

AUGUST 9, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 9, 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
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner
Ann Marie Torres, Commissioner

CITY COMMISSION ABSENT:

Hector Hinojosa, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Deborah Balli, Finance Director
Rudy Mora, Engineer
Uchechukwu Echeozo, Director of Planning & Development Services
Ricardo Torres, Chief of Police
Susan Ivy, Parks & Recreation Director
Janine Reyes, Tourism Director
Alicia Tijerina, Interim Downtown Manager
Juan J. Adame, Fire Chief
Joseph Ramirez, Engineers Assistant

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 - July 12, 2021

Motion made by Commissioner Lopez to approve the minutes of July 12, 2021, as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

Regular Meeting - July 26, 2021

Motion made by Commissioner Lopez to approve the minutes of July 26, 2021, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR". Hinojosa "ABSTAINED".

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

1. None.

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."

Mr. Mark McLaughlin, City Manager reported that the Commission has received the proposed budget notebooks for Fiscal Year 2021-2022. He further reported that on August 10th all water tanks will be inspected. This will not cause any water disruption to anyone in the community.

Ms. Courtney Alvarez, City Attorney reported that the next regularly scheduled meeting is on Monday, August 23rd. The deadline for staff to submit their agenda items for this meeting is Wednesday, August 11th. She further reported dates for upcoming budget workshops, August 16th and August 17th, scheduled to begin at 4:00 p.m. Staff will be posting for a special meeting for August 24th, if it is needed. There will be a public hearing scheduled for September 7th for the proposed tax rate. The approval of the new budget and tax rate will be set for a meeting on September 13th.

Commissioner Alvarez asked if with Mayor Fugate signing an emergency order due to the health and safety of the citizens, can the mayor's order supersede a Governor's order and mandate mask for all schools in Kingsville?

Commissioner Hinojosa commented that a governor should not dictate what a city can or cannot do in its community.

Ms. Alvarez commented that with regards to Commissioner Alvarez's question, she would need to research that.

IV. Public Comment on Agenda Items.³

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

1. Motion to approve final passage of an ordinance by changing the zoning map in reference to Ronning 2, Block 1, Lots 7-12; Lund Addn, Block 5, Lots 10-14, W/2 15, E/2 15-18; Lund Addn, Block 6, Lots 15-28; Penny, Block 2, Lots 22-42; Ronning 2, Block 3, Lots 1-6; Lund Addn, Block 7, Lots 1-9; Lund Addn, Block 8, Lots 1-14; Penny, Block 1, Lots 1-21, Kingsville, Texas, From "R-2" Two-Family District to "C-2" Retail Commercial District; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (East King Ave. between 15th & 17th Sts.) (Director of Planning and Development).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend grant funding from the Ed Rachal Foundation Grant for Police Department equipment. (Police Chief).

3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration; providing for revision of Article 1-City Commission, Section 10-Agenda, to provide for electronic submission of comments. (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Discussion regarding the Coastal Bend Food Bank and its community outreach programs. (Mayor Fugate).

Mr. Robert Morales representative of the Coastal Bend Food Bank gave a brief presentation on the new build of the Coastal Bend Food Bank. He stated that the Food Bank assisted the Coastal Bend area this past year by distributing 13 million pounds of food with 36,000 pounds distributed in Kleberg County. For this year, the Food Bank has already distributed 900,000 pounds of food thus far. Mr. Morales stated that the Food Bank not only distributes food to the communities but also offers education on nutrition and diabetes.

Mr. McLaughlin asked where the new Food Bank would be located. Mr. Morales responded that the new building will be located near the West Oso School District area.

5. Consider approval of certification of 2020 excess debt collections and certification of 2021 anticipated collection rate. (Finance Director).

Motion made by Commissioner Hinojosa to approve the certification of 2020 excess debt collections and certification of 2021 anticipated collection rate, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

6. Consider accepting the 2021 certified total appraised assessed and taxable values of all existing and new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (Finance Director).

Motion made by Commissioner Hinojosa to approve the acceptance of the 2021 certified total appraised assessed and taxable values of all existing and new property in the City of Kingsville as certified by the Kleberg County Appraisal District, seconded by Commission Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

7. Consider proposed tax rate, if it will exceed the no-new revenue tax rate or the voter-approval rate (whichever is lower), take record vote, and schedule public hearing for September 7, 2021. (Finance Director).

Motion made by Commissioner Hinojosa, "I move that the proposed property tax rate be \$0.84000, and that one public hearing be set for September 7, 2021 at 5:00 p.m. at City Hall Community Room, 400 W. King Avenue, Kingsville, TX with additional funds to be used for city infrastructure upgrades, employee wages & benefits, and technology, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

8. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 Budget to accept and expend grant funds from the Assistance to Firefighters Grant Program for medical supplies. (Fire Chief).

Chief Adame stated that this grant was awarded in August 2020 and at that time they were not able to make purchases because of the lack of manufacture inventory. Since then, the supply chain has come back online and are now ready to make purchases and increase their inventory. He further stated that they need to continue to keep their inventory stocked to ensure that they meet the challenges of this pandemic. The Fire Department is requesting approval to amend the fiscal year 2020-2021 budget for \$18,697.35 to expend this amount to purchase medical supplies. Chief Adame did state that the grant requires a cash match for \$1,869.73. Chief Adame further commented that his personnel have been using Personal Protective Equipment for every call they tend to.

Introduction item only.

9. Consider historical photo project for the Municipal Building in downtown. (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that the City of Kingsville has a continued interest and effort in beautifying Main Street Kingsville. As part of that effort, Mr. McLaughlin recommended a photo project be installed at the Municipal Building along 6th Street in select indentations that are located where the building once had windows. A committee was formed to assess the financial impact and design of the project. The committee recommended gathering photos from King Ranch and Naval Air Station-Kingsville to showcase our city's history. In addition to photo placement, city staff recommends utilizing existing wiring from the ceiling to install lights to showcase the photos at night. The estimated financial impact is \$3,500 for lighting and \$4,500 for

image cost. The total of \$8,000 will be paid from the City Manager's account, which has already been earmarked.

Motion made by Commissioner Lopez to approve the historical photo project for the Municipal Building in downtown, seconded by Commissioner Hinojosa.

Mayor Fugate requested that a final version of the rendition be emailed to the Commission.

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

10. Consider city participation in the Douglass Youth Center Community Fair/festival and the HM King High School Homecoming Parade. (Interim Downtown Manager/Tourism Director).

Mrs. Alicia Tijerina, Interim Downtown Manager stated that this item is for a request of waiver of fees for the Douglass Youth Center Community Fair and H.M. King High School Homecoming Parade. The waiver for the Douglass Youth Center Community Fair would cover barricades, street closure event permit fee, trash, and recycling containers for an amount of \$156.00. It would also cover the waiver of fees for \$1,188 for barricades and parade permits.

Motion made by Commissioner Lopez to approve the city's participation in the Douglass Youth Center Community Fair/festival and the HM King High School Homecoming Parade, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances sections 3-3-125 & 3-3-127, providing for Tourism staff to be the Main Street Advisory Board secretary. (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that due to the transition of the Main Street Manager position from the Planning Department to the Tourism Department, the following changes to the Main Street Board ordinance are being recommended. Staff is recommending changing Section 3-3-125, Compensation from Director of Planning to Director of Tourism. Also, Section 3-3-127, Meetings from the City's Planning and Development Services to the City's Tourism Department.

Commissioner Lopez asked if the city was not going to be filling the position of Main Street Director.

Mr. McLaughlin responded that the city needs a Planner in the Planning Department to assist the Planning Director and Building Inspector. The plan is to take the Downtown Manager portion of the position and keep it under the supervision of the Planning Director. Mr. McLaughlin further commented that he will be hiring a Downtown Manager and keep it in the Planning Department.

Commissioner Torres asked if that budget would go under the Tourism Department?

Ms. Reyes responded that the Tourism Department funds 50% of the position to Planning, so now it will remain in the Tourism Department. It will be used to combine the Special Events Coordinator and Downtown Manager role that manages the main street designation and not the planning portion of the position. She further stated that there is a request for another part-time position to assist with the Main Street Board and any other duties that come with that position.

Introduction item only.

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX-General Regulations, Article 8-Parks and Recreation, Section 11-Liquor in Public Parks Prohibited, Exception, providing for revision to the scope of the exception. (Parks Director).

Mrs. Susan Ivy, Parks & Recreation Director stated that the Kingsville Parks & Recreation would like to expand the exception to allow for alcohol sales in limited areas of the parks upon the Parks Director's approval, instead of just at the JK Northway and Fairgrounds with approval. With more events expanding into the park and with the J.K. Northway no longer under the authority of the city, providing for an area that alcohol can be sold and served in the City governed area of Dick Kleberg Park, not including the playground area or other parks would be beneficial to events being held in the parks.

Commissioner Hinojosa requested that the City Manager, instead of the Parks & Recreation Director, approve all applications submitted for sales of alcohol in limited areas of the parks.

Commissioner Torres asked if the ordinance would require proof of liability and liquor liability insurance. Ms. Alvarez responded yes.

Introduction item only.

13. Consider a resolution appointing a new alternate representative to the Coastal Bend Council of Governments. (City Manager/City Attorney).

Mr. McLaughlin stated that as per Commissioner Lopez's request, she would like to be removed as the alternate member to the Coastal Bend Council of Governments. Commissioner Hinojosa has agreed to be appointed as an alternate.

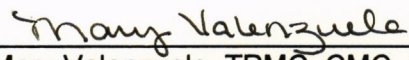
Motion made by Commissioner Alvarez and Commissioner Lopez to approve the resolution appointing a new alternate representative to the Coastal Bend Council of Governments, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:43 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary