

DECEMBER 12, 2022

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 12, 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
Edna Lopez, Commissioner
Norma N. Alvarez, Commissioner

CITY COMMISSION ABSENT:

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
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
Juan J. Adame, Fire Chief
Kobby Agyekum, Senior Planner/HPO
Uche Echeozo, Director of Planning & Development Services
Joseph Ramirez, Engineers Assistant

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with four Commission members present. Commissioner Torres is absent.

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 – November 14, 2022

Motion made by Commissioner Lopez to approve the minutes of November 14, 2022, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting “FOR”.

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

1. Public hearing for a Special Use Permit for mobile home as a business office use in I2 (Heavy industrial District) at Garcia Ind Ac, Block 11, Lots 1-3, Kingsville, Texas, also known as East Santa Gertrudis, Kingsville, Texas. Saul Figueroa, owner/applicant. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:02 P.M.

Mr. Echeozo stated that the applicant is requesting a Special Use Permit to place a mobile home on the property of the new location for the Recycling Center that is currently located on 6th Street.

Mayor Fugate commented that it is good that the Recycling Center will be moving to its new location.

Mr. Mark McLaughlin, City Manager stated that he has been in contact with representatives for Naval Air Station Kingsville regarding this business moving close to the Naval Base, which will be within its airspace. He further stated that it has been mentioned to the applicant that the new location is within a potential crash site and the area of heavy jet noise. He further stated that there is a restriction that no more than 75 people be on a one-acre tract due to the location being near the airspace. Mr. McLaughlin stated that as he has spoken with representatives of Naval Air Station Kingsville regarding this business, the Navy is okay with the business moving in so close to the airspace.

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 5:04 P.M.

2. Public hearing for a Special Use Permit for daycare use in R1 (Single Family District) at 1915 Oklahoma, Kingsville, Texas, also known as Town & Country, Block 11, Lot 8. Brenda Rios, owner/applicant. (Director of Planning & Development Services).

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

Mr. Echeozo stated that for this item, the applicant is requesting a Special Use Permit for daycare use in a single-family district. Letters were mailed to individuals within the area and staff received no feedback from those individuals. The Planning & Zoning Commission met on this item and recommends approval.

Ms. Brenda Rios, 1515 Lee Street, (applicant) stated that she will have up 12 children. She has spoken with her neighbors, and they are okay with the daycare taking place in this location.

Commissioner Alvarez asked if Ms. Rios was a resident. Ms. Rios responded yes. Commissioner Alvarez further asked what age of children she will be taking in. Ms. Rios stated that there are regulations as to how many children of each age you can have in daycare such as this.

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 5:09 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. McLaughlin spoke about the Employee Recognition & Safety Banquet. He thanked the staff for their assistance in putting this event together. He further had a brief discussion on the schedule for sanitation services during the upcoming holidays. He further gave an update on the golf course greens. He stated that the golf course greens renovation is going well. The façade on the ground has taken root already.

Ms. Courtney Alvarez commented that there is a special City Commission meeting scheduled for Thursday, December 15, 2022, at 5:00 p.m. the next regular meeting is scheduled for January 9, 2023, with the deadline for staff to submit agenda items no later than December 28, 2022.

Commissioner Lopez thanked staff for putting together the La Posada Christmas Parade Float.

Commissioner Hinojosa and Commissioner Alvarez also thanked staff for their hard work on the Employee Recognition & Safety Banquet and the La Posada Parade Float.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for ARP Projects funded in FY 22-23 but not completed and for FY 22-23 approved ARP Projects not appropriated. (Finance Director/Purchasing Manager).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for the Downtown Planter Project that was not completed in FY 21-22. (Finance Director).

3. Motion to approve a resolution authorizing the Police Chief to enter into a Memorandum of Understanding and a Partner Agency Working Protocol Agreement between the Children's Advocacy Center of the Coastal Bend and the Kingsville Police Department relating to protocols for reports to abuse and neglect of children. (Police Chief).

4. Motion to approve a resolution authorizing the Fire Chief to enter into an Agreement for training of Emergency Medical Services Students between the Kingsville Fire Department and Texas EMS Academy. (Fire Chief).

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

5. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for mobile home as a business office use in I2 (Heavy industrial District) at Garcia Ind Ac, Block 11, Lots 1-3, Kingsville, Texas, also known as East Santa Gertrudis, Kingsville, Texas; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Introduction item.

6. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for daycare use in R1 (Single Family District) at 1915 Oklahoma, Kingsville, Texas, also known as Town & Country, Block 11, Lot 8; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Introduction item.

7. Consider accepting donation from the Texas & Southwestern Cattle Raiser Association Disaster Relief Fund for Fire Department brush, wildland, and rangeland firefighting equipment. (Fire Chief).

Mr. Juan J. Adame, Fire Chief stated that each year, TSCRA collects donations for its 501c3 organization, Disaster Relief Fund to aid in short-term relief during times of disaster. This year, TSCRA DRF is presenting donations to the Fire Departments in our area to assist with brush, wildland, and rangeland firefighting efforts. The donation is for \$10,000.

Commissioner Lopez asked what type of repairs and upgrades will be done. Chief Adame responded that lights and windshield upgrades.

Commissioner Hinojosa asked if the donation from this year was larger than the donation from last year. Chief Adame responded that he is not sure.

Motion made by Commissioner Alvarez to approve the acceptance of a donation from the Texas & Southwestern Cattle Raiser Association Disaster Relief Fund for Fire Department brush, wildland, and rangeland firefighting equipment, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

8. **Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to accept and expend donation from Texas & Southwestern Cattle Raisers Association for the purchase, repair, and maintenance of wildland brush firefighting equipment. (Fire Chief).**

Introduction item.

9. **Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to accept and expend grant funds from the Ed Rachal Foundation for baseball field lighting. (Parks Director).**

Mrs. Susan Ivy stated that the department is in receipt of grant funds from the Ed Rachal Foundation for \$25,000 for the use of lighting of baseball field #6.

Introduction item.

10. **Consider introduction of an ordinance amending City of Kingsville Code of Ordinances Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to place a stop sign on Franklin Adams Road at West Trant Road for northbound and southbound traffic. (City Engineer).**

Mr. Rudy Mora, City Engineer stated that residents have requested a traffic study near the intersection of Franklin Adams Road and W. Trant Road due to high speed along Franklin Adams Road. The Engineering Department placed traffic counters to record speeds and traffic volume for one week. A 30 mile per hour sign is posted along Franklin Adams north of W. Trant Road for northbound traffic. A 40-mile-per hour is posted along Franklin Adams south W. Trant Road for southbound traffic. Approximately 90% of motorists were traveling over the speed limit. The highest recorded speeds were over 75 miles per hour. Two Traffic Accident Reports for the same accident were recorded within the past 3 years. The total cost for the stop sign is approximately \$400.00 which will come from the Street Division line item.

Mayor Fugate commented that this needs to be a four-way stop sign.

Commissioner Lopez asked if the stop sign could be fitted with flashing lights.

Mr. McLaughlin stated that the original request was for speedhumps to be placed, but after the traffic study was done, it was determined that a stop sign would be preferable.

Introduction item.

11. **Consider a resolution authorizing the Mayor to enter into an Interlocal Agreement between Kleberg County and the City of Kingsville for the J.K. Northway Parking Lot Project. (Updated amounts) (Mayor Fugate).**

Commissioner Hinojosa commented that he has met with the City Manager and was able to get his questions answered which he is satisfied with. He further commented that he likes that the general fund will be reimbursed.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to enter into an Interlocal Agreement between Kleberg County and the City of Kingsville for the J.K. Northway Parking Lot Project, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

12. **Consider approving landscaping plan for Chamberlain Park. (City land to north of city hall). (Mayor Fugate).**

Motion made by Commissioner Alvarez to approve the landscaping plan for Chamberlain Park, seconded by Commissioner Hinojosa.

Mayor Fugate gave some background on the landscaping for Chamberlain Park. The plan is to put a walking trail covered with oak trees and a water feature with benches. The middle section of the park will be open space.

Mr. Sosa stated that this project will be paid for with the sale of Kenedy Park with the Foundation funding the remainder of the park.

Commissioner Hinojosa asked about the grass that will be planted.

Mayor Fugate responded that the King Ranch has agreed to provide the grass for this park.

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

13. Consider approving landscaping plan for city hall grounds. (Mayor Fugate).

Mayor Fugate commented that Mrs. Groves wanted students from Texas A&M University-Kingsville to design this, but there were 32 plans submitted for this project. He further stated that at that point he asked Mr. Sosa to have an architect design the plan and see if Mrs. Groves would approve, which she did approve the plan. He further stated that this includes landscaping only.

Motion made by Commissioner Alvarez to approve the landscaping plan for city hall grounds, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

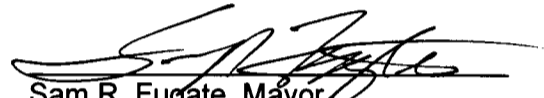
14. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for a portion of the City Hall Landscape Project. (Mayor Fugate).

Mr. McLaughlin commented that what the commission can do is amend this ordinance to show the new proposed cost.

Introduction item.

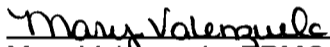
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:38 P.M.



Sam R. Fugate, Mayor

ATTEST:


 Mary Valenzuela, PRMC, CMC, City Secretary