. These programs have brought in about 100 individuals to the Library. Mrs. Cynthia Martin gave a Grants Update. Mrs. Martin stated that there are five grants that have been submitted: Texas Community Development Block Grant, Main Street Program for \$250,000 for infrastructure; Certified Local Government Grant for

\$20,000 for design guidelines; National Trust for Historic Preservation Grant for \$5,000 for windows for the Municipal Building; and Texas Historic Commercial District Revolving Fund for \$20,000 for façade improvements in Main Street District.

Commissioner Hinojosa requested that a letter of thanks be sent to the city's that came out to assist our city crews after the storm.

Mrs. Balli stated that staff is working on a letter of thanks to be sent out.

Mrs. Martin reported that the first one is the Texas Community Development Block Grant. Awarded \$250,000 with the opportunity of a \$50,000 cash match plus and \$32,549 in-kind engineering and grant administration. Project area is the 300 block of E. Kleberg which runs from 7th Street to 8th Street. Project is to construct 600 lineal feet of concrete sidewalk and curb and gutter; construct twelve ADA compliant ramps and associated appurtenances; construct eight bulb outs; install new street lamps for better lightning; retain sections of existing sidewalk in good condition; and retain two mid-block ADA compliant ramps paid for by a 2016 Main Street Program grant. The timeline is, grant contract end date is May 5, 2021; close out documents to be submitted by July 4, 2021; meet fourteen contract milestones set along the way to insure timely project completion. The status is contract signed May 31, 2018; Engineering is working on draft plans for construction; and work on the Environmental Review will begin in two weeks and be done in-house. The second grant is the Certified Local Government Grant. The budget is \$20,000 awarded; \$20,000 cash match; \$5,000 in-kind services for grant administration; \$5,000 grant from the National Trust for Historic Preservation. The project area is the Kingsville Local Historic District. The timeline is project completion date of September, 2019. The third grant is the Anice Reed Foundation Grant for the Texas Downtown Association. Budget is \$5,000 awarded with a project cost of \$26,000. This project is for the replacement of current second story windows on the south and north facades of the Municipal Building with historically accurate windows. The timeline, works needs to be completed by November 12, 2019. Martin stated that windows for the Municipal Building should arrive sometime this week. The fourth grant is the Texas Historic Commercial District Revolving Fund. The budget is \$20,000 in 0% loans to lend. The program area is the Kingsville Main Street District. The program is revolving fund is administered by the National Main Street Center; the fund will issue \$20,000 in 0% loans to business owners and/or tenants of existing buildings located in Kingsville's Main Street District to support highly visible improvements to buildings and storefronts; loan recipients will receive a loan of 50% of the total project amount to \$10,000 on a \$20,000 project; applicants are required to seek design assistance from Texas Main Street design staff prior to loan submission to ensure quality work will be done. Timeline, applications for the fund will open June 15, 2019.

Commissioner Hinojosa asked that on the Block Grant, it was mentioned that the lighting was not going to be covered by the grant. Mrs. Martin responded that this was correct but we can use the city's cash match to purchase that. Commissioner Hinojosa further asked if this was in addition to the \$50,000. Mrs. Martin responded no, it is in lieu of the \$50,000. She further stated that whatever the lights cost, we can take the money out of the \$50,000 that the city pledged to purchase them. Commissioner Hinojosa further asked if staff had budgeted for the \$60,000? Mrs. Martin responded that it was for \$50,000. Hinojosa commented that only \$50,000 was budgeted therefore needing an additional \$10,000? He also asked how the city would pay for the \$60,000? Mrs. Martin responded no. She further explained that the city does not have to pay, it was an opportunity to instead of taking the \$50,000 cash match and sending it to TDA and using it to fund the project, the city can use it to purchase lighting. Hinojosa further commented that the city would need to pay for the \$60,000 and use the cash match...

Commissioner Lopez commented that it is her understanding that the \$50,000 cash match, some of this money can be used for lighting. Therefore the city would not need to send the full \$50,000, some of this money will be used for lighting.

Commissioner Hinojosa further asked if we would be doing the lighting? Commissioner Lopez responded yes.

Mrs. Alvarez reported that the next City Commission meeting is scheduled for Monday, July 8th. Due to the upcoming holiday on July 4th, the agenda deadline has been moved to an earlier date of June 26, 2019. She further announced that city offices will be closed on Thursday, July 4th.

IV. Public Comment on Agenda Items.³

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

No public comments were 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 Pecos to approve the consent agenda as presented, seconded by Commissioner Leubert. 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 amending the Fiscal Year 2018-2019 budget to receive and expend Park donations for recreational programs. (Parks Director).**

REGULAR AGENDA**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**VI. Items for consideration by Commissioners.⁴

2. **Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 19-21, also known as 800 W. Kleberg, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

Introduction item.

3. **Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Westside AC, Lot 10 (.9989 Acres), also known as 209 W. Corral, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

Introduction item.

4. **Consider introduction of an ordinance abandoning part of an alley and retaining an easement for utility purposes in Orig Town, Block 49, Lots 17-18; Orig Town, Block 49, Lots 19-22; and, Orig Town, Block 49, Lot 23 (alley behind 105 South 5th St. and 119 South 5th St. and 200 West King, between 5th St. and 4th St. off of King Ave.) for Dollar General. (Director of Planning & Development Services).**

Introduction item.

5. **Consider replat of Orig Town, Block 49, Lots 11-18; Orig Town, Block 49, Lots 19-22; and Orig Town, Block 49, Lots 23-26, also known as 105 S. 5th St., 119 S. 5th St., and 200 W. King, Kingsville, Texas (for a new Dollar General store). (Director of Planning & Development Services).**

Motion made by Commissioner Leubert to approve the replat replat of Orig Town, Block 49, Lots 11-18; Orig Town, Block 49, Lots 19-22; and Orig Town, Block 49, Lots 23-26, also known as 105 S. 5th St., 119 S. 5th St., and 200 W. King, Kingsville, Texas (for a new Dollar General store), seconded by Commissioner Pecos.

Mrs. Courtney Alvarez announced that due to a lack of quorum, the Historical Board was not able to meet therefore not able to hear or vote on this item.

Commissioner Leubert then amended her motion.

Motion made by Commissioner Leubert to approve the replat replat of Orig Town, Block 49, Lots 11-18; Orig Town, Block 49, Lots 19-22; and Orig Town, Block 49, Lots 23-26, also known as 105 S. 5th St., 119 S. 5th St., and 200 W. King, Kingsville, Texas (for a new Dollar General store) with the contingent that it passes with the Historical Board, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Hinojosa, Leubert, Lopez voting "FOR".

6. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to accept and expend the proceeds from the sale of 11 acres (off Loop 428). (Interim City Manager).

Mrs. Balli stated that the sale of the 11 acres became final and so the proceeds that the city is scheduled to receive will be \$45,600. These proceeds will be split between the Park Maintenance Fund and the EDC Fund. The split will be \$20,000 to Parks Maintenance Fund and \$25,600 to the EDC Fund. This will be put into grounds and permanent fixtures in Parks Maintenance Fund and in the professional services in the EDC Fund which will be used for surveys, title searches or other things that are EDC related.

Introduction item.

7. Consider a resolution authorizing participation in Southwest Border Rural Law Enforcement Information Sharing and Interdiction Assistance Grants FY2019 with the US Department of Justice (DOJ) , Bureau of Justice Assistance (BJA) for software and equipment for the Kingsville Police Department, authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that the Police Department is requesting a resolution for application and acceptance of BJA FY19 Southwest Border Rural Law Enforcement Sharing and Interdiction Assistance Grant. This is for two LPR Trailers and three LPR Systems for the interdiction officers. This project will address violent crime, once implemented, will provide statistical documentation on the project's impact on crime in our jurisdiction and adjacent areas. These systems are also used by the Officers to track locations of known offenders, warrant services including municipal warrants as well. Torres stated that the total of the grant is \$172,969.65. He stated that there is an issue with the recurring cost which is less than the \$18,352, it is \$12,110.34.

Commissioner Hinojosa asked if the recurring cost could be paid through the forfeiture fund?

Chief Torres responded that it can but what is happening right now is that forfeiture has not been as robust as it has been and sometimes the city needs to take some responsibility for some of these cost. The city will be making out really well in terms in of the warrants that will be able to be picked up. There is roughly \$2 million dollars in warrants that are out there. He further stated that Chapter 59 is used for the benefit of this municipality, which is the only way it can be used. He further commented that they have save \$11 million dollars over the last eight years for the city as they buy vehicles, equipment, and technology.

Commissioner Hinojosa commented that the city does take responsibility through salaries and everything else.

Commissioner Leubert commented that this is a pretty good deal for the community.

Motion made by Commissioner Leubert to approve resolution authorizing participation in Southwest Border Rural Law Enforcement Information Sharing and Interdiction Assistance Grants FY2019 with the US Department of Justice (DOJ) , Bureau of Justice Assistance (BJA) for software and equipment for the Kingsville Police Department, authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

8. Discuss and consider awarding bid for construction contract for Wastewater Manhole Rehabilitation Project (for Texas Department of Agriculture TxCDBG Contract #7218269), as per recommendation. (City Engineer).

Mr. Rudy Mora, City Engineer stated that the project shall rehabilitate 18 manholes throughout the city. These manholes have deteriorated and the proposed scope of work would reduce inflow and infiltration. It is estimated to benefit approximately 24,000 residents. The grant is to assist low to moderate income communities using state funds. The city as awarded a grant in the amount of \$360,000 including the City's cash match of \$60,000. Bids were received from four contractors which included Etech Construction; RCM Constructors, Inc.; Southern Trenchless Solutions; and Bridges Specialties Inc. LNV is our Engineering Consultant that checked references and verified the bids. The base bid ranged from \$168,988.00 to \$301,642.00 The Engineer's estimate on the project was \$277,000. The City can change order additional work not to exceed 25% of the awarded bid amount. The City would provide a cash match of \$60,000 as indicated in resolution #2017-04. The funds are allocated in Utility Fund Account. Staff recommends awarding the project to Etech Construction in the amount

of \$168,988 and authorizing the Interim City Manager to execute a contract for the same.

