

JANUARY 27, 2020

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 27, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

**CITY COMMISSION PRESENT:**

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

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Kyle Benson, IT Manager  
Deborah Balli, Finance Director  
Emilio Garcia, Health Director  
Bill Donnell, Public Works Director  
Cynthia Martin, Downtown Manager  
Rudy Mora, City Engineer  
Charlie Sosa, Purchasing Manager  
Courtney Alvarez, City Attorney  
Ron Lee, Interim Fire Chief  
Diana Gonzales, HR Director  
Janine Reyes, Tourism Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 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)**

**Regular Meeting- January 13, 2020**

**Motion made by Commissioner Lopez and Commissioner Pecos to approve the minutes of January 13, 2020 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

**II. Public Hearing - (Required by Law).<sup>1</sup>**

**1. Public Hearing on an ordinance amending the zoning ordinance by granting a special use permit for daycare use in R1 (Single Family District) at 324 E. Corral, Kingsville Texas, also known as Young Terrace, Block 2, Lot 9 & 10, Yaneli Alanis, applicant. (Interim Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:03 p.m.

Mrs. Cynthia Martin, Interim Director of Planning & Development Services stated that the property has been recently occupied by a daycare, Head Start Center, and operating under a special use permit. The applicant wishes to occupy that same building on the property as a learning academy for children ages six weeks to five years. The hours for the new learning center will be from 6:30 a.m. to 5:30 p.m. and the program will serve 45-65 children depending on their licensing. This will be roughly equivalent to the hours and numbers of children served of the Head Star Program. The applicant currently runs a daycare center, The Tot Spot located at 1724 S. Brahma Blvd. The Planning & Zoning Commission met on January 15, 2020 where they voted 4 to 0 with no abstentions to recommend approval of this special use permit.

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 discussion or comments, Mayor Fugate closed this public hearing at 5:04 p.m.

**2. Public Hearing on an ordinance amending the zoning ordinance by granting a special use permit for climate-controlled self-storage in C2 (Retail District) at 200 E. Kenedy Block, Kingsville Texas, also known as Orig. Town, Block 68, Lot 1-13, Chad Davis, applicant. (Interim Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:04 p.m.

Mrs. Martin stated that with regards to this item, it does not have an action item to follow on. This will be brought back in a future meeting once the definitions for this have been approved. The applicant is requesting a special use permit in a C2 Retail District in order to use the property at 200 E. Kenedy for climate-controlled storage. He plans on retaining the existing building with only minor changes to the exterior and to renovate the interior to create individual storage units. The building formerly housed a furniture store which it's something permitted in the C2 Retail District. This location has a fair-sized parking lot on site. The building formerly sits as a furniture store and warehouse.

Commissioner Lopez asked if they will use the entire building? Mrs. Martin responded yes.

Mayor Fugate asked if notices were sent to those within the area. Mrs. Martin responded that notices were sent, and no complaints were received. Fugate further asked about parking. Mrs. Martin commented that she wasn't too sure about parking as this will be a park and go type of business as it will be a storage facility.

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 discussion or comments, Mayor Fugate closed this public hearing at 5:05 p.m.

### III. Reports from Commission & Staff.<sup>2</sup>

*"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."*

Mr. Mark McLaughlin, City Manager reported that the Commission has received copies of the Budget and Investment Reports. Both reports were reviewed by their respective committees. Overall the City of Kingsville's budget is in good standing as of December 31<sup>st</sup>, 2019. He further stated that there will be some big purchases occurring in the month of February 2020.

Commissioner Hinojosa thanked the City Manager for his response on questions he had about the budget.

Commissioner Pecos commented that it is great that the city is doing well.

Mr. McLaughlin continued his report to the Commission. He spoke about some Engineering projects, one being the South and North Wastewater Plant and how to go about connecting the two together. He further talked about the sidewalk condition in front of El Pastel Bakery and not being ADA Compliant. Staff has figured out that this sidewalk is a city sidewalk therefore, staff will be looking into bringing it up to compliance. This bakery is a bakery that is frequently visited by the citizens. McLaughlin further reported that the Human Resources Department is working on making an offer for the Solid Waste Supervisor to Mr. Derald Mills. It is believed that Mr. Mills will be accepting the position. Mr. McLaughlin continued with his report stating that the pens at the J.K. Northway Exposition Center have been placed and after being moved several times, it was his determination to have them set and not be moved any further. He further stated that TCEQ did a Landfill inspection and has received a passing grade.

Mrs. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for February 10, 2020. The deadline for staff to submit agenda items for consideration on February 10<sup>th</sup> will be due on Friday, January 31<sup>st</sup>. Mrs. Alvarez further mentioned that with regards to the public hearings scheduled for this meeting, there has

been a switch in the property owner list that received letters. The property owner list for public hearing #1 belongs to public hearing #2 and vice-versa.

Commissioner Leubert commented that she would like an update on property located at 213 W. Santa Gertrudis. This was a property that was condemned but then granted time to make repairs. She would also like an update on the old hospital and where does staff stand on that grant.

#### IV. Public Comment on Agenda Items.<sup>3</sup>

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

No public 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 Pecos to approve the consent agenda as presented, seconded by Commissioner Leubert. 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 2019-2020 budget to setup the budget for the new Parks division for Youth Baseball and Softball League to be run by the City of Kingsville. (Parks Director).**
2. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Section 15-6-21-Definitions to include a definition for "climate-controlled self-storage". (Interim Director of Planning & Development Services).**
3. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 6- Zoning, Appendix A-Land Use Categories to add "climate-controlled self-storage". (Interim Director of Planning & Development Services).**
4. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 75, 76, 302, & 303, adopting the 2018 versions of the International Residential Code for One-and-Two Family Dwellings, the Mechanical Code, the Fuel Gas Code, and the Plumbing Code. (Interim Director of Planning & Development Services).**
5. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 36, 37, 40, & 43, adopting the 2018 version of the International Fuel Gas Code. (Interim Director of Planning & Development Services).**
6. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 135 & 136, adopting the 2018 version of the International Mechanical Code. (Interim Director of Planning & Development Services).**
7. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 21 & 22, adopting the 2018 version of the International Plumbing Code. (Interim Director of Planning & Development Services).**
8. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 402 & 403, adopting the 2018 version of the International Energy Conservation Code. (Interim Director of Planning & Development Services).**
9. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 151 &**

152, adopting the 2018 version of the International Swimming Pool and Spa Code. (Interim Director of Planning & Development Services).

10. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Section 15-1-156, adopting the 2017 Edition of the National Electric Code. (Interim Director of Planning & Development Services).
11. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Sections 1 through 99, adopting the 2018 version of the International Property Maintenance Code. (Interim Director of Planning & Development Services).

### REGULAR AGENDA

#### CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

#### VI. Items for consideration by Commissioners.<sup>4</sup>

12. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit for daycare use in R1 (Single Family District) at 324 E. Corral, Kingsville Texas, also known as Young Terrace, Block 2, Lot 9 & 10. (Interim Director of Planning & Development Services).

Introduction item.

13. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Mary and Warren Allen for property located at 311-313 E. Kleberg Avenue, Kingsville, Texas. (Interim Director of Planning & Development Services).

Mrs. Martin reported that Mary and Warren Allen have submitted a façade grant application for the building at 311-313 E. Kleberg requesting a grant amount of \$20,000 to replace the roof. Façade grants are meant to be a 50/50 reimbursement match on a dollar for dollar basis and generally not exceed \$20,000 subject to availability of budgeted funds, unless otherwise approved by City Commission. The cost for replacing the existing roof is estimated at \$41,611.30, which is a quote from Gillespie Roofing Company.

Commissioner Hinojosa asked if staff was using the same procurements, which is having the requestor get more than one bid.

Mrs. Martin responded that it is not a requirement to receive more than one bid, although the requestor will be getting another bid from a company based out of San Antonio.

**Motion made by Commissioner Leubert to approve the resolution approving an application and agreement for the Historic District Façade Grant Program from Mary and Warren Allen for property located at 311-313 E. Kleberg Avenue, Kingsville, Texas, seconded by Commissioner Pecos and Commissioner Lopez. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

14. Consider a resolution of the City of Kingsville, Texas regarding Several Policies and Resolutions such as Designation of Signatories, Civil Rights, Citizen Participation Plan, Section 3, Excessive Force, Section 504, Fair Housing, and Code of Conduct Policies for TXCDBG Compliance (Main Street Grant #7219192). (City Engineer).

Mr. Rudy Mora, City Engineer stated that this is part of the grant requirements the City will need to approve a resolution for the following contractual documents: A201, Resolution Authorizing Signatories; A202, Depository/Authorized Signatories Designation Form; A1014, Resolution Regarding Civil Rights; A1013, Citizen Participation Plan; A1002, Section 3 Policy; A1003, Excessive Force Policy; A1004, Section 504 Policy against Discrimination based on Handicap and Grievance Procedures; A1010 Over 5% Limited English Proficiency Plan; A1015, Fair Housing Policy; Code of Conduct Policy of the City of Kingsville; and Proclamation of April as Fair Housing Month. The City applied for a downtown grant for improvement along 7<sup>th</sup> Street between Kleberg Ave. and Yoakum Ave. These improvements include new sidewalks, steps, ADA accessibility lighting and drainage improvements. The construction cost is estimated at approximately \$350,000. The grant will total \$350,000 and the City will provide a cash match of \$34,000 and \$36,000 of in-kind services by the Engineering Department. It is staff recommendation for this item to be approved.

**Motion made by Commissioner Leubert to approve the resolution of the City of Kingsville, Texas regarding Several Policies and Resolutions such as Designation of Signatories, Civil Rights, Citizen Participation Plan, Section 3,**

Excessive Force, Section 504, Fair Housing, and Code of Conduct Policies for TXCDBG Compliance (Main Street Grant #7219192), seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

15. Consider introduction of an ordinance amending the Fiscal Yearj 2019-2020 budget to set up the budget for the newly awarded Main Street Grant #7219192 from CDBG through the Texas Department of Agriculture for sidewalks. (Interim Director of Planning & Development Services).

Introduction item.

16. Consider a resolution authorizing the Mayor to enter into an Amended Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Veterinary Technology Training Program. (Com. Leubert/City Manager).

Commissioner Leubert commented that the interlocal agreement will allow animals being held under the Vet Tech Program to be transferred to an animal rescue groups after processing the appropriate paperwork by the City-County Health Department. This would take place onsite of the Vet Tech Program.

**Motion made by Commissioner Pecos to approve the resolution authorizing the Mayor to enter into an Amended Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Veterinary Technology Training Program, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

17. Consider a resolution authorizing the City Manager to enter into a new Lease Agreement between the City of Kingsville and Yamaha for L.E. Ramey Golf Carts and a Utility Cart, via BuyBoard as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the lease of 45 Yamaha Golf Carts and one service cart for driving range from Yamaha Golf Cart Company for the L.E. Ramey Golf Course. The existing golf carts are at the last year of end of lease and need repairs or replacements. The new Golf Carts come with a 5-year warranty on the chassis and mechanical components will replace the existing golf cards which just this year alone have anticipated over \$4,000 in repairs.

Commissioner Hinojosa commented that this may be a good time to go back and review the Golf Course fees and possible implement an increase on the fees. He also commented that he has spoken with the City Manager who will be doing a study of the surrounding areas to see if we are compatible with them.

**Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into a new Lease Agreement between the City of Kingsville and Yamaha for L.E. Ramey Golf Carts and a Utility Cart, via BuyBoard as per staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".**

18. Consider out-of-state travel for Commission and staff to attend the ICSC Retail Conference from May 17-19, 2020 in Las Vegas, Nevada. (City Manager).

Mayor Fugate commented that he is not sure that he would be attending the conference this year. Although City Manager and EDC Director would be attending.

Mr. McLaughlin stated that they have reached out to Arron Farmer with Retail Coach who has gotten back to him with a list of business owners of businesses that he would like to recruit to Kingsville.

Commissioner Hinojosa commented that if the Mayor does not attend, then the opportunity should be passed on to the Mayor Pro-tem, providing that there is enough money in the budget.

Commissioner Leubert commented that generally anyone from the Commission would be able to attend this conference. Although it is generally attended by the Mayor, City Manager, and EDC Director.

**Motion made by Commissioner Pecos to approve the out-of-state travel for Commission and staff to attend the ICSC Retail Conference from May 17-19, 2020 in Las Vegas, Nevada, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

**19. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6, Traffic Control Devices, providing for a University Residential Parking District. (City Attorney).**

**Motion made by Commissioner Hinojosa to eliminate all the signs and place a parking sign that states "Residents Parking Only" and "No Student Parking Allowed" and notify the University about what the City is doing and the student will be fined if they park within this area.**

Mayor Fugate made a comment to Mrs. Alvarez stating that the motion made by Commissioner Hinojosa is changing the ordinance and would require two readings.

Mrs. Alvarez responded that we would need to introduce a different ordinance as it is a drastic change from what it is, and staff would need to think about the enforcement aspect.

Commissioner Leubert commented that there is no way to tell from a resident parking to a student that is parking within the area. She further stated that it is a good idea in theory...

Commissioner Hinojosa commented to the Mayor that there was a motion made.

Commissioner Leubert further commented that this would be very difficult to follow-up on that.

Commissioner Hinojosa responded no, but it would be costly to get some....

Mayor Fugate stated that he understands that Commissioner Hinojosa has a motion on the table, but technically it would need to be an introduction item as the ordinance is being changed. To change an ordinance, it would require the introduction of the ordinance then the final passage. Mayor Fugate commented that it would be cleaner if the Commission pass this for the night then revisit it later.

**Commissioner made a motion to accept the ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6, Traffic Control Devices, providing for a University Residential Parking District, seconded by Commissioner Pecos.**

Mayor Fugate asked Commissioner Hinojosa if he was going to be withdrawing his motion?

Commissioner Hinojosa responded yes.

Mayor Fugate continued by stating that there was motion made by Commissioner Leubert to approve this ordinance and seconded by Commissioner Pecos. He further asked for any other discussion.

Commissioner Lopez asked if this was where the residents a sticker and how much would that cost us.

Mr. McLaughlin responded that he is not aware of what the cost would be.

Commissioner Lopez further asked how they will proof that live in that area. Will they use a water bill, and has staff thought all this out already?

Mr. McLaughlin commented that they don't have those details yet. Further comments were made by Mr. McLaughlin that were not picked up on the audio.

Commissioner Leubert commented that if we can get started on this, then we can figure it out as no one has been able to park there yet. She further stated that some discussion has taken place with the City Attorney and the City Manager about having simple placards that people would be able to put on their car as needed. She further stated that she doesn't think the cost is going to be great. She further stated that this happens in areas such as New Braunfels near Schlitterbahn Water Park and around some Universities located in different cities. She also stated that this is not as we would be reinventing the wheel.

Mayor Fugate commented that he understands that there is a situation in this area that needs to be addressed. He further stated that he would like to ask Commissioner Leubert and Commissioner Pecos if they would reconsider as he doesn't feel as if we are ready for this. He further stated that he doesn't want to vote against it, but he is not ready.

Commissioner Leubert commented that if maybe the Commission should table the item until staff gets the rest of the information figured out.

Commissioner Lopez commented that she does not have enough information as the type of questions that have been asked.

Commissioner Hinojosa commented that maybe a workshop would be in order.

Mayor Fugate asked for guidance from Mrs. Alvarez.

Mrs. Alvarez asked if we were withdrawing the motion and the second.

Commissioner Leubert responded yes. She further stated that maybe what can be done is get a consensus from the Commission what they feel like would answer their questions and get with Mrs. Alvarez and the City Manager.

Mayor Fugate commented that once this item is voted and its voted against the approval, it would not be back for six months.

Commissioner Pecos commented that he will withdraw his second to Commissioner Leubert motion.

Commissioner Hinojosa asked if staff could get the residents involved as he is not aware if staff sent them a letter as they need to know what they are up against. They need to know what side of the street they will be able to use for parking. He stated that these individuals need to be sent a letter so that they can get involved so that they can come to the meetings. If they don't come, that would be up to them.

No action taken on this item.

**20. Discuss and consider authorizing preparation of charter amendment proposals from the Charter Review Committee. (City Attorney).**

Mrs. Alvarez stated that at the last meeting the Commission received the proposals that had been voted on by the Charter Review Committee. The Commission had some suggested changes with regards to two of the proposed items. With regards to the change listed as Proposal 1, the staggering that was in the last agenda packet has been removed, so it would just be 4 years the way that it currently is with everybody running at-large with regards to Commission positions. Every 4 years the Commission as well as the Mayor would run for 4 years without it being staggered. This would make it in having an election every 4 years verses every 2 years. She further stated that there wasn't a consensus with regards to a change on number 2, so it remains the same. With regards to Proposal 3, there was a consensus, based on the discussion to keep the language about not being in arrears in the Charter. She further stated that everyone was in agreement with the other change for continue compliance with State Statue and no recommendations with regards to items 4 and 5. She further commented that hopefully this is a representative of what a consensus of what the Commission had desired to have done at the last meeting.

**Motion made by Commissioner Hinojosa on the proposals, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

**21. Discuss County's EPA grant and JK Northway status. (City Manager).**

Mr. McLaughlin stated that Kleberg County Judge Rudy Madrid invited himself and Mr. Manny Salazar, EDC Director over to his office to meet with George who is an Engineer and Architect that the County has hired from the Valley. McLaughlin stated that Judge Madrid has commented that the JK Northway was a two-phase project. Phase 1 being an Emergency Operation Center but with an EDC part that requires it to be in there. Phase 2 would be the entertainment side such as rodeos, stock shows, concerts etc.... This is where he needs help with our Tourism Department to manage it, so he was thinking of a two-phase approach. McLaughlin further stated that what Judge Madrid wanted to mainly speak about was Phase 1, getting the EOC funded. He further stated that Judge Madrid had asked the City Manager what his feel was of all this, City Manager stated that he responded that the City of Kingsville has an Interlocal Agreement which states that the JK Northway is under the stewardship of the City of Kingsville and as everyone wants to see the JK Northway succeed, we would still need to comply with the regulations spelled out in the interlocal agreement. Mr. McLaughlin stated that he further mentioned that it would be good if these ideas that are going on at the County would be presented to the City Commission so that the City Commission is aware of what they are approving or disapproving.

Mayor Fugate asked if the City has received a copy of the grant? Mr. McLaughlin responded that he did receive a copy of the grant. Mayor Fugate asked how long ago this was.

Mr. McLaughlin responded that it was about two weeks ago. He further stated that if it required to have an EDC out there would this mean that the city would have to man it. He stated that he thinks the consensus was that it would just have to be that if people walked in there, they would see information about economic development. He stated that after the meeting with the Judge was over, he emailed Judge Madrid stating that we would need to comply with the interlocal agreement and let the Commission know what is going on. Currently, we are trying to schedule a joint workshop between both City and County.

Mayor Fugate asked if Judge Madrid had already hired an architect. Mr. McLaughlin responded yes. Mayor Fugate commented that he has a problem with that. Mr. McLaughlin commented that the Judge can do whatever he wants, but he would not be allowed to turn one spade of dirt without the approval from the City. McLaughlin further stated that from his understanding, the Judge has reached out to an attorney to look at all interlocal agreements and the Judge is now asking for us to have a joint meeting. A date was proposed, but the date that was proposed had to be rescheduled as the County Commissioners will be leaving for training in College Station. Staff is currently working with the Judges office on setting a date for the joint workshop.

Commissioner Hinojosa commented that it seems to him that the County is trying to take over the JK Northway and he is not ready to turn over the JK Northway to the County.

Mayor Fugate commented that he doesn't think that this is the County's intention, but rather partner with the City which would not be a bad idea. He further commented that he has commented this during a County Commissioner's meeting that this is not only going to be a partnership that deals with renovating the JK Northway, it is going to be partnership that operates the JK Northway. They will be spending money on the day to day operations of that facility. Fugate further stated that he has mentioned to the County that the City will not relinquish control of the JK Northway until we are satisfied that this is a good project and it will be well funded. He further stated that the city will not have people that the Commission has not approved in being the architect or contractor. Fugate commented that the County must get the City involved in this, but they have left us out of it.

Mr. McLaughlin commented that the Phase 2 needs to be in the discussion now as well because the in the Phase 2 for the entertainment, they have a belief that the City's Tourism Department is going to be relocated or run it for the County.

Mayor Fugate commented that the Tourism Department is a department of the City of Kingsville and will always be part of the City of Kingsville and this will not change, which has also been told to the County as well.

Commissioner Hinojosa commented that what the County is looking at is the Hotel Occupancy Tax (HOT Tax). He further stated that when it came down to the budget, we gave them \$600,000 without ever asking for any documentation. This would have been a good time to ask for a copy of the grant.

Commissioner Leubert asked the Commission to firm down a date for the Joint Workshop and present it to the County.

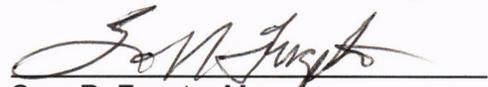
It was the Commissions consensus to propose February 18<sup>th</sup> at 5:00 p.m. for a Joint City/County Workshop.

Mayor Fugate stated that the City has a capacity of \$2 million dollars, and if for some reason the City gets passed over again, the City needs to figure out what is the next step for our money and see what project we would like to do out there.

Mr. McLaughlin commented that he will review the grant in the upcoming days.

#### VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:55 P.M.

  
Sam R. Fugate, Mayor

#### ATTEST:

  
Mary Valenzuela, TRMC, CMC, City Secretary