

March 10, 2022

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, MARCH 10, 2022, 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

CITY COMMISSION ABSENT:

Hector Hinojosa, 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
Ricardo Torres, Police Chief
Diana Gonzales, Director of Human Resources
Bill Donnell, Public Works Director
Joseph Ramirez, Engineers Assistance
Janine Reyes, Tourism Director
Charlie Sosa, Purchasing Manager
Kobby Agyekum, Senior Planner/HPO
Manny Salazar, Economic Development Director
Susan Ivy, Parks & Recreation Manager
Deborah Balli, Finance Director
Mike Mora, Capital Improvements Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with three Commission members present. Commissioner Hinojosa and Commissioner Torres were absent.

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 – February 28, 2022

Motion made by Commissioner Lopez to approve the minutes of February 28, 2022, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

II. Public Hearing - (Required by Law).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 an update on the status of the three major grant loan opportunities that the city has for the \$50 million was made by Mr. Charlie Cardenas, a representative from ICE. Mr. McLaughlin further reported that there are 25 projects involved. He further stated that they have delayed the timeline for the turning of the dirt which is now scheduled for some time in the month July for the first project which is due to the competition of trying to get all through the State and Federal Agencies, as everyone else who has received the same loans are trying to do the same thing. He also stated that the next business that would need to take place are the Town Hall Meetings, for informational purposes. Mr. McLaughlin also reported that currently there is a large construction project occurring at this time at the North Wastewater Treatment Plant where they are doing the pipe bursting and adding in the line that has failed. McLaughlin further reported on the sales tax for this month. He further reported that sales tax came out today for March for which collections were back in January. He stated that there was \$26,000 better than his budget which leaves the city year-to-date for this fiscal year where it is ahead of his projections by \$135,000 in sales tax. He further reported that inflation has increased by 3.6% for this fiscal year. Mr. McLaughlin also reported that the City has received a letter from the Union of the Police Department requesting collective bargaining negotiations. He further reported that the USS Kingsville Committee will meet on March 21st at 4:30 p.m. in the Helen Kleberg Groves Community Room for updates on the USS Kingsville.

Ms. Courtney Alvarez, City Attorney announced that the next scheduled City Commission meeting is scheduled for Monday, March 28, 2022. The deadline for city staff to submit agenda items for this meeting is Friday, March 18, 2022.

IV. Public Comment on Agenda Items.³

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

No public comments were made.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to 6th, Block 9, Lot 25, also known as 616 E. Yoakum, Kingsville, Texas from C2 (Retail District) to R2A (Tiny Home District). (Director of Planning & Development Services).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and scoreboard sponsorship donations from Texas Community Federal Credit Union and First Community Bank. (Parks Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend the donation from Christus Spohn Kleberg for airshow promotional items. (Tourism Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider accepting donations from Parks Youth Pony League team sponsors. (Parks Director).

Mrs. Susan Ivy, Parks Director stated this is a request for approval for donations received from team sponsorships for the Youth Pony League.

Motion made by Commissioner Alvarez to accept donations from Parks Youth Pony League team sponsors, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

5. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend the donations received from Kingsville Parks Youth Pony League team sponsors for the purchase of equipment, uniforms, and other league expenses. (Parks Director).

Introduction item.

6. Consider approving Change Order #2 to extend the contract time on the project between the City of Kingsville and ETech for CBDG-Main Street Contract #7219192. (City Engineer).

Mr. Mike Mora, Capital Improvements Manager stated that Change Order No. 2 is needed to extend the contract time on the project, of which 96 days will be added to the contract. The decorative pedestrian streetlights were ordered but delivery has been delayed. The original completion date was January 9, 2022, but there have been weather delays and the contractor was asked to stop working because of downtown events. The new contractor estimated completion date will be April 1st. The Change Order will allow two weeks past the contractor's date to complete the project which will bring it to April 15th.

Motion made by Commissioner Alvarez to approve Change Order #2 to extend the contract time on the project between the City of Kingsville and ETech for CBDG-Main Street Contract #7219192, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

7. Consider approving Performance Statement modification #3 to update the number of streetlamps for the City's CBDG-Main Street #7219192. (City Engineer).

