

SEPTEMBER 26, 2022

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 26, 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  
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  
Emilio Garcia, Health Director  
Juan J. Adame, Fire Chief  
Susan Ivy, Parks & Recreation Manager  
Deborah Balli, Finance Director  
Uchechukwu Echeozo, Director of Planning & Development Services  
Kobby Agyekum, Senior Planner/HPO  
Mike Mora, Capital Improvements Manager  
Charlie Sosa, Purchasing Manager  
Bill Donnell, Public Works 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)**

**Special Meeting - August 15, 2022**

**Motion made by Commissioner Lopez to approve the minutes of August 15, 2022, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR". Hinojosa "ABSTAINED".**

**Regular Meeting - August 22, 2022**

**Motion made by Commissioner Alvarez to approve the minutes of August 22, 2022, as presented. seconded by Commissioner Torres. The motion was passed and approved by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Torres, Fugate voting "FOR". Hinojosa and Lopez "ABSTAINED".**

**Special Meeting - September 6, 2022**

**Motion made by Commissioner Alvarez to approve the minutes of September 6, 2022, as presented, seconded by Commissioner Hinojosa and Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez voting "FOR". Fugate "ABSTAINED".**

**Regular Meeting- September 12, 2022**

**Motion made by Commissioner Lopez to approve the minutes of September 12, 2022, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

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

**1. Public hearing regarding request to rezone Vista Alegre, Block 2, Lots 3 & 4, also known as 1405 East Henrietta, Kingsville, Texas from R1 (Single Family) to C1 (Neighborhood Services). Lupe Alvarez, owner/applicant. (Director of Planning & Development Services).**

Ms. Courtney Alvarez, City Attorney explained that due to notices not being mailed to all residents within the requested zoning area, it is being recommended that no discussion or action be taken during this public hearing or for agenda item #5.

No discussion took place for this public hearing.

### 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, 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; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water, And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."*

Mr. Mark McLaughlin, City Manager announced upcoming events that will be occurring during the upcoming weekend. He further stated that the City Commission has received the 3<sup>rd</sup> Quarter Investment Report for FY 21-22. Also reported, Somerset Land poster is available for viewing which is displayed during this meeting. He further stated that he will be out of the office next week, October 5<sup>th</sup> through October 12<sup>th</sup>.

Mayor Fugate asked if residents have had the opportunity to view the poster. Mr. McLaughlin responded no, as staff received it late last week, but it is available for viewing.

Commissioner Hinojosa thanked the Kingsville Record for their story on the city's budget.

Commissioner Torres commented that she recently spoke with staff regarding mosquitos and tall grass around the city. She visited the old hospital which has tall grass. She would like for staff to look into this as soon as possible. She further reported that she attended the Wine Walk event that occurred this past weekend which was well attended by out-of-towners. The Veteran's booth raised \$275 at this Wine Walk event. Torres also commented that she is currently working on her master's degree at Texas A&M University-Kingsville and will be working on a project that she hopes gets published, the project is on female Latinas in the city political arena. She stated that in conjunction with the city, she would like to have this published somewhere within the city.

Ms. Courtney Alvarez, City Attorney reported that as for agenda item #1, on today's agenda, the budget amendment was passed out to the Commission during the meeting on September 12<sup>th</sup> which is the correct budget amendment that the Commission will be voting on tonight. She further reported that the next Commission meeting is scheduled for October 11<sup>th</sup> due to city office's being closed on October 10<sup>th</sup> for the Columbus Day Holiday. Agenda items for the meeting on October 11<sup>th</sup> are due by Wednesday, September 28<sup>th</sup>.

Commissioner Alvarez commented that she attended the Wine Walk event this weekend which was well attended. She further asked if there was a master calendar of events for our community as it seemed that many events were occurring all at the same time.

Mayor Fugate responded that he didn't believe there was a master list, but would need to check with the Chamber of Commerce.

Ms. Janine Reyes, Tourism Director gave an update on the Wine Walk event from this past weekend.

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

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 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 Fiscal Year 2021-2022 Budget to provide additional funding for overages that cannot be covered by the current budget. (Finance Director).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend grant funding for the 2022 Local Border Security Program (LBSP). (Finance Director).**
3. **Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to provide additional funding for wastewater utilities and sanitation vehicle maintenance and motor gas and oil. (Public Works Director).**
4. **Motion to approve a resolution authorizing the City Manager to enter into a Clinical Affiliation Agreement between the Kingsville Fire Department and HALO-Flight EMS Training Academy. (Fire Chief).**

**REGULAR AGENDA****CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**VI. **Items for consideration by Commissioners.<sup>4</sup>**

5. **Consider introduction of an ordinance amending the zoning map in reference to Vista Alegre, Block 2, Lots 3 & 4, also known as 1405 East Henrietta, Kingsville, Texas from R1 (Single Family) to C1 (Neighborhood Services); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

No discussion took place on this item.

6. **Consider appointment of Taulia Lauren to the Historical Development Board for a three-year term. (Historic Preservation Officer).**

Motion made by Commissioner Alvarez to approve the appointment of Taulia Lauren to the Historical Development Board for a three-year term, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

7. **Consideration and approval of a resolution accepting a petition for and calling for a public hearing on the creation of Somerset Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing. (City Manager/ City Attorney).**

Ms. Alvarez stated that on July 11, 2022, the Commission had a similar resolution with a different dollar amount with the location being the same, and what the PID would be allowed to pay for. This is the same thing that Commission approved in July but with a different dollar amount due to cost increases

Mayor Fugate asked if the city's legal team reviewed the documents. Ms. Alvarez responded that these are the documents that were received from the city's legal team which she has also reviewed with them.

Mr. McLaughlin stated that this is also calling for the public hearing which will take place on October 24, 2022, at 5:00 P.M.

Motion made by Commissioner Lopez to approve the resolution accepting a petition for and calling for a public hearing on the creation of Somerset Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

8. Consider a resolution authorizing the use, closing, and barricading of PFC Daniel Alarcon Street from W. Yoakum Ave. to W. Lee Ave. from November 8-14, 2022, for the Vietnam Memorial Traveling Wall. (Purchasing Manager).

Mayor Fugate commented that this is a big event for our community. This event will provide the opportunity for the residents to come and visit the Vietnam Memorial Wall.

Motion made by Commissioner Lopez and Commissioner Torres to approve the resolution authorizing the use, closing, and barricading of PFC Daniel Alarcon Street from W. Yoakum Ave. to W. Lee Ave. from November 8-14, 2022, for the Vietnam Memorial Traveling Wall, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

9. Consider a resolution authorizing the City Manager to enter into an Engagement Letter Agreement between the City of Kingsville, Texas, and John Womack & Co., P.C. for the 2021-2022 Fiscal Year Audit. (Purchasing Manager).

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to enter into an Engagement Letter Agreement between the City of Kingsville, Texas and John Womack & Co., P.C. for the 2021-2022 Fiscal Year Audit, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

10. Consider awarding RFP Bid #22-14 for annual bid for HVAC Services as per staff recommendation and authorizing the City Manager to execute a contract for same. (Purchasing Manager).

Motion made by Commissioner Hinojosa to approve the award of RFP Bid #22-14 for annual bid for HVAC Services as per staff recommendation and authorizing the City Manager to execute a contract for same, seconded by Commissioner Lopez and Commissioner Torres. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

11. Consider awarding RFQ #22-13 for 2022 Bridge Repairs-N. 6<sup>th</sup> Street and Tranquitas Creek as per staff recommendation and approving a resolution authorizing the City Manager to execute a Professional (Engineering) Services Agreement with International Consulting Engineers for 6<sup>th</sup> Street Tranquitas Creek Bridge Inspection and Repair Recommendations. (City Engineer).

Motion made by Commissioner Hinojosa to approve the award of RFQ #22-13 for 2022 Bridge Repairs-N. 6<sup>th</sup> Street and Tranquitas Creek as per staff recommendation and approving a resolution authorizing the City Manager to execute a Professional (Engineering) Services Agreement with International Consulting Engineers for 6<sup>th</sup> Street Tranquitas Creek Bridge Inspection and Repair Recommendations, seconded by Commissioner Lopez.

Mayor Fugate asked what the condition of the bridge was. Mr. Rudy Mora, Engineer responded that it has some exposed rebar and would need to be covered for it not to deteriorate any further. An inspection report was done by TXDOT which was provided to city staff earlier this year.

Mr. McLaughlin commented that only one bid was received for RFQ #22-13 which was from International Consulting Engineers.

Commissioner Torres asked if all the bases were covered for this as she would not like for it to become something like the Harbor Bridge issue. Mr. Mora responded yes.

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

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV; providing for amendment to Sections 15-9-2 and 15-9-3; revising the type of street lighting to be used. (City Engineer).

Commissioner Hinojosa asked if there is a cost to the city to install the lights, it will be funded by AEP.

Mr. Mora responded that they would fund the existing lights, but for those that are high-pressure sodium, they will be converted to LED which has a cost saving.

Commissioner Hinojosa further asked if AEP would furnish the lights and not the city. Mr. Mora responded yes.

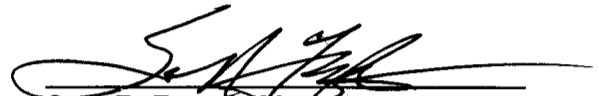
Introduction item.

**13. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to provide additional funding for line items that cannot be covered by other line items. (Finance Director).**

Introduction item.


**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:27 P.M.



Sam R. Fugate, Mayor

**ATTEST:**



Mary Valenzuela, TRMC, CMC, City Secretary