

**MINUTES OF A REGULAR CITY COUNCIL MEETING
FEBRUARY 9, 2021- 6:00 P.M.
CITY AUDITORIUM IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING
303 W. MAIN ST., KENEDY, TX. 78119**

MEMBERS PRESENT: JOE BAKER (MAYOR), CINDY SAENZ (DISTRICT 1), JOHN RODRIQUEZ (DISTRICT 2), BRANDON BRIONES (DISTRICT 3), JAMES DOUGLAS (DISTRICT 4), LESLIE WYNN (DISTRICT 5)
CITY PRESENT: WILLIAM LINN (CITY MANAGER), JUDY MURPHY, RICHARD ASHE (POLICE CHIEF), JERRY HIGGINS (DIRECTOR OF PUBLIC WORKS)

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

Mayor Joe Baker called the meeting to order and announced a quorum was present at 6:00 P.M.

2. Roll Call.

All councilors were present.

3. Prayer.

4. Pledge of Allegiance.

5. Citizen Comment.

- Alberto Balderramos thanked Mayor Baker for information on open records and stated he supported the fire department 110% and requests council to take no action on the agenda item regarding the fire department. He also spoke about employee evaluations (agenda item 19).
- Shelby Dupnik, Karnes County Commissioner, spoke about pending legislative issues specifically Senate Bill 234 and House Bill 749 which are in regards to *Efforts to Silence County Officials*. He urged council to make a resolution against the bill and for citizens to speak to TML to obtain more information about the bills.
- Loretta Thiele spoke about her open records request.
- James Sutton spoke about agenda items 13, 14 and 19. He reminded council about the utility billing audit done in 2018.

6. Departmental Reports.

Public Works Director Report- Jerry Higgins reported that Pullin Street & Pecan Street were being paved. A large number of the city's meters have new meters being installed. The water outage report was given and water loss was at 11%. One new employee was hired and one employee quit.

Police Chief Report- Chief Ashe said some needed repairs at the Animal Control building were completed. Cameras were installed at the Escondido Parkway and the new Ballpark. Internet was installed and call boxes arrived for the Escondido Parkway. Inspectors will be on site next week at the police station so the City can be a "recognized agency". A new reserve officer will be starting for the City.

7. City Manager Report.

The City's new website is running with much thanks to Mr. Drewa. Graham Road has been rocked to aid the citizens. East Main Project is progressing and the bid award is slated for agenda item 10. Weisinger, Inc. has completed a pilot hole for the Carrizo Well. The City Manager presented the financial statements for the month of January 2021. He stated we are at 33% into the new fiscal year. Budget adjustments may need to be made at the six-month mark. Texpool balances were given. Liquidity is \$12.75 million or an 8-month reserve to cover expenditures.

Adjourn into Executive Session: At 7:00 pm a motion was made by Councilor James Douglas and seconded by Councilor Leslie Wynn to adjourn into Executive session under Texas Government Code Section 551.074, Personnel matters. All voted in favor. Motion passed.

Regular Session: The regular city council meeting was reconvened at 8:38 p.m.

Mayor Baker apologized for raising his voice and said he apologizes to the community because he cares deeply for the community. City Manager William Linn said to Council, Mayor and the citizens that he apologizes for his tone and unprofessionalism.

8. Consent Agenda:

- A. City Council Minutes**
- B. Approve Financials**

Councilor Leslie Wynn made a motion to approve items A & B on the Consent Agenda. Councilor James Douglas seconded the motion. All voted in favor. Motion passed.

- 9. Consider and possible action in regard to Resolution 21-01, a Resolution confirming support to the Karnes Community Affordable Housing LP with regards to its Oasis Springs development located at 116 Stewart Street, Kenedy, Texas 78119; pertaining to the Texas Department of Housing and Community Affairs 2021 Competitive Housing Tax Credits application for construction and renovation of affordable rental housing in the City of Kenedy.** Ms. Cristi LaJeunesse stated a need for the City to pass a resolution for the Karnes Community Affordable Housing LP, through the Sole Owner of its General Partner, Kenedy Public Facilities Corporation in order to submit an application to the Texas Department of Housing and Community Affairs for 2021 Competitive 9% Housing Tax Credits for Oasis Springs development. Councilor Brandon Briones made a motion to pass the City's resolution for Oasis Springs development. Councilor Saenz seconded the motion. All voted in favor. Motion passed.

10. Consideration and possible action in regard to awarding the East Main Drainage and Paving project to Dirt Boys, Inc. for the not-to-exceed bid amount of \$1,360,213.58 to be completed not later than 150 calendar days from issuance of the notice to proceed; directing and authorizing the Mayor to sign and effect the contract between the City of Kenedy and Dirt Boys, Inc.

Steve Synovitz, PE with Mott Macdonald presented the bids that were received on the East Main Project. Two bids were received, one from Dirt Boys, Inc. and the other from Tierra Lease Service, LLC. His recommendation, based on bid tabulation and scoring, is to award the bid to Dirt Boys, Inc. whose bid stated the project would be complete in 150 calendar days at a price not-to-exceed \$1,360,213.58. Councilor Briones made a motion to award the bid to Dirt Boys, Inc. Councilor Wynn seconded the motion. All voted in favor of the motion. Motion passed.

11. Consideration and possible action in regard to Ordinance 21-03 Annexing 12.6 acres +/- of the Escondido Creek Parkway at the request of the San Antonio River Authority (SARA) into the City of Kenedy and moving the City of Kenedy's municipal borders to encompass the entirety of the 12.6 acres +/- .

Councilor Saenz made a motion to open item 11 for discussion. Councilor Wynn seconded the motion. A motion was made by Councilor Wynn to annex the 12.6 +/- acres adjacent and contiguous territory at the Escondido Creek Parkway. The motion was seconded by Councilor Douglas. All voted in favor. The motion passed.

12. Consideration and possible action on appointing Ms. Debbie Mead to the Kenedy Public Library Advisory Board for a three (3) year term beginning February 10, 2021 and ending February 9, 2024.

Councilor Brandon Briones made a motion to open item 12 for discussion. Councilor Cindy Saenz seconded the motion. Councilor Briones made a motion to appoint Ms. Debbie Mead to the Kenedy Public Library Advisory Board for a three-year term. The motion was seconded by Councilor Douglas. All voted in favor. The motion passed.

13. Consideration and possible action in regard to the ongoing billing dispute between the City of Kenedy and Pecan Grove RV Park.

David Brodsky, owner of Pecan Grove RV Park addressed council about his irregular water meter readings. He is requesting that his bills be averaged out to reflect a more accurate usage of water. City Manager, William Linn proposed foregoing ½ of the approximate \$7,500 unpaid bill and to write-off the \$ 1,364.60 invoice from his location at 423 State Highway 72, thus requiring a payment for approximately \$3,750 for all accounts to be settled in full. Councilor Briones made a motion to adjust Pecan Grove RV Park bills as proposed by the City Manager and to forgive the one invoice for \$1,364.60 for the property at 423 State Highway 72. The motion was seconded by Councilor Saenz. All voted in favor and the motion passed.

14. Consideration and possible action in regard to Ordinance 21-04a Creating and Establishing the Kenedy Fire Department as a Career Fire Department; Ordinance 21-04b Creating and Establishing the Kenedy Fire Department as a Combination Fire Department; Ordinance 21-04c Creating and Establishing the Kenedy Fire Department as a Volunteer Fire Department; and directing the City Manger to take any and all measures necessary in creating and establishing the selected fire department type.

City Manager Linn explained that the City's attorney, Alessandra Gad with the Bojorquez Law Firm was running late and she had all the necessary documents to discuss the various proposed ordinances. He requested that this item be set aside. Councilor James Douglas made a motion to set this agenda item aside. Councilor Leslie Wynn seconded the motion. All voted in favor, and the motion passed.

15. Consideration and possible action in regard to directing the City Manager to seek Request for Qualifications regarding engineering Services pertaining to the City of Kenedy Convention Center.

Councilor James Douglas made a motion to open agenda item 15 for discussion. Councilor Brandon Briones seconded the motion. Councilor Douglas questioned if the engineer would consider several sites as the location of the convention center and if they would study the Nottingham St. real estate and well as the other property owned by the City on Craig St. Councilor Douglas made a motion to seek an RFQ for engineering services for the new convention center. The motion was seconded by Councilor Leslie Wynn. Roll was called. Ayes 3 Nays 2. Councilors Saenz and Rodriguez voted against the motion. The motion passed.

16. Consideration and possible action regarding Mr. Scott Gordon's property legally described as "Tract 1" 2.3 acres +/-, Carlos Martinez 15 League Grant, A-5; and "Tract 2" 0.3 acres +/-, Carlos Martinez 15 League Grant, A-6; Kenedy, Texas.

- A. Replating two (2) lots zoned Commercial "C", one (Tract 1) of approximately 100,188 sq. ft +/- and one (Tract 2) of approximately 13,068 sq. ft +/-; into two (2) separate lots zoned Commercial "C" to consist of one (1) lot (Tract 1) of 79,426 sq. ft +/- and one (1) lot (Tract 2) of 33,555 sq ft +/-**

Councilor Wynn made a motion to discuss item. Councilor Briones seconded the motion. A motion was made by Councilor Douglas and seconded by Councilor Rodriguez to approve the replating of the above-mentioned property. All voted in favor. Motion passed.

17. Consideration and possible action regarding Mettle Equities' property legally described as 0.44 acres +/-, J.M. Nichols Addition No. II; Kenedy, Texas

- A. Replating one (1) lot zoned Single Family "SF" of approximately 19,166.4 sq. ft. +/-; into two (2) separate lots zoned Single Family "SF" to consist of one (1) lot of 8,712 sq. ft +/- and one (1) lot of 10,454.4 sq ft +/-.**

Councilor Wynn made a motion to discuss agenda item 17. Councilor Rodriguez seconded the motion. A motion was made by Councilor Douglas and seconded by Councilor Wynn to approve the replating of the above-mentioned property. All voted in favor. Motion passed

18. Consideration and possible action regarding Resolution 21-02 submission by the Kenedy Police Department for the Prevention, Prepare, and Respond Project Grant to the Office of the Governor. (as Amended)

A motion was made by Councilor Saenz to open agenda 18 for discussion. The motion was seconded by Councilor Wynn. It was discussed to leave the City Manager as the approver of the grant. A motion was made by Councilor Wynn and seconded by Councilor Douglas to approve the submission of the police grant to the Office of the Governor. All voted in favor and the motion passed.

19. Consideration and possible action regarding approving and adopting employee evaluation forms to be used for the evaluation of the performance of City personnel.

Councilor Saenz made a motion to open the agenda item for discussion. Councilor Wynn seconded the motion. A motion was made by Councilor Briones and seconded by Councilor Wynn to approve and adopt the new employee evaluation forms. All voted in favor and the motion passed.

20. Consider and possible action regarding scheduling a hearing in accordance with Texas Local Government Code 370.002 regarding the review, modification, and extending of the City of Kenedy Juvenile Curfew Ordinance found in Chapter 62, Article II, Division 2 of the City of Kenedy Codified Code of Ordinances.

Councilor Briones made a motion to open agenda item 20 for discussion. The motion was seconded by Councilor Douglas. A motion was made by Councilor Briones to table this agenda item. Councilor Douglas seconded the motion. All voted in favor and the motion passed. After agenda item 21 was discussed and voted upon, a motion was made by Councilor Wynn and seconded by Councilor Briones to bring this agenda item off the table. A motion was then made by Councilor Douglas and seconded by Councilor Saenz to schedule a hearing on February 25, 2021 at 6 p.m. on the Juvenile Curfew Ordinance.

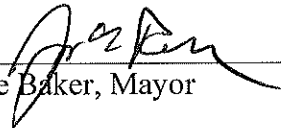
21. Consider and possible action in regard to establishing a date and time to conduct a workshop for the purpose of discussing items related to modifying the City Council Rules of Decorum.

Councilor Douglas made a motion to open agenda item 21 for discussion. The motion was seconded by Councilor Saenz. A motion was made by Councilor Douglas to hold a workshop to discuss items related to modifying the City Council Rules of Decorum on February 25, 2021 at 6p.m. Councilor Saenz seconded the motion. All voted in favor and the motion passed.

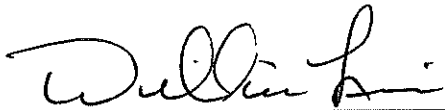
22. Adjourn.

Councilor Brandon Briones made a motion to adjourn the meeting. Councilor James Douglas seconded the motion. All voted in favor. Motion passed.

Meeting adjourned at 10:35 P.M.



Joe Baker, Mayor



~~Amanda Hines, City Secretary~~
William Cinn City Manager

