

JANUARY 9, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 9, 2023, 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
Deborah Balli, Finance Director
Uchechukwu Echeozo, Director of Planning & Development Services
Charlie Sosa, Purchasing Manager
Bill Donnell, Public Works Director
Diana Gonzales, Human Resources Director
Rudy Mora, Engineer
Janine Reyes, Tourism Director
Susan Ivy, Parks Director
Kobby Agyekum, Senior Planner/HPO
Bradley Lile, Commander
Ruben Chapa, Golf Course Manager

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 November 15, 2022

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

Regular Meeting December 15, 2022

Motion made by Commissioner Lopez to approve the minutes of November 15, 2022, 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).¹

1. Public hearing for the submission of a Main Street Grant Application to the Texas Department of Agriculture as part of the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Public hearing #1 was not heard at this time, as per staff's recommendation.

2. Public hearing for request to replat Ronning 2, Block 3, Lots 1-6 and Lund Addn, Block 7, Lot 1, also known as 1103 to 1115 E. King Avenue, Kingsville, Texas. Ifeanyi Mbadugha, applicant/owner. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:04 P.M.

Mr. Uche Echeozo, Director of Planning & Development Services stated that the applicant for this property would like to replat their property which would consist of merging several lots into one big lot. The applicant is looking into building a doctor's office on said property. Letters were mailed to those in the surrounding vicinity. Staff received no complaints from any of those residents that were notified.

Mayor Fugate announced that this is a public hearing and that 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 5:06 P.M

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, 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 reported that sanitation crews are running behind schedule. He further reported that city offices will be closed on Monday, January 16, 2023, in observance of Martin Luther King Day.

Ms. Courtney Alvarez, City Attorney reported that the next scheduled City Commission meeting is on Monday, January 23, 2023, with a deadline for staff to submit their agenda items by Thursday, January 12, 2023.

Commissioner Lopez thanked and recognized all police officers for Law Enforcement Day.

Commissioner Torres reported that the Veteran Mobile Unit will serve 2,200 veterans within Kleberg County and 700 to 2,000 in the surrounding rural communities.

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: Alvarez, Lopez, Torres, Hinojosa, Fugate voting “FOR”.

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, setting the speed limit at 45 MPH on US Highway 77 By-Pass Northbound Frontage Road from the southern city limits of Kingsville to FM 1356 (General Cavazos Blvd.) (City Manager).

2. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the

Kingsville Amateur Boxing Club, Inc. for drug and alcohol prevention programs. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider a resolution of the City Commission of Kingsville, Texas authorizing the submission of an application to the Texas Department of Agriculture for the Texas Community Development Block Grant Program, Main Street Grant Application; and authorizing the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program for improvements in the downtown area. (Director of Planning & Development Services).

No discussion or action was taken on this item, as per staff's recommendation.

4. Consider request to replat Ronning 2, Block 3, Lots 1-6 and Lund Addn, Block 7, Lot 1, also known as 1103 to 1115 E. King Avenue, Kingsville, Texas. (for doctor's office) (Director of Planning & Development Services).

Motion made by Commissioner Hinojosa and Commissioner Torres to approve the request to replat Ronning 2, Block 3, Lots 1-6 and Lund Addn, Block 7, Lot 1, also known as 1103 to 1115 E. King Avenue, Kingsville, Texas. (for doctor's office), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

5. Consider accepting donation from 81's Heroes for tourniquets for the Police Department. (Police Chief).

Mr. Bradley Lile, Commander stated that this item would approve the donation of \$2,529.60 from the organization named 81's Heroes. The donation will be used to purchase lifesaving tourniquets.

Motion made by Commissioner Hinojosa to accept the donation from 81's Heroes for tourniquets for the Police Department, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

6. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to accept and expend donation from the 81's Heroes Foundation for Police Department equipment. (Police Chief).

Introduction item.

7. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to accept and expend Criminal Justice Grant #4615001 for Police Department ballistic shields. (Police Chief).

Ms. Courtney Alvarez, City Attorney stated that the Kingsville Police Department applied for this grant in the Fall and was successful. The purpose of the grant is for law enforcement agencies to equip peace officers with bullet-resistant shields. Funds may only be used for obtaining bullet-resistant shields. The grant amount approved is \$47,969.30.

Introduction item.

8. Consider a resolution supporting the City of Kingsville's application to the Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects (for pedestrian and/or bicycle infrastructure); authorizing the Mayor to act on the City's behalf with such program. (City Engineer).

Mr. Rudy Mora, City Engineer stated that on December 2, 2022, the Texas Department of Transportation (TxDOT) issued the 2023 Transportation Alternatives Call for Projects. The application is a two-step process. Step 1, Project Sponsors submit Preliminary Applications by January 27, 2023. Step 2, Project Sponsors submit Detailed Applications by June 5, 2023. If funds are awarded, the City would be notified in the Fall of 2023 for Transportation Alternatives FY2022 through FY2025. He further stated that the project would typically be funded by both federal at 80% and local at 20% funds. Local funds are not required since the city's local fund match will be covered by Transportation Development Credits. This year the gran also considers an adjustment factor for inflation.

Motion made by Commissioner Lopez to approve the resolution supporting the City of Kingsville's application to the Texas Department of Transportation's 2023 Transportation Alternatives Set-Aside (TA) Call for Projects (for pedestrian and/or bicycle infrastructure); authorizing the mayor to act on the City's behalf with such program, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

9. Consider awarding bid to Musco Lighting via BuyBoard for baseball field #6 lighting project, as per staff recommendation. (Parks Director).

Mrs. Susan Ivy, Parks Director stated that she is asking City Commission to authorize the award of a BuyBoard bid to Musco Lighting for \$193,00 for the installation of lighting on baseball field #6 and approve the bid from Mia Electric for \$9,740 to run electric lines from the Power Panel to the light poles to be installed at baseball field #6. She further commented that Field 6 was recently completely renovated with funds from Texas Parks & Wildlife but did not have enough funding to replace the lighting that had to be torn down. She further stated that City Commission approved funding from ARP Funds previously for an amount of \$35,000 from Park ARP Revenue Recovery funds and \$250,000 from other ARP funding specifically for ball field lighting. She stated that they have also acquired funding awards from the Brookshire Foundation and the Ed Rachal Foundation each for \$25,000. This provides a total of \$335,000 available to fund the project they are requesting to be approved. She stated that this will expend \$202,740.00 from their available funding to complete this project.

Motion made by Commissioner Torres to award the bid to Musco Lighting via BuyBoard for baseball field #6 lighting project, as per staff recommendation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

10. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for the rollover expenditure for engineered wood fiber for Park playgrounds. (Parks Director).

Mrs. Ivy stated that this item is to authorize a budget amendment for \$10,000 to fund a rollover purchase order to Playcore Systems for engineered wood fiber for playgrounds for which they have been waiting on delivery for payment.

Introduction item.

11. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for golf course improvements. (Parks Director).

Mrs. Ivy stated that this item will authorize a budget amendment to allocate \$25,000 in fund balance funds from the Golf Course Capital Improvement funds to pay for repairs and improvements to the pumps at the pump house and controls for the same and equipment rental for mowers. She further stated that the pump station at the Golf Course has deteriorated such that the computer controls have become unstable and not able to be monitored or calibrated. All controls are obsolete and not available for replacement. The relief valve has a body cracked and will need to be replaced and all brass controls are deteriorated and will need to be replaced as well. Isolation valve with bolts will be replaced while the valve is removed for replacement. The quote for \$20,700 is for replacing the controls and the relief valve, testing, and calibrating as necessary. She further stated that the Golf Course is still waiting on the delivery of some of the equipment ordered from John Deere last year. Staff has been advised that it will arrive in March.

Introduction item.

12. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate additional funding for a new administrative coordinator position for Tourism. (switch PT to FT position). (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that in continuing the efforts to manage the gardens, modernize nature tourism in our community and seek out partnerships that help grow nature tourism, it is recommended that the replacement of a part-time Customer Service Representative be changed to a full-time Eco-Tourism Administrative Coordinator. The person serving in this role networks with existing partners while soliciting new partnerships. This position will replace the existing part-time Customer Service Representative role as this person will continue to assist with the day-to-day operations of the Tourism Department. The financial impact of replacing this position is \$23,015 for the remainder of this fiscal year.

Introduction item.

13. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in

executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Mayor Fugate read the two Executive Session items, #13 and #14, and ordered the meeting into closed session at 5:25 P.M.

Executive Session item #13 started at 5:29 P.M and ended at 5:52 P.M.

14. Executive Session: Pursuant to Section 551.074, Texas Government Code, the Personnel Exception, the City Commission shall convene in Executive Session to deliberate the evaluation and duties of the City Manager. (Mayor Fugate).

Executive session item #14 started at 5:52 P.M. and ended at 6:08 P.M.

Mayor Fugate reconvened the meeting into open session at 6:09 P.M.

15. Consider a resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Mark McLaughlin. (Mayor Fugate).

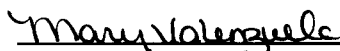
Motion made by Commissioner Alvarez and Commissioner Lopez to approve the resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Mark McLaughlin, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR". Torres voting "AGAINST".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:10 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary