

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 26, 2024, 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  
 Ann Marie Torres, Commissioner

**CITY COMMISSION ABSENT:**

Edna Lopez, 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  
 Bill Donnell, Public Works Director  
 Kwabena Agyekum, Senior Planner/HPO  
 Rudy Mora, Engineer  
 Susan Ivy, Parks Director  
 Emilio Garcia, Health Director  
 Deborah Balli, Finance Director  
 Janine Reyes, Tourism Director  
 John Blair, Chief of Police  
 Diana Gonzalez, Human Resources Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 P.M. with four commission members present. Commissioner Lopez was absent from the 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 – February 12, 2024**

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

**II. Public Hearing - (Required by Law).<sup>1</sup>**

1. None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*“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 that a USS Kingsville Executive meeting has been scheduled for Tuesday, February 27, 2024. He further reported that a Budget Workshop for City Manager Staff has been scheduled for March 6, 2024.

Ms. Courtney Alvarez, City Attorney reported that the next city commission meeting is scheduled for Monday, March 11, 2024. The deadline for city staff to submit their agenda items for the upcoming meeting is Thursday, February 28, 2024.

#### IV. Public Comment on Agenda Items.<sup>3</sup>

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 Torres. 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 zoning ordinance by changing the zoning map in reference to Chamberlain Place, Block 6, Lot 1-32 (old Flato School), also known as 400 Block of West Santa Gertrudis (Property ID#18241), Kingsville, Texas from R1 (Single Family District) to C2 (Retail District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning and Development Services).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for professional services fee for the creation of a Kings Plaza TIRZ District. (old Flato School Property off 400 Block of W. Santa Gertrudis area). (Economic Development Director).**
3. **Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the purchase of a range ball picker for the golf course. (Parks Director).**
4. **Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the animal shelter and current project balances. (Purchasing Manager).**
5. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 4, Bicycles, Sections 15-22; providing for the removal of bicycle licensing regulations. (City Attorney).**
6. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Sections 15-6-115, 116 and 126, providing for revisions to the sign ordinance to reflect legislative changes. (City Attorney/Director of Planning and Development Services).**
7. **Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for plumbing work approved last FY22-23, but completed this FY23-24 for the Tourism Department. (Tourism Director).**
8. **Motion to approve reappointment of Charlie Williams, Justin Bray, Rodney Rodriguez, and Sharon Pennington as at-large members to Economic Development Grant Administrative Board each for a two-year term. (3/01/24-2/28/26). (Economic Development Director).**

##### REGULAR AGENDA

##### CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

#### VI. Items for consideration by Commissioners.<sup>4</sup>

9. **Consider the appointment of Kristen Jones as an at-large member to the Economic Development Grant Administrative Board for a two-year term. (3/01/24-2/28/26). (Economic Development Director).**

**Motion made by Commissioner Alvarez to approve the appointment of of Kristen Jones as an at-large member to the Economic Development Grant Administrative Board for a two-year term. (3/01/24-2/28/26), seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

**10. Consider the appointment of Lupe Ruiz for a resident position on Main Street Advisory Board for a two-year term (2/26/24-2/26/26). (Downtown Manager).**

Motion made by Commissioner Torres to approve the appointment of Lupe Ruiz for a resident position on Main Street Advisory Board for a two-year term (2/26/24-2/26/26), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".

**11. Consider a resolution of the City of Kingsville supporting the Competitive Housing Tax Credit application of Casitas Los Ebanos, LP for an affordable rental housing development in Kingsville, Texas. (City Manager/City Attorney).**

Ms. Alvarez stated that the city received notice from the State that a non-profit would be filing an application for Affordable Housing Tax Credit. She further mentioned that this was also brought to the Commission last year but unfortunately the non-profit was not approved as they missed by one point.

Motion made by Commissioner Hinojosa to approve the resolution of the City of Kingsville supporting the Competitive Housing Tax Credit application of Casitas Los Ebanos, LP for an affordable rental housing development in Kingsville, Texas, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Torres, Fugate voting "FOR".

**12. Consider a resolution authorizing the City Secretary to enter into the 2024 Election Services Agreement between the City of Kingsville and Kleberg County Clerk. (for May 4, 2024 General Election and any run-off elections) (City Secretary).**

Motion made by Commissioner Torres to approve the resolution authorizing the City Secretary to enter into the 2024 Election Services Agreement between the City of Kingsville and Kleberg County Clerk. (for May 4, 2024 General Election and any run-off elections), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".

**13. Consider a resolution authorizing the City Manager to execute Change Order No.3 for 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 (to increase contract time). (City Engineer).**

Mr. Rudy Mora, City Engineer stated that this item is only to increase contract time by 45 days. There is no increase in cost to the contract.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute Change Order No.3 for 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 (to increase contract time) seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Torres, Fugate voting "FOR".

**14. Consider a resolution authorizing the Mayor to execute Amendment No. 2 for Grant Administration Services Agreement with GrantWorks for GLO State Contract Number 22-085-009-D237. (City Engineer).**

Mr. Mora stated that Amendment No. 2 amend the contract for Administrative Services Agreement with GrantWorks Inc. to implement a progress billing approach for key milestones aligning with all not to exceed percentages and implementation to LCPtracker of current and future projects with the General Land Office. Mr. Mora further stated that the contract price will not change if this amendment is approved.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Mayor to execute Amendment No. 2 for Grant Administration Services Agreement with GrantWorks for GLO State Contract Number 22-085-009-D237, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".

**15. Consider a resolution authorizing the application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2025 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).**

Mr. John Blair, Chief of Police stated that the Kingsville Police Department is requesting a resolution to apply for and if awarded to accept and expend FY 2025 Operation Lone Star Grant Program funds. The grant period is from September 1, 2024 through August 31, 2025.

Commissioner Hinojosa asked if this was a new grant that the Police Department was applying for? Ms. Alvarez responded no.

Motion made by Commissioner Torres to approve the resolution authorizing the application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2025 Operation Lone Star Grant Program (OLS); 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: Hinojosa, Alvarez, Torres, Fugate voting "FOR".

**16. Consider a resolution participation in Local Border Security Program FY2025 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).**

Motion made by Commissioner Alvarez to approve the resolution participation in Local Border Security Program FY2025 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, seconded by Commissioner Torres and Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".

**17. Consider a resolution applying for and accepting funds for Operation Stonegarden Grant #3194309 with the Homeland Security Grants Division of the Governor's Office for border security to interdict criminal activity with no anticipated cash match; authorizing the Kingsville Chief of Police to act on the City's behalf with such program. (Police Chief).**

Motion made by Commissioner Alvarez to approve the resolution applying for and accepting funds for Operation Stonegarden Grant #3194309 with the Homeland Security Grants Division of the Governor's Office for border security to interdict criminal activity with no anticipated cash match; authorizing the Kingsville Chief of Police to act on the City's behalf with such program, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".

**18. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for Operation Stonegarden Grant for Kingsville Police Department. (Police Chief).**

Introduction item.

**19. Consider a resolution approving the City of Kingsville Investment Policy and Investment Strategies; designating the City Manager, Director of Finance, and City Accounting Manager as the authorized City Representatives with full authority for investment purposes; and providing for disclosure of financial interest. (Finance Director).**

Mrs. Deborah Balli, Finance Director stated that this is a policy that is renewed every year. There are no changes or updates to the policy. The only change is adding the new Accounting Manager to the policy.

Motion made by Commissioner Torres to approve the resolution approving the City of Kingsville Investment Policy and Investment Strategies; designating the City Manager, Director of Finance, and City Accounting Manager as the authorized City Representatives with full authority for investment purposes; and providing for disclosure of financial interest, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".


**20. 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 Manager. (Mayor Fugate).**

Mayor Fugate read the executive session and convened the meeting into closed session at 5:26 p.m.

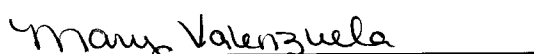
Mayor Fugate reconvened the meeting into open session at 6:23 p.m.

## VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:24 P.M.

  
Sam R. Fugate, Mayor

## ATTEST:

  
Mary Valenzuela, City Secretary