Mr. Mike Mora stated that this item is associated with the downtown improvement project on 7th Street between Kleberg and Yoakum. The modification request is for the correction of the performance statement that was issued previously. It was incorrect to have shown five streetlamps, and modification to Change Order No. 1 took it to six streetlamps. There is no increase in cost for this correction.

Commissioner Alvarez asked if this was for an additional six streetlamps or will it be for a total of six streetlamps.

Mr. Mora responded that there is only a total of six streetlamps.

Motion made by Commissioner Lopez to approve the Performance Statement modification #3 to update the number of streetlamps for the City's CBDG-Main Street #7219192, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Fugate voting "FOR".

8. Consider a resolution authorizing the Police Chief to enter a Memorandum of Understanding between Commander, Navy Region Southeast and Commanding Officer, Naval Air Station Kingsville, and the Kingsville Police Department for mutual interests of law enforcement as implemented by Naval Air Station Kingsville. (Police Chief).

Mayor Fugate requested for Agenda Item #15 to be moved before hearing Agenda Item #8. No objections were made by the Commission.

Mr. Ricardo Torres, Chief of Police stated that this is done almost every year or when there is a change of command for an MOU between the Kingsville Police Department and NAS Kingsville for law enforcement services.

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief to enter a Memorandum of Understanding between Commander, Navy Region Southeast and Commanding Officer, Naval Air Station Kingsville, and the Kingsville Police Department for mutual interests of law enforcement as implemented by Naval Air Station Kingsville, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

9. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the State of Texas and the City of Kingsville regarding Texas Statewide Interoperability Channel Plan (TSICP). (Police Chief).

Chief Torres stated that this has been done in the past with COG representing everybody, but now we must represent ourselves with the State.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into a Memorandum of Understanding between the State of Texas and the City of Kingsville regarding Texas Statewide Interoperability Channel Plan (TSICP), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Fugate voting "FOR".

10. Consider a resolution accepting award of Operation Stonegarden funds for funding year 2022; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Chief Torres stated that Operation Stonegarden is Grant #3194307 is for an amount of \$159,900 with no cash match for the funds.

Motion made by Commissioner Lopez to approve the resolution accepting award of Operation Stonegarden funds for funding year 2022; authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

11. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend grant funding for the OPSG 2022 Grant #3194307. (Operation Stonegarden). (Police Chief).

Introduction item.

12. Consider a resolution accepting award of Law Enforcement Officer Standards and Education funds from the Texas Comptroller of Public Accounts; authorizing the Chief of Police to act on the City's behalf with such program (for training). (Police Chief).

Chief Torres stated that this is a grant for \$2,609.73 for the use of training for Kingsville Police Department personnel.

Motion made by Commissioner Alvarez to approve the resolution accepting award of Law Enforcement Officer Standards and Education funds from the Texas Comptroller of Public Accounts; authorizing the Chief of Police to act on the City's behalf with such program (for training), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Fugate voting "FOR".

13. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend grant funding for the LEOSE Grant for training. (Police Chief).

Introduction item.

14. Consider a resolution authorizing participation in Local Border Security Program FY2023 from the Office of the Governor, Public Safety Office Homeland Security Grants Division for law enforcement personnel costs, fuel, and equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Chief Torres stated that this is for the Local Border Security Program where staff will be requesting \$78,000 with cash match.

Motion made by Commissioner Alvarez to approve the resolution authorizing participation in Local Border Security Program FY2023 from the Office of the Governor, Public Safety Office Homeland Security Grants Division for law enforcement personnel costs, fuel, and equipment; authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR".

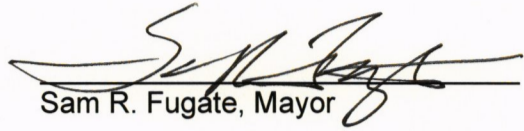
15. Consider appointing one more local businessperson to Economic Development Grant Administrative Board for two-year terms. (City Manager).

Mr. Manny Salazar, Economic Development Director stated that he has spoken with Mr. Rodney Rodriguez, and he had a little bit of error when reading the document and he acknowledges that he would not be applying for any grants.

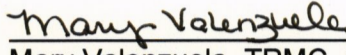
Motion made by Commissioner Alvarez to appoint Mr. Rodney Rodriguez to Economic Development Grant Administrative Board for two-year terms, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:17 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary