

SEPTEMBER 23, 2024

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 23, 2024, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Edna Lopez, Commissioner
Norma N. Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY COMMISSION ABSENT:

Sam R. Fugate, Mayor

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, Director of Information & Technology
Derek Williams, Systems Administrator
Emilio Garcia, Health Director
John Blair, Chief of Police
Leticia Salinas, Finance Accounting Supervisor
Susan Ivy, Parks Director
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Erik Spitzer, Director of Economic & Development Services
Juan J. Adame, Fire Chief
Diana Gonzalez, Human Resources Director
Mike Mora, Capital Improvements Manager
Janine Reyes, Tourism Director
Frank Garcia, Wastewater Supervisor
Kwabena Agyekum, Senior Planner

I. Preliminary Proceedings.

OPEN MEETING

Commissioner Edna Lopez opened the meeting at 5:00 p.m. with four commission members present. Mayor Fugate was absent from this meeting.

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 – September 12, 2024

Motion made by Commissioner Alarcon to approve the minutes of September 12, 2024, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez voting “FOR”

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 reported on Tropical Depression #9. The storm will impact Florida and have no impact on Texas. He further reported that staff will be spraying for mosquitos throughout the city beginning this evening and for the next two evenings.

Kleberg County has approved the Texas Multi-Hazard Mitigation Plan during their County Commissioners' Court meeting today. He also reported that 12th Street was supposed to be chipped sealed, but due to rain that project will be delayed. Mr. McLaughlin reported that he will be meeting with the Chief of Naval Air Wing Training on airshow details for Kingsville. ...

Ms. Courtney Alvarez, City Attorney reported that the next city commission meeting is scheduled for Tuesday, October 15, 2024. The deadline for staff to submit agenda items for that meeting is Friday, September 27, 2024. City offices will be closed on Monday, October 14, 2024, in observance of Columbus Day. Ms. Alvarez reported that the next Wine Walk is scheduled for Saturday, September 28, 2024, in the Kingsville Downtown area and National Night Out is scheduled for October 1, 2024.

Commissioner Lopez read and presented the following three proclamations: End Domestic Violence Month for October; World Alzheimer's Awareness Month for September; and Arbor Day.

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 Alvarez to approve the consent agenda as presented, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Alvarez, Lopez voting "FOR".

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to accept and expend grant funds from the Coastal Bend Regional Advisory Council for Fire Department medical supplies. (Fire Chief).

2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for fees increases for tampering with meters, damaging cut-off valves, discontinuance cut-offs, certain service calls, interest, and late fee charges, and a change in the penalty for late payments. (Finance Director).

3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Section 13-Purpose and Authority for Third Party Plan Review Services. (Director of Planning and Development Services).

4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 6, 8, 11, 23, & 40, and Article 6-Zoning, Section 126, revising permit fees in building, plumbing, fuel gas, and sign regulation codes. (Director of Planning and Development Services).

5. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Section 152, revising the fee for swimming pools permits. (Director of Planning and Development Services).

6. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX, Article 10-Streets and Sidewalks, Section 35-permit required; fee, providing for change to fees. (Director of Planning and Development Services).

7. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Section 9-7-6 Abatement of Nuisance Lots; Administrative Fees, providing for revision of administrative fees. (Director of Planning and Development Services).

8. Motion to approve City participation in annual events and parades for FY2024-2025. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider approving a Proclamation naming November 1, 2024, as Arbor Day in the City of Kingsville. (Parks Director).

Motion made by Commissioner Hinojosa to approve the proclamation naming November 1, 2024, as Arbor Day in the City of Kingsville, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Alvarez, Hinojosa, Lopez voting "FOR".

10. Consider a resolution of the City of Kingsville, Texas adopting the FEMA approved Kleberg County and City of Kingsville, Texas Multi-Hazard Mitigation Plan. (City Engineer).

