

FEBRUARY 27, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 27, 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 (Arrives @ 5:49 P.M.)

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
Rudy Mora, Engineer
Susan Ivy, Parks Director
Kwabena Agyekum, Interim Director of Planning & Development Services/Senior Planner/HPO
Joseph Ramirez, Engineers Assistant
Mike Mora, Capital Improvements Manager
Ricardo Torres, Chief of Police
Diana Gonzales, Human Resources Director
Cameron Whittington, Water Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with four Commission members present. Commissioner Torres arrived at 5:49 P.M.

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 February 13, 2023

Motion made by Commissioner Lopez to approve the minutes of February 13, 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 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).

Mayor Fugate read and opened this public hearing at 5:01 P.M.

Ms. Alvarez reported that the notice for this public hearing was published in the newspaper on February 16, 2023.

Mr. Kwabena Agyekum, Interims Director of Planning & Development Services stated that the community development needs for Main Street are sidewalks, lighting, road construction, renovation, and curb and gutter. The target areas are Kleberg between 6th and 7th street intersections. The amount of funding available is \$500,000 with a cash match required of \$18750.00. Staff would like to submit for this grant to go towards these needs. Mr. Agyekum further displayed a sketch map of the location where the project would take place.

Mayor Fugate asked that on the map there is a star in the middle of red brick on the road, and asked if the star was going to be located in that area.

Mr. Agyekum stated that paving would form the star in the middle of the brick area. The star can be of any color that is chosen.

Mr. McLaughlin commented that this is the intersection of Kleberg and 7th Street which is concrete that has been cut multiple times, so if the city will be replacing any part of the street, this will be the first part of it.

Commissioner Lopez commented that this is good but she would have wished that it would have gone a bit further down the road as the worst part is on 8th street.

Mr. McLaughlin stated that bids have already been received for the street which is well over \$1 million.

Commissioner Alvarez asked if the curbs will be lowered. Mr. McLaughlin responded that wherever it exceeds the height of the standard step, one or two steps will be placed. He further stated that the north side of Kleberg will probably have one step up to the sidewalk with the south side having two steps.

Mr. Agyekum stated that there is room for ADA compliance. He further stated that the funds needed are \$500,000 with a match of 3.5% cash match which totals \$17,500 with in-kind of \$30,000 for engineering services and in-kind of \$8,500 for administrative services.

Commissioner Alvarez asked for clarification on the cash match, as one slide showed \$18,500 and the other shows \$17,500.

Mr. McLaughlin stated that the correct amount is \$17,500.

Mr. Agyekum further stated that what is also being proposed are bollards.

Ms. Alvarez commented that bollards are installed at Texas A&M University-Kingsville on Santa Gertrudis and University Boulevard which are used when they want to close down the university from Santa Gertrudis to the main building. These bollards are the type that is screwed on and off.

Mayor Fugate asked if the bricks would be higher than the original road. Mr. McLaughlin responded that the bricks would be blended into the same level of the existing road.

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 5:05 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."

Mayor Fugate read and presented the Key to the City and a proclamation to Mr. Glen Jones, NAS Kingsville Community Liaison Officer. Mr. Jones will be retiring at the end of March 2023, and therefore the City of Kingsville would like to acknowledge all his hard work while in Kingsville.

Mr. Mark McLaughlin, City Manager complimented Mr. Glen Jones for all the hard work he has done within the community. He further introduced the city's new Building Official, Ms. Berlinda Tarver. Mr. McLaughlin further stated that a Wine Walk was held this past weekend and was very well attended. He also reported that the greens at the Golf Course will open for tournaments in March, 8 tournaments are scheduled for the upcoming month. The street sweeper contract will begin this Wednesday. Mr. McLaughlin gave a brief update on the TML Region 11 Quarterly Meeting that was held in Yoakum. There are several House Bills and Senate Bills that the city would need to keep an eye out for, as they could bring some changes to the city. He further stated that House Bill 2127 and Senate Bill 814 are companion bills that are going through. These bills would give the state exclusive authority over any activity contained in the agricultural code, finance code, insurance code, labor code, natural resources code, and occupation code. Some of those areas include drought, weedy lots, which the city deals with all the time, the raising of animals and predatory lending, and pawn shops. What this means is that unless the state law expressly authorizes the city or county to act in these fields any local ordinance or order that attempts to regulate any activity within these codes will be voided. Mr. McLaughlin further stated that if these were to pass then the city would need to look into its ordinance and see what the impact on our city would be.

Commissioner Hinojosa stated that most of the losses that have occurred have been an act of nature. The cyber attack is a human error as we go in and go phishing the web. He further stated that staff is doing a great job as everyone has to go through cybersecurity training.

Mr. McLaughlin further reported that the next TML Region 11 Quarterly meeting will be held in Victoria, but no date has been announced.

Mr. Ricardo Torres, Chief of Police gave an update on the situation that transpired at H.M. King High School on Thursday, February 23, 2023, where it was reported by students that someone may have been carrying a weapon on campus. He further discussed the timeline from the time the call was received to the first officer arriving on campus. Within 15 minutes from the initial call coming into dispatch, 100 law enforcement officers responded to the location of possible threat. He further stated that officers were deployed inside the campus to clear every room with the school. After the clearing the room students were dismissed to a safe location located across the street from the campus. At that point, students were reunited with their parents or put on the school bus to go home. He further stated that law enforcement closed down a section of Brahma Boulevard, in front of the school so that school buses could pick up those students riding the bus home. Chief Torres stated that although a weapon was not found, this was a great exercise for everyone involved. A plan was put in place by all law enforcement agencies that responded and worked very well to insure the safety of the students and faculty. He further stated that he would like to thank all law enforcement agencies that responded on a job well done and further thanked the parents of the students for being patient while waiting for officers to clear the location before releasing students to their parents.

Mayor Fugate thanked KPD Officers and all law enforcement agencies for their quick response in this situation.

Ms. Courtney Alvarez, City Attorney reported that the next scheduled Commission meeting is set for Monday, March 13, 2023. The deadline for staff to submit their agenda items is scheduled for Friday, March 3, 2023. Ms. Alvarez further reminded everyone that March 13th is the start of Spring Break for our students and encouraged everyone to drive a little slower through our city streets, as children will be home. She further stated the Police Department is having a Warrant Roundup. Voluntary compliance period where one can go to Municipal Court and take care of their citations without being arrested runs until the end of this week, March 3rd. Beginning on Saturday, March 4th, active enforcement will begin.

Commissioner Lopez stated that although she was confused with the location that was discussed during the public hearing, she would like for the location between 9th Street and 10th Street to be looked into as a lot of citizens have fallen in this area during parades. She further stated that she would like something to be done to prevent our citizens from falling and getting hurt.

Mr. McLaughlin stated that he will have the Street Department look into this and see if there is a fix for this.

Commissioner Alvarez asked for a brief update on water meters, as it had been mentioned some time back.

Mr. McLaughlin responded that it has been about a year since the city had an outside agency to assess the city and they came back with a price of over \$10 million to replace all of the water meters. This information was briefed to the Commission and at that time Mayor Fugate asked for staff to get a second opinion. Staff has received a second opinion which dropped by a few million dollars, but the costs were still considerably higher than if we did it a different way. Staff worked with its financial advisors and they advised us on a better way to do it. He further stated that staff has informed the company that did the second assessment that we have complied with the contract and cut them off at a certain point and paid them for the first part of the assessment. Staff had a meeting last week to see what the different options are on paying for it using the meter company that can install it themselves. He further stated that this will be in the \$6 million range to do all the meters in the city. He further stated that what also needs to be done is a lead and copper, which is required by law where an assessment needs to be done for every pipe coming in and out.

Commissioner Alvarez further asked if some meters could be done this fiscal year and the rest the following fiscal year.

Mr. McLaughlin responded that staff has talked about possibly doing residential meters first, as they are smaller pipes and easier to do. He further stated that the issue would be

is finding a larger meter and it having cast iron on the city side and is supposed to be a 4 inch but when it's opened there is only about 1 inch left on the inside. The question then is what does the city do, place a brand new meter on a bad pipe or fix the entire line? He further stated that there are a lot of things to take into consideration.

Mayor Fugate asked for the status of the demolition of the gas station located on King Street and Hwy 77.

Mr. McLaughlin responded that the property had been sold and the new owner is not aware that this location had been condemned. Staff will need to get with the new owner and see what the plans are for this location. He did state that the old hospital located on Caesar Street will be demolished soon, and a budget amendment will be brought forth to the Commission for this project. He further stated that no matter how hard they tried, the experts could not get the asbestos count below 1%, which would have been cheaper to demolish. The count, in some areas, is 5% to 8% asbestos. This will increase the price to about \$200,000. Once the funds are secure, the demolition can begin, as 75% of the hospital will be easy to demolish as parts of the building don't have asbestos. The area that has the asbestos will be done at the very end of the project.

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 Ms. Jozannah Quintanilla, 201 Jay Vee Lane, Kingsville, TX. Public comment read as followed:

Dear Mayor and Kingsville City Leaders, I'm writing to discuss my concerns on an issue and incident involving my father, Joe Quintanilla. I also want to inform the mayor and city leaders of the disrespect and treatment shown to my father, an upstanding loyal citizen who has lived in this town all his life. Not to mention he is an elderly man who should be shown compassion like you would any of your elderly loved ones. My father has been trying to get a permit for a shed he bought for his home that was authorized by the city on January 6th. He has been given the run around at the permit department and was never issued one. Now Fast forward to February 7th where an incident occurred at my father's home at 201 Jay Vee. My father was inside his home cutting an apple with a very small paring knife when he saw what he described as suspicious activity at his property. He described a man in ordinary clothes with a fishing hat, holding something in his hand and looking onto the property. My father, who has had lots of things stolen from his property, ran outside not even realizing he still had the apple and the paring knife in his hand... asked the guy what he was doing? The man we now have identified as Uche did not show a city badge and was rude and yelled to my dad he was with the city. That's all he said. Again, he was in ordinary clothes like a citizen and wearing a hat. He would not tell my father what he was doing there and was holding a camera where my dad said he was taking pictures of the property. Again, my dad asked what do you want... the man never spoke clearly and was pointing to possibly the shed and then got into his car and sped off. He did not explain anything about what he was doing and did not even offer to give his information to call his office. When my father went back to the permits office again to try to figure out what was happening with his permit and was denied again came to find out the man taking pictures was Uche with the city permits office. That brings us to the concerns I have with how city leaders handled this situation. When my brother posted on Facebook about what happened and the way my father was treated ... Anne Marie Torres who neither of us know personally was the one who responded and said she would send the concern to the appropriate person with the permits department. The most disturbing response was from city manager Mark McLaughlin. I could not believe he would email back that my father should have been arrested because my elderly father had come at Uche with a knife. I was like this has to be a joke.... absolutely absurd in this matter. To put the blame on an elderly man who was simply scared and ran out thinking there was possibly a suspicious person looking onto his property and even taking pictures. A man who never made it clear who he was or what he was doing. How dare Mr. McLaughlin make my dad out to be a criminal and slander his name. Instead of resolving the issue and helping an elderly citizen he acted like a bully. He only heard Uche and his lie and never talked to my dad or the family. Nobody has helped my dad to figure out what to do to get this permit he sped off in front of him. More like that car could have been called a weapon if he had hit my dad on the street when he sped off so fast. You all should be ashamed of yourselves treating the great citizens of Kingsville this way. As a former news journalist of 16 years, I know wrong within a city government or city practices when I see it. This is just wrong all the way around. Change your practices on how you get permits...in today's day and age with all the shootings and crime happening you can't expect elderly citizens to trust any suspicious activity. For God sakes... when there are people being shot in shopping malls and churches and elderly people being shot and carjacked in daylight. You think this is, okay? I have called to

talk to Uche since my dad started experiencing stress and chest pains from all the distress. Uche would not return my calls. Mr. McLaughlin has not reached out to my father also. This is not even about a permit anymore...it's the thought of these ridiculous and unsafe practices for a permit. Also, if this happened to an upstanding citizen like my father... then how many other citizens will be mistreated and not helped. Thank You, Jozannah Quintanilla, His Devoted Daughter.

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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. 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).

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

2. Consider a resolution authorizing participation in 2023 State Homeland Security Grant Program-Regular Projects with the Office of the Governor, Public Safety Office, Homeland Security Grants Division for law enforcement equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that the Kingsville Police Department is applying for equipment under the 2023 State Homeland Security Program. The grant amount is \$29,365.00 with no cash match. Staff is looking into a drone program and the drones that they are looking at purchasing have been tested by our officers and flown inside a building where they can provide live feeds of the subject as well as audio of anything the suspect may be saying. These drones are small enough that officers on patrol can have them at the ready and deploy them to assist in locating absconders from their pursuits.

Motion made by Commissioner Lopez to approve the resolution authorizing participation in 2023 State Homeland Security Grant Program-Regular Projects with the Office of the Governor, Public Safety Office, Homeland Security Grants Division for law enforcement equipment; 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: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

3. Consider authorizing purchase of Rotary Broom for Street Department via BuyBoard as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the purchase of a new Broce Rotary Broom RCT-350 from Nueces Power Equipment through BuyBoard Purchasing Cooperative Contract #685-22 for the City of Kingsville Street Department. The existing Rotary Broom is 20-plus years old and has been sent in for repairs frequently. The Street Department rotary broom is used for the construction of hot mix materials and seal coating for the city's street program. Frequent repairs have caused the Street Department to use rental equipment thus increasing maintenance and operation expenses. The purchase of a new Broce Rotary Broom will increase productivity and decrease operating expenses. Mr. Sosa further stated that funds are available through 115-5-3050-71200 of which \$74,791.00 are available this fiscal year. The purchase price is estimated to be \$73,931.66.

Motion made by Commissioner Alvarez to authorize purchase of Rotary Broom for Street Department via BuyBoard as per staff's recommendation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

4. Consider out of state travel for Mayor, City Manager, and Economic Development Director to attend the International Council of Shopping Centers (ICSC) Conference in Las Vegas, Nevada from May 20-24, 2023. (City Manager).

Motion made by Commissioner Alvarez to approve the out-of-state travel for the Mayor, City Manager, and Economic Development Director to attend the International Council of Shopping Centers (ICSC) Conference in Las Vegas, Nevada from May 20-24, 2023, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

5. Consider a resolution authorizing the City Manager to execute a Consulting Servicers Agreement with Evergreen Solutions, LLC for a compensation and benefits study. (Purchasing Manager).

Mr. Sosa stated that this item authorizes the city to approve a contract with Evergreen Solutions LLC to conduct a classification and compensation study for the City of Kingsville. The request for proposal was published in the newspaper on December 22, 2022, and January 5, 2023. Responses were accepted until 2:00 P.M. on January 31, 2023. The city received six responses from Gallagher Benefit Services, McGrath Human Resources Group, PayPoint HR LLC, Baker Tilly US, LLP, JER HR Group, and Evergreen Solutions LLC. The compensation review committee reviewed proposals and found the information received to be responsive. The review committee scored the firms based on understanding the task, related experience, references, cost of services, and time to complete tasks. Based on the criteria listed the review committee selected Evergreen Solutions LLC. The review committee consisted of Diana Gonzalez, Human Resources Director for the city. Mr. Sosa further stated that at a duly posted City Commission meeting on February 13, 2023, the City Commission awarded RFP #23-03 to Evergreen Solutions, LLC. A professional services agreement has been negotiated and needs to be approved by the City Commission. Funds are available through General Fund Amendment Reserves of which \$42,500 are available. The total cost of services is anticipated to be \$34,500.

Commissioner Torres asked if they are the only ones that came in under \$42,000. Mr. Sosa responded no, but they have the most experience.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute a Consulting Servicers Agreement with Evergreen Solutions, LLC for a compensation and benefits study, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

6. Discussion regarding potential ordinance requiring spay and neuter of animals. (Commissioner Torres).

Commissioner Torres stated that we have received a copy of the City of Corpus Christi ordinance regarding spaying and neutering. She stated that with everything that is out there and what she has seen which are a lot of dogs. She stated that she purchased an electric fence, which is humane, to keep her dogs within the property. She also stated that she took advantage of the spay and neuter in Corpus Christi through PAAC and paid a \$50.00 deposit and paid \$100.00 to get her dog neutered. For some, this cost may be expensive, but if our citizens aren't going to be responsible for their pets, then we must do something. She knows that the Animal Control Division is trying its best and doing a good job at the rescues and trying to get them adopted, but she doesn't feel that this will be successful if they continue having puppies.

Mr. Emilio Garcia, Health Director stated that the city has partnered with People Assisting Animal Control (PAAC) as they have received a grant on September 2022 for

an amount of \$125,000. These funds are to be used for free spay and neutering, for both dogs and cats, within seven counties. He further stated that his department contacted Ms. Martinez who explained how the program was to work. Our part was to identify target areas in the community where staff felt that the need for spay and neutering was needed. Once the targeted areas were provided the organization came in and spoke to individuals regarding the free sterilization program. The animal would need to be transported to Corpus Christi to be spayed or neutered. The service would not only be the sterilization of the animal but also comes with other grooming services and vaccinations as well as a small kennel for the dog or cat. In the first phase of this program, we had 28 animals that were sterilized and during the second phase, there were 68 animals sterilized. Phase three has just begun with about eight or nine streets that are on the target list. Once those areas are taken care of, Ms. Martinez contacts staff for any other targeted areas that need to be focused on. Mr. Garcia stated that the grant came from the Council of Governments (COG) which assist communities in getting animals spayed and neutered.

Commissioner Torres commented that the spay and neuter ordinance, after reviewing it, would be an option for us to move forward with and asked if it would help.

Mr. Garcia responded that it could help and cannot help. If you are not offering an incentive to assist the citizens in getting their animal spayed or neutered they may say to have the animal control pick up the animal, which will then fill up the animal control shelter. If we then can't get the animals adopted or rescued, then it leaves no other choice but to euthanize the animal when the shelter is over capacity. He further stated that the ordinance from Corpus Christi is not mandatory for every animal within that city. If the animal gets impounded, then a letter of violation is sent, then once the animal is released to the owner the owner has 30 days to sterilize that animal.

Commissioner Torres commented that one thing is that the shelter is overpopulated.

Mr. Garcia commented that the shelter is up to capacity most of the time. If we can get animal owners to get their animals sterilized, then it would slow down the shelter.

Commissioner Alvarez commented that on TV, there was a gentleman from Alice where they showed a large black bus that is used to load animals and take them to other cities and states that are wanted. What they were asking for is for citizens to donate to cover the cost of fuel.

Mr. Garcia stated that this individual goes around the surrounding counties and sees what is available to transport for rescue.

Commissioner Torres asked if the city was going to look into one of the mobile buses at one time.

Mr. Garcia responded that they were going to look at STARR but they buddied with PeeWees in Nueces County for that service. He further stated that he did speak with Ms. Martinez, once their spay and neuter program started if she was willing to bring down her mobile unit to Kingsville for one day and park at the Health Department facility and sterilize animals for our citizens, but she hasn't responded just yet.

Commissioner Torres further asked if the Health Department is eligible to take the pets that are in the shelter in for sterilization.

Mr. Garcia responded that if the city took animals to sterilization, Ms. Martinez would provide so many sterilizations for the animals in our shelter.

Mayor Fugate asked about Phase 3 of the program. Mr. Garcia stated that Phase 3 is in the area by Perez Elementary School. Mayor Fugate further asked if our city had an ordinance in place that if the owner of an animal was to go pick up their dog or cat from the shelter, they would be required to sterilize that animal within 30 days.

Mr. Garcia responded this is the ordinance that is currently in Corpus Christi. The City of Kingsville does not have that ordinance in place, but it is something that our city could implement.

Mayor Fugate stated that he would like for staff to look into possibly setting aside some funds and see if the city can start a program for spay and neutering animals.

7. 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 6:15 P.M.

Mayor Fugate convened the meeting into open session at 6:41 P.M.

8. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Attorney. (Mayor Fugate).

Mayor Fugate read and convened the meeting into executive session at 6:41 P.M.

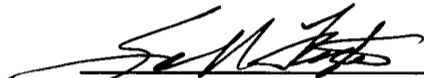
Mayor Fugate convened the meeting into open session at 6:48 P.M.

9. Consider approval of compensation adjustment for City Attorney position. (Mayor Fugate).

Motion made by Commissioner Lopez to approve the compensation adjustment for the City Attorney position to \$150,000 annually, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

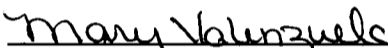
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:51 P.M.



Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, TRMC, CMC, City Secretary