

JUNE 24, 2024

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 24, 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
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
Diana Gonzalez, Human Resources Director
Erik Spitzer, Director of Planning & Development Services
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
Kwabena Agyekum, Senior Planner/HPO
Janine Reyes, Tourism Director
Joseph Ramirez, Engineer's Assistant

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)

None.

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 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 there is water main issues on 4th and Corral. He further reported that the city will host a Downtown Vision Meeting in the Community Room at City Hall on Thursday, June 27, 2024, at 6:00 p.m. The next TML Region 11 Quarterly meeting will take place on July 12, 2024, hosted by Goliad.

Ms. Courtney Alvarez, City Attorney reported that the next scheduled commission meeting will be held on Monday, July 8, 2024. Ms. Alvarez further announced activities for the 4th of July celebration.

Commissioner Alvarez asked if staff had dates set for upcoming budget workshops. Mr. McLaughlin responded that dates have been set and they will be emailed to city commission.

Ms. Alvarez commented that the commission had already received dates for budget workshops, which were emailed to each commissioner right after the election in May.

Commissioner Alvarez commented that she would like to see the budget workshops moved up a few days earlier than normally scheduled, preferably beginning the workshops the last week of July. This will break them apart by days instead of having them back-to-back.

Mr. McLaughlin commented that with appraisal values received on July 25th, moving the workshops earlier will not give staff enough time to work on the budget.

Commissioner Alvarez then commented that maybe staff could look at scheduling budget workshops for the 2nd week of August.

Mr. McLaughlin responded that, if possible, he would look at moving up the dates for the workshop.

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

1. Motion to approve final passage of an ordinance of the City Commission of the City of Kingsville, Texas, pursuant to Chapter 311 of the Texas Tax Code, creating Tax Increment Financing Reinvestment Zone Number Two, City of Kingsville, Texas. (Economic Development Director).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for the Escondido Rail Crossing Project. (City Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5-Traffic Schedules, Schedule I (D), revising the speed limit on certain areas of General Cavazos Boulevard. (FM1356); providing for appropriate penalties fines, and fees regarding the regulation thereof; repealing all ordinances in conflict therewith and providing for an effective date and publication. (City Engineer).

Mr. Rudy Mora, City Engineer stated that on May 30, 2024, the city received a letter from the Texas Department of Transportation (TxDOT) requesting to lower the speed limit between 6th Street and US Hwy 77 from 45 mph to 35 mph. The area impacted is located inside the TxDOT right-of-way and the city limits serving 1.3 miles. Mr. Mora displayed a map of the location that will be affected by the speed limit change.

Introduction item only.

4. Consider a resolution of the City of Kingsville, Texas in support of the submission to the National Fish and Wildlife Foundation's National Coastal Resilience Fund Award titled "Developing Nature-Based Designs To Increase Resilience And Habitat In The Baffin Bay Watershed (TX)". (Parks Director).

Mrs. Susan Ivy, Parks Director stated that this grant will look at possible assistance to Kingsville and Kleberg County in assessment and preliminary designs for nature-based solutions to mitigate flooding and erosion, enhance public greenspace and wildlife habitat, and improve water quality for Kleberg County, the City of Kingsville, and the downstream Baffin Bay ecosystem. Ivy further stated that while this project will not require any funding at this time, after assessments and planning are completed and projects are identified funding would be discussed between a variety of entities that would be partnering with these projects. Ms. Ivy commented that she has already met with Kleberg County Judge Rudy Madrid and the Harte Research Institute.

Motion made by Commissioner Lopez and Commissioner Hinojosa to approve the resolution of the City of Kingsville, Texas in support of the submission to the National Fish and Wildlife Foundation's National Coastal Resilience Fund Award titled "Developing Nature-Based Designs To Increase Resilience And Habitat In The Baffin Bay Watershed (TX)", seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

5. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to provide additional funding for Parks vehicle and equipment maintenance. (Parks Director).

Mrs. Ivy stated that this request is for an additional \$6,000 for both the Vehicle and Equipment Maintenance line item. She further stated that the vehicle inventory for the Parks Maintenance, including the Van that the recreation staff uses is very old and continually in the shop for repairs. The department has inherited three trucks this year with all three going into the shop for repairs within the first two months of receiving them. Staff has shorted other line items twice to move \$5,000 into vehicle maintenance for repairs. This budget amendment will add \$4,000 to the vehicle maintenance line item and \$2,000 to the equipment maintenance line item.

Introduction Item.

6. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to adjust budgets based on audited beginning fund balances for FY23-24. (Finance Director).

Mrs. Deborah Balli, Finance Director stated that once the audit has been completed, the beginning fund balances need to be validated against what is currently budgeted for the current year's revenues and expenditures. Except for Fund 051, all funds included in the budget amendment are reductions to the budget and do not have any financial impact.

Introduction item.

7. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to provide funding for the payback of the HRSA Cares Provider Relief Fund due to non-submittal of reports. (Finance Department).

Mr. Juan J. Adame, Fire Chief stated that in fiscal year 2019-2020, the Fire Department applied for and received a grant for \$12,922.95 from the HRSA Cares Provider Relief Fund. This timeframe was around the time that there was a change in the Fire Chief position. Staff received notification in early March 2023 about the reporting issue with this grant and the former Accounting Manager completed and submitted an appeal through their process for non-compliance reporting website link. During that time, the current Fire Chief reached out to the former Fire Marshall, who had the responsibility to file the reports on this grant, to see if he knew where any files were concerning this grant, but none could be located. Since all reporting periods have expired, the city is required to pay back these funds to the granting agency for \$12,922.95.

Introduction item.

8. Consider a resolution of the City Commission of Kingsville, Texas, authorizing the submission of a Resilient Communities Program (RCP) grant application to the Texas General Land Office for funding for a Comprehensive Plan (land use) and

authorizing the Mayor and City Manager to act as the City's Executive Officers and Authorized Representatives in all matters pertaining to the City's participation in the RCP Grant. (Director of Planning and Development Services).

Mr. Erik Spitzer, Director of Planning and Development Services stated that the City of Kingsville has an outdated comprehensive plan that was last published in 2008. A comprehensive plan is a 20 to 30-year framework designed to help guide future developments and land use within a city. The 2022 Resilient Communities Program is accepting applications to help fund the development, adoption, and implementation of long-range planning for cities. Applications will be processed for eligibility on a first come, first serve basis until June 1, 2028, or until funding is exhausted, whichever comes first. The City of Kingsville qualifies for this funding due to the 2015-2016 floods. This program is a great opportunity for the City of Kingsville to receive funding from GLO to develop a Comprehensive Plan. The maximum amount for each applicant is \$300,000, with funds available to procure grant writing, grant administration, and planning services. Mr. Spitzer further commented that it is the staff's recommendation to authorize the City Manager to apply for a GLO Resilient Communities Program Grant to secure funding for a new Comprehensive Master Plan.

Motion made by Commissioner Lopez to approve the resolution of the City Commission of Kingsville, Texas, authorizing the submission of a Resilient Communities Program (RCP) grant application to the Texas General Land Office for funding for a Comprehensive Plan (land use) and authorizing the Mayor and City Manager to act as the City's Executive Officers and Authorized Representatives in all matters pertaining to the City's participation in the RCP Grant, seconded by Commissioner Alvarez.

Commissioner Alvarez asked what the cost of a plan would be. Mr. Spitzer responded that the cost would vary. Mr. McLaughlin also responded that it could cost around \$300,000.

The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Sections 15-3-51 and 9-10-1 through 9-10-5, providing for revisions to the sidewalk regulations, repealing all ordinances in conflict herewith and providing for an effective date and publication. (Director of Planning and Development Services).

Mr. Spitzer stated that on January 29, 2024, the City Manager asked the City Engineer and the City Planner to review the existing City's ordinances that pertain to mandatory sidewalk construction within the city limits. Of concern was the current ordinance wording that does not address where sidewalk installation would be feasible nor make sense if the existing neighborhood had no existing sidewalk infrastructure. The following language is proposed for Commission approval to incorporate in three current sections within the City ordinances: "Exceptions: if no sidewalks exist in an area, (such as an entire neighborhood), then sidewalk construction is not required; however, if future growth within an area is possible, then sidewalk construction required. Also, if sidewalk construction won't fit within the existing right-of-way, then sidewalk construction is not required. In all cases, exceptions/waivers will be granted only by approval of the City of Kingsville, Director of Planning."