Mr. Rudy Mora, City Engineer stated that staff is seeking the City Commission's approval to adopt the Hazard Mitigation Action Plan (HMAP) in partnership with Kleberg County. The 2024 Kleberg County Multi-Hazard Mitigation Plan is a critical document that outlines our region's strategy to reduce or eliminate long-term risks to life, property, and infrastructure from natural hazards. The adoption of this plan by the City of Kingsville will not only reinforce our commitment to public safety but also position the city to secure state and federal funding for future mitigation projects. This plan specifically identifies and addresses a wide range of natural hazards that pose a significant threat to our community. The City of Kingsville will focus on mitigating the following hazards: Flooding; Hurricanes, Tropical Storms, and Depressions; Wildfire; Tornados; Drought; Extreme Cold; Extreme Heat; Hailstorms; Winter Storm; Severe Winds; Lightning; Dam/Levee Failure. These hazards have been carefully selected based on historical data and potential future impacts, ensuring that our mitigation efforts are both targeted and effective. By adopting this plan, the city will be better prepared to protect its residents and resources from the adverse effects of these natural events. These hazards have been carefully selected based on historical data and potential future impacts, ensuring that our mitigation efforts are both targeted and effective. By adopting this plan, the city will be better prepared to protect its residents and resources from the adverse effects of these natural events. There is no direct financial impact associated with the approval of this resolution. However, adopting the HMAP will enhance the City's eligibility for state and federal grant programs, which could provide substantial funding for future mitigation projects, potentially saving the City millions of dollars in disaster-related expenses. Mr. Mora further stated that staff strongly recommends the approval of the attached resolution adopting the Hazard Mitigation Action Plan with Kleberg County. This approval will not only reinforce the City's commitment to public safety but also enhance its eligibility for state and federal grant programs, which could provide substantial funding for future mitigation projects, potentially saving the City millions of dollars in disaster-related expenses.

Mr. McLaughlin commented that Kleberg County has approved this plan at a meeting that took place today.

Motion made by Commissioner Alarcon to approve the resolution of the City of Kingsville, Texas adopting the FEMA-approved Kleberg County and City of Kingsville, Texas Multi-Hazard Mitigation Plan, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez voting "FOR".

11. Consider a resolution authorizing the City Manager to execute the Contract with Global WET LLC for UV Filter Equipment for the Kingsville North and South Waste Water Treatment Plants. (funding for emergency repairs authorized 8/19/24). (Public Works Director).

Mr. Bill Donnell, Public Works Director stated that this item authorizes the contract with Global WET LLC for emergency repairs for the Wastewater Department's Ultraviolet Light Disinfection System for North and South Wastewater Treatment Plants. The total allotted funds were \$943,810.00. The disinfection system is the heart of the plant before going out into the creek. The North Plant failed on one of the previous storms and currently disinfecting with chlorine and at the South Plant, there is always an issue with keeping it going but still operating with the UV System. Mr. Donnell further stated that the financial sources are through the following: Fund 123 ED Grant Program for \$105,00.47; Fund 121 Parks ARP Allotment for \$240,990.52; Fund 125 UF ARP Funding for \$240,031.00; Fund 051 Insurance Check #1 for \$119,000.00; Fund 051 BA Reserve Line Item for \$66,950.85; and Fund 051 Fund Balance for \$171,837.16. Of that, \$124,000.00 will be reimbursed by insurance check #2 resulting in Fund 051 FB of \$47,837.16.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute the Contract with Global WET LLC for UV Filter Equipment for the Kingsville North and South Wastewater Treatment Plants. (funding for emergency repairs authorized 8/19/24), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Alvarez, Lopez voting "FOR".

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX-General Regulations, Article 8-Parks and Recreation, providing for revised golf course fees for the L.E. Ramey Golf Course. (Parks Director).

Mrs. Susan Ivy, Parks Director stated that during the budget process, the commission was presented with a schedule of proposed fees for increased rates due to inflationary increases across the nation and increased golf cart lease fees. Staff has taken the time to review the current fees and compared them with comparable surrounding cities and have set these proposed rates based on being closer to those fees.

Introduction item.

13. Consider motion to approve proposed ball Field Rental Fee with Lights and Park Shelter Rental Fee with Electricity, as per Code of Ordinances §9-8-7. (Parks Director).

Mrs. Ivy stated that these are fees that need to be adjusted on the Parks & Recreation side to increase utilities fees across the nation. Staff is not changing the basic rental fee for baseball fields; it is the lighting fee that will be changed. It is being proposed to change the field rental fee with lights from \$15.00 to \$25.00. In addition to this, staff is currently charging an electricity fee for the use of the electricity at the park. This will be turned into a shelter rental so all of the shelters will not have an electric outlet. This will be at two locations at Dick Kleberg, Flato, Flores, and Thompson parks.

Motion made by Commissioner Hinojosa to approve the proposed ball Field Rental Fee with Lights and Park Shelter Rental Fee with Electricity, as per Code of Ordinances §9-8-7, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote Alarcon, Alvarez, Hinojosa, Lopez voting "FOR".

14. Consider a resolution authorizing the City Manager to execute a Master Services and Purchasing Agreement for Customer and other documents related thereto with Axon Enterprise, Inc. for Police Department Body Worn and In-Car Cameras and Services. (Police Chief).

Mr. John Blair stated that the Kingsville Police Department (KPD) seeks city commission approval to enter into a contract with Axon Enterprise, Inc. This contract will provide the latest advancements in Body Worn Cameras and In-Car Camera Technology, significantly improving both officer safety and operational efficiency within the department. After a comprehensive review by the KPD and the City's IT Department, it was determined that the current officer-worn camera and In-Car Camera systems are outdated and in urgent need of replacement. Demonstrations of various systems from three vendors were conducted and after evaluating the department's requirements, Axon Enterprise, Inc was selected as the best and most cost-effective solution. This new contract will include the following: New Body Worn Cameras for all Officers; New In-Car Cameras for all Patrol Vehicles; Improved Officer Safety and Enhanced Supervisory Review; Integration of Evidenceroom.com for secure digital media storage and management; update interview rooms with new video and audio functionality; regular equipment refreshers; and comprehensive training and support. These upgrades will ensure that the KPD is equipped to provide accurate, reliable recordings in both Body Worn Cameras and In-Car Cameras, thereby enhancing public safety and accountability. The associated costs of this contract have been thoroughly reviewed and funding sources have been identified and secured to support the project from the following sources: Chapter 59 Funds for \$46,290.94; Office of the Governor FY 2025 Body Worn Camera Grant Program for approximately \$46,000.00; leftover funding for \$8,790.47 in Fund 115 Tax Note Series 2021; and leftover funding of \$78,918.59 in Fund 126 GF Tax Notes 2022.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute a Master Services and Purchasing Agreement for Customer and other documents related thereto with Axon Enterprise, Inc. for Police Department Body Worn and In-Car Cameras and Services, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez voting "FOR".

15. Consider a resolution approving the City of Kingsville's 2024 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e). (Finance Director).

Mr. McLaughlin stated that staff received this late last week after the agenda had already been posted on Thursday, of last week. The adjustment was made to the agenda by adding this item on Friday, which still met the 72-hour posting requirement. This item would accept the 2024 Tax Roll before the fiscal year ends.

Ms. Alvarez commented that this is something that the commission is required to do every year, to accept the tax roll so that it authorizes the Tax Assessor Collector to issue the statements.

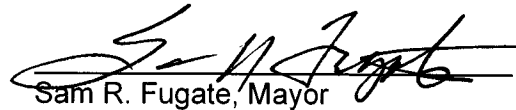
Commissioner Alarcon asked if this item was an add-on today. Ms. Alvarez responded no, and that the agenda was amended on Friday, September 20th. Commissioner Alarcon commented that he received it today.

Mrs. Mary Valenzuela, City Secretary commented that an email was sent to the commission with the amended agenda attached.

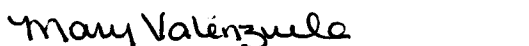
Motion made by Commissioner Alarcon to approve the resolution approving the City of Kingsville's 2024 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Alvarez, Lopez voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:36 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary