

MINUTES OF A REGULAR CITY COUNCIL MEETING
SEPTEMBER 12, 2017 – 6:00 P.M.
COUNCIL CHAMBERS IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING
303 W. MAIN ST., KENEDY, TX. 78119

MEMBERS PRESENT: RANDY GARZA (MAYOR), ALBERTO BALDARRAMOS (DISTRICT 1), FELIPE LEAL (DISTRICT 2), BRANDON BRIONES (DISTRICT 3), MAGGIE GONZALES (DISTRICT 4), WALTER CHANCE (DISTRICT 5)
CITY PRESENT: BARBARA SHAW (CITY MANAGER), AMANDA HINES (CITY SECRETARY)

1. Call meeting to order and announce a quorum is present.

Mayor Randy Garza called the meeting to order announced a quorum present at 6:00 P.M.

2. Prayer

3. Pledge of Allegiance.

4. Public Comments.

- a) Tom Baker asked the City Council to please consider approving Resolution 17-26. He stated that Coach Larry Kiesling has done numerous good deeds for the community and was a great mentor to children during his time as a coach.
- b) Rudy Zamora stated that Coach Larry Kiesling was a fair and good man to all. Coach Larry Kiesling's actions are what encouraged him to become a coach as well.
- c) Manuel DeLaGarza thanked the City Council and Mayor Garza for the job well done during Hurricane Harvey. He also stated that Coach Larry Kiesling has always been a mentor for him and hopes that City Council will approve Resolution 17-26.
- d) David Morgan expressed his concerns with the test water well and spoke about the outcome of the Evergreen Underground Water Conservation District meeting.
- e) Tina Shearman expressed her concerns with the test water well. She stated there would be a town hall meeting in Choate to discuss the test well.
- f) Lori Schmidt stated she had a carport built at her residence. She stated the Building Official, Lanny Holland, told her the carport is in the city's right of way and will need to be moved out of the right of way. She feels Lanny should approve the carport in its place since there are other objects such as trees in the city's right of way also.

5. Consider/Act on the Consent Agenda:

- A. Airport Board Report**
- B. Animal Control Report**
- C. Attorney Report**

- D. Board of Adjustments Report
- E. Building Standards Commission Report
- F. Chamber of Commerce Report
- G. City Council Minutes
- H. Community Development Report
- I. Emergency Management Report
- J. Financial Report
- K. Fire Department Report
- L. Kenedy 4B Corporation Report
- M. Municipal Court Report
- N. Parks & Recreation Report
- O. Planning & Zoning Report
- P. Police Department Report
- Q. Street Department Report
- R. TIRZ No. 2 Report
- S. Water & Wastewater Report

Brandon Briones made a motion to pull item C from the Consent Agenda. Felipe Leal seconded the motion. All in favor.

Felipe Leal made a motion to approve the consent agenda. Brandon Briones seconded the motion. All in favor.

City Attorney, Megan Santee, stated there had been some concerns about price gauging during Hurricane Harvey. Megan suggested providing constituents with information from the attorney general on how to follow through with reporting businesses. Brandon Briones asked if one council member can act as a representative for the city council. Megan stated the mayor of the city will usually be the representative for the city.

6. **Consideration and possible action in regard to Ordinance No. 17-10, an Ordinance Making Appropriation for the Support of the City of Kenedy, Texas for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018; Appropriating Money to a Sinking and Interest Fund to Pay Principal and Interest on the City's Indebtedness; Appropriating Money from a Water Rate Assessment to Provide for Water/Sewer Upgrades and Potential Well Field and Adopting the Annual Budget of the City of Kenedy or the 2017-2018 Fiscal Year. Barbara**

Brandon Briones made a motion to approve Ordinance No. 17-10, an Ordinance Making Appropriation for the Support of the City of Kenedy, Texas for the Fiscal Year Beginning October 1, 2017, and Ending September 30, 2018; Appropriating Money to a Sinking and Interest Fund to Pay Principal and Interest on the City's Indebtedness; Appropriating Money from a Water Rate Assessment to Provide for Water/Sewer Upgrades and Potential Well Field and Adopting the Annual Budget of the City of Kenedy or the 2017-2018 Fiscal Year. Felipe Leal seconded the motion. All in favor.

7. **Consideration and possible action in regard to Ordinance No. 17-11 an Ordinance Levying Ad Valorem Property Taxes for the Use and Support of the Municipal Government of the City of Kenedy, Texas for the 2017-2018 Fiscal Year; Providing for Operations and Maintenance and Debt Service Levies; and Providing when Taxes Shall Become Delinquent if Not Paid. Barbara**

City Manager, Barbara Shaw, informed council that the Effective Tax Rate will remain the same as for the 2016-2017 Fiscal Year at a rate of \$0.302515 on each \$100 valuation of property, said tax being so levied and apportioned to the specific purposes herein set forth:

- A) For the maintenance and support of the general government (General Fund), a M&O Rate of .153073 (\$0.153073) on each one hundred dollars (\$100.00) valuation of property or 50.6% of the total tax rate; and,
- B) For the Interest and Sinking Fund (I&S), a Debt Service Rate of .149442 (\$.149442) on each one hundred dollars (\$100.00) valuation of property or 49.4% of the total tax rate.

Felipe Leal made a motion to approve Ordinance No. 17-11 an Ordinance Levying Ad Valorem Property Taxes for the Use and Support of the Municipal Government of the City of Kenedy, Texas for the 2017-2018 Fiscal Year; Providing for Operations and Maintenance and Debt Service Levies; and Providing when Taxes Shall Become Delinquent if Not Paid. Brandon Briones seconded the motion. All in favor.

8. **Consideration and possible action in regard to Resolution 17-24, Authorizing and Approving the Kenedy 4B Corporation's 2017-2018 Fiscal Budget in Accordance with Texas Local Government Code Section 501.073 (a). Barbara**

City Manager, Barbara Shaw, presented the 2017-2018 Kenedy 4B Fiscal Budget of \$1,684,025. She also stated that two public hearings were held in regards to the budget.

Brandon Briones made a motion to approve Resolution 17-24, Authorizing and Approving the Kenedy 4B Corporation's 2017-2018 Fiscal Budget in Accordance with Texas Local Government Code Section 501.073 (a). Maggie Gonzales seconded the motion. All in favor.

9. **Consideration and possible action in regard to Resolution No. 17-25 Amending Personnel Policy to Establish and Implement a Personnel Policy that Communicates to Employees; Educates Expectations of Employees; Ensures City Policies are followed; and Ensures Compliance of Federal and State Laws.**

City Manager, Barbara Shaw, informed Council that the department heads along with administrators worked together to amend and update the personnel policy.

Brandon Briones made a motion to approve Resolution No. 17-25 Amending Personnel Policy to Establish and Implement a Personnel Policy that Communicates to Employees; Educates Expectations of Employees; Ensures City Policies are followed; and Ensures Compliance of Federal and State Laws. Albert Baldarramos seconded the motion. All in favor.

10. Consideration and possible action in regard to Ordinance No. 17-12, an Ordinance of the City of Kenedy, Texas, Amending Section 1 of the Ordinance No. 14-2 and Repealing Ordinance No. 14-7 in its entirety to Establish Water and Wastewater Service Fees for Residential and Commercial Customers Inside and Outside of the City Limits, including a Water Meter Equivalency Charge; Repealing All Ordinances in Conflict Herewith; and Providing for an Effective Date.

City Manager, Barbara Shaw, informed Council the effective date for Ordinance No. 17-12 will be October 1, 2017.

Felipe Leal made a motion to approve Ordinance No. 17-12, an Ordinance of the City of Kenedy, Texas, Amending Section 1 of the Ordinance No. 14-2 and Repealing Ordinance No. 14-7 in its entirety to Establish Water and Wastewater Service Fees for Residential and Commercial Customers Inside and Outside of the City Limits, including a Water Meter Equivalency Charge; Repealing All Ordinances in Conflict Herewith. Brandon Briones seconded the motion. All in favor.

11. Consideration and possible action to award bid for the City of Kenedy's Test Well Project located on the Johnston property in Karnes County, Texas. Barbara

Barbara Shaw notified Council the test well was approved at the Evergreen Underground Water Conservation District Meeting held on September 5, 2017. She stated Thomas Moy & Sons Water Well and Felder Water Wells & Pump Services were the two choices for the Test Well Project. She stated the wait time for Felder Water Wells & Pump Services was 4-6 weeks, and 1 week for Thomas Moy & Sons Water Well.

Brandon Briones made a motion to continue in closed session. Felipe Leal seconded the motion. All in favor.

Mayor Garza announced that City Council will convene in Closed Session at 6:45 p.m. to consult with the City Attorney.

- a) **CLOSED SESSION: In accordance with Texas Government Code Section 551.071 (entitled "Consultation with Attorney, Closed Meeting"), the City Council shall convene in Closed Session to consult with the City Attorney.**

Brandon Briones made a motion to reconvene in Open Session at 6:52 p.m. Albert Baldarramos seconded the motion. All in favor.

- b) **OPEN SESSION: The City Council will reconvene in Open Session at which time action on the matter discussed in Closed Session may be considered.**

Walter Chance made a motion to award the bid for the City of Kenedy's Test Well Project located on the Johnston property in Karnes County, Texas to Thomas Moy & Sons Water Well. Brandon Briones seconded the motion. All in favor.

12. Consideration and possible action to vacate and re-plat Lots 1 & 2 of the Nichols Addition No. 2; Block 16 in the City of Kenedy, Texas as shown in the plat of records in Volume 75, Page 602 of the Deed of Records of Karnes County, Texas; to be known as Lots 1A & 2A of the Nichols Addition No. 2; Block 16 in the City of Kenedy, Texas; to also be known as 501 S. 4th Street and 319 Margaret Street. Lanny

Building Official, Lanny Holland, stated the landowner wants to replat and build a house on the property. He also stated the Planning & Zoning Committee has approved the recommendation.

Brandon Briones made a motion to approve the vacating and re-plat of Lots 1 & 2 of the Nichols Addition No. 2; Block 16 in the City of Kenedy, Texas as shown in the plat of records in Volume 75, Page 602 of the Deed of Records of Karnes County, Texas; to be known as Lots 1A & 2A of the Nichols Addition No. 2; Block 16 in the City of Kenedy, Texas; to also be known as 501 S. 4th Street and 319 Margaret Street. Walter Chance seconded the motion. All in favor.

13. Consideration and possible action in regard to amending the City of Kenedy Code of Ordinances Article III, Division 8 Truck Routes by establishing criteria for Commercial Vehicles in conjunction with Zoning Ordinance of the City of Kenedy and establishing parking restrictions for Commercial Vehicles on Residential Public Streets. Chief DuBose

Chief DuBose stated the existing Ordinance doesn't have any information pertaining to zoning.

Walter Chance made a motion to approve amending the City of Kenedy Code of Ordinances Article III, Division 8 Truck Routes by establishing criteria for Commercial Vehicles in conjunction with Zoning Ordinance of the City of Kenedy and establishing parking restrictions for Commercial Vehicles on Residential Public Streets. Albert Baldarramos seconded the motion. All in favor.

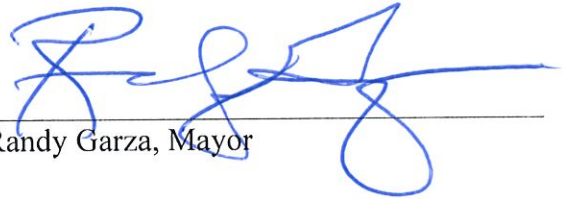
14. Consideration and possible action in regard to Resolution 17-26 an official request to the Texas Department of Transportation to place signs at the east and west city limits along FM 719 stating that the portion of FM 719 within the city limits of the City of Kenedy, Texas also be known and honored as Coach Kiesling Highway. Barbara

Walter Chance made a motion to approve Resolution 17-26 an official request to the Texas Department of Transportation to place signs at the east and west city limits along FM 719 stating that the portion of FM 719 within the city limits of the City of Kenedy, Texas also be known and honored as Coach Kiesling Highway. Albert Baldarramos seconded the motion. All in favor.

15. Adjourn

Brandon Briones made a motion to adjourn. Felipe Leal seconded the motion. All in favor.

Meeting adjourned at 7:09 p.m.



Randy Garza, Mayor

Amanda Hines, City Secretary

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