

JANUARY 23, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 23, 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

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
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, KPD Commander
George Flores, KPD Commander
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 was 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 28, 2022

Regular Meeting December 12, 2022

Regular Meeting January 9, 2023

Motion made by Commissioner Lopez to approve the minutes of November 28, 2022, December 12, 2022, and January 9, 2023, as presented, 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 on request to replat 3rd, Block 15, Lots 25, 26, 27, & 28, also known as 612 E. Richard Street, Kingsville, Texas. Jonelle Qualia, of MAN MBR, owner/applicant. (Director of Planning & Development Services).

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

Mr. Uche Echeozo, Director of Planning & Development Services stated that the applicant is requesting this replat to subdivide the property into 2 main lots. Currently, 2 homes are sitting on this property, therefore the applicant would like to separate the property from 1 to 2 lots.

Commissioner Hinojosa stated that the city had stopped construction at one point, according to information within the public hearing packet.

Mr. Echeozo responded that this was correct.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute 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 the condemnation of unsafe structures located at 314 E. Ella, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:05 P.M.

Mr. Kobby Agyekum, Senior Planner/HPO stated that letters of notification were sent out. The property condition report states that this property is not attractive and a nuisance to the children and is a harbor for vagrants and criminal activity. The property is outdated and in need of repairs, collapsed, and deteriorated. Mr. Agyekum stated that it is staff's recommendation to condemn this property.

Mayor Fugate asked if anyone has responded to the notifications that were sent out. Mr. Agyekum responded that three correspondences were mailed which the recipient did receive, with only one correspondence not received. The correspondence was resent and has not been returned yet.

Commissioner Hinojosa commented that notices were sent to the address on these houses, but nobody is living in them, so those receipts are returned to the city. He further asked if the city is okay with that as far as liability goes, and that the city did its due diligence in notifying the owner that the property would be considered for condemnation.

Ms. Alvarez responded yes.

Mayor Fugate asked when the last time property taxes were paid for this property was.

Ms. Alvarez responded that for this property taxes were delinquent from 2013 to 2015, then it looks like some payments were made, then delinquent from 2019 to 2021. Photos show that the exterior wall and roof are severely deteriorated with the property being unsecured. The property is owned by an Estate. Notices of violation and notices of hearing were duly sent to the registered property owner as they appear on the appraisal district records and tax accessor records. Notices were also posted on the property and published in the newspaper, so the state statutory requirements were met.

Mayor Fugate further asked about electricity and water services for this property.

Ms. Alvarez responded that records don't show when those services were last established.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by City Commission.

There being no further comments Mayor Fugate closed this public hearing at 5:08 P.M.

3. Public hearing for the condemnation of unsafe structures located at 1108 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:08 P.M.

Mr. Kobby Agyekum stated that notifications were sent out. Property condition report state that there are two notices of violations for this property. One notice was posted on February 8, 2022, and the second notice was posted on November 18, 2022. No one has responded to the notices. The condition of the property is abandoned, collapsed, and deteriorated and is an attractive nuisance to children and a harbor for vagrants, and criminals, and a nuisance for insects and animals.

Ms. Alvarez stated that notices for this property were property sent as well as postings done, and publication done in the newspaper. Delinquency on taxes is from 2016 to 2021. Photos show that the window and doors are broken, and a neighbor had advised that a homeless had been going in and out of this property. Water and electricity services for this property were last known in 2016.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by City Commission.

There being no further comments Mayor Fugate closed this public hearing at 5:11 P.M.

4. Public hearing for the condemnation of unsafe structures located at 1102 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:11 P.M.

Mr. Kobby Agyekum stated that this property received two notifications on February 8, 2022, and November 18, 2022. The property condition report state that this is an abandoned building and is an attractive nuisance to children and a harbor for vagrants, and criminal and immoral people. The property has evidence of roaches, rats, mice, and other vermin.

Ms. Alvarez stated that photos show trees in and on the building with windows and doors broken. Signs of vagrancy were noted. This property only shows delinquency for 2021. Water services were last on in March 2008 and electricity services last on ten years ago.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by City Commission.

Commissioner Alvarez stated that the letter of recommendation from staff listed four properties for condemnation, but there are only three being heard and further asked what happened to the fourth one.

Ms. Alvarez responded that there was a notice error on the fourth property on some of the paperwork that was received, so staff will be resending it to two different addresses out of an abundance of caution to make sure that the property owner has every opportunity to receive notice.

There being no further comments Mayor Fugate closed this public hearing at 5:13 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 he has spoken with Police Chief Torres and is doing very well and will be returning to the office on Wednesday. He further reported that the pipe burst is completed on General Cavazos by the Quick Quack Car Wash. He also reported that the Kleberg County Commissioners' Court has issued a burn ban for Kleberg County effective today until further notice. He also reported that the Street Department has relocated to the JK Northway Coliseum parking lot to begin that project.

Commissioner Hinojosa asked for staff to give the Commission an update on Hwy 77 and King Avenue for the service station that was to be demolished.

Mr. McLaughlin responded that he would need to get with staff on this. He further stated that this property had already been approved by the Commission through condemnation and thought the owner was to demolish the structure himself but would need to verify this.

Mayor Fugate stated that he would like to know how many properties have been ordered to be demolished by Commission that has not been demolished and why.

Ms. Courtney Alvarez, City Attorney reported that the next city commission meeting is scheduled for February 13, 2023. The deadline for staff to submit their agenda items for the upcoming meeting is February 3, 2023. She further stated that there are two budget amendments for tonight's meeting that from the time the agenda was posted to this morning, staff became aware of it needed to be updated. Updated budget amendments are for items #19 and #21 on tonight's agenda.

Mayor Fugate read two proclamations, one for Black History Month and the other for the Douglas Youth Center Incorporated.

IV. Public Comment on Agenda Items.³

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

Mrs. Mary Valenzuela, City Secretary read a public comment submitted by Mrs. Elizabeth Ramos, 615 Elizabeth Ave. The comment read as follows:

Mrs. Elizabeth Ramos, 615 Elizabeth Ave. Good afternoon council, I would like to propose that the city council and Mayor put on an agenda in the near future a subject about the Kingsville, "Street Improvement Plan." This plan is located on the city's website. After talking to the city engineer director and the secretary of the public works director I have been aware of a list that contains the road I live on, Elizabeth Ave, which has been put on the street improvement plan but has not been updated online. I have requested public records for proof of this list with my street name on it. I am waiting, but between now and the time I receive them you should understand that the current street improvement plan, needs improvement. I am disappointed to see Hoffman Ave repaved before other roads in worse conditions in town. This road is located right next to the County Judge, Rudy Madrid's business. The courthouse is also next to be in line for improvement but is not as atrocious in condition as other city roads. To the public, this looks like the city is rubbing shoulders with the good ol' boys club making roads nice for them and visitors. Visitors don't pay extra on a water bill they do not get nor pay city taxes from home ownership that go into the general fund to spend on city roads. I have taken it upon myself to visit the roughly 15 roads up for improvement next to be fixed and realized that 14 are in better condition than Elizabeth Ave, one has already been repaved by Jubilee school, and only one that needs to be done prior to Elizabeth Ave; W Kenedy between Latana and Armstrong. I know the city council loves a good parade, so I beg of you to parade your way down the 15-plus roads up next to be fixed, then enjoy the lovely experience of driving down Elizabeth Ave. I have already tallied up the taxes paid and street improvement fees for Elizabeth Ave and also for the surrounding roads up for improvement and we pay far more in taxes and our road is falling apart, literally. The mayor should understand this as we walk this road weekly. As I was driving around looking at the condition of those 15 roads, I drove on roads that need to be done prior to what's on the list and after Elizabeth Ave. Please take in consideration the street audit done in 2017 as it no longer matches the current needs of many streets in Kingsville that are far worse than Hoffman, city hall roads, and the roughly 15 up next to be fixed.

Mrs. Valenzuela stated that for clarification purposes, Mrs. Elizabeth Ramos submitted a second email requesting edits to her original public comment. Mrs. Ramos requested that the word city hall be changed to the courthouse, but as there are areas within the public comment that state city hall, she was not sure which of the two needed to be changed.

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, Hinojosa, Fugate voting "FOR".

1. Motion to approve final passage 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).

2. Motion to approve final passage 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).

3. Motion to approve final passage 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).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for golf course improvements. (Parks Director).
5. Motion to approve final passage 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).
6. Motion to approve a resolution authorizing the City of Kingsville to continue participation in the Texas Main Street Program, authorizing the City Manager to execute the Texas Main Street Locally Designated Program 2023 Contract, and designating Downtown Manager Alicia Tijerina as the Main Street Program Manager for the City of Kingsville to coordinate program activities. (Tourism Director).
7. Motion to approve a resolution authorizing participation in Local Border Security Program FY2024 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).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider request to replat 3rd, Block 15, Lots 25, 26, 27, & 28, also known as 612 E. Richard Street, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Alvarez to approve the request to replat 3rd, Block 15, Lots 25, 26, 27, & 28, also known as 612 E. Richard Street, Kingsville, Texas, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

9. Consider the condemnation of unsafe structures located at 314 E. Ella, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Alvarez stating motion finding not able to repair, building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days, the city shall abate in any manner it deems necessary and proper, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

10. Consider the condemnation of unsafe structures located at 1108 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Lopez stating motion finding not able to repair, building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days, the city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

11. Consider the condemnation of unsafe structures located at 1102 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Alvarez stating motion finding not able to repair, building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days, the city shall abate in any manner it deems necessary and proper, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

12. Consider authorizing use of ARPA Funds for ADA sidewalk and ramp improvements at W. Kleberg and S. 4th Street. (City Engineer).

Mr. Rudy Mora stated that this budget amendment is needed to cover an extension of ADA sidewalks and ramps in the Downtown District. The project is around First Baptist Church located at 312 W. King Ave. The scope of work includes 50 feet of 5-foot-wide sidewalks and 2 concrete ramps. The ramps will be located at the intersection of W.

Kleberg and S. 4th Street. The American Rescue Plan Act fund will cover the cost of \$8,150.

Motion made by Commissioner Lopez to authorize use of ARPA Funds for ADA sidewalk and ramp improvements at W. Kleberg and S. 4th Street, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

13. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for the sidewalk and ADA ramp improvements for Kleberg and 4th Street area. (City Engineer).

Introduction item.

14. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for surveying costs for Escondido Road Project. (City Engineer).

Mr. Mora stated that this includes approximately a 17-foot wide by 3,720-long right-of-way acquisition and establishing the existing right-of-way for proposed improvements along Escondido Road between 6th Street and Brahma Blvd or FM 1717. The improvements will consist of 2 11-foot wide dedicated center turning lanes, 5-foot wide sidewalks on both north and south of road, a 5-foot wide bike lane in each direction, proposed lighting, relocation of mailboxes, and relocation of fire hydrants. This will help prevent head-in parking along the south side of E. Escondido Road next to Dick Kleberg Park. The general fund will allocate \$12,000 to cover surveying costs.

Commissioner Hinojosa asked if staff went out for a Request for Qualification (RFQ). He further stated that \$12,000 is a bit much for him for this area.

Mr. Mora responded that staff asked for 3 different quotes for professional services, and this was the lowest quote received.

Mr. McLaughlin commented that this is a good price as he thought it would have been twice the amount. He further stated that this is the entire length from 6th Street to 14th Street, about 88 feet wide.

Commissioner Hinojosa further stated that the reason he thinks it's a high amount is that they just sold a piece of property in Jim Hogg County and they didn't pay \$12,000. They had to survey 200 acres in that area and paid \$3,000.

Mr. McLaughlin commented that it is a lot of private property and needs to insure where all the private property stakes are, which is a lot for this.

Ms. Alvarez commented that you must locate the utility lines as well.

Introduction item.

15. Consider a resolution authorizing the Mayor to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Program Project. (for pedestrian, sidewalks & curb ramp improvements). (City Engineer).

Mr. Mora stated that on January 9, 2023, the city received an Advanced Funding Agreement for pedestrian and bicyclist improvements along S. Armstrong Street, W. Johnston Avenue, and W. Caesar Ave. The Texas Transportation Commission passed a Minute Order No. 116126 awarding funding for this project on October 28, 2021. The project's federal funding is \$1,248,093 and the state funding is \$46,660 for a total project cost of \$1,295,093. No city match is required. The city will be responsible for any cost overruns on the project. Mr. Mora stated that it is staff's recommendation to approve the Advanced Funding Agreement for a Transportation Alternatives Set-Aside Program Project and authorize the Mayor to sign the agreement.