Motion made by Commissioner Leubert to approve awarding bid for construction contract for Wastewater Manhole Rehabilitation Project (for Texas Department of Agriculture TxCDBG Contract #7218269), as per recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Lopez voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 Budget to expend funds for South Plant Waste Water Clarifier. (City Engineer).

Mr. Charlie Sosa, Purchasing Manager stated that the purpose of the project is to replace the existing primary clarifier which is located at SWWTP along FM 1717. The existing clarifier equipment has been in services since 2000. It was a replacement of the original equipment in 1977. It has been repaired several times. Two equipment manufacturers were approved Amwell of North Aurora, Illinois and Envirodyne Systems Inc. from Camp Hill, Pennsylvania. The equipment being replaces is Enviroquip from Austin, TX and is approximately 19 years old. Enviroquip Inc. is not associated with Envirodyne Systems, Inc. The vendors for both manufacturers are located in Texas. The Engineering Department provided the engineering services for this project. The project was advertised in the local paper and online on May 2nd and May 9th. A pre-bid was held on May 15th and the bid opening was on May 22nd at 3:00 p.m. Base bid is to remove and install a new galvanized clarifier equipment. Alternate No. 1 was to install 316 stainless steel clarifier equipment in lieu of a galvanized finish. Bids were received from three contractors which included DMB Construction from Corpus Christi, TX; J.S. Haren Company from Athens, TN; and Donald Hubert Construction from Kingsville, TX. References were verified. Three options were presented. The base bid ranged from \$406,000 to \$524,237. Base bid plus Alternate No. 1 bid ranged from \$536,000 to \$723,921. The primary clarifier has needed replacement since 2017. Funds for the project expected to be \$536,000 will come from fund 054, Utility Capital Projects Fund. Staff recommends awarding the bid to J.S. Haren Company for base bid plus Alternate No. 1 in the amount of \$536,000, as stainless steel used in Alternate No. 1 will have a longer expected useful life than a galvanized finished product used in the base bid; and authorize the Interim City Manager to execute a contract for the same.

Mrs. Balli commented that item #9 was skipped and this information is for item #10.

Mayor Pro-tem Lopez responded that she had read item #9.

Introduction item.

10. Consider awarding bid for RFP#19-07 for South Wastewater Treatment Plant clarifier improvements. (Purchasing Manager).

Motion made by Commissioner Pecos and Commissioner Leubert to approve the award of bid RFP#19-07 for South Wastewater Treatment Plant clarifier improvements, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Pecos, Hinojosa, Leubert, Lopez voting "FOR".

11. Consider a resolution authorizing the Interim City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for South Side Wastewater Treatment Plant Primary Clarifier Equipment Replacement Project (RFP #19-07). (City Engineer).

Motion made by Commissioner Leubert to approve a resolution authorizing the Interim City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for South Side Wastewater Treatment Plant Primary Clarifier Equipment Replacement Project (RFP #19-07), seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

12. Consider a resolution authorizing the Interim City Manager to enter into a Proposed Settlement Agreement between the City of Kingsville and the Kingsville Law Enforcement Association. (City Attorney).

Mrs. Alvarez stated that in October 2018 the City received a grievance from the Police Union with regards to the Columbus Day Holiday. This process was ongoing through the grievance process that is outlined in the Collective Bargaining Contract. She further stated that the former City Manager had been working, once it got to the point that the City Managers response was sent and not accepted the next step would have been mediation. The former City Manager had been negotiating the settlement agreement with the Police Union President which they had a fairly good draft going but wasn't finalized prior to his departure, but recently the Interim City Manager, staff, and herself

have been working with the Police Union and try to finish it out, which is the document the Commission has before them today. She further stated that they would get the half-time as they were already paid if they worked that holiday. They would only get the half-time as though the holidays had been recognized under their contract as the day they had worked it. She further stated that it is a compromise that they don't get the full benefits if the holidays would have been recognized under the existing contract. This is a little give and take on both parties side. This will also allow for the holidays to no longer be specifically listed on the contract but just say whatever holidays that the non-civil service employees of the city have, those are the same days the Officers would get so that there is some consistency with their contract.

Commissioner Leubert asked if everyone is satisfied? Mrs. Alvarez responded that they are satisfied enough that they already signed it and staff is recommending that the Commission authorize the City Manager to sign it.

Motion made by Commissioner Leubert to approve resolution authorizing the Interim City Manager to enter into a Proposed Settlement Agreement between the City of Kingsville and the Kingsville Law Enforcement Association, seconded by Commissioner Pecos.

Commissioner Hinojosa asked if there are any ex police officers that are affected by this as it only covers those that are employed right now.

Mrs. Alvarez stated that the Union has agreed to this. She further stated that those that are not with the City at the time of this settlement, therefore they will not be receiving the benefits that would derive from that contract dispute since they are no longer subject to that contract.

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

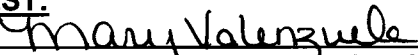
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:23 P.M.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, TRMC, CMC, City Secretary