AUGUST 14, 2024

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON WEDNESDAY, AUGUST 14, 2024, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:30 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor Edna Lopez, Commissioner Norma N. Alvarez, Commissioner Hector Hinojosa, Commissioner Leo Alarcon, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager Mary Valenzuela, City Secretary Courtney Alvarez, City Attorney Kyle Benson, Director of Information & Technology Derek Williams, IT Emilio Garcia, Health Director John Blair, Chief of Police Leticia Salinas, Accounting Manager Deborah Balli, Finance Director Susan Ivy, Park Director Bill Donnell, Public Works Director Rudy Mora, City Engineer Charlie Sosa, Purchasing Manager Juan J. Adame, Fire Chief Janine Reyes, Tourism Director Mike Mora, Capital Improvements Manager Ruben Chapa, Golf Course Manager James Creek, Firefighter Jennifer Bernal, Parks Manager Diana Gonzalez, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 4:30 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)

None

II. Public Hearing - (Required by Law).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 Services - 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, City Manager gave a brief update on streets.

Ms. Courtney Alvarez, City Attorney reported that the next meeting is scheduled for September 5, 2024, with two public hearings for the FY 24-25 proposed budget and tax rate and the introduction of ordinances for the proposed budget and tax rate. Alvarez stated that a special meeting is scheduled for August 19, 2024, and August 26, 2024. A

meeting is also scheduled for Thursday, September 12, 2024, where the commission will vote on FY 24-25 and the tax rate.

IV. Public Comment on Agenda Items.3

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

No public comments 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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.4

1. Review and discuss proposed fiscal year 2024-2025 budget for departments of the City of Kingsville. (City Manager).

Information Technology Department: This department is independent and has consolidated the KPD IT Department into it. Change. Change highlights are in personnel for the year 2 comp plan and employer health premium increase. In supplies, workstations for \$45,000 will be paid out of ARP funding. Services have a software mechanics increase due to consolidating KPD IT. Leases have a change in the copier lease agreement.

Parks & Recreation: FY 24-25 revenue sources are: Parks County Contributions \$465,000, Golf Course-\$527,200, Recreation & Donations-\$196,600=\$1,188,800. FY 23-24 budget is \$1,028,200 with activity of \$1,195,006. The proposed budget for FY 23-24 is \$1,188,800.00.

Parks Administration Division 4501: Change highlights are in personnel for year 2 comp plan increases and employer health premium increases. Supplies have a budget reduction, and services has an increase in communications and utilities. Keep Kingsville Beautiful budget moved from the Planning Department.

Golf Course Maintenance Division 4502: Change highlights are in personnel due to year 2 comp plan increases and employer health care increases. One part-time Ground Maintenance Worker position has been frozen for FY 24-25. The supply budget has a reduction, and services have an increase in communications, professional services, and utilities. Leases have a change in copier lease and a new lease on golf carts.

Park Maintenance Division 4503: Change highlights are in personnel due to year 2 of the comp plan increases and increased employer health care premiums. In supplies, a one-time supplemental for tables and chairs for FY 23-24 was removed. Services have an increase in communications. Maintenance removed FY 23-24 one-time supplementals and leases had a change in the copier lease agreement.

Golf Course Pro Shop Division 4512: Change highlights are in personnel for year 2 comp plan increases and increased employer health care premiums. This division only records personnel costs of the Golf Course Manager and Pro Shop employees.

Parks Recreational Programs Division 4513: Change highlights are in personnel for Recreation Coordinator position which is frozen for FY 24-25. Additional 1-year longevity for all eligible employees. Services has an increase in credit card fees.

Softball League Division 4514: This division no longer exists due to the city no longer managing this league.

General Fund Transfers Out: Transfer to Tourism Fund 002 \$12,211.51 for PIO Stipend. HOT funds cannot be used to pay this stipend requiring the transfer from the General Fund. Transfer to Golf Course Maintenance Fund 026 \$15,816. The General Fund is required to send over 3% of budgeted Golf Course revenues for specific capital maintenance projects. Budgeted revenues are $$527,200 \times 3\% = $15,816$. Transfer to Utility Fund 051 \$114,018.19. General Fund and Utility Fund share personnel costs for Facilities Division

1805, Public Works 3000, Engineering 8000. To keep from splitting employees in the Payroll system, Division 1805 employees are recorded in Utility Fund in Division 8020, Division 8000 employees are recorded partly in GF Division 3000 & UF Division 8000: 25% of 8000 Engineering Personnel Costs (in UF) - \$5585,040.44 x 25% = \$146,260.11; 50% of 8020 Facilities Personnel Costs (in UF) \$222,259.35 x 50% = \$111,129.68; Offset 50% of 3000 Public Works Personnel Costs (in GF) \$207,479.16 x 50% = (\$103,739.58); Offset 50% of Welder in Division 3030 (in GF) \$79,264.03 x 50% = (39,632.02).

