

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 28, 2021 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  
Hector Hinojosa, Commissioner  
Norma N. Alvarez, Commissioner  
Edna Lopez, Commissioner  
Ann Marie Torres, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Kyle Benson, IT Manager  
Derek Williams, IT  
Bill Donnell, Public Works Director  
Diana Gonzales, Human Resources Director  
Rudy Mora, Engineer  
Uchechukwu Echeozo, Director of Planning & Development Services  
Ricardo Torres, Chief of Police  
Susan Ivy, Director of Parks & Recreation  
Debra Balli, Finance Director  
Alicia Tijerina, Interim Downtown Manager

**STAFF PRESENT VIA CONFERENCE CALL OR VIDEO STREAM**

Emilio Garcia, Health 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 Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting-June 14, 2021**

Mrs. Mary Valenzuela, City Secretary stated that a correction needed to be made to the minutes of June 14, 2021. Page 3, last paragraph second line, Commissioner Lopez comment should read as "doing illegal acts would not happen". The word "not" was omitted accidentally from her comment.

**Motion made by Commissioner Lopez to approve the minutes of June 14, 2021, with the correction mentioned, seconded by Commissioner Hinojosa and Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".**

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of the Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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



**1. Public Hearing on a request for a Special Use Permit for Package Liquor Store use at Cadillac Terrace, Block 1, Lots 8-17, South 10' of Lot 7, and Part Alley, (Sundial Plaza) also known as 1010 S. 14<sup>th</sup> St., Kingsville, Texas. Patel & Smith, LLC, applicant; Sundial Plaza LLC, owner. (in C2 Retail District) (Director of Planning & Development Services).**

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

Mr. Uchechukwu Echeozo, Director of Planning & Development Services stated that a request was received for a Special Use Permit for Package Liquor Store at this location. After looking at the current zoning for this location, it was revealed that the property is zoned C2, Retail District, which does not allow for such business except under a Special Use Permit. The Planning & Zoning Commission has met on this item on June 16, 2021, where they approved the recommendation for a Special Use Permit. No complaints were received from those who received notice.

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.

Mr. Daniel Gonzales, 5509 Banaza Drive, Corpus Christi, TX, Attorney representing the business commented that this will be a benefit to the Community.

There being no further comments, Mayor Fugate closed this public hearing at 5:06 p.m.

**2. Public Hearing on request to replat KT&I Co., Block 21, SW Pt Lot 11, acres 1.0; KT&I Co., Block 21, SW Pt Lot 11, acres 2.0; KT&I Co., Block 21, SW Pt Lot 11, acres 1.0 also known as 4100 S. 6<sup>th</sup> Street, Property ID 36942, and 268 E. Escondido Rd., Kingsville, Texas (off Escondido Road near South 6<sup>th</sup> St. across from Dick Kleberg Park). John and Velinda Sanchez applicants/owners. (Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:06 p.m.

Mr. Uchechukwu Echeozo stated that the applicant approached his department asking to replat several properties zoned at R1, Single Family Residential. At this time, the three properties, which are owned by the same owner, are not regularly shaped. The applicant would like to subdivide the three lots into three more regular lots, which will allow them to enable a more orderly development. The Planning & Zoning Commission met on this item on June 16, 2021, where they voted unanimously to approve the recommendation for a replat.

Mayor Fugate asked if there were any complaints received from the surrounding properties.

Mr. Echeozo responded that no complaints were received.

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

There being no further comments, Mayor Fugate closed this public hearing at 5:08 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 waterline on West Sage Road has been completed and is currently in disinfection mode. After that process, the cross-connects will be done for the five drops. He further reported that the Street Department is currently working on pothole blitz and catching up on some mowing throughout the city.



Mr. McLaughlin further stated that the 2020 Annual Water Quality Report will be mailed to citizens in the next few days.

Commissioner Lopez asked if staff had a date as to when they would be mowing Caesar's ditch, as the ditch is overgrown.

Mr. McLaughlin responded that as of today there is no date as to when that will be done, as the staff is using the same mower at this time for the ditch by Texas A&M University-Kingsville.

Mr. William Donnell, Public Works Director commented that his staff may be able to get to it sometime this week.

Commissioner Torres asked if staff had a list of street repairs and of mowing areas, that could be provided to the City Commission so that when they receive a call from a citizen, they already have that information.

Mr. McLaughlin responded that it is not as easy as saying that certain ditches will be mowed on certain days, as there are miles of right-of-way that the city has to mow.

Mr. Donnell stated that his staff tries to mow everything as quickly as possible, but there are a lot of rights-of-way that are mowed including the creeks. He further stated that his staff tries to focus on the highest pedestrian traffic areas first, but with the rain received today and what is being predicted to be received tomorrow, staff may not be able to do any mowing.

Commissioner Lopez asked if staff needs to rent the machinery that is used when they block off Caesar Street.

Mr. Donnell responded that is a long reach trackhoe that is used to clean the ditch, but staff will not be renting this machine at this time.

Mr. McLaughlin commented that the city does have a boom shredder that can hand off the edge, which is what staff uses to mow with, but it just received some repairs.

Commissioner Lopez further stated that the reason she is asking is that once staff mows, all the clippings will be going into the ditch which will not allow the water to flow properly.

Commissioner Torres asked if staff is mailing notices to citizens that have overgrown grass?

Mr. McLaughlin responded that is something that is taken care of by the Code Enforcement Department, and they do send those types of notices out. He further commented that two weeks ago Code Enforcement mailed out 180 notices in just one week.

Commissioner Alvarez asked about the ditch on Sage Road west, is that the city's obligation to mow that ditch? Mr. Donnell responded that the ditch is the city's responsibility to maintain that ditch.

Mayor Fugate commented that he has lived in Kingsville his entire life and he has never seen this much rain received as we have received this year alone. He further commented to Mr. Donnell that he and his staff are doing a great job in trying to keep up with everything that is going on this year.

Commissioner Lopez commented that yes, the staff is doing a good job, but she receives a lot of questions and wants to make sure that she has the answers for those questions.

Mrs. Courtney Alvarez, City Attorney reported that city offices will be closed on Monday, July 5<sup>th</sup> in observance of the 4<sup>th</sup> of July holiday. She further stated that the next scheduled Commission meeting is for July 12<sup>th</sup> with a deadline for staff to submit their agenda items by Friday, July 2<sup>nd</sup>. Mrs. Alvarez further announced that a correction on agenda item #14 needs to be mentioned. The dollar amount noted should read as \$1,137.00.

Commissioner Alvarez asked when it is being anticipated to open the City Commission meetings to the public in person. Is this something that would need to be placed on the agenda for Commission approval?

Mrs. Alvarez responded that part of the emergency resolution that was approved in March 2020, involved following the Governor's order that he has had in place and is being renewed monthly about having part of the Texas Open Meetings Act suspended so that



people may participate virtually. If the Commission desires to change part of the emergency resolution, then it would require an amendment to the current resolution.

Commissioner Hinojosa asked that if a citizen comes into the meeting, they will not be turned away?

Mrs. Alvarez responded that staff has not turned anyone away when attending the meeting, and we have had some that show up and are allowed to stay.

Mayor Fugate commented that it is up to the Commission to decide, but he has no feeling of it one way or the other. He further stated that the resolution can be revised and brought forward to the Commission at the next meeting for consideration.

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

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

No public comments were made or received.

#### V.

##### Consent Agenda

##### Notice to the Public

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

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

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

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

**1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for Light Manufacturing Processes which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and is not classified as hazardous use (Recycling Center) at 4<sup>th</sup>, Block 2, Lot 1-3, also known as 708 South 6<sup>th</sup> Street, Kingsville, Texas; amending the comprehensive plan to account for any deviations from the existing comprehensive plan; providing for publication. (in C4 Commercial District) (Director of Planning & Development Services).**

**2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to expend grant funds from BJA-2021 Southwest Border Rural and Tribal Assistance Program for (2) automated license plate packages and a Rapiscan detection unit. (Police Chief).**

**3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to transfer cash match funds on the (4) Texas Water Development Board projects and the (2) Texas General Land Office grants for city-wide wastewater collection system & drainage system improvements. (City Engineer).**

#### REGULAR AGENDA

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

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

**4. Consideration and approval of a resolution by the City Commission of the City of Kingsville, Texas authorizing execution of grant agreements with the Texas Water Development Board. (Finance Director).**

Mr. Matt Luhan of Estrada Hinojosa gave a brief report on the Plan of Finance for \$3,358,000.00 Certificates of Obligation, Series 2021 (TWDB – Flood Infrastructure Fund). Mr. Luhan reported that this is going to be like the presentation given at a previous Commission meeting. He further stated that the assumption for the Flood Infrastructure Fund Program is the City of Kingsville applied to the TWDB FIF program



and received \$6,200,000 of total projects (\$3,358,000 loan, \$2,666,000 grant & \$176,000 City Contribution. The breakdown is as followed: Location 1, \$754,000 loan/\$602,000/\$44,000 City Contribution; Location 3, \$811,000 loan/\$645,000 grant/\$44,000 City Contribution; Location 4, \$1,039,000 loan/\$817,000 grant/\$44,000 City Contribution; Location 7, \$754,000 loan/\$602,000 grant/\$44,000 City Contribution. Loans are 0% interest over 30 years and will be considered taxable.

Mayor Fugate asked Mr. McLaughlin how quickly he anticipates spending this money.

Mr. McLaughlin responded that staff already has the engineering firm identified so this is next to fiscal year money so it will go out to start the engineering design work. He further stated that the contractor that was selected by the Commission a few months ago already has the records from the Kimley Horn Study which was the drainage project. He also stated that this is addressing items 1,3,4, & 7 of the original 9 listed projects, then the rest of the GLO grant that came behind it, \$36 million, staff increased the 9 project areas to 14 so between this money and the GLO, staff will be doing all the projects, but will start to be let next year.

Mr. Luhan commented that there will be four separate escrow accounts associated with the four projects for each of the grants, and they will be spent after the loan has been drawn down with the grant being the last portion to be spent from the total project fund.

**Motion made by Commissioner Alvarez to approve this resolution authorizing execution of grant agreements with the Texas Water Development Board, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

**5. Consideration and approval of an ordinance authorizing the issuance of "City of Kingsville, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Taxable Series 2021"; approving the terms of a resolution of the Texas Water Development Board approving an application for financial assistance, a paying agent/registrar agreement, and an escrow agreement; and making other provisions regarding the certificates and other matters related thereto. (Finance Director).**

Mr. Luhan stated that TWDB FIF payments will start next fiscal year and will be shown in the tax rate impact analysis, but these will be funded through the drainage fee. Tax rate impact analysis shows the total debt service of the existing debt which includes the 2021 Tax Notes and 2021 Refunding that was done a few months ago. It will also show the TWDB FIF payments which are \$112,000 annually. Mr. Luhan further stated that what was also included in the Private Placement Memorandum, which is the documents used to purchase the bonds from the Texas Water Development Board.

**Motion made by Commissioner Torres to approve the ordinance authorizing the issuance of "City of Kingsville, Texas Combination Tax and Subordinate Lien Revenue Certificates of Obligation, Taxable Series 2021"; approving the terms of a resolution of the Texas Water Development Board approving an application for financial assistance, a paying agent/registrar agreement, and an escrow agreement; and making other provisions regarding the certificates and other matters related thereto, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

**6. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for Package Liquor Store use at Cadillac Terrace, Block 1, Lots 8-17, South 10' of Lot 7, and Part Alley, (Sundial Plaza) also known as 1010 S. 14<sup>th</sup> St., Kingsville, Texas. (in C2 Retail District) (Director of Planning & Development Services).**

Introduction item.

**7. Consider the request to replat KT&I Co., Block 21, SW Pt Lot 11, acres 1.0; KT&I Co., Block 21, SW Pt Lot 11, acres 2.0; KT&I Co., Block 21, SW Pt Lot 11, acres 1.0 also known as 4100 S. 6<sup>th</sup> Street, Property ID 36942, and 268 E. Escondido Rd., Kingsville, Texas (off Escondido Road near South 6<sup>th</sup> St. across from Dick Kleberg Park). John and Velinda Sanchez applicants/owners. (Director of Planning & Development Services).**

Mayor Fugate commented that this location is on the corner and is an odd-shaped lot and further asked if the applicant is looking to place a convenience store on the corner?

Ms. Alvarez responded that four lots are odd-shaped, but the applicant is looking to reshape the four lots.

Commissioner Hinojosa commented that he was not able to find the owner for lots 15599 and 42864.

Mr. McLaughlin responded that the three lots are owned by the same owner.

**Motion made by Commissioner Lopez to approve the request to replat KT&I Co., Block 21, SW Pt Lot 11, acres 1.0; KT&I Co., Block 21, SW Pt Lot 11, acres 2.0;**



KT&I Co., Block 21, SW Pt Lot 11, acres 1.0 also known as 4100 S. 6<sup>th</sup> Street, Property ID 36942, and 268 E. Escondido Rd., Kingsville, Texas (off Escondido Road near South 6<sup>th</sup> St. across from Dick Kleberg Park). John and Velinda Sanchez applicants/owners, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

**8. Consider accepting a donation from the Brookshire Foundation for Parks recreational programming and equipment. (Parks Director).**

Mrs. Susan Ivy, Parks & Recreation Director stated that the Brookshire Foundation has donated to the Parks Department for an amount of \$13,432.15 for recreational needs. The donation will be distributed to the following funds: Minor Equipment 4513-21700 for \$3,130.00; Swim Team 4513-31497 for \$1,000.00; Track Team 4513-31496 for \$1,000.00; Recreational Programs 4513-31499 for \$5,302.15; and Youth Pony League 4514-21700 for \$3,000.00. Staff recommends approval of this donation.

**Motion made by Commissioner Lopez to approve and accept the donation from Brookshire Foundation for Parks recreational programming and equipment, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".**

**9. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations from the B.C. & Addie Brookshire Foundation for assistance with recreational programming and equipment for the Parks Department. (Parks Director).**

Introduction item.

**10. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional health care costs for staffing changes. (Parks Director).**

Mrs. Ivy stated that the line item for Park Maintenance was underfunded due to a change in staffing in the latter part of the fiscal year last year. She further stated that one of her full-time employees retired late in the year last year after the budget had been finalized. He had elected earlier to stop using City Health Insurance when his wife passed away earlier in the year. When staff replaced him after the fiscal year started, the new employee accepted the health insurance option and increased the health insurance line item. The budget amendment amount needed is \$4,700.00.

Introduction item.

**11. Consider City sponsorship of additional parades and events in FY20-21. (Tourism Director).**

Mrs. Alicia Tijerina, Interim Downtown Manager stated that this is a request for the Commission to waive the street closing fees and support costs for the attached listing of parades and events for the remainder of this fiscal year. The total parade/event costs to the city for the remainder of FY 2020-2021 is \$1,674 of which \$150 are street closing fees.

Commissioner Torres asked if what staff is asking is to waive the \$1,600 for the street closure?

Mrs. Tijerina stated that the street closure is only \$150 for the concert with other fees being for barricades for \$1,020 for the parade, which will only be two barricades as they want to switch the concert stage from 8<sup>th</sup> Street and Kleberg to 7<sup>th</sup> Street and Kleberg, with only the 300 block of East Kleberg being closed. Therefore, the barricades placed for the parade will be left for the concert which will take place the following day.

Commissioner Alvarez asked if what staff was asking for is an additional \$1,600 to cover these expenses.

Mr. McLaughlin responded that it is an in-kind service as it is the City's event.

Commissioner Alvarez further asked why this item would require Commission approval.

Ms. Alvarez responded that at the beginning of the fiscal year, the Downtown Manager would present a list, in conjunction with Tourism, of different community events that the city would be participating in. The city participates in these events in such as placing barricades and trashcans in the event area. The list at the beginning of the year has a breakdown of the events and the in-kind contributions. This is not anything paying out of the general fund, it is just absorbing the additional cost that we would not have if the events were not being participated by the city. This event was not known at the time the original one was passed, therefore making this event to be added.

Commissioner Torres asked if the concert was a city concert?

Mrs. Tijerina responded that the concert is being put on by a private entity which is a free concert to the public.



**Motion made by Commissioner Lopez to approve the city sponsorship of additional parades and events in FY20-21, seconded by Commissioner Alvarez.**

Commissioner Alvarez asked about overtime for those employees that assist with this event.

Mr. McLaughlin stated that the employee will do their timesheet and if it is determined that they did hit overtime, then he has an overtime budget for situations like this.

**The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

While taking the rollcall vote, Commissioner Torres stated that she would like to comment on the record and stated the following, she has problems and issues with the private entity section and monies and so forth, which is something she will address with the City Manager.

**12. Consider accepting in-kind donation from Big House Burger for Wine Walk Sip & Shop events. (Tourism Director).**

Mrs. Tijerina stated that Wine Walks will begin monthly. Big House Burgers has offered to provide in-kind services and staff to help benefit the event. They will provide the TABC license, purchase the beverages, and provide staff to assist with pour stations that must be staffed by TABC Certified individuals. She further stated that a waiver of \$1,500 for TABC Permit and \$1,200 TABC for Certified Staff. The financial impact of Big House Burgers donations produces a savings of approximately \$2,700 for the event series.

**Motion made by Commissioner Alvarez to approve the acceptance of in-kind donation from Big House Burger for Wine Walk Sip & Shop events, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR",**

**13. Consider accepting in-kind donation from Stef & Bec's Boutique and from Ultra Screen Printing for t-shirts for Tourism. (Tourism Director).**

Mrs. Tijerina stated that the Tourism Department has set a goal to expand on its merchandise line and incorporate locally produced boutique-quality merchandise. During planning the first line of shirts, both local companies have offered a donation of their products and time. The total value of the in-kind donations are as follows, Stef & Bec's Boutique for \$497.00 and Ultra Screen Printing for \$640.00. The financial impact is approximately \$25.00 per shirt after the cost of the sale and sales tax, for a total of revenue of approximately \$4,000.

**Motion made by Commissioner Lopez to approve the acceptance of in-kind donation from Stef & Bec's Boutique and from Ultra Screen Printing for t-shirts for Tourism, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".**

**14. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend in-kind services from Big House Burgers for TABC expenditures of \$2,700 for the Sip and Shop event and Stef and Bec's Boutique along with Ultra Screen Printing for Merchandise costs of \$1,1237 for custom shirts. (Tourism Director).**

Ms. Alvarez commented that the dollar amount for this item should read \$1,137.00.

**Introduction item.**

**15. Consider a resolution amending the City of Kingsville Administrative Policy #731-Flex Leave. (Human Resources Director).**

Mrs. Diana Gonzalez stated that on June 17, 2021, a bill was signed into law making June 19<sup>th</sup> a national holiday (Juneteenth National Independence Day). The speed at which the bill was signed into law was unanticipated by most local, state, and federal agencies. Staff views the new national holiday as a positive occurrence and is proposing a method of providing employees with leave time to recognize the significance of the new holiday. AS the holiday was not part of the approved holiday list, the day could not be observed as an eligible authorized holiday, so an alternative method is proposed. To allow employees the opportunity to take leave in recognition of June 19<sup>th</sup>, Staff is proposing to amend the existing Flex Leave policy to include a one-time occurrence. The proposal would provide All employees with a one-time allowance of either 8 hours for full-time employees or 4 hours for part-time employees. In addition, removing the date by which Flex Leave must be utilized and/or forfeited will allow employees and departments greater latitude to schedule employee leave. This will provide employees with leave available immediately and provide Staff an opportunity to address additional employee benefits for Fiscal Year 2021-2022 in the upcoming weeks. Minimal to no additional cost as this would be a scheduling issue for



supervisors to ascertain sufficient staffing is available to conduct the duties of the respective departments.

Commissioner Hinojosa asked how this would affect both Kingsville Police Department and Fire Fighters.

Ms. Alvarez commented that they will also have use of the flex leave, which is why it is being proposed as such.

**Motion made by Commissioner Lopez to approve the resolution amending the City of Kingsville Administrative Policy #731-Flex Leave, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".**

**16. Consider a resolution nominating certain person(s) as a candidate for election to the Board of Directors for the Kleberg County Appraisal District. (City Attorney).**

Ms. Alvarez stated that every two years the city receives a packet from the Kleberg County Appraisal District for the city's nomination to the Kleberg County Appraisal District Board of Directors, which is what this item is for. She further stated that at a future meeting, sometime in the Fall, the city will receive the ballot and the Commission will then allocate their votes for their Board member or for other members that are on the ballot. The Commission has the opportunity tonight to look at the qualifications and have a discussion regarding who their nomination would be and do the nomination tonight. The Commission may also take some time to think about who would be qualified for the position or maybe check the qualifications of the nominee to make sure they meet the requirements, then bring this item back at a future meeting. Alvarez further stated that presently Al Garcia is the city's representative on the appraisal review board. Mr. Garcia has served for several years, whether he was on the City Commission or not.

Mayor Fugate asked if the city has enough votes to put one individual on this Board.

Ms. Alvarez responded that this is why the city puts, once the ballot comes out, all of its votes to its nominee, but this item is only to get the nominee's name on the ballot.

**Motion made by Commissioner Lopez to nominate Mr. Albert Garcia to represent the city on the Board of Directors for the Kleberg County Appraisal District, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting "FOR". Torres and Alvarez voting "AGAINST".**

**17. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the Personnel Exception, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).**

Mayor Fugate announced the executive session and convened the meeting into a closed session at 5:55 p.m.

Mr. Mark McLaughlin, City Manager entered the executive session at 5:55 p.m. then exited the executive session at 6:25 p.m.

Mrs. Diana Gonzales, Director of Human Resources entered the executive session at 6:32 p.m. and exited the executive session at 6:36 p.m.

Mr. Mark McLaughlin was called back into the executive session at 6:39 p.m. and exited the executive session at 6:42 p.m.

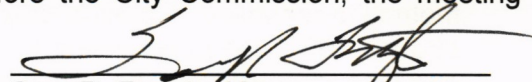
Mayor Fugate reconvened the meeting into an open session at 6:43 p.m.

**18. Consider action on City Manager contract compensation sections. (Mayor Fugate).**

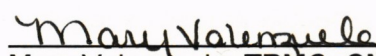
No discussion or action was taken on this item.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:43 p.m.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, TRMC, CMC, City Secretary