

**CITY OF KENEDY**

**MINUTES**

**CITY COUNCIL REGULAR MEETING**

**MAY 11, 2021- 6:00 P.M.**

**CITY AUDITORIUM IN THE RUHMAN C. FRANKLIN MUNICIPAL BUILDING  
303 W. MAIN ST., KENEDY, TX. 78119**

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**MEMBERS PRESENT:**

Mayor Joe Baker  
Cindy Saenz, District 1  
Johnny Rodriguez, District 2  
Brandon Briones, District 3  
James Douglas-Meyer, District 4  
Leslie Wynn, District 5

**MEMBER(S) ABSENT:**

**NEWLY ELECTED MEMBERS PRESENT:**

Christopher Parker, District 3  
Saundra Schultz, District 5

**CITY PRESENT:**

City Manager William Linn  
City Attorney Alessandra Gad  
City Secretary Ruby Beaven  
Police Chief Richard Ashe  
Director of Public Works Jerry Higgins  
Building Official Jaime Albiar  
Accountant Judy Murphy

**CITY ABSENT:**

Director Parks & Streets Joe Hernandez, III

**1. Call Regular City Council meeting to order.**

The Regular Meeting of the City of Kenedy was called to order by Mayor Baker at 6:00 p.m. on Tuesday, May 11, 2021, in the City Auditorium in the Ruhman C. Franklin Municipal Building, 303 W. Main St. Kenedy, TX and video streaming via Facebook live.

**2. Call Roll and establish a quorum is present.**

With all Council Members present a quorum was established.

**3. Prayer.**

Councilor Wynn led the prayer.

**4. Pledge of Allegiance.**

Councilor Wynn led the Pledge of Allegiance to the U.S. flag.

**5. Citizen Comment.**

There were no citizen comments.

Councilor Briones thanked everyone for the past ten years of accomplishments and appreciated everyone's support. Thanked Chief Ashe and the Fire Department for all they have accomplished. Councilor Briones stated he was available for the new council members if they had questions and encourage transparency and accountability. Councilor Briones stated the City is making a lot of progress and moving forward and hopes to continue to see forward movement.

**6. Presentation of "Certificate of Appreciation" to Mr. Brandon Briones for ten (10) years of service to the City of Kenedy as a Councilman.**

Mayor Baker presented Councilor Briones with a certificate of appreciation for ten years of dedicated leadership to the City of Kenedy.

**7. Swearing in of City Secretary Ms. Ruby Beaven. (Presenter: Mayor Baker)**

Mayor Baker administered the Statement of Officer and Oath of Office to Ruby Beaven.

**8. Consideration and possible action in regard to Resolution No. 21-04, a Resolution of the City Council of the City of Kenedy, Texas, approving the Canvass of the May 1, 2021 General Election and Declaring the Results of Such Election.**

City Manager Linn addressed the council and stated the official results of the canvass for the May 01, 2021 General Election was available and will be read out loud by City Secretary Beaven and will need two volunteers to stand as witness to the reading. City Manager Linn recommended Councilor Douglas and Councilor Rodriguez since they were not part of the election.

City Secretary Beaven stated the May 01, 2021 General Election official results for Council Member District 1 were as follows: Absentee Ballots Cast 32, Early Ballots Cast 50, Election Ballots Cast 62, Total Ballots Cast 144, Patricia Jacques Castillo 10, Cindy Aquirre Saenz 81, Alberto "Bert" Hernandez-Baldarramos 32, and Bryan C. Houck 20. Councilor Saenz was declared the winner with the most votes.

**Motion:** Councilor Briones moved to approve Resolution 21-04 a Resolution of the City Council of the City of Kenedy, Texas, approving the Canvass of the May 1, 2021 General Election and Declaring the Results of Such Election. Councilor Wynn seconded the motion. Motion carried unanimously.

**9. Swearing in of Council District Nos. 1, 3, and 5.**

City Secretary Beaven administered the Statement of Officer and Oath of Office to Cindy Saenz, Christopher Parker, and Sandra Schultz. Certificates of Election were presented to District 1 Councilor Cindy Saenz, District 3 Councilor Christopher Parker, and District 5 Councilor Sandra Schultz.

## **10. Departmental Reports.**

Jerry Higgins addressed the Council to report the Public Works Director report. In prior years the City was not in compliance with Texas Commission on Environmental Quality (TCEQ) requirements and fees are assessed if found in violation. The City has been working diligently and now only has two items pending. TCEQ will be sent a status update. Wastewater Treatment Plant Phase II is complete. The water outage report was given and water loss was at 6%. Two water boil notices were issued.

Chief Ashe addressed the council to report the Police Chief report. Chief Ashe stated no emergency management issues. Animal Control division is currently operating with one staff member. The animal control report was given and there was a total of 39 service calls for April.

Building Official Jaime Albiar addressed the council to report the Code Compliance report. The code compliance report was given and there were nine total cases closed and seventeen total cases open/active. There were three properties the City cleaned and two properties the City filed liens against. Thirty-six residents utilize the roll offs. The public dump now has new hours: Monday, Wednesday, and Friday from 8:30 a.m. to 11:30 a.m. and 1:30 p.m. to 4:30 p.m. and every Saturday from 8:00 a.m. to 12 noon.

Building Official Jaime Albiar reported the Building Department report. It was reported there was an increase in utility permits and the residential and commercial permits were discussed. There were two commercial plans submitted to Bureau Veritas for approval. There were warning/violation notices issued: one zoning violation and six dangerous/dilapidated structures.

## **11. City Manager Report.**

City Manager Linn addressed the council explaining Parks & Streets Director Joe Hernandez was unavailable and the city manager would be presenting the departmental reports. The Streets Department reported the streets crew worked for thirteen days hand patching/grading 68.3 cubic yards of asphalt. The crew installed four signs, removed one sign, and repaired five signs. In addition, the crew picked up twenty-eight loads of brush. The Parks Department reported parks crew worked for eighteen days dragging/sweeping, twenty days removing trash from receptacles, and five days weed trimming the fields. In addition, the crew mowed, weed trimmed, and picked up trash around the walking trail, basketball courts, bridge, and gazebo.

City Manager Linn reported the Kenedy Volunteer Fire Department (KVFD) report. It was reported the KVFD responded to a bee swarm, three grass fires, one trash fire, and one dust control and various other calls. There was a total of 4,550 gallons of water usage. KVFD now has six members that are now Tech I Rescue trained.

City Manager Linn reported the City Managers report. Karnes County Emergency Service Training Facility will have a grand opening and ribbon cutting on May 19, 2021. The Municipal Court report included 166 defendants with a collection of \$27,133.43. The

Department of the Treasury issued a final rule on May 10, 2021 on public law 117-2 for stimulus money. The City of Kenedy is impacted by the municipality being considered a non-entitlement city. Mayofest has been moved to Labor Day and the original funds are still in the budget. Would like to see two or three events being held in Kenedy a year, such as Blue Bonnet and Christmas in Kenedy. ACOG strategic planning meeting was held on May 5, 2021. Thirteen surveys received outlining strengths and weaknesses. Additional items reported included the East Main Project, playoff games held in the City, and concession stand being run by booster club. City Manager explained how line items and financials work for municipal government, discussed fund accounting, bank accounts and pooled cash accounts. Explained I&S deposits not being deposited into correct account and a plan of action to correct this has been implemented moving forward. The City Manager presented the financial statements. City Manager Linn stated we are in good shape and a three-month reserve is recommend and we are currently at a six-month reserve.

## **12. Consent Agenda:**

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

**Motion:** Councilor Douglas moved to approve items A & B on the Consent Agenda. Councilor Rodriguez seconded the motion. Motion carried unanimously.

## **13. Consideration and possible action in regard to Resolution No. 21-05, a Resolution of the City Council of the City of Kenedy, Texas, Authorizing and Designating the Official Signatures of the City of Kenedy for Banking and Depository Services.**

Councilor Douglas made a motion to open item 13 for discussion. Councilor Rodriguez seconded the motion.

City Manager Linn addressed the council and stated any time there is change in the governing body for authorized signatory the City will notify the Depository Bank of change and make appropriate revisions.

**Motion:** Councilor Douglas moved to approve Resolution No. 21-05, a Resolution of the City Council of the City of Kenedy, Texas, Authorizing and Designating the Official Signatures of the City of Kenedy for Banking and Depository Services. Councilor Saenz seconded the motion. Motion carried unanimously.

## **14. Consideration and possible action in regard to having a “movie in the park” celebration on July 2, 2021 to include a drive-in movie, a DJ, food truck cuisine, and possibly a fireworks display; and authorizing all expenditures relating to the event to be reallocated from the Mayo Fest budget line item.**

Chief Ashe addressed the council about a movie in the park to be held on July 2, 2021 at the Joe Gulley park. The event would start about 6:00 p.m., for participants to enjoy food-trucks and music, with the movie to begin about 8:45 p.m. The budget for the movie event is estimated to be \$1,650.00. If a fireworks display was to be included in the event, the additional cost would run between \$12,000 to \$14,000.

Discussion was held among council in regard to event location for movie screen, location for fireworks display, security, food vendors, and fireworks budget reallocation from Mayo Fest budget.

**Motion:** Councilor Saenz moved to approve a “movie in the park” celebration on July 2, 2021 to include a drive-in movie, a DJ, food truck cuisine, and a fireworks display; and authorizing all expenditures relating to the event to be reallocated from the Mayo Fest budget line item. Councilor Parker seconded the motion. Motion carried unanimously.

**15. Consideration and possible action in regard to filling one (1) vacancy on the Kenedy Economic Development Board (4B) to serve one (1) two-year term beginning May 12, 2021 and ending May 11, 2023; appointees to be considered are: Ms. Amanda Hines, Mr. Demetrio Garcia, Mr. Don Staggs, Mr. Alberto Baldarramos, and Mr. Danny Oballel.**

Councilor Rodriguez made a motion to open item 15 for discussion. Councilor Douglas seconded the motion.

City Manager Linn addressed the council and stated Demetrio D. Garcia withdrew name from consideration.

**Motion:** Councilor Rodriguez moved to appoint Don Staggs to filling one (1) vacancy on the Kenedy Economic Development Board (4B) to serve one (1) two-year term beginning May 12, 2021 and ending May 11, 2023. Councilor Saenz seconded the motion.

In favor: Councilor Rodriguez, Councilor Parker, Councilor Douglas, Councilor Schultz  
Opposed: Councilor Saenz  
Motion passed four to one.

**16. Consideration and possible action in regard to appointing two (2) Councilors as City Council representatives to the Escondido Creek Parkway Oversight Committee; appointees to be considered are: Ms. Cindy Saenz, Mr. Chris Parker, Mr. James Douglas, and Ms. Sandra Schultz.**

Councilor Saenz made a motion to open item 16 for discussion. Councilor Douglas seconded the motion.

City Manager Linn addressed the council to recommend separate motion to each appointment to record the results separately.

**Motion:** Councilor Rodriguez moved to appoint Councilor Saenz as City Council representatives to the Escondido Creek Parkway Oversight Committee. No councilor seconded the motion. Motion fails for lack of a second motion.

**Motion:** Councilor Douglas moved to appoint Councilor Parker as City Council representatives to the Escondido Creek Parkway Oversight Committee. Councilor Schultz seconded the motion.

In favor: Councilor Saenz, Councilor Rodriguez, Councilor Douglas,

Councilor Schultz  
Abstained: Councilor Parker  
Motion passed.

**Motion:** Councilor Saenz moved to appoint Councilor Douglas as City Council representatives to the Escondido Creek Parkway Oversight Committee. Councilor Parker seconded the motion.

In favor: Councilor Saenz, Councilor Rodriguez, Councilor Parker,  
Councilor Schultz  
Abstained: Councilor Douglas  
Motion passed.

**17. Consideration and possible action in regard to appointing one (1) Parks and Recreation Board Member to the Escondido Creek Parkway Oversight Committee; appointees to be considered are: Ms. Suzanne Nunez, Ms. Alicia Sandoval, Ms. Melissa Garcia, and Mr. Randy Garza. (Presenter: Mayor Baker)**

Councilor Rodriguez made a motion to open item 17 for discussion. Councilor Parker seconded the motion.

Mayor Baker stated the Parks and Recreation Board Secretary Lucille Matthews was added to the list for consideration to serve on the committee.

**Motion:** Councilor Douglas moved to appoint Suzanne Nunez as Parks and Recreation Board Member to the Escondido Creek Parkway Oversight Committee. Councilor Rodriguez seconded the motion. Motion carried unanimously.

**18. Consideration and possible action on selecting an Engineering/Architectural firm, for engineering and architectural services to be performed regarding the City of Kenedy Convention Center and authorizing the City Manager to enter into a Professional Services Agreement (PSA) with the selected firm.**

City Manager Linn addressed the council for the City of Kenedy Convention Center engineering and architectural request for qualifications summary. Three firms responded to the request: Rawley, McCoy, & Associates, PLLC., Kaarlsen, Noonan, Rittimann, Garcia, and WKMC Architects. City Manager Linn discussed recent experience, project cancellations, and claims for each firm. Discussion was held among the Council and City Manager Linn about the three firms and site locations.

Mayor Baker inquired with City Manager Linn for his recommendation. City Manager Linn's recommendation was for Rawley, McCoy, & Associates, PLLC.

**Motion:** Councilor Douglas moved to select Rawley, McCoy, & Associates, PLLC. for engineering and architectural services to be performed regarding the City of Kenedy Convention Center and authorizing the City Manager to enter into a Professional Services Agreement (PSA) with the selected firm. Councilor Saenz seconded the motion.

In favor: Councilor Saenz, Councilor Douglas, Councilor Parker,

Councilor Schultz  
Opposed: Councilor Rodriguez  
Motion passed.

**19. Consideration and possible action in regard to an update pertaining to the agreement for fire protection services between the City of Kenedy and the Kenedy Volunteer Fire Department. (Presenter: City Attorney Gad)**

City Attorney Gad addressed the council to discuss updates the Kenedy Volunteer Fire Department agreement for fire protection services. City Attorney Gad stated the mileage and equipment language was updated for clarity. Discussion was held about insurance.

No action taken.

**20. Consideration and possible action in regard to appointing a Mayor Pro-Tem.**

City Manager Linn addressed the council and stated any time there is change in the governing body after an election the Mayor Pro-Tem needs to be reappointed.

**Motion:** Councilor Douglas moved to nominate Councilor Saenz as Mayor Pro-Tem. Councilor Parker seconded the motion.

In favor: Councilor Schults, Councilor Parker, Councilor Rodriguez,  
Councilor Douglas

Abstained: Councilor Saenz

Motion passed.

**21. Consideration 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, Division 2 Rules of Meetings and Order of Business; Subdivision III Order of Business; Section 2-62 and Section 2-63(c).**

Councilor Douglas made a motion to open item 21 for discussion. Mayor Pro-Tem Saenz seconded the motion.

Discussion held among council to establish date and time to conduct a workshop to modify ordinance and have the attorney present during workshop.

**Motion:** Councilor Douglas moved to set the workshop date to May 25, 2021 at 6:00 p.m. for the purpose of discussing items related to modifying the City Council Rules of Decorum, Division 2 Rules of Meetings and Order of Business; Subdivision III Order of Business; Section 2-62 and Section 2-63(c). Mayor Pro-Tem Saenz seconded the motion. Motion carried unanimously.

**22. Items to consider for placement on future agendas.**

Councilor Douglas stated he would like to see the results of the May 25, 2021 workshop be placed on the agenda. City Manager Linn clarified the item will automatically be on the agenda.

**23. Announcements of Community interest and/or upcoming events.**

Mayor Baker announced the ribbon cutting for the Karnes County Emergency Service Training facility will be held May 19, 2021. In addition, announced the Food Box Distribution event at the Otto Kaiser Memorial Hospital will be held on May 15, 2021.

**24. Adjourn.**

Mayor Baker adjourned the meeting at 8:01 p.m.

**APPROVED:**

  
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Joe Baker, Mayor

**ATTEST:**

  
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Ruby Beaven, City Secretary