Commissioner Hinojosa stated that the PIO stipend started due to COVID. How did it arrive at \$10,000? How was this determined as a stipend is not given to the Purchasing Manager for having the Facilities Manager responsibilities? He further asked where the fairness is as we do it for one employee and not for another and is there a timesheet on the number of hours that are spent on PIO work for this particular \$10,000?

Mr. McLaughlin stated it is correct that this started during COVID due to all the communications piece, but it has morphed into our Publication Information Officer. He further stated that there has been time that over the last years a recommendation to hire a full-time PIO, there is not enough work for a full-time PIO position therefore the work was assigned to Ms. Janine Reyes, Tourism Director as she has experience in this field. He further stated that the amount, he is not sure how he came up with that dollar amount, but the amount in the budget is fully vested with all the workman's comp and not what she actually gets paid. The time is not accounted in a separate timesheet, but you do get a report on a weekly basis what the PIO did for that particular week.

Commissioner Hinojosa commented that he has seen that, but it doesn't reflect the number of hours spent on PIO duties.

Mr. McLaughlin responded that this is due to her being an exempt employee, so we don't count hours. He further stated that for what ask her to do for the stipend that we pay, it is a very good deal for the city. Hiring a full-time individual to do the work will cost the city a lot more than the stipend being paid out.

Mayor Fugate commented that Ms. Reyes has been instrumental with the USS Kingsville Commissioning. This is a monumental task for both Ms. Reyes and Mr. Manny Salazar. The stipend paid to her of \$10,000 is a bargain for the work she does for the city.

Commissioner Lopez commented that hiring a full-time PIO will cost the city more with fringe benefits.

Mr. McLaughlin commented that with her expertise in public information and the Tourism position, both go together.

Commissioner Lopez commented that Ms. Reyes goes far and beyond than the work scope.

Commissioner Hinojosa stated that all he wanted was clarification of this.

The General Fund Transfer Out continued: Transfer to Economic Development Fund 098 - \$200,000: \$100,000 Assist the EDC with their efforts; \$15,000 – The Retail Coach; \$7,000 – Community Marketing; \$5,000 – Zac Tax Sales Tax Database \$5,000 – Professional Development; \$30,000 – Business Development Staff \$15,000 – Economic/hosing Impact Studies; \$8,000 – Economic Development Website \$15,000 – Housing & Retail Developer Recruitment; \$100,000 estimated payments on the tax incentive agreements.

Building Security Funds 025: This fund comes from the court as it is a fee that is assessed on court cases. Budget revenues are about \$13,350 with the new fiscal year hitting about \$13,800, which is consistent.

Mayor Fugate commented that there is a percentage of fines that has to be used for security reasons, which is stated in the law.

Golf Course Capital Maintenance Fund 026: This fund is used to account for 3% of budgeted revenues at the Golf Course to be used on golf course capital maintenance. FY 24-25 Estimated Beginning Fund Balance is \$506.03. Budgeted Revenues are \$15,816 and budgeted expenditures are \$0. Fiscal Year 24-25 estimated ending fund balance is \$16,322.03.

Solid Waste Capital Projects Fund 087: Residential is \$4.30 of the \$21.00 Fee-Ordinance 2009-01. Commercial fees vary by the size of the rollout & number of pickups. The intent was to set aside funding for the replacement of garbage trucks. FY 24-25 Estimated Beginning Fund Balance is \$261,658.66. Budgeted revenues are \$590,485.00 and budgeted expenditures are \$595,383.19. FY 24-25 Estimated Ending Fund Balance is \$256,760.47. Expenditures for FY 24-25 are budgeted at \$595,383.19 vs \$597,686.17 for last FY. Rollouts & Dumpsters — \$100,000 annual budget for rollouts and dumpsters. Capital Lease — \$146,584 for the principal and interest payments on the Articulated Dump Truck & Garbage Trucks. Street & Bridge Alley - \$50,000 Annual allocation. Transfer to Fund 011 - \$203,753 for 2021 & 2022 Tax Note payment. Transfer to Fund 090 - \$95,046.19 for the City Hall payback payment (Payback was for 25 years and will be completed in FY 2040-2041)

Landfill Closure Fund 090: This is a \$3.00 landfill fee on both residential and commercial accounts. This funds the closure and post-closure landfill costs. Fiscal year 24-25 estimated beginning fund balance is \$2,737,544.25. Budgeted revenues are \$366,682.19 and budgeted expenditures are \$0. Fiscal Year 24025 estimated ending fund balance is \$3,104,226.44.

Commissioner Hinojosa asked if there was a separate bank account for this. Mrs. Balli responded that it is in the Pool Account and TxClass Account.

Street Maintenance Fund 092: This fund accounts for the street maintenance fees collected from property owners. Expenditures for this fund are handled within this fund. Fees are proposed to increase in FY 24-25. Fiscal Year 24-25 estimated beginning fund balance is \$883,274.14. Budgeted revenues are \$1,499,385 and budgeted expenditures are \$1,524,982. Fiscal Year 24-25 estimated ending fund balance is \$857,677.14. Expenditures are \$1,542,982.00 for the street sweeping contract to SCA for \$174,982.00 and street & bridge for \$1,200,00.00. The list of streets will be provided via separate correspondence. Transfer to General Fund 001 of \$150,000 to reimburse payroll costs of the Street Construction Crew. Recommendation of this fee to increase by \$15,000 to \$165,000.

Park Maintenance Fund 093: This fund accounts for specific park maintenance projects. The General Fund transfers annually \$25,000 for Parks Maintenance. The FY 24-25 transfer will start the FY at \$0 and be budget-amended later in the FY when funds are available. FY 24-25 estimated beginning fund balance is \$3,904.50. Budgeted revenues are \$0 and budgeted expenditures are \$0. FY 24-25 Estimated Ending Fund Balance is \$3,904.50. When funds become available in FY 24-25, the following projects have been identified for possible funding: \$13000 zero turn mower, \$5,000 swing set at Flores Park, \$3,000 swings and chains for all parks, and \$4,000 more red dirt for fields.

Mayor Fugate asked about Chamberlain Park. Mr. McLaughlin responded that Chamberlain Park will be taken care of, after the USS Kingsville Commissioning and when the budget gets approved. Mayor Fugate further commented that NAS Kingsville has donated to the city playground equipment that is in great shape and will be placed at Chamberlain Park.

Commissioner Hinojosa asked if the donation of the playground equipment needed to be approved by the commission. Mr. McLaughlin responded yes.

Economic Development Fund 098: This fund accounts for the revenues and expenditures related to economic development. Funds are from transfers from the General Fund. FY 24-25 estimated beginning fund balance is \$279,045.49. budgeted revenues are \$208,509.44 and budgeted expenditures are \$265,000. FY 24-25 estimated ending fund balance is \$222,554.93. FY 24-25 expenditure sources: personnel for \$65,000 as per contract and services at \$100,000. Assistance with Economic Development efforts and \$100,000 for tax incentive agreements.

Tax Note Series 2021 Fund 115: This fund was used to account for tax note proceeds used to purchase FY 20-21 capital outlay of police vehicles, fire command vehicles, garbage trucks, and golf course backhoe. This fund still has a fund balance because the purchase price was less. FY 24-25 estimated beginning fund balance is \$8,790.47. Budgeted revenues are \$0 and budgeted expenditures are \$8,790.47. FY 24-25 estimated ending fund balance at \$0. The budgeted expenditure is not in the budget book, but it will be entered for Dash Cameras. There will be a \$100,000 recurring maintenance & software support cost on the Dash Cameras for 4 years. Funding for this will come from the General Fund.

Mr. McLaughlin commented that as for the Dash Cam, all have to be backed up as expressed by the City Attorney.

GF Tax Note Series 2022 Fund 126: This fund is used to account for the tax note proceeds used to acquire the FY 21-22 capital outlay purchases from the General Fund of the (3) police vehicles, Bobcat Skid Steer, Excavator, Pneumatic Roller, Wheeled Trash Compactor and Ford F250 Regular Cab truck for Code Compliance. FY 24-25 estimated beginning fund balance is \$78,918.59. Budgeted revenues are \$0 and budgeted expenditures are \$78,918.59. FY 24-25 estimated ending fund balance is \$0. The Budgeted Expenditures are not in the budget book, but it will be entered for Dash Cameras.

CO Series 2023A-GF Fund 151: This fund is used to account for the proceeds from the sale of the Certificates for the use of (1) public works department vehicles and equipment, including garbage trucks and dump trucks, and (2) paying the costs of issuance of the Certificates. FY 24-25 estimated beginning fund balance is\$145,424.67. Budgeted revenues are \$0 and budgeted expenditures are \$145,424.67. FY 24-25 estimated ending fund balance is \$0. The Budgeted Expenditures are not in the budget book, but it will be entered for the purchase of 2 trucks for Streets and 1 truck for Sanitation.

GO Debt Service Fund 011: This fund is used to account for the payment of General Fund and Solid Waste Fund debt service. Revenues are generated from the I & S portion of the Ad Valorem Taxes. FY 24-25 estimated beginning fund balance is \$702,346.91. Budgeted revenues are \$2,258,686.00 and budgeted expenditures are \$2,148,181.53. FY 24-25 estimated ending fund balance is \$812,851.38. Best practice recommends fund balance be at least 1 year of principle payments which for FY 24-25 is \$867,923 for the General Fund portion. FY 24-25 Revenue Sources: Debt Service from Tax Rate-\$1,944,426 (Includes paying agent fees \$8,750, Arbitrage Services \$7,500 & Disclosure Fees \$3,500) – Delinquent & Penalties-\$85,261, Interest-\$25,246 & Transfer from SW FD 087-\$203,753 = \$2,258,686. Mrs. Balli commented that the estimated fund balance is where it needs to be. Expenditures for GO Debt Service - \$2,148,181.53: Principle - \$1,056,478.00; Interest - \$1,071,923.53; Paying Agent Fees - \$8,750; Arbitrage Calculation - \$7,530; and Continuing Disclosures - \$3,500.

Tourism Fund 002: This fund is used to account for revenues and expenditures for tourism activities. Revenues are received from Hotel Occupancy Taxes (HOT) and expenditures are based on State Tax Code Chapter 351. FY 24-25 estimated beginning fund balance is \$607,770.78. Budgeted revenues are \$652,421.35, which does not include venue tax. Budgeted expenditures are \$661,366.61. Operating Expenditures-\$626,366.61, transfer out of \$35,000 (Increased to \$38,500). FY 24-25 estimated ending fund balance is \$598,825.52.

Mr. McLaughlin stated that there will be a budget amendment that will be brought to the commission for the JK Northway parking lot which is \$65,772.00 which is paid out of Tourism Fund and will be adjusted at a later time when we receive the final number.

Commissioner Hinojosa commented that the venue tax is not included as it has not begun to be collected. Mr. McLaughlin responded that the city has not instituted that collection as of today. Commissioner Hinojosa asked if the funds received would be able to pay the payment on the principal and interest on that. Mr. McLaughlin responded yes, for whatever the bond is setup to pay for the HMC facility, but we are not there yet as we are still doing an outside review of the public/private partnership and making requests for donations at this time. Commissioner Hinojosa further stated that he didn't the transfer in from the general fund on the PIO stipend. Is this figured into the figures that were given to the commission.

Mr. McLaughlin commented that one of the slide presentations states revenue sources Hot Funds \$601,000; Merchandise & Fees \$23,000; Transfers-In \$22,721.00 and Miscellaneous \$5,700 which equal to \$652,421.00.

Commissioner Hinojosa stated that the city has Wine Walks and Loteria events and asked where this money is reflected in our books, as far as money coming in and money that is being expensed.

Mrs. Balli commented that as far as she is aware that should be coming in as vendor fees. Staff would need to get an accounting of that for the commission.

Ms. Janine Reyes, Tourism Director stated that as far as those events, the only revenues that that come in are vendor fees and any sales from merchandise items during the said event. As for event proceeds because of the way, we fund them with a donation from the public to a 501c3, the revenues from the event itself, Wine Walk Passport, or the Loteria Cards, that go straight to the non-profit, but we are not paying the expenses of that event. It has been seen through the years that the vendor fees have gone up, far exceeding when she came in when they were at \$5,000 and now at \$12,000 in vendor fees. Ms. Reyes further commented that we do see revenue from that but additionally each and every time we have one of those events and once the series wraps up the amount is announced that was raised for the non-profit. Data is collected that assist in showcasing other revenues that are not Tourism's, for example, sales downtown. She further stated that when there is a Wine Walk, anyone who spends money with the downtown merchants, can bring in their receipts to enter for a prize.

Commissioner Hinojosa asked if the Finance Department is involved in this as far as looking at the bank statements or looking at the donations. Does the Commission have to get involved in approving the donations that are given to the non-profit. He further stated that the commission does not receive any reports on this. This is something that is going on and someone has to be accountable for it. He further asked where it in the budget book is, the income coming in, and expenditures.

Mrs. Susan Ivy, Parks Director responded that she is going to speak as she is on the Board for Keep Kingsville Beautiful and has historically been the benefactor of the Loteria. Every year that they have done the Loteria, Keep Kingsville Beautiful Board Members (KKB) do all of the Loteria events. They solicit sponsors for the tables to which those funds come directly to KKB as KKB is now a 501c3 which is separate from the city. Those funds are deposited in a special Kleberg Bank Account that belongs to KKB. For the sales for the cards, KKB sets up tables and sales the cards. KKB buys or gets the prizes donated for

this event. Tourism has nothing to do with any of that. All Tourism does is the advertising for the event. All of the expenses for the Loteria games are either donated or paid for, and some marketing is paid for by KKB.

Commissioner Hinojosa asked if there is an audit done for the 501c3 as the commission is involved in this and held accountable.

Mayor Fugate commented that he doesn't understand how the city could be accountable as staff explained the process and that the city is not involved in it.

Mayor Fugate recessed the meeting at 5:43 p.m. Fugate reconvened the meeting at 5:47

Tourism ARP SLFR Fund 205: This fund accounts for the ARP allotment for Tourism Revenue Replacement Projects. FY 24-25 estimated beginning fund balance is \$45,897.72. Budgeted revenues are \$989 and budgeted expenditures at \$46,886.72. FY 24-25 estimated ending fund balance is \$0. All funds must be committed by December 1, 2024. Original ARP Funding for revenue replacement projects is \$173,544. Revenues budgeted \$989, the initial transfer was short, and this transfer is a correction. Expenditures budgeted \$46,886.72, and Wayfinding signs balance \$18,819.00. Tourism Dog Park-\$28,067.72, Mural-\$3,000, Mini-Dog Park-\$10,000, Dog Park Signs-\$2,000, Parking Lot Overlay-\$13,067.72.

PD State Seizure Fund 005: This fund is used to account for revenues and expenditures resulting from state seizure awards. FY 24-25 estimated beginning fund balance is \$729,569.58. Budgeted revenues are \$3,131 (Interest) and budgeted expenditures are \$237,710. FY 24-25 estimated ending fund balance is \$494,990.58. Expenditures - \$237,710: Minor Equipment - \$35,000; Educational Material - \$11,000; Computers - \$57,000; Professional Services - \$78,520; Donation - \$20,000; Training - \$4,500; Subscriptions - \$23,690; and Building - \$8,000.

PD Federal Seizure fund 028: This fund is used to account for revenues and expenditures resulting from federal seizure awards. FY 24-25 estimated beginning fund balance is \$106,598.63. Budgeted revenues are \$135.00 and budgeted expenditures are \$30,000. FY 24-25 estimated ending fund balance is \$76,733.63.

Municipal Court Technology Fund 031: This fund is used to provide for technology needs of Municipal Court. Revenues are generated from consolidated court fees. FY 24-25 estimated beginning fund balance is \$41,003.05. Budgeted revenues are \$11,500 (Changed from \$12,000) and budgeted expenditures at \$7,800. FY 24-25 estimated ending fund balance at \$45,203.05. Expenditures are \$7,800 for professional services for notification calls \$2,000 and copier lease at \$5,800.

GF ARP SLFR Fund 121: The funding came from the Federal Government's State and Local Fiscal Recovery Fund and was received in FY 21-22. FY 24-25 estimated beginning fund balance is \$482,663. Budgeted revenues are \$45,000 and budgeted expenditures are \$527,663. FY 24-25 estimated ending fund balance is \$0. Budgeted Revenues are \$45,000, transfer from ED ARP Fund 123 for IT Workstations. Budgeted expenditures of \$527,663 for Professional Services - \$11,044.70 – IT Firewall; Professional Services - \$22,020. \$22,020 – Balance of Demos; Computers - \$45,000 – IT Workstations; Building - \$207,618.83 – Balance of Animal Shelter; and Transfer Out -\$241,979.47. To UF ARP Fund 125 - \$240,990.47 - UV Light system and to Tourism ARP Fund 205 initial transfer correction.

Mr. McLaughlin stated that during the last storm, it caused the UV Light System to fail. He further stated that he explained to staff why ARP funds were taken from them and they understood. The UV Light is a requirement as per TCEQ.

Ed Rachal PD Grant Fund 124: this fund will be closed on FY 24-25. FY 24-25 estimated beginning fund balance is \$352.62. Budgeted revenues are \$0 and budgeted expenditures are \$352.62. FY 24-25 estimated ending fund balance is \$0.

Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:00 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzulle

Mary Valenzuela, City Secretary