

SEPTEMBER 25, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 25, 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
Bill Donnell, Public Works Director
Diana Gonzales, Human Resources Director
Joseph Ramirez, Engineer Assistant
Kwabena Agyekum, Senior Planner/HPO
Janine Reyes, Tourism Director
Susan Ivy, Park Director
Joe Casillas, Water Production Supervisor
Brad Lile, Interim Police Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with all five commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

Special Meeting – August 21, 2023

Motion made by Commissioner Lopez to approve the minutes of August 21, 2023 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting “FOR”.

Regular Meeting – September 11, 2023

Motion made by Commissioner Lopez to approve the minutes of September 11, 2023, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting “FOR”. Hinojosa “ABSTAINED”.

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

1. None.

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; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.”

Mr. Mark McLaughlin briefly updated the commission on the streets being worked this week. He also stated that the County would like to set up a meeting to discuss the MOUs between the City of Kingsville and Kleberg County.

Ms. Courtney Alvarez, City Attorney reported that the next city commission meeting is scheduled for Tuesday, October 10, 2023, with a deadline for staff to submit their items by Tuesday, September 26, 2023. She further reported that city offices will be closed on Monday, October 9, 2023, in observance of Columbus Day.

Commissioner Torres stated that she attended the NALEO National Emergency Response Conference to which she was awarded a scholarship to pay for her registration. She further stated that she is now certified through FEMA.

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: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

1. **Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for a projecting sign in downtown in C3 (Central Business District) at Original Town, Block 41, Lots 30-32, also known as 400 E. Kleberg, Kingsville, Texas; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Interim Director of Planning & Development Services).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for water main breaks. (Public Works Director).**
3. **Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for plumbing repairs at the Tourism Visitors Center. (Tourism Director).**
4. **Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to accept and expend the donation from KISD Education Foundation for Friday recreation programs. (Parks Director).**
5. **Motion to approve final passage of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for negative line items that cannot be covered by other line items. (Finance Director).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. **Consider a resolution of the City Commission of the City of Kingsville, Texas, authorizing the City Manager to execute a Construction Contract with Gerke Excavating Inc. for Project 3 of the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-082-016-D218. (\$1,498,733.34 base bid for 18" wastewater main replacement to 3MGD WWTP project). (City Engineer).**

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute a Construction Contract with Gerke Excavating Inc. for Project 3 of the Community Development Block Grant-Mitigation Program (CDBG-

MIT) General Land Office (GLO) State Contract Number 22-082-016-D218. (\$1,498,733.34 base bid for 18" wastewater main replacement to 3MGD WWTP project), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

7. Consider a resolution of the City Commission of Kingsville, Texas, authorizing the updates to the Texas General Land Office Community Development Block Grant-Mitigation (CDBG-MIT) resolution for State Contract number 22-085-009-D237; updating the City of Kingsville's contributing funds to reflect that of the State Contract matching funds amount and eligible activities in all matters pertaining to the City's CDBG-MIT State Contract 22-085-009-D237. (City Engineer).

Motion made by Commissioner Lopez to approve the resolution of the City Commission of Kingsville, Texas, authorizing the updates to the Texas General Land Office Community Development Block Grant-Mitigation (CDBG-MIT) resolution for State Contract number 22-085-009-D237; updating the City of Kingsville's contributing funds to reflect that of the State Contract matching funds amount and eligible activities in all matters pertaining to the City's CDBG-MIT State Contract 22-085-009-D237, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

8. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget for additional funding for professional services for the legal department. (City Attorney).

Introduction item.

9. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 budget to appropriate funding for emergency repairs to water well #24. (Public Works Director).

Introduction item.

10. Consider a resolution authorizing the City Manager to execute Amendment No. 1 for Surveying Services with Ardurra Group, Inc. for utility easements. (City Engineer).

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute Amendment No. 1 for Surveying Services with Ardurra Group, Inc. for utility easements, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

11. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 budget to appropriate funding for surveying costs for the proposed utility easements within Farm Lots 11 and 14, Section 11, Kleberg Town and Improvement Company Subdivision. (City Engineer).

Introduction item.

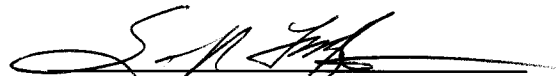
12. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the Personnel Exception, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Commissioner Torres).

Mayor Fugate read and convened the meeting into a closed executive session at 5:16 P.M.


Mayor Fugate reconvened the meeting into an open session at 5:28 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:28 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, CMC, City Secretary