Motion made by Commissioner Alvarez to approve the resolution authorizing the mayor to execute an Advance Funding Agreement (AFA) with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Program Project. (for pedestrian, sidewalks & curb ramp improvements), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

16. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for LED lights at the Train Depot and Main Street. (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that on September 12, 2022, the Commission approved the acceptance of a donation from Keep Kingsville Beautiful for improvements in the downtown area. Part of those, the painting of the depot and fixing up around the depot area was paid for last year. However, the lights did not come in and get paid for until October 31, 2022. It is being requested that the funds that were

placed in the fund balance be brought back to offset the expenses that were paid this fiscal year.

Introduction item.

17. Consider authorizing use of ARP funds for Parks Revenue Replacement Projects and funding set aside for lighting projects. (Parks Director).

Mrs. Susan Ivy, Parks Director stated that there are two batches of ARPA funds for the Parks Department. One of them is a revenue replacement which totaled originally about \$93,000 and has spent some of these funds. There is a remaining balance of \$37,191.36. Staff is asking for approval to use these funds for mowers for \$22,000, red dirt for \$3,000, ball field lighting for \$10,000, and landscape timbers surrounding the new swing set at Corral Park for \$2,191.36. She further stated that she would like to make sure that we are clear on where the funding is coming from for the lighting project that was just approved. She further stated that would like to clarify that for this project, \$25,000 is going to be used for the Brookshire Grant that was received, \$25,000 from the Ed Rachal Grant, \$10,000 from ARP Funds 121, and \$250,000 ARP Fund lighting project fund 121-59113. She further stated that staff would like to use these funds first so that they are aware that the grant funds are being used.

Commissioner Hinojosa commented that he would like to commend the City Manager and staff for their due diligence on how ARPA Funds are being spent.

Motion made by Commissioner Alvarez to authorize the use of ARP funds for Parks Revenue Replacement Projects and funding set aside for lighting projects, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

18. Consider a resolution authorizing the Mayor to execute an Agreement for Grant Administration Services for Mitigation Services under the U.S. Department of Housing and Urban Development Community Development Block Grant Program between the City of Kingsville and Langford Community Management Services. (CDBG-MIT-MOD). (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the City to negotiate a contract with Langford Community Management Services, for Administration services for the CDBG-MIT Regional Mitigation Program's Method of Distribution Development GLO Grant for the City of Kingsville. He further stated that staff published a Request for Proposals #23-01 in the newspaper on December 1, 2022, and December 8, 2022. Responses were accepted until 2:00 PM on December 13, 2022. Two responses were received from Grant Works of 2201 Northland Drive Austin Texas, 78756, and Langford Community Management Services of 9017 W. HWY. 29, Ste. 206, Liberty Hills, Texas 78642. Staff reviewed the responses received and found the information received to be responsive. The CDBG-MIT Regional Mitigation Program's Method of Distribution Development GLO Grant Selection Review Committee reviewed qualifications and scored the two firms based on the Administration/Professional Service Rating Sheet provided by the CDBG MIT-MOD Procurement Checklist. The firms were scored based on a point evaluation system. Based on the scoring by the Committee, the highest ranked firm was Langford Community Management Services of 9017 W. HWY. 29, Ste. 206, Liberty Hills, Texas 78642, and determined to be the most highly qualified provider based on the Administration/Professional Service Rating Sheet. The CDBG-MIT Regional Mitigation Program's Method of Distribution Development GLO Evaluation Committee recommends Langford Community Management Services for the City of Kingsville Grant Administration Services. Mr. Sosa further stated that it is recommended that the City Commission: 1) award the Grant Administration services RFP 23-01 to Langford Community Management Services and 2) authorize staff to negotiate a contract with Langford Community Management Services of 9017 W. HWY. 29, Ste. 206, Liberty Hills, Texas 78642 Grant Administration Services for the City of Kingsville in the event the City is successful in receiving CDBG-MIT Regional Mitigation Program's Method of Distribution Development GLO Grant funding awarded to the City, and that will be brought back to the City Commission for approval at a future meeting.

Motion made by Commissioner Lopez to approve this resolution authorizing the Mayor to execute an Agreement for Grant Administration Services for Mitigation Services under the U.S. Department of Housing and Urban Development Community Development Block Grant Program between the City of Kingsville and Langford Community Management Services. (CDBG-MIT-MOD), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

19. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for emergency wastewater 8-inch line repair. (Purchasing Manager).

Ms. Alvarez commented that this was under a Texas Department of Transportation (TxDOT) road which would have degraded General Cavazos; it was 11 feet deep. She explains this so that the public will be aware of why the cost was so high.

Introduction item.

20. Consider a resolution accepting the bid and authorizing staff to proceed with the sale of the City's real property known as Kenedy Park located off 14th Street and East Kenedy Street (5th Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13th St.) in Kingsville, Texas. (Purchasing Manager).

Mr. Sosa stated that this authorizes the City Manager to sign a contract for the sale of the Kenedy Park property located on the corner of 14th and Kenedy. The total amount of the sale will be \$395,000.00 of which \$28,476.00 will pay for attorney's fees and listing/selling agent. The net amount to the city is \$366,524.00.

Mr. McLaughlin commented that this is a great start for Chamberlain Park.

Motion made by Commissioner Lopez to approve the resolution accepting the bid and authorizing staff to proceed with the sale of the City's real property known as Kenedy Park located off 14th Street and East Kenedy Street (5th Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13th St.) in Kingsville, Texas, seconded by Commissioner Alvarez.

Mayor Fugate gave a brief history of the park. He stated that this land was donated to the City of Kingsville by the King Ranch after 1944. The year 1944 was the magic year for them, anything after that year the King Ranch would retain an interest in. Some of the old properties in town have some type of reversions. In the negotiations with the King Ranch, they have agreed to not enforce their reverter clause that these proceeds go back to them if the property is not used as a park any longer. It is the understanding that funds from this sale will be used for the Chamberlain Park project.

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

21. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for Chamberlain Park with proceeds from the sale of Kenedy Park. (Purchasing Manager).

Introduction item.

22. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for server software. (Finance Director).

Mr. Kyle Benson, IT Manager stated that the City of Kingsville is currently running Microsoft 2012R2 for all its servers. Several key services related to city email and security are being discontinued for 2012R2 next month. General support for 2012R2 will end in October 2023. Due to Microsoft's licensing, all servers will require relicensing to be compliant. This budget amendment was originally going to be brought during the budget process for Fiscal Year 23-24 as we were told that the current software would end on October 10, 2023, but staff decided not to wait until the last minute.

Introduction item.

23. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for the city manager contract increase. (Finance Director).

Mrs. Deborah Balli, Finance Director stated that this budget amendment is for the increase due to the contract negotiations for the City Manager. This also includes the expenditures that go along with the increase.

Introduction item.

24. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, providing for revision of Article 1-City Commission, Section 10-Agenda. (Commissioner Hinojosa).

Commissioner Hinojosa stated that the reason he is reconsidering this amendment is that back in 2018 or 2019, we kept bringing back an item that kept failing. He stated that they got tired of it so this ordinance was initiated stating that items that failed could not be brought back for 180 days from the date they failed. He further stated that looking at it strapped the Commission, case in point, would have been in the budget.

Commissioner Hinojosa further stated that if Commissioner Alvarez had not voted yes for the budget, the city would have kept last year's budget, as the vote would have failed if Commissioner Alvarez would have voted no, and the item would not be able to be brought back until after 180 days. He further stated that maybe the timeframe needs to be adjusted from 180 days to 30 days or eliminate completely. He stated that this is a bad policy and he and the Commission are tired of an agenda item being brought back to them multiple times after failing over and over.

Introduction item.

25. 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 and convened the meeting into executive session at 5:49 P.M.

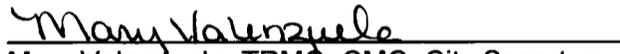
Mayor Fugate convened the meeting into open session at 5:57 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:58 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary