

OCTOBER 25, 2021

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 25, 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  
Uchechukwu Echeozo, Director of Planning & Development Services  
Rudy Mora, Engineer  
Ricardo Torres, Police Chief  
Diana Gonzales, Director of Human Resources  
Emilio Garcia, Health 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 – October 12, 2021**

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

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

None.

**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 in the next few days he will be meeting with staff on the Brownfield Grant. This is a grant that will assist with the abatement of the old hospital.

Mayor Fugate asked if the city needs a cash match for this grant? Mr. McLaughlin responded that he is not sure but will know more once he meets with staff.



Mr. McLaughlin then gave an update on the Trash-Off event that occurred over the weekend, which was a successful event. He further gave an update on the Farmers Market that occurred on Saturday, October 23<sup>rd</sup>. The Farmer's Market was well attended with 10 additional vendors participating in this event. The Wine Walk also took place over the weekend and was very successful with 85 Passports sold.

Ms. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for November 8, 2021. The deadline for staff to submit agenda items is October 29, 2021.

Commissioner Torres reported that a Veteran's Day Parade is scheduled for Thursday, November 11, 2021. Information on the parade has already been released for those who would like to take part.

Mr. McLaughlin commented that he is working with the contractor to make sure that Yoakum Street is open for a return route. He further stated that what is left of the project is to concrete and streetlight.

Mayor Fugate commented that the project would need to be completed for La Posada Parade in December.

Commissioner Alvarez asked if the order of flags for the downtown area had been placed? Mr. McLaughlin responded that an order for flags, flag poles, and flag holders has been placed but wasn't sure on the status of delivery.

Commissioner Hinojosa reported that the kick-off of Red Ribbon Week took place this morning. A proclamation was read and presented to the Kingsville Independent School District. Red Ribbon Week is from October 23<sup>rd</sup> – 31<sup>st</sup>, 2021.

Mayor Fugate thanked staff for their work on patching the streets around the neighborhoods. He further thanked the staff for the upkeep of the Golf Course.

Mayor Fugate read and presented a proclamation for Arbor Day proclaiming November 5, 2021, as Arbor Day.

#### **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 membership with Electric Reliability Council of Texas (ERCOT) for 2022. (City Attorney).**

##### **REGULAR AGENDA**

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

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

2. **Consider a resolution authorizing the Police Chief to enter into a Memorandum of Understanding between the U.S. Department of Justice, Drug**



**Enforcement Administration, and the City of Kingsville regarding License Plate Reader Information. (Police Chief).**

Mr. Ricardo Torres, Chief of Police stated that the agenda before the Commission is for a Memorandum of Understanding between the Kingsville Police Department and Drug Enforcement Administration (DEA). He further stated that recently the Kingsville Police Department applied and received a grant for a trailer that had License Plate Readers affixed to it for an amount of \$61,150.00. This receives information through vigilant assistance that is carried by most wrecker services in the United States. He further stated that DEA and their system carries information related to organized crime entities which shares with the Kingsville Police Department through License Plate Reads which can be used on cases handled by the department.

**Motion made by Commissioner Lopez and Commissioner Hinojosa to approve the resolution authorizing the Police Chief to enter into a Memorandum of Understanding between the U.S. Department of Justice, Drug Enforcement Administration, and the City of Kingsville regarding License Plate Reader Information, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

**3. Consider a resolution authorizing the application to, administrations of, and acceptance of Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2022; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).**

Chief Torres stated that recently the Kingsville Police Department received a grant of \$41,300 for Body Worn Cameras with a cash match of 50%. He stated that he is using this grant to enhance their systems for the ability of Officers to automatically download video from their Body Worn Cameras, whether they are inside or outside the department. This will be available at PD West also known as the old Dr. Pepper Building. Chief Torres further stated that this will also cover storage space which the manufacturer recommends 800 gigabytes per camera system and looking at approximately 126 terabytes of storage space for an amount of \$134,047.36 which has a 25% match of \$33,511.84.

**Motion made by Commissioner Lopez to approve the resolution authorizing the application to, administrations of, and acceptance of Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2022; authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Hinojosa.**

Commissioner Torres asked if each Police Officer wears a body-worn camera or is this upgrading?

Chief Torres responded that currently there are only enough body cameras for the Patrol Officers and the Interdiction Officers. Detectives don't have any as the original grant did not allow for it. It was only allowed for Patrol Officers. The Federal Grant allows for every officer to have a body-worn camera.

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

**4. Consider a resolution authorizing the application to, administrations of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2022 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).**

Chief Torres stated that the purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity and detain non-citizen inmates. The grant for Operation Lone Star is a reimbursement type that has a minimum funding level of \$5,000 with no maximum and does not require a cash match.

**Motion made by Commissioner Lopez and Commissioner Alvarez to approve the resolution authorizing the application to, administrations of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2022 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Hinojosa.**

Commissioner Torres commented that within the backup information for this agenda item she sees noted travel per diem and lodging cost and asked if the grant would be paying for those items as well.



Chief Torres responded that yes it does cover but he usually doesn't ask for money for those items unless the Tactical Team is called upon to assist with a case.

Commissioner Torres further asked if Officers would receive training that will certify them.

Chief Torres responded that the city gives the department money for training which is utilized very well. He further stated that there is also a lot of in-house and online training that is done for the department.

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

**5. Consider a resolution authorizing the City Manager and the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and the Coastal Bend College Police Department. (Police Chief).**

Chief Torres stated that his department received a request to enter into a Memorandum of Understanding (MOU) between the Kingsville Police Department and Coastal Bend College Police Department. Over the past few years, Coastal Bend College has formed its own police department, which is a one-man department to provide law enforcement services for its properties which consist of four different campuses in four different cities. Normal day-to-day costs for providing law enforcement services in our community would be uncured by the Kingsville Police Department and do not foresee any large sale costs for aiding Coastal Bend College.

Commissioner Alvarez asked if what was just mentioned was that Coastal Bend College only had one Officer for four campuses? Chief Torres's response was correct, only one Officer for all four campuses, which is a Police Chief located in Beeville.

**Motion made by Commissioner Torres to approve the resolution authorizing the City Manager and the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and the Coastal Bend College Police Department, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".**

**6. Consider sponsorship of Ranch Hand Festival Concert on November 20, 2021. (Tourism Director).**

Ms. Janine Reyes, Tourism Director stated that this event should have been included in the September 27<sup>th</sup> meeting in which staff requested city sponsorship for the annual series of events. She further stated that in 2018, the Tourism Department started this model in which they teamed up with a non-profit to create a continuity of events that extended beyond the festival. This event continued in 2019 but in 2020 the event was canceled due to the COVID-19 pandemic. Ms. Reyes further stated that in 2018 they teamed up with CASA of the Coastal Bend with their profit at \$13,000. In 2019, the non-profit was KISD Education Foundation where \$42,000 was raised during the 2019 event. In 2020, the event did not occur due to the pandemic. This year, 2021, with events occurring once again, staff request for the Commission to approve participation and sponsorship of the Ranch Hand Weekend Country Concert. She further stated that when looking into a venue space, anticipating the JK Northway not being available, staff was looking at Chamberlain Park located next to City Hall. City Attorney raised some concerns with the location. Ms. Reyes further stated that they have met with County Judge last week and he has indicated a willingness to allow the use of the JK Northway for this event. As per our agreement with the JK Northway, the agreement requires that excess revenues be split evenly with the County, but the city does not make the majority of these revenues, it goes to the non-profit. She further stated that she attended the County Commissioners' Court meeting today, although they couldn't place this item as an action item for this meeting, but plan to put it on their agenda next week, everyone agreed for waiving fees. She further stated that what she is looking at is the cost of \$500 for utility fees and she confirmed with the Risk Manager and there is no cost for the additional insured endorsement that he has already received.

Commissioner Alvarez asked who this year's performer would be? Ms. Reyes responded that the performer is Steve Warner. Commissioner Alvarez further commented that she is going to assume that the JK Northway is in the condition where it can be used for this event.

Ms. Reyes responded that bleachers were pulled out for the venue which was utilized in the past. She further stated that the Parks Department has lower-level bleachers that



can be brought in for the event. She also stated that general admission to the event would be standing room only.

Mr. McLaughlin commented that the city's utility department will pack the dirt in at the venue as it has been done in the past. He further stated that the County Judge does not have enough dirt in the coliseum and needs it prepared for the Kleberg/Kenedy Livestock Show in January. Mr. McLaughlin then asked Ms. Reyes if she could announce the non-profit for this year's event. Ms. Reyes announced that the non-profit is Toys for Tots of Kleberg and Kenedy County.

Commissioner Alvarez asked why the city needs to place dirt down as it is not needed for the concert.

Mr. McLaughlin stated that dirt is already in there and the city will add more dirt to level the ground.

Commissioner Torres asked if general admission would be standing room only. Ms. Reyes stated that there will be some bleachers that the Parks Department will be placing for general admission to utilize. Commissioner Torres further asked if the bleachers would be stable enough. Ms. Reyes responded yes; they are more stable than the bleachers that were pulled out. Commissioner Torres asked if the sponsorship amount that the city will be sponsoring is only \$500. Ms. Reyes stated that the artist is paid for by the non-profit entirely. Reyes further stated that the city does a split with staging sound which is about \$4,000 plus the utility fee of \$250 as it is split with them.

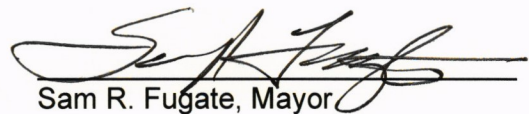
Commissioner Torres further asked if we would be sharing half of the revenues with the County. Ms. Reyes responded no, as they have indicated an interest in waiving that, which will be voted on during the next County Commissioners' Court meeting.

Commissioner Alvarez asked for the cost of a VIP table. Ms. Reyes stated that VIP tables are \$1,200 and further stated that the cost was increased this year from two years ago by \$200 for a table of 8, anticipating that the event would have taken place outdoors which would have required additional needs.

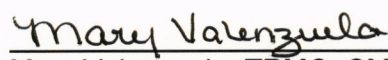
**Motion made by Commissioner Hinojosa to approve sponsorship of Ranch Hand Festival Concert on November 20, 2021, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

#### **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:36 P.M.

  
Sam R. Fugate, Mayor

#### **ATTEST:**

  
Mary Valenzuela, TRMC, CMC, City Secretary