Commissioner Alvarez asked that at the end of the proposed wording where it states approval by the Director of Planning, this should read approval by the City Manager.

Mr. Spitzer stated that it could be changed if that is what the commission desires.

Commissioner Hinojosa stated that he prefers the language to add the City Manager.

Commissioner Alvarez asked if this item be placed for final passage on the regular section of the agenda, in the event anyone has any questions.

10. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate read the executive session agenda item and convened the meeting into closed session at 5:45 p.m.

Mayor Fugate reconvened the meeting into open session at 5:58 p.m.

11. Consider a resolution authorizing staff to proceed with placing for sale the City's 3.030 acres of land located on the north side of the 400 Block of East Caesar Ave. (9th, Block 24, Lot ALL, S/2 closed Ragland St.), also known as Old Hospital site, in Kingsville, Texas. (Purchasing Manager).

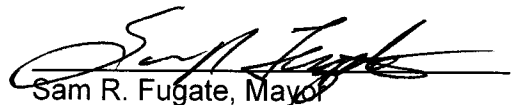
Motion made by Commissioner Lopez to approve the resolution authorizing staff to proceed with placing for sale the City's 3.030 acres of land located on the north side of the 400 Block of East Caesar Ave. (9th, Block 24, Lot ALL, S/2 closed Ragland St.), also known as Old Hospital site, in Kingsville, Texas, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

12. Workshop: discussion on proposed FY24-25 Employee Compensation Plan and related items. (Human Resources Director).

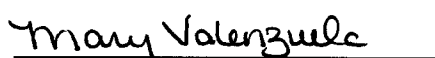
Mrs. Diana Gonzales gave a presentation on the Fiscal Year 24-25 Employee Compensation Plan. This is the continuation of the Compensation Study Recommendation from the 2023 study. Year 1 of Compensation Plan FY 23-24 Compensation changes to place employees in new pay structure. Year 2 of Compensation Plan FY 24-25 proposes to implement Step Placement which will move non-civil service exempt and non-exempt employees along the pay schedule to the step corresponding with years in position. FY 25 proposed compensation increase summary continues with the Anniversary Program which is the Step increases for the 1st, 3rd, 6th, 10th, 15th, 20th, and 25th year. This affects 91 non-civil service positions and equals to a 4% step increase for an amount of \$114,693, including fringe benefits. Mrs. Gonzales commented that this program has been in place for several years. Proposed compensation increase summary for Police, Police Collective Bargaining Agreement for FY 24-25 2nd year. Police Collective Bargaining Agreement (CBA) for FY 24-25 2nd year of two-year agreement. There are 50 Civil Service Police positions increase of 6% totaling \$204,213, including fringe benefits. FY 24-25 CBA has 14 civil service police anniversaries that will total \$29,738, including fringe benefits. Fire Department Collective Bargaining Agreement is currently under negotiations. The Classification & Compensation Plan is proposed to remain the same starting with Class 11, Step 1 at \$15.45 an hour. The percentage between steps remains at 4% and percentage between classes at 5%. Proposed modification to 5 positions: Collections Supervisor from Class 19 to Class 21; Communications Supervisor to Communication's Coordinator from Class 20 to Class 21; Municipal Court Supervisor from Class 20 to Class 21; Special Events/Downtown Manager from Class 20 to Class 21; and Wastewater Foreman Class 18 to Wastewater Collections/Stormwater Supervisor Class 24. Non-Civil Service Employees' longevity continues at \$5.00 per month per year of service to maximum of 25 years. Civil Service Fire and Police longevity is based on their respective collective bargaining agreements. Budgeted longevity for Civil Service Personnel is \$77,890. Certification pay is based on the respective collective bargaining agreements is \$152,809.00. Anniversaries are based on collective bargaining agreements. Proposed changes to TMRS, staff has been looking into a change in TMRS from 1.5:1 to 2:1 match. This will keep the city current in retirement offerings and assist with the retention of employees and assist with getting experienced individuals interested in Kingsville. Changes to TMRS options require City Commission approval and would be effective January 1, 2025. Health Insurance, there are no proposed changes to the city's health coverage. Supplemental employee benefits will still be available to the employees.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:33 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary