

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION MONDAY, DECEMBER 9, 2019 REGULAR MEETING**

**CITY HALL  
HELEN KLEBERG GROVES COMMUNITY ROOM  
400 WEST KING AVENUE  
5:00 P.M.**

### **I. Preliminary Proceedings.**

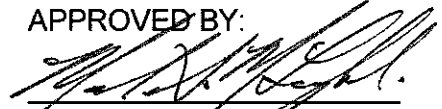
#### **OPEN MEETING**

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

**MINUTES OF PREVIOUS MEETING(S)**

Regular Meeting- November 25, 2019

APPROVED BY:



Mark McLaughlin  
City Manager

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

1. Public Hearing to consider rezone of 3<sup>rd</sup>, Block 20, Lot W/2 18, 19 also known as 828 E. Alice, Kingsville, Texas from R1 (Single Family District) to R2 (Two-Family District), Mario Bazan, owner/applicant. (Interim Director of Planning & Development Services).

### **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, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

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

1. Comments on all agenda and non-agenda items.

**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)*

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for 1400 S. 14th Street Block, also known as Rincon De Zapata, Lots A-D, for car wash use in C2-Retail District. (Interim Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance to rezone of Haggerton, Lot 3 (2.31 acres), also known as 2102 E. Trant Road, Kingsville, Texas, from C4 (Commercial District) to R1 (Single Family District). (Interim Director of Planning & Development Services).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinance Section 15-6-21-Definitions to revise the definition for tiny homes. (Interim Director of Planning & Development Services).
4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinance Chapter XV, Article 6-Zoning, Appendix B-Space Requirements, Section One-Space Requirements for Residential Use to add a maximum height for tiny homes. (Interim Director of Planning & Development Services).

**REGULAR AGENDA**

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

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

5. Consider appointment of Rev. Idotha Battle to the Planning & Zoning Commission for a two-year term. (Interim Director of Planning & Development Services).
6. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 3<sup>rd</sup>, Block 20, Lot W/2 18, 19 also known as 828 E. Alice, Kingsville, Texas from R1 (Single Family District) to R2 (Two-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Interim Director of Planning & Development Services).
7. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6-Traffic Control Devices, Section 2 Schedule II-Parking Restricted on Certain Streets; providing for the restriction of parking near the university from 7am to 5pm, Monday through Friday. (City Engineer).
8. Consider a resolution designating the authorized signatories for financial, health trust plan, and other items of City business from Interim City Manager to City Manager. (City Attorney).

9. Consider a resolution regarding a contract for the purpose of financing "Heavy Equipment" with Government Capital Corporation. (Purchasing Manager).
10. Consider a resolution regarding a contract for the purpose of financing "Vehicles" with Government Capital Corporation. (Purchasing Manager).
11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, adopting the 2018 Edition of the International Building Code and removing Section 15-1-3. (Interim Director of Planning & Development Services).
12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, adopting the 2018 Edition of the International Existing Building Code. (Interim Director of Planning & Development Services).
13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX, Article 5, Fire Prevention and Protection, adopting the 2018 Edition of the International Fire Code and revising the Permit Fee Schedule. (Interim Director of Planning & Development Services).

## VII. Adjournment.

1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action. No public comment at this point.

### NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail [mvalenzuela@cityofkingsville.com](mailto:mvalenzuela@cityofkingsville.com) for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551-076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board located at City Hall, 400 West King Ave, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

December 5, 2019 at 4:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

  
 Mary Valenzuela, TRMC, CMC, City Secretary  
 City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: \_\_\_\_\_

By: \_\_\_\_\_  
 City Secretary's Office  
 City of Kingsville, Texas

# **MINUTES OF PREVIOUS MEETING(S)**

NOVEMBER 25, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 25, 2019 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  
Hector Hinojosa, Commissioner  
Dianne Leubert, Commissioner  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Mary Valenzuela, City Secretary  
Kyle Benson, IT Manager  
Deborah Balli, Interim City Manager  
Emilio Garcia, Health Director  
Bill Donnell, Public Works Director  
Cynthia Martin, Downtown Manager  
Rudy Mora, City Engineer  
Derek Williams, IT Department  
Charlie Sosa, Purchasing Director  
Susan Ivy, Parks Director  
Courtney Alvarez, City Attorney  
Adrian Garcia, Fire Chief  
Ron Lee, Fire Marshall  
Stephannie Resendez, Administrative 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 Mrs. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting- November 12, 2019**

Motion made by Commissioner Lopez to approve the minutes of November 12, 2019 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

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

- 1. Public Hearing on a request for a Special Use Permit for car wash use in C2 (Retail District) at Rincon De Zapata, Lots A-D, also known as 1400 block S. 14th Street, Kingsville, Texas; Chad Davis, applicant. (Interim Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:04 p.m.

Mrs. Cynthia Martin reported that this is a request for a special use permit for a car wash. The property is zoned C2 Retail District so needs a special use permit. Martin further stated that currently there are 2 other car washes on 14<sup>th</sup> Street so this would not be unusual to have a third one on 14<sup>th</sup> Street.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further discussion, Mayor Fugate closed this public hearing at 5:06 p.m.

**2. Public Hearing on a request to rezone of Haggerton, Lot 3, also known as 2102 E. Trant Rd, Kingsville, Texas, from C4 (Commercial District) to R1 (Single Family District); Cesar Silva, applicant. (Interim Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:06 p.m.

Mrs. Martin stated that Mr. Cesar Silva would like to rezone a vacant lot he recently purchased at 2102 E. Trant Road from C4 Commercial to R1 Single Family in order to build a single-family home. The property is near LE Ramey Golf Course three lots West of the intersection of Golf Course Road and Trant Road. The abutting properties are zoned R1 single-family and are occupied by single-family homes.

Mayor Fugate asked if staffed received any feedback from the citizens around the area regarding this rezone.

Mrs. Martin responded that there was one call that was received but was asking for more information on the rezone. Once it was explained to the caller, the caller had no issues with what was being requested.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further discussion, Mayor Fugate closed this public hearing at 5:07 p.m.

**3. Public Hearing on EPA Brownfields Cleanup Grant Application by the City of Kingsville. (Interim Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:07 p.m.

Mrs. Martin reported that the City of Kingsville will be submitting a grant application to the Environmental Protection Agency Brownfields Program for the site known as the former Kleberg County Hospital located at 400 E. Caesar. The grant total would be for an amount of \$300,000.00.

Commissioner Hinojosa asked if the City of Kingsville was the owner of this property.

Mrs. Martin responded that the City of Kingsville was the owner of the property. The property was approved to be purchased earlier this year.

Commissioner Hinojosa further asked if the property owner had accepted the City's offer.

Mrs. Martin responded yes and further stated that for the City to apply for this grant, the city must have ownership of the property.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further discussion, Mayor Fugate closed this public hearing at 5:10 p.m.

### 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, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

Mrs. Courtney Alvarez, City Attorney announced that the next meeting is scheduled for December 9<sup>th</sup> with a deadline to staff for submittal of agenda items on November 26<sup>th</sup>. She further announced upcoming holidays that City Offices will be closed. She further stated that agenda item #10 has a minor change to it. This change extends the parking restriction an additional block from Ella to Nettie.

Commissioner Hinojosa spoke about his trip to the NLC Conference hosted in San Antonio.

Mayor Fugate commented that there has been some progress on keeping the Kingsville Record open. There have been some community members that have stepped up in making this happen.

Commissioner Hinojosa commented that he hopes that this newspaper will hear both sides of the story and not just one side. He hopes that they print both sides of the story as there is always two sides to every story and not just one. He hopes that this newspaper will do that.

Commissioner Leubert commented that our newspaper has always been fair as well as its reporters. She further stated that this has been a very good newspaper for the community, and they have always been honest in what they print.

Mayor Fugate commented that there will be responsible journalism in this newspaper. Those individuals that will be put in place for this newspaper are veteran newspaper people and he hopes that this comes to pass as it has taken a lot of work from everyone involved.

Commissioner Hinojosa commented that he wasn't pointing fingers at anyone, he is only making a statement.

City Commission thanked Tourism staff for all their hard work in putting together the Ranch Hand Festival.

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

1. **Motion to approve final passage of an ordinance. amending the Fiscal Year 2019-2020 budget to accept and expend donations from La Posada de Kingsville, the King Ranch, and the South Texas Specialized Crimes and Narcotics Task Force for the Healthy Family Partner's Recreation Programs. (Parks Director).**
2. **Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, providing for revision of Article 1-City Commission, Section 10-Agenda. (Commissioner Lopez).**

##### **REGULAR AGENDA**

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

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

3. **Consider appointment of Lupita Salazar Weeks to the Historical Development Board for a three-year term. (Interim Director of Planning & Development Services).**

**Motion made by Commissioner Lopez to approve the appointment of Lupita Salazar Weeks to the Historical Development Board for a three-year term, seconded by Commissioner Hinojosa and Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

4. **Consider appointment of Victoria E. Garza to the Library Board for a three-year term. (Library Director).**

**Motion made by Commissioner Lopez to approve the appointment of Victoria E. Garza to the Library Board for a three-year term, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".**



5. **Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for 1400 S. 14th Street Block, also known as Rincon De Zapata, Lots A-D, for car wash use in C2-Retail District. (Interim Director of Planning & Development Services).**

Introduction item.

6. **Consider introduction of an ordinance to rezone of Haggerton, Lot 3 (2.31 acres), also known as 2102 E. Trant Road, Kingsville, Texas, from C4 (Commercial District) to R1 (Single Family District). (Interim Director of Planning & Development Services).**

Introduction item

7. **Consider a resolution authorizing the submission of an application to the Environmental Protection Agency Brownfields Program for remediation at the site of the Kleberg County Hospital Building at 400 E. Caesar Ave., Kingsville, Texas. (Interim Director of Planning & Development Services).**

Commissioner Lopez asked who would be administering this grant. Mrs. Martin responded that she would be administering the grant. Martin further stated that there is a 20% cost share. She also stated that a copy of this grant is available for public viewing.

Commissioner Hinojosa stated that with this last fire that occurred in the building, the smoke was able to travel down a hall way that leads to tenants' offices. He asked if there is any way of blocking this hallway so that if this occurs again, smoke will not travel to those offices.

Mrs. Alvarez commented that the Fire Chief and Fire Marshall are looking into this already.

**Motion made by Commissioner Pecos to approve resolution authorizing the submission of an application to the Environmental Protection Agency Brownfields Program for remediation at the site of the Kleberg County Hospital Building at 400 E. Caesar Ave., Kingsville, Texas, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".**

8. **Consider introduction of an ordinance amending the City of Kingsville Code of Ordinance Section 15-6-21-Definitions to revise the definition for tiny homes. (Interim Director of Planning & Development Services).**

Mrs. Martin stated that it is being recommended that the definition of tiny homes in Section 15-6-21 be amended to read a dwelling with a square footage between 200 square feet and 1,000 square feet and to amend Appendix B to list a maximum height of 15 feet for principal uses in the R2A zoning district. She further stated that the Planning & Zoning Commission met on this item and voted 5-0 to recommend these changes.

Commissioner Leubert stated that the only thing she is concerned about is the height limit. If someone wants to build a structure with a loft above, this would make it impossible for any one to walk straight on the loft. She further asked for staff to further look at the height that is being proposed.

Mrs. Martin stated that the 15feet is basically for a one level structure, but staff will look further into the height being proposed.

Introduction item.

9. **Consider introduction of an ordinance amending the City of Kingsville Code of Ordinance Chapter XV, Article 6-Zoning, Appendix B-Space Requirements, Section One-Space Requirements for Residential Use to add a maximum height for tiny homes. (Interim Director of Planning & Development Services).**

Introduction item.

10. **Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6-Traffic Control Devices, Section 2 Schedule II-Parking Restricted on Certain Streets; providing for the restriction of parking near the university from 7am to 5pm, Monday through Friday. (City Engineer).**

Mr. Rudy Mora, City Engineer stated that there has been a request to add some additional no parking in the area around the University. With the new Music Building being built at Texas A&M University-Kingsville, it will cause some traffic congestion such a individuals parking along the side of the roads within the area. Mr. Mora further displayed a map showing the areas that are being proposed.

Mayor Fugate asked what type of notification is sent to those living around the area that they will not be allowed to park in front of their homes.

Mr. Mora responded that there hasn't been any notification sent out but can be sent out.

Commissioner Hinojosa asked if notification can be sent out within the next two weeks, since this ordinance will be coming back to Commission for final approval. He further stated that he is concerned about this, as there is someone who lives on Ella that came to the Commission to complain about the no parking signs that are already existing, and now the city is going to be placing more no parking signs on Wells Street. He further stated that his friends that frequent the Mexican Restaurant near Wells will not be happy as they will not be able to park on the street. He further stated that if the City is planning on doing this, then the City needs to look at Elizabeth Street, as that street it is not wide enough, and why is the City picking on this area only. He further stated that there is a lot of streets that are in the same condition and understands that the concern is safety but what type of accidents have occurred in that area. He further stated that staff needs to look at General Cavazos. He also stated as this item will be coming back to the Commission for final approval, he would request for it not to be placed under the consent agenda, as more discussion needs to take place.

Mayor Fugate commented that the University should also be involved in this and asked if staff has contacted anyone at the University.

Mr. Mora responded that he has not contacted anyone but will be reaching out to them in the next few days.

Mayor Fugate stated that there needs to be notification that needs to be sent out to those who live in this area.

Commissioner Leubert commented that as she is the one who placed this item on the agenda, there are two reasons for it; when they did no parking originally, nobody received notice of it. She stated that the reason she has brought it up is because in the 700 & 800 block of Wells Street there are three little cottages that face Wells that have driveways. With individuals parking in the area, which they are parking the wrong way and blocking alleys it makes it difficult for any other traffic to go through, which makes it a dangerous situation.

Commissioner Lopez commented that special parking permits need to be given to those that have special needs/conditions.

Commissioner Hinojosa commented he agrees with this, but notification still needs to be sent out to those that live in that area.

Introduction item.

**11. Consider a resolution authorizing the City Manager to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Lighting of the rights-of-way on Corral Street and Santa Rosa Avenue between Armstrong Street and Santa Fe Drive. (renewal). (City Attorney).**

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Lighting of the rights-of-way on Corral Street and Santa Rosa Avenue between Armstrong Street and Santa Fe Drive, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:37 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**

**City of Kingsville  
Department**

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TO: Mayor and City Commissioners

CC: City Manager, Mark McLaughlin

FROM: Interim Director of Planning & Dev. Services, Cynthia Martin

DATE: December 5, 2019

SUBJECT: Rezoning request from Mario Bazan to rezone 828 E Alice from R1 Single-Family to R2 Two-Family

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**Summary:** Mario Bazan, owner and applicant would like to rezone his property at 828 E Alice from R1 Single-Family to R2 Two-family so that he can build a duplex on the lot.

**Background:** He is planning to build a small duplex – two one bedroom, one bath units on the lot. The lot is a currently vacant and is 37.5 ft. wide and 140 ft. deep so there is room for a small duplex. The surrounding properties are zoned either R1 Single- Family or C1 Neighborhood Commercial except for the property at 820 E Alice (also owned by Mr. Bazan) which is zoned R2 Two-Family but has only a single-family residence on it. The houses in the area are single-family residences.

Given that the lot would remain residential and the small scale of the duplex planned for the lot, rezoning this lot to R2 would not be incompatible with the neighborhood. However, there are concerns from neighbors that the rezone would set a precedent as the area from that property south, east and west is zoned R1 Single-Family Residential and negatively affect the historic character of the neighborhood. Of those residents receiving notification of the pending rezoning, three called and/or emailed to voice disapproval and one to voice approval.

**Financial Impact:** As there will be new construction on this lot, there will be increased property tax revenue. It would be difficult to estimate how much more revenue, if any, a small duplex would create versus a potentially similar sized single-family residence would create.

**Recommendation:** The Planning and Zoning Commission met with five members present and voted two to approve and two to deny with one abstention citing the arguments stated above under background.



To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: November 27, 2019

Subject: Rezoning request from Mario Bazan to rezone 828 E Alice from R1 Single-Family to R2 Two-Family

Mario Bazan, owner and applicant would like to rezone his property at 828 E Alice from R1 Single-Family to R2 Two-family so that he can build a duplex on the lot. He is planning to build a small duplex – two one bedroom, one bath units. The lot is 37.5 ft. wide and 140 ft. deep so there is room for a small duplex. The surrounding properties are zoned either R1 Single- Family or C1 Neighborhood Commercial except for the property at 820 E Alice (also owned by Mr. Bazan) which is zoned R2. The houses in the area are single- family residences.

Given that the lot would remain residential and the small scale of the duplex planned for the lot, rezoning this lot to R2 would not be incompatible the neighborhood.

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 828 E. Alice Nearest Intersection East Alice + N. 13<sup>th</sup>

(Proposed) Subdivision Name 3 Rd Block 20 Lot 20, 21  
Block 20 Block 18, 19

Legal Description: \_\_\_\_\_

Existing Zoning Designation Single Family Future Land Use Plan Designation R 2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mario A. Bazar Phone 361-455-6089 FAX \_\_\_\_\_

Email Address (for project correspondence only): mbazar2000@yahoo.com

Mailing Address 821 E. Richardson City Kingsville State TX Zip 78363

Property Owner Same as Applicant Phone \_\_\_\_\_ FAX \_\_\_\_\_

Email Address (for project correspondence only): Same as Applicant

Mailing Address Same as Applicant City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request _____	No Fee	<input type="checkbox"/> Preliminary Plat _____	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA) _____	\$250.00	<input type="checkbox"/> Final Plat _____	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request _____	\$250.00	<input type="checkbox"/> Minor Plat _____	\$100.00
<input checked="" type="checkbox"/> Re-zoning Request _____	\$250.00	<input type="checkbox"/> Re-plat _____	\$250.00
<input type="checkbox"/> SUP Request/Renewal _____	\$250.00	<input type="checkbox"/> Vacating Plat _____	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____	\$250.00	<input type="checkbox"/> Development Plat _____	\$100.00
<input type="checkbox"/> PUD Request _____	\$250.00	<input type="checkbox"/> Subdivision Variance Request _____	\$25.00 ea

Please provide a basic description of the proposed project:

Add Two one-bedroom one bath units to property

I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

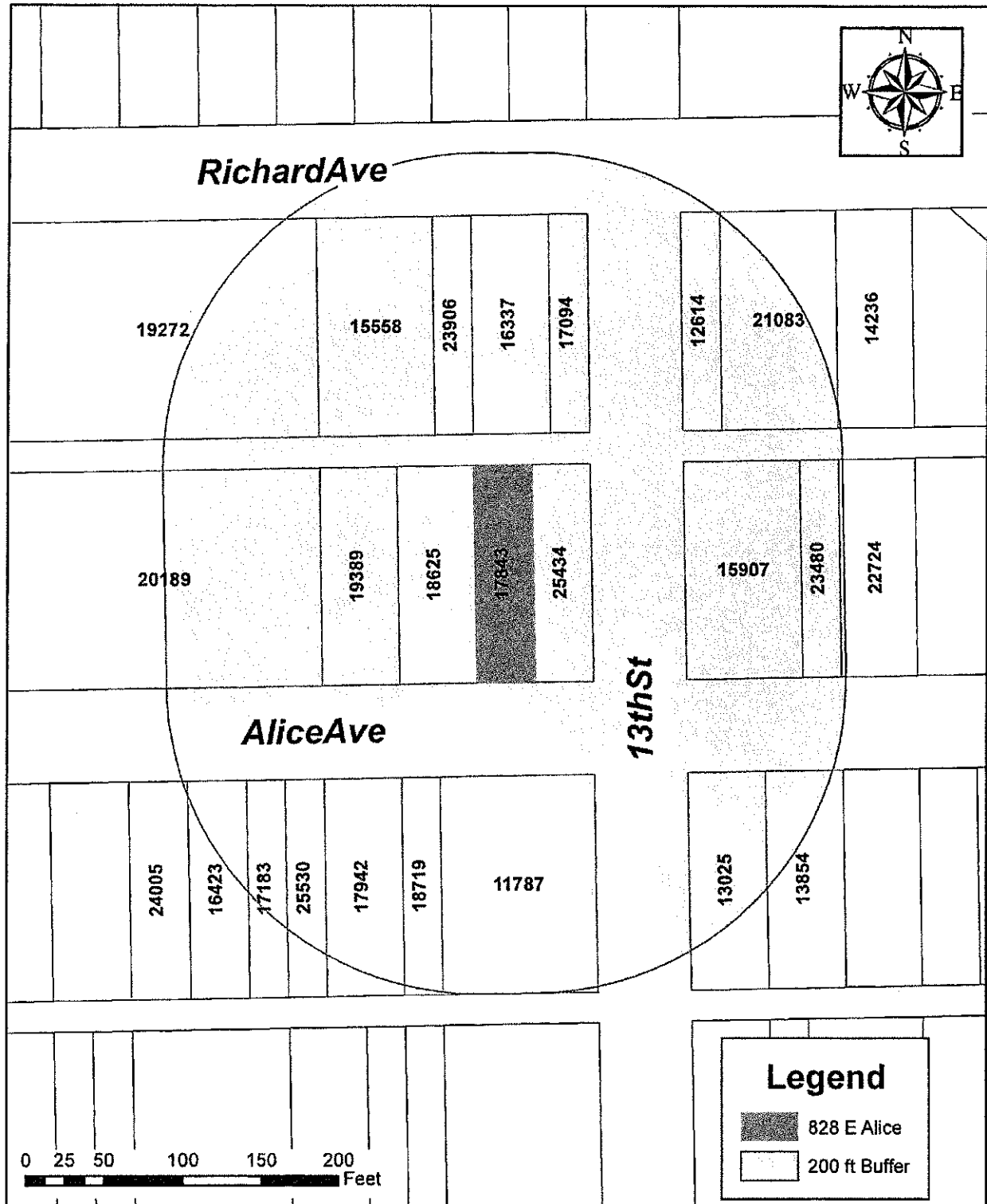
Applicant's Signature Mario Bazar Date: 10/30/19

Property Owner's Signature Mario Bazar Date: 10/30/19

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_



# 200 ft Buffer Map for 828 E Alice



Document Path: C:\Users\sresendezi\Desktop\GIS\Maps\Buffer Map.mxd

Page 1 / 1	Drawn By: Planning Department	<p><b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p><b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b>  410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/18/2019		
	Note:		

MARIO BAZAN  
821 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#19272, 15558, 20189, 19389,  
18625

ROBERTO RODRIGUEZ  
AND HERMINIA GONZALES  
831 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#17094

RUFINA H NAJERA  
% FRANCISCO N NAJERA  
910 E ALICE AVE  
KINGSVILLE, TX 78363-4642  
#23480

LUCAS SAMUEL GARZA  
706 W AMADA  
HEBBRONVILLE, TX 78361  
#16423

MICHAEL GUTIERREZ  
821 E ALICE  
KINGSVILLE, TX 78363-4639  
#18719

TADEO REYNA JR  
TMR RENTAL PROPERTIES  
1325 MICHAEL ST  
KINGSVILLE, TX 78363-6952  
#13854

PETRA BAZAN EST  
827 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#23906

ANNA L AKRIDGE  
AMELIA JUAREZ  
1117 E FORDYCE  
KINGSVILLE, TX 78363  
#25434

LINDA PENA  
910 E ALICE AVE  
KINGSVILLE, TX 78363-4642  
#22724

DIEGO VASQUEZ  
817 E ALICE AVE  
KINGSVILLE, TX 78363-4639  
#17183, 25530

OSCAR G GARZA JR  
711 E RICHARD AVE  
KINGSVILLE, TX 78363-4609  
#11787

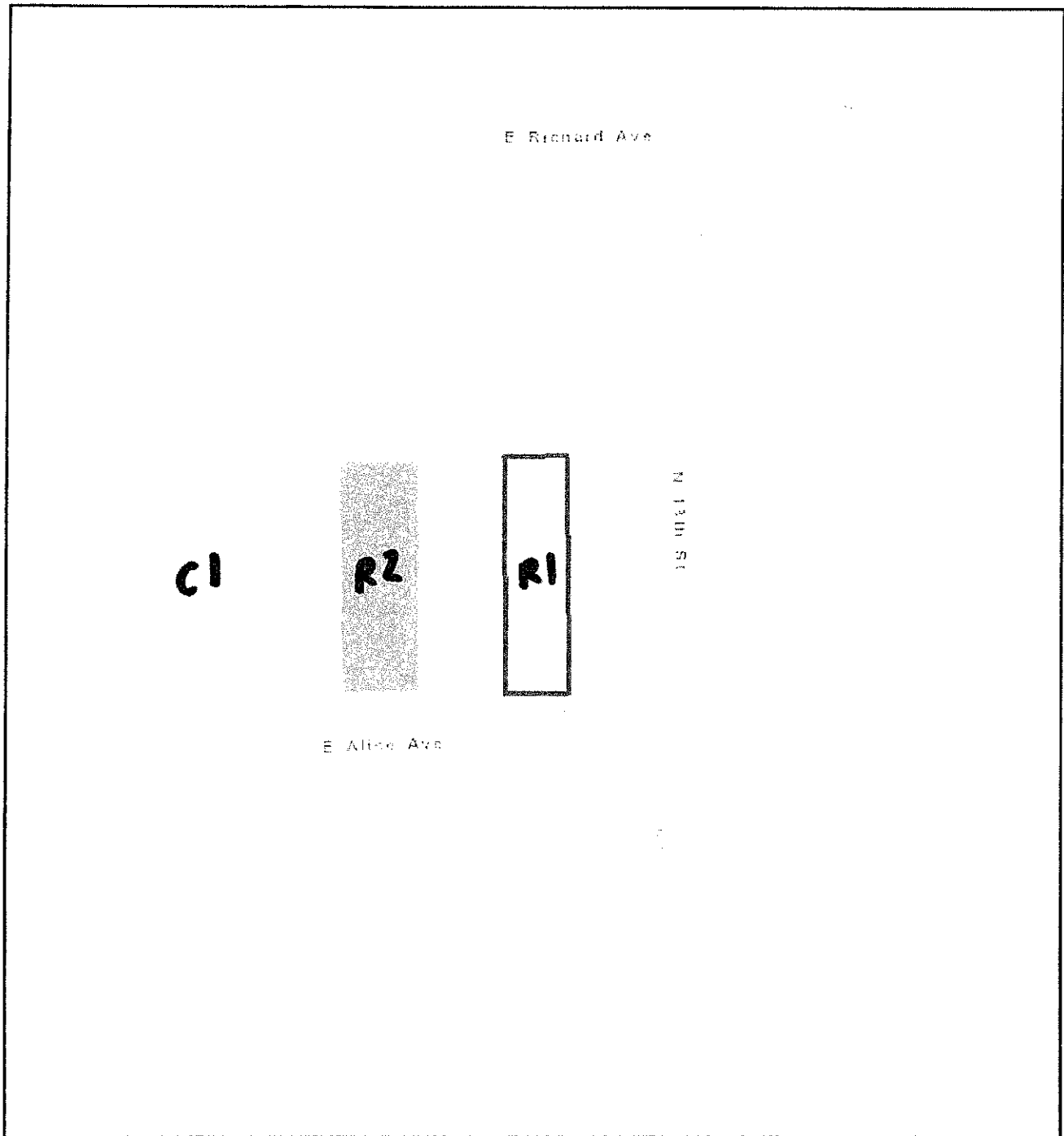
EVARISTO ALFARO JR  
ETUX VERONICA  
413 W AVE D  
KINGSVILLE, TX 78363  
#16337

THELMA A DAVIS  
104 RED HAWK POINTE  
KATHLEEN, GA 31047  
#15907

JUAN PENA EST  
711 E LEE AVE  
KINGSVILLE, TX 78363-4658  
#24005

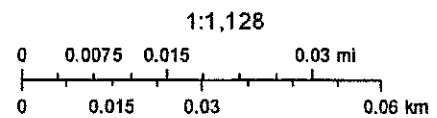
LINDA A RODRIGUEZ  
819 E ALICE AVE  
KINGSVILLE, TX 78363-4639  
#17942

EDELMIRA GONZALEZ  
% IRMA LERMA  
506 FOX XING  
BURNET, TX 78611  
#13025



November 27, 2019

C1- Neighborhood service  
R2- Two family  
R1- Single family



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## Kleberg CAD

### Property Search > 17843 BAZAN MARIO for Year 2019

Tax Year: 2019

#### Property

##### Account

Property ID: 17843 Legal Description: 3RD, BLOCK 20, LOT W/2 18, 19  
 Geographic ID: 100502018000192 Zoning:  
 Type: Real Agent Code:  
 Property Use Code:  
 Property Use Description:

##### Location

Address: 828 E ALICE Mapsco:  
 Neighborhood: Map ID: C1  
 Neighborhood CD:

##### Owner

Name: BAZAN MARIO Owner ID: 21096  
 Mailing Address: 821 E RICHARD AVE % Ownership: 100.000000000000%  
 KINGSVILLE, TX 78363-4611  
 Exemptions:

#### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$2,630	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$2,630	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$2,630	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$2,630	

#### Taxing Jurisdiction

Owner: BAZAN MARIO  
 % Ownership: 100.000000000000%  
 Total Value: \$2,630

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$2,630	\$2,630	\$0.00
CKI	CITY OF KINGSVILLE	0.853040	\$2,630	\$2,630	\$22.43
GKL	KLEBERG COUNTY	0.769500	\$2,630	\$2,630	\$20.24
SKI	KINGSVILLE I.S.D.	1.518900	\$2,630	\$2,630	\$39.95
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$2,630	\$2,630	\$2.28

Please contact Jennifer Bernal @ 361.221.2705  
or jbernal@cityofkingsville.com

**ORDINANCE #2019-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 3<sup>RD</sup>, BLOCK 20, LOTS W/2 18, 19, ALSO KNOWN AS 828 EAST ALICE, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY DISTRICT) TO R2 (TWO-FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Mario Bazan, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, December 4, 2019 during a meeting of the Planning and Zoning Commission, and on Monday, December 9, 2019 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was NOT APPROVED with a 2-2 vote of the Planning Commission regarding the requested rezone with one abstention; and

**WHEREAS**, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 3rd, Block 20, Lots W/2 18, 19, also known as 828 East Alice from R1-Single Family District to R2-Two-Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

**SECTION 2.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 3.** That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 4.** That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 5.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 6.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

**INTRODUCED** on this the 9th day of December, 2019.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

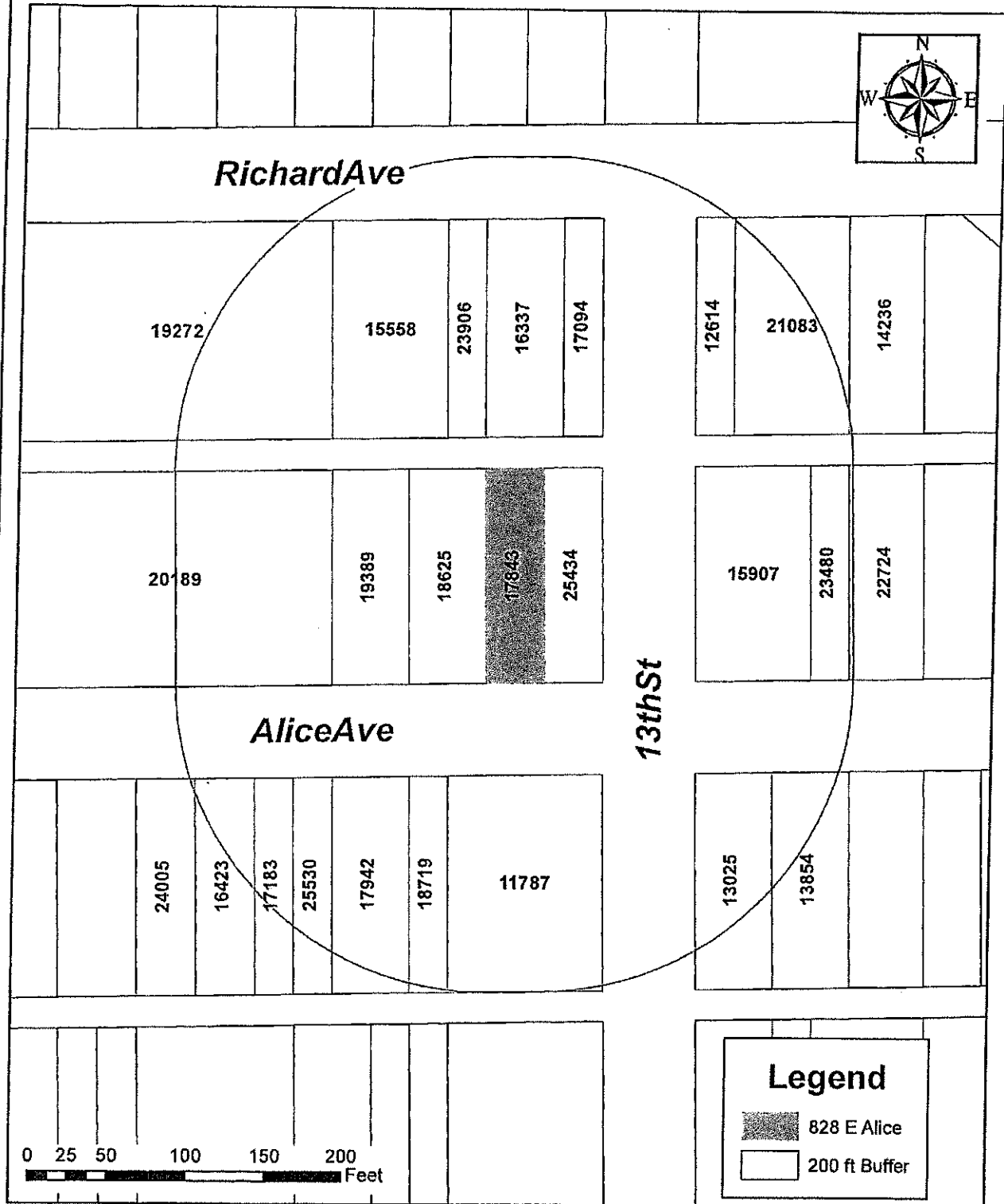
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map for 828 E Alice



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1 / 1 Page	Drawn By: Planning Department	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p><b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b></p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/18/2019		
	Note:		



# **CONSENT AGENDA**

# **AGENDA ITEM #1**

**City of Kingsville  
Planning and Dev. Services Department**

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**TO:** Mayor and City Commissioners  
**CC:** Interim City Manager, Deborah Balli  
**FROM:** Interim Director of Planning & Dev. Services, Cynthia Martin  
**DATE:** November 21, 2019  
**SUBJECT:** Special Use Permit request from Chad Davis for a car wash use at 1400 S 14<sup>th</sup> Street Block

---

**Summary:** Chad Davis, Texas Goodlife Companies, would like to purchase and occupy the property at 1400 S 14<sup>th</sup> Street. Mr. Davis wants to install a car wash on the property. The property is zoned C2 Retail District so needs a special use permit to do so.

**Background:** Currently, a large, metal building that is divided up into office and retail spaces occupies the site. The lot is 1.456 acres. The building will be retained and the car wash built north of the building. There are already two car washes on 14<sup>th</sup> Street, Super Suds at 510 N 14<sup>th</sup> Street and Ringers Car Wash at 800 S 14<sup>th</sup> Street in the general vicinity so it would not be unusual to have a third.

**Financial Impact:** Allowing a car wash to go in would add one new business to Kingsville.

**Recommendation:** The large lot on which the building sits is not fully utilized as all is not needed for parking so there is space to add a car wash. The Planning and Zoning Commission met and voted 5-0 to recommend approval of the rezoning.



To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: October 18, 2019

Subject: Special Use Permit request from Chad Davis for a car wash use at 1400 S 14<sup>th</sup> Street Block

Chad Davis, Texas Goodlife Companies, would like to purchase and occupy the property at 1400 S 14<sup>th</sup> St. Currently, a large, metal building that is divided into office and retail spaces occupies the site. The lot is 1.456 acres. The building is to be retained and house a laundromat (a conforming use). Mr. Davis wants to build a car wash on the lot to the north of the building. The property is zoned C2 Retail District so needs a special use permit. There are already two car washes on 14<sup>th</sup> Street, Super Suds at 510 N 14<sup>th</sup> Street and Ringers Car Wash at 800 S 14<sup>th</sup> Street. Mr. Davis has a purchase contract for the property.

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1400 S. 14th Nearest Intersection 14th/Miller  
(Proposed) Subdivision Name Rincon De Zapata Lot A-D Block \_\_\_\_\_  
Legal Description: Tract 30701 / Rincon De Zapata Lot A-D  
Existing Zoning Designation CZ Future Land Use Plan Designation Special Use Permit

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Chad Davis Phone 361-815-1282 FAX \_\_\_\_\_  
Email Address (for project correspondence only): Chad@texwash.us  
Mailing Address P.O. Box 1777 City Ingleside State TX Zip 78622  
Property Owner Canary Squares Ltd Phone \_\_\_\_\_ FAX \_\_\_\_\_  
Email Address (for project correspondence only): \_\_\_\_\_  
Mailing Address 6106 Vance Jackson City San Antonio State TX Zip 78230

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> Minor Plat	\$100.00
<input type="checkbox"/> Re-zoning Request	\$250.00	<input type="checkbox"/> Re-plat	\$250.00
<input checked="" type="checkbox"/> SUP Request/Renewal	\$250.00	<input type="checkbox"/> Vacating Plat	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA)	\$250.00	<input type="checkbox"/> Development Plat	\$100.00
<input type="checkbox"/> PUD Request	\$250.00	<input type="checkbox"/> Subdivision Variance Request	\$25.00 ea

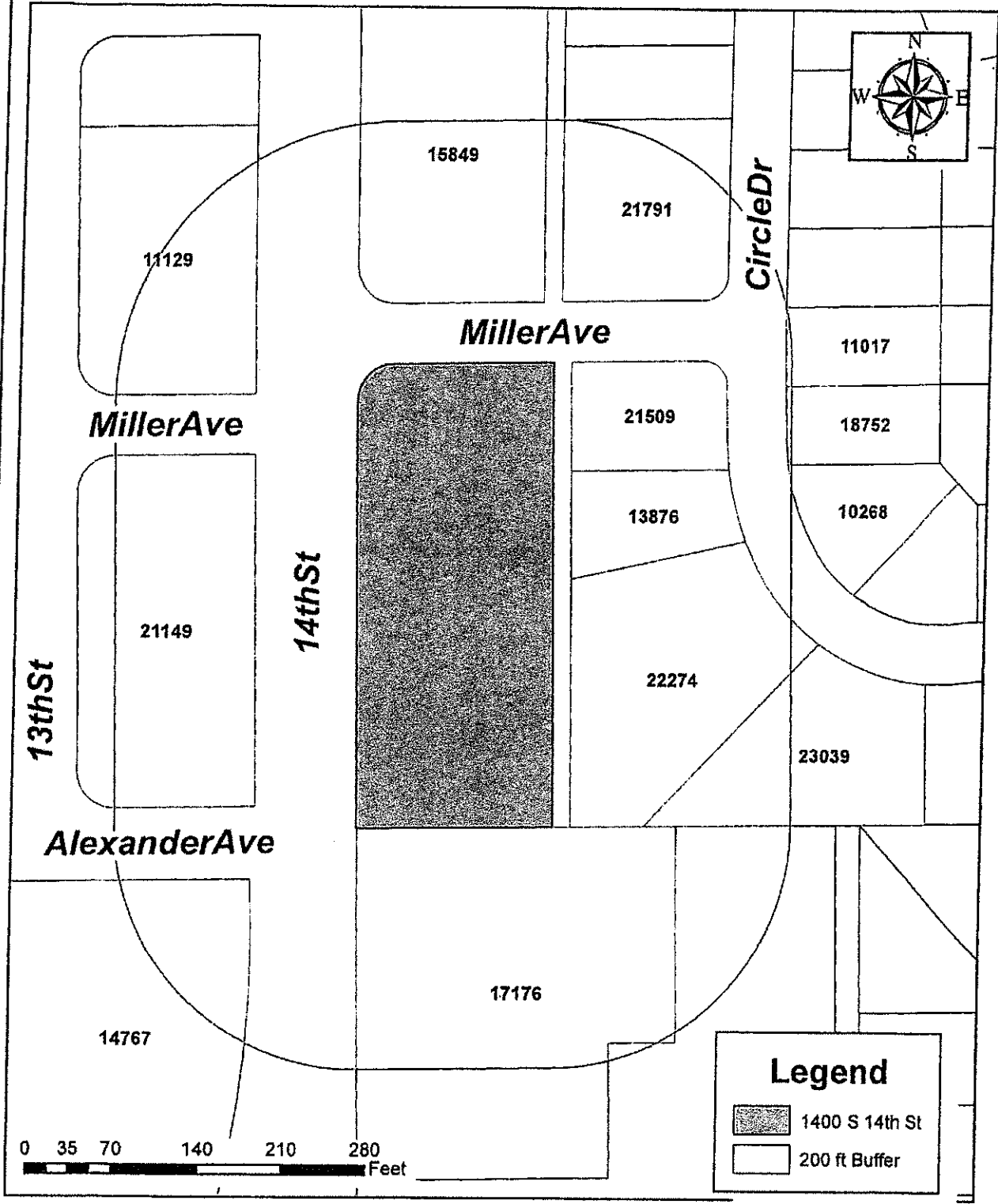
Please provide a basic description of the proposed project:

Tunnel Carwash

I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature [Signature] Date: 9/13/2019  
Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 1400 S 14th St Blk



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SHERWIN-WILLIAMS REALTY HLD INC  
% THE SHERWIN-WILLIAMS CO  
ATTN: TAX DEPT  
PO BOX 6027  
CLEVELAND, OH 44101  
#11129

KINGSVILLE OM MAA LP  
1415 S 14<sup>TH</sup> ST  
KINGSVILLE, TX 78363-6358  
#21149

T C LASATER EST  
ETUX BETTY EST  
1401 S CIRCLE DR  
KINGSVILLE, TX 78363-6857  
#13876

ANGEL CANALS JR  
1204 COUNTY RD 259  
GANADO, TX 77962-8111  
#11017

ADRIAN TATUM RENARD  
ETUX LETICIA  
1031 S CIRCLE DR  
KINGSVILLE, TX 78363  
#23039

MUY PROPERTIES-MN LTD  
17890 BLANCO RD STE 401  
SAN ANTONIO, TX 78232  
#15849

ROEL NUNEZ EST  
MARY G DE LEON (IND EXECUTOR)  
237 CANDLEWOOD  
KINGSVILLE, TX 78363  
#14767

CINDY RIOS PEREZ  
1407 S CIRCLE DR  
KINGSVILLE, TX 78363-6857  
#22274

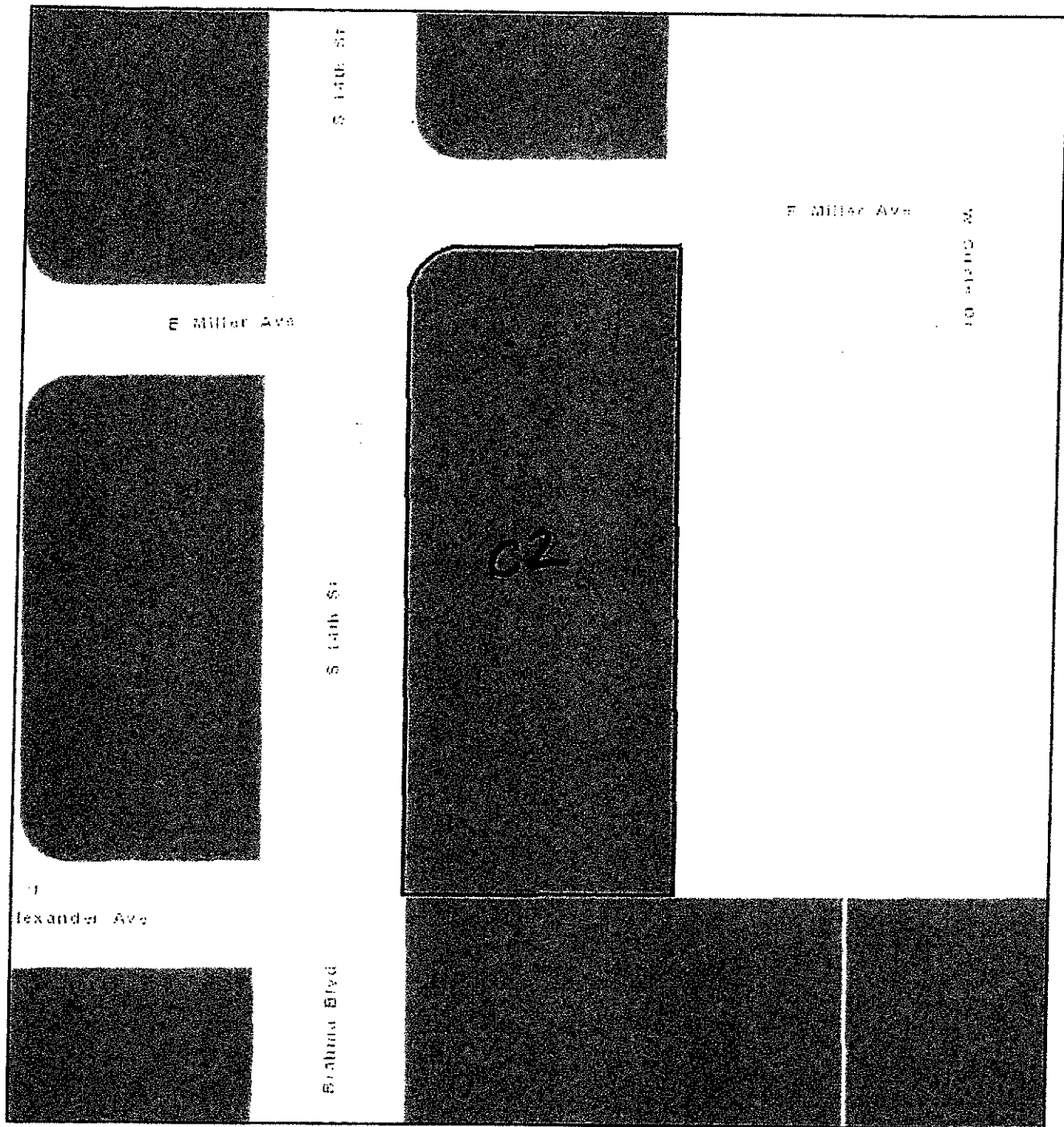
SNOWBERGER LIVING TRUST  
ARNOLD III & MARIA G (CO-TR)  
2244 VANCOUVER AVENUE  
SAN DIEGO, CA 92104  
#18752

JUAN DE LA PAZ  
1313 W CIRCLE DR  
KINGSVILLE, TX 78363  
#21791

JAMIE R LUCE  
ETUX KATHIN E  
14206 OTTER POINT DR  
EL PASO, TX 79938-5206  
#21509

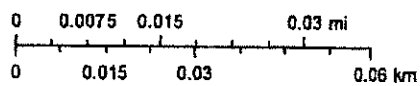
BRAY REAL PROPERTIES LLC  
7622 STARNBERG LAKE  
CORPUS CHRISTI, TX 78413  
#17176

JACKSON P STILLWAGON  
ETUX ROSALINDA G  
1402 W CIRCLE DR  
KINGSVILLE, TX 78363-6852  
#10268



September 18, 2019

1:1,128



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	AG
Amusement, commercial indoor								S	P	P			
Carnival										S	P	P	P
Temporary carnival (14 days - 200 ft. setback from residential property)								S	P	P			
Provisioning and recreational sporting goods sales including boats and vehicles								S	P	P			
Shooting galleries and pistol [ranges] (indoor)								S	P	P			
Souvenir, curio								S	P				
<i>Automobile Related Uses</i>													
X Car wash							P	<u>S</u>	P	P	P		
Auto sales, repairs including motorcycles								S	P	P	P		
Auto paint and body shop								S	P	P	P		
Drag strip, race track											S	S	
Gasoline service station								P	P	P	P		
Gasoline sales							S	P	P	P	P		
Commercial parking structure auto only								S	P	P	P		

## Kleberg CAD

**Property Search > 30701 CANDY SQUARES, LTD for Year 2019** Tax Year: 2019

### Property

#### Account

Property ID: 30701 Legal Description: RINCON DE ZAPATA, LOT A-D  
 Geographic ID: 157500001000192 Zoning:  
 Type: Real Agent Code:  
 Property Use Code:  
 Property Use Description:

#### Location

Address: 1400 S 14TH ST BLK Mapsco:  
 Neighborhood: Map ID: 82  
 Neighborhood CD:

#### Owner

Name: CANDY SQUARES, LTD Owner ID: 34059  
 Mailing Address: % CAROL K RICHARDS % Ownership: 100.0000000000%  
 6106 VANCE JACKSON RD #66  
 SAN ANTONIO, TX 78230

Exemptions:

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$113,240	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$135,880	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$249,120	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$249,120	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$249,120	

### Taxing Jurisdiction

Owner: CANDY SQUARES, LTD  
 % Ownership: 100.0000000000%  
 Total Value: \$249,120

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$249,120	\$249,120	\$0.00
CKI	CITY OF KINGSVILLE	0.853040	\$249,120	\$249,120	\$2,125.09
GKL	KLEBERG COUNTY	0.769500	\$249,120	\$249,120	\$1,916.98
SKI	KINGSVILLE I.S.D.	1.518900	\$249,120	\$249,120	\$3,783.88
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$249,120	\$249,120	\$216.51

# TEXAS REALTORS

## COMMERCIAL CONTRACT - IMPROVED PROPERTY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS, INC. IS NOT AUTHORIZED.  
 TEXAS Association of REALTORS, Inc. 2018

1. **PARTIES:** Seller agrees to sell and convey to Buyer the Property described in Paragraph 2. Buyer agrees to buy the Property from Seller for the sales price stated in Paragraph 3. The parties to this contract are:

Seller: Candy Squares LTD

Address: 6106 Vance Jackson Rd Apt 66, San Antonio, TX 78230-3348

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_ Other: \_\_\_\_\_

Buyer: Texas Good Life Companies

Address: PO Box 1777, Ingleside, TX 78362-1777

Phone: (361)229-2873

E-mail: ca1777@yahoo.com

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

### 2. PROPERTY:

A. "Property" means that real property situated in Kleberg County, Texas at  
1400 S 14th, Kingsville, Texas (address)

and that is legally described on the attached Exhibit \_\_\_\_\_ or as follows:  
RINCON DE ZAPATA, LOT A-D

B. Seller will sell and convey the Property together with:

- (1) all buildings, improvements, and fixtures;
- (2) all rights, privileges, and appurtenances pertaining to the Property, including Seller's right, title, and interest in any minerals, utilities, adjacent streets, alleys, strips, gores, and rights-of-way;
- (3) Seller's interest in all leases, rents, and security deposits for all or part of the Property;
- (4) Seller's interest in all licenses and permits related to the Property;
- (5) Seller's interest in all third party warranties or guaranties, if transferable, relating to the Property or any fixtures;
- (6) Seller's interest in any trade names, if transferable, used in connection with the Property; and
- (7) all Seller's tangible personal property located on the Property that is used in connection with the Property's operations except: \_\_\_\_\_

Any personal property not included in the sale must be removed by Seller prior to closing.

(Describe any exceptions, reservations, or restrictions in Paragraph 12 or an addendum.)

(If mineral rights are to be reserved an appropriate addendum should be attached.)

(If the Property is a condominium, attach Commercial Contract Condominium Addendum (TXR-1930) or (TXR-1946).)

3. **SALES PRICE:** At or before closing, Buyer will pay the following sales price for the Property:

- A. Cash portion payable by Buyer at closing ..... \$ 250,000.00
- B. Sum of all financing described in Paragraph 4 ..... \$ \_\_\_\_\_
- C. Sales price (sum of 3A and 3B) ..... \$ 250,000.00

(TXR-1801) 4-1-18

Initialed for Identification by Seller TK and Buyer ARD

Page 1 of 14

Don't be Real Estate, 3443 Windy Hill Ingleside TX 78362

Produced with ZipForm3 by ZipLogix 18070 Fillion Mile Road, Fraser Michigan 48026 www.ziplogix.com

Phone: 3612292873

Fax:

1400 S 14th St

- (2) deliver evidence that the person executing this contract is legally capable and authorized to bind Buyer;
- (3) sign and send to each tenant in the Property a written statement that:
  - (a) acknowledges Buyer has received and is responsible for the tenant's security deposit; and
  - (b) specifies the exact dollar amount of the security deposit;
- (4) sign an assumption of all leases then in effect; and
- (5) execute and deliver any notices, statements, certificates, or other documents required by this contract or law necessary to close the sale.

F. Unless the parties agree otherwise, the closing documents will be as found in the basic forms in the current edition of the State Bar of Texas Real Estate Forms Manual without any additional clauses.

11. **POSSESSION:** Seller will deliver possession of the Property to Buyer upon closing and funding of this sale in its present condition with any repairs Seller is obligated to complete under this contract, ordinary wear and tear excepted. Any possession by Buyer before closing or by Seller after closing that is not authorized by a separate written lease agreement is a landlord-tenant at sufferance relationship between the parties.
12. **SPECIAL PROVISIONS:** The following special provisions apply and will control in the event of a conflict with other provisions of this contract. (If special provisions are contained in an Addendum, identify the Addendum here and reference the Addendum in Paragraph 22D.)  
Seller agrees to allow buyer to place a free standing coming soon sign on property at date of contract agreement and while property is under contract.  
Seller will allow/assist in buyer obtaining a special use permit for intended use of subject property.  
Seller will provide a boundary survey for buyer within 15 days of the effective date of contract

### 13. SALES EXPENSES:

- A. **Seller's Expenses:** Seller will pay for the following at or before closing:
  - (1) releases of existing liens, other than those liens assumed by Buyer, including prepayment penalties and recording fees;
  - (2) release of Seller's loan liability, if applicable;
  - (3) tax statements or certificates;
  - (4) preparation of the deed and any bill of sale;
  - (5) one-half of any escrow fee;
  - (6) costs to record any documents to cure title objections that Seller must cure; and
  - (7) other expenses that Seller will pay under other provisions of this contract.
- B. **Buyer's Expenses:** Buyer will pay for the following at or before closing:
  - (1) all loan expenses and fees;
  - (2) preparation fees of any deed of trust;
  - (3) recording fees for the deed and any deed of trust;
  - (4) premiums for flood and hazard insurance as may be required by Buyer's lender;
  - (5) one-half of any escrow fee; and
  - (6) other expenses that Buyer will pay under other provisions of this contract.

### 14. PRORATIONS:

#### A. Prorations:

- (1) Interest on any assumed loan, taxes, rents, and any expense reimbursements from tenants will be prorated through the closing date.

(TXR-1801) 4-1-18

Initiated for Identification by Seller TK and Buyer AK

Page 8 of 14

## Training



As part of their flood awareness training, Kingsville firefighters took turns diving into the Brookshire Pool in full bunker gear and then pulling themselves out. (Photos by Anthony Ruiz)

in a vehicle and turn to use different pieces of equipment that we carry in our truck to be able to get to people safely," he said.

"Right now, this is not an actual flood," he added. "This is just to keep these guys alert and able to respond a flood area for potential hazards."

Garcia said he hopes that next year the fire department will be able to hold an advanced training for its firefighters.

"We're also in the process of trying to get some special operations training," he said. "One thing that we'll have some of our people go through specialized training for things like swift water rescue. It'll be more than just a flood situation."

The training was divided into two parts, with firefighters spending the morning at Coastal Bend College-Kingsville for the classroom component.

In the afternoon, the firefighters regrouped at the Brookshire Pool, located at 1559 E. Kennedy Ave., for practical training.

Afternoon training included shallow water swimming and using different tools and equipment to rescue situations. Because of today's cold front, training that day was postponed held at KISD's facility swimming pool.

"That's an outdoor pool," Garcia said. "We don't want to risk anybody getting sick."

The main concern of the afternoon lessons was how to survive falling into a body of water while wearing full bunker gear.

"That's the gear we wear when we fight fires," Garcia said. "Because there are cases where we might be fighting a fire, for example, and somebody falls into a swimming pool, and if you don't know how to properly float, that's you're going to sink to the bottom."

Kingsville firefighter Clint Baird went into the pool in full bunker gear twice during the training, once while wearing an air pack and once without.

"The first time, with the air pack, wasn't as frightening," he said. "The air pack took some weight off my back to stay afloat, and generally that's

probably the situation that we're going to be in because we're going to be on an inside of a structure fire."

Baird said second time, without the air pack, was "frightening" as he struggled to keep himself floating on the water inside the bunker gear.

"It was so much harder to stay afloat," he said. "But the instructors gave me some good advice and I was able to make it back out."

Baird said the bunker gear, with the pack, weighs about 70 pounds in total.

"Now, when you're coming out of the water, it's probably significantly more," he said. "The second part was the buoy. They filled with

water and felt like anchors on my back."

Baird said he and the other firefighters learned a lot from the flood awareness training.

"The main thing that we came out here to do was to learn something new, and I feel that we got that out of this training," he said.

"We're actually here on a body of water in structural gear, and that isn't something that we get to do everyday."

"We just wanted to get everybody's feet wet, and I think we did that," he added. "Both figuratively and literally."

Anthony Ruiz can be contacted at [arui@kingsville.com](mailto:arui@kingsville.com) or (361) 221-0252.

## KISD

In this year she is the third KISD administrator to oversee curriculum and instruction for the district in 2019.

In January, former KISD Superintendent Dr. Edna Peña shared curriculum and instruction responsibilities of her current superintendent's office. Her role in the district is instructional services director, Diana Gonzalez, while Ruiz oversees the KISD's special education and career and technical education departments.

Gonzalez, who had been hired for the position that same month, reported from the district to establish to serve as the interim superintendent for the January Commencement District.

Ruiz returned from the district to ear-

h May, ending a nearly 30-year tenure as an educator and administrator with the KISD.

Her first recommendation, Ruiz, then an educational services administrator with San Diego ISD, to the KISD school board fill the assistant superintendent vacancy during their July 11 special meeting, but the motion failed on a 3-3 split vote.

Board Vice-President President Greenwald and trustees Steven Garcia and Lynn Yellin voted in favor, while Board Secretary Gonzalez Garcia and trustees Clay Garcia and Nick Drake were against.

Ruiz was again brought before the

board during the July 13 regular meeting where she was hired as KISD's Assistant Superintendent. Ruiz, who was not present for the July 11 special meeting, voted in favor of her hire, while the rest of the board voted the same as in the previous meeting.

After meeting at closed sessions Monday, the board voted 6-0 to accept Ruiz's resignation once a suitable replacement is hired, Gonzalez Garcia under the motion, and Clay Garcia recommended.

Gonzalez was not present for Monday's regular meeting.

Anthony Ruiz can be contacted at [arui@kingsville.com](mailto:arui@kingsville.com) or (361) 221-0252.



Graciela Pizini

## Search

ON. Customs and Border Protection, the U.S. Coast Guard and Texas Parks and Wildlife Commission are participating in the search.

During their search, investigators found the remains of a second individual, believed to be a man. Both bodies were quickly buried.

The bodies were transported to the Texas Veterinary Medical Examiner and officials were still waiting the results of subsequent Wednesday afternoon.

On Friday, the McAllen County Sheriff's

Department had received a request for the public assistance in locating a missing man and woman.

Those two were identified as James L. Haden, 36, and Michelle Haden, 46. The couple had last been seen at the Padre Hills Park around noon on Oct. 14. Friends of the couple reportedly told investigators the two were traveling to Fort Lauderdale, Fla., and were scheduled to arrive there Nov. 28.

They were residing in a 2019 Chevrolet Silverado pickup truck, with

a New Hampshire license plate number 32-6068, parking a white Cedar Creek recreation vehicle with New Hampshire license plate number D33337.

Until the results of the ongoing investigation, investigators said Wednesday they are treating the cases as separate.

Anyone with information on the missing couple is asked to call the McAllen County Sheriff's Office at (361) 595-8000.

McAllen County Sheriff can be contacted at [sheriff@mcallen.com](mailto:sheriff@mcallen.com) or (361) 221-0252.

## PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, November 20, 2019 at 6:00 p.m., wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Chad Davis, applicant, requesting a Special Use Permit for car wash use in C2 (Retail District) at RINCON DE ZAPATA, LOT A-D also known as 1400 S. 14th St. Bldg., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

## PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, November 25, 2019 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Chad Davis, applicant, requesting a Special Use Permit for car wash use in C2 (Retail District) at RINCON DE ZAPATA, LOT A-D also known as 1400 S. 14th St. Bldg., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

## PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, November 20, 2019 at 6:00 p.m., wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Cesar Silva, applicant, requesting the rezoning of HAGGERTON, LOT 3 also known as 2102 E. Transt Rd., Kingsville, Texas from C4 (Commercial) to R1 (Single Family).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

## PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, November 25, 2019 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Cesar Silva, applicant, requesting the rezoning of HAGGERTON, LOT 3 also known as 2102 E. Transt Rd., Kingsville, Texas from C4 (Commercial) to R1 (Single Family).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR 1400 S. 14<sup>TH</sup> STREET BLOCK, ALSO KNOWN AS RINCON DE ZAPATA, LOTS A-D, FOR CAR WASH USE IN C2-RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission it's reports and recommendations concerning the application of Chad Davis, the applicant, for amendment to the zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, November 20, 2019, during a meeting of the Planning Commission, and on Monday, November 25, 2019, during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning Commission voted 5-0 to APPROVE, the requested special use permit; and

**WHEREAS**, the property is currently zoned C2-Retail District and it is desired for a car wash on the property; and

**WHEREAS**, the City of Kingsville Code of Ordinances Chapter XV-Land Usage, Article 6-Zoning, Appendix A-Land Usage Categories states that for an area zoned C2 a special use permit is required to have a car wash; and

**WHEREAS**, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; and

**WHEREAS**, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for a car wash on the premises known as 1400 S. 14<sup>th</sup> Street Block, Rincon de Zapata, Lots A-D, as more specifically describe on site plan attached as Exhibit A.

**SECTION 2.** That the Special Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. ALLOWED USE: The only use authorized by this Special Permit is for a car wash

at the C2 zoned property.

2. **TIME LIMIT:** This Special Permit is good for the duration of the structure from the date of this ordinance **unless** (a) the property is not being used for the purpose outlined in Condition 1, or (b) any other conditions have not been complied with.

4. **SPECIAL CONDITION:** (4.1) The applicant shall obtain all required licenses for operating the business and permits for building, fire and health thereby meeting all adopted codes to operate said business, and shall cooperate with all annual fire safety, health, and sanitation inspections, in order to maintain compliance with state and city regulations. (4.2) All activity on site shall be in complete compliance of all City codes, especially the nuisance, fire, building and zoning codes.

**SECTION 3.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 4.** That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 5.** That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 6.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 7.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville. Codification is not required.

**INTRODUCED** on this the 25th day of November, 2019.

**PASSED AND APPROVED** on this the 9th day of December, 2019.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



## **AGENDA ITEM #2**

**City of Kingsville  
Planning and Dev. Services Department**

---

**TO:** Mayor and City Commissioners  
**CC:** Interim City Manager, Deborah Balli  
**FROM:** Interim Director of Planning & Dev. Services, Cynthia Martin  
**DATE:** November 21, 2019  
**SUBJECT:** Rezoning request from Cesar Silva to rezone 2102 E Trant Rd. from C4 Commercial to R1 Single Family

---

**Summary:** Cesar Silva wishes to rezone a vacant lot he recently purchased at 2102 E Trant Rd. from C4 Commercial to R1 Single Family so he is able to build a single family home on it.

**Background:** This property is located near LE Ramey Golf course three lots west of the intersection of Golf Course Road and Trant Rd. The abutting properties to the east are zoned R1 Single Family and are occupied by single family homes. The properties to the south across Trant Rd are zoned R3 Multi-Family. The abutting properties to the north and west are zoned Agricultural. The commercial zoning does not make sense here as there are no commercial properties along Trant Rd. until you reach the highway. The R1 zoning for the property makes sense given the proximity of other residential zoning and the proposed use.

**Financial Impact:** This would allow for the addition of one single family residence to the tax rolls.

**Recommendation:** It is recommended to rezone this property from C4 Commercial to R1 Single Family. The Planning and Zoning Commission met and voted 5-0 to recommend approval of the rezoning.



To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: October 18, 2019

Subject: Rezoning request from Cesar Silva to rezone 2102 E Trant Rd. from C4 Commercial to R1 Single Family – Agenda items 1 and 2

Cesar Silva wishes to rezone a vacant lot he recently purchased at 2102 E Trant Road from C4 Commercial to R1 Single Family so he is able to build a single family home on it.

This property is located near LE Ramey Golf course three lots west of the intersection of Golf Course Road and Trant Rd. The abutting properties to the east are zoned R1 Single Family and are occupied by single family homes. The properties to the south across Trant Rd are zoned R3 Multi-Family. The abutting properties to the north and west are zoned Agricultural. The commercial zoning does not make sense here as there are no commercial properties along Trant Rd. until you reach the highway. The R1 zoning for the property makes sense given the proximity of other residential properties and the proposed use.

**CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address 2102 E Trent Rd Nearest Intersection Trent Gulf Course

(Proposed) Subdivision Name Cesar Silva Lot 3 Block \_\_\_\_\_

Legal Description: Haggerton, lot 3, Acres 2.31

Existing Zoning Designation C4 Future Land Use Plan Designation R-1

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Cesar Silva Phone (361) 455-1545 FAX \_\_\_\_\_

Email Address (for project correspondence only): silva26@gmail.com

Mailing Address 4005 Franklin Adams City Kingsville State TX Zip 78363

Property Owner Cesar Silva Phone (361) 455-1545 FAX \_\_\_\_\_

Email Address (for project correspondence only): silva26@gmail.com

Mailing Address 4005 Franklin Adams City Kingsville State TX Zip 78363

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> Minor Plat	\$100.00
<input checked="" type="checkbox"/> Re-zoning Request	\$250.00	<input type="checkbox"/> Re-plat	\$250.00
<input type="checkbox"/> SUP Request/Renewal	\$250.00	<input type="checkbox"/> Vacating Plat	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA)	\$250.00	<input type="checkbox"/> Development Plat	\$100.00
<input type="checkbox"/> PUD Request	\$250.00	<input type="checkbox"/> Subdivision Variance Request	\$25.00 ea

Please provide a basic description of the proposed project:

Planning to build a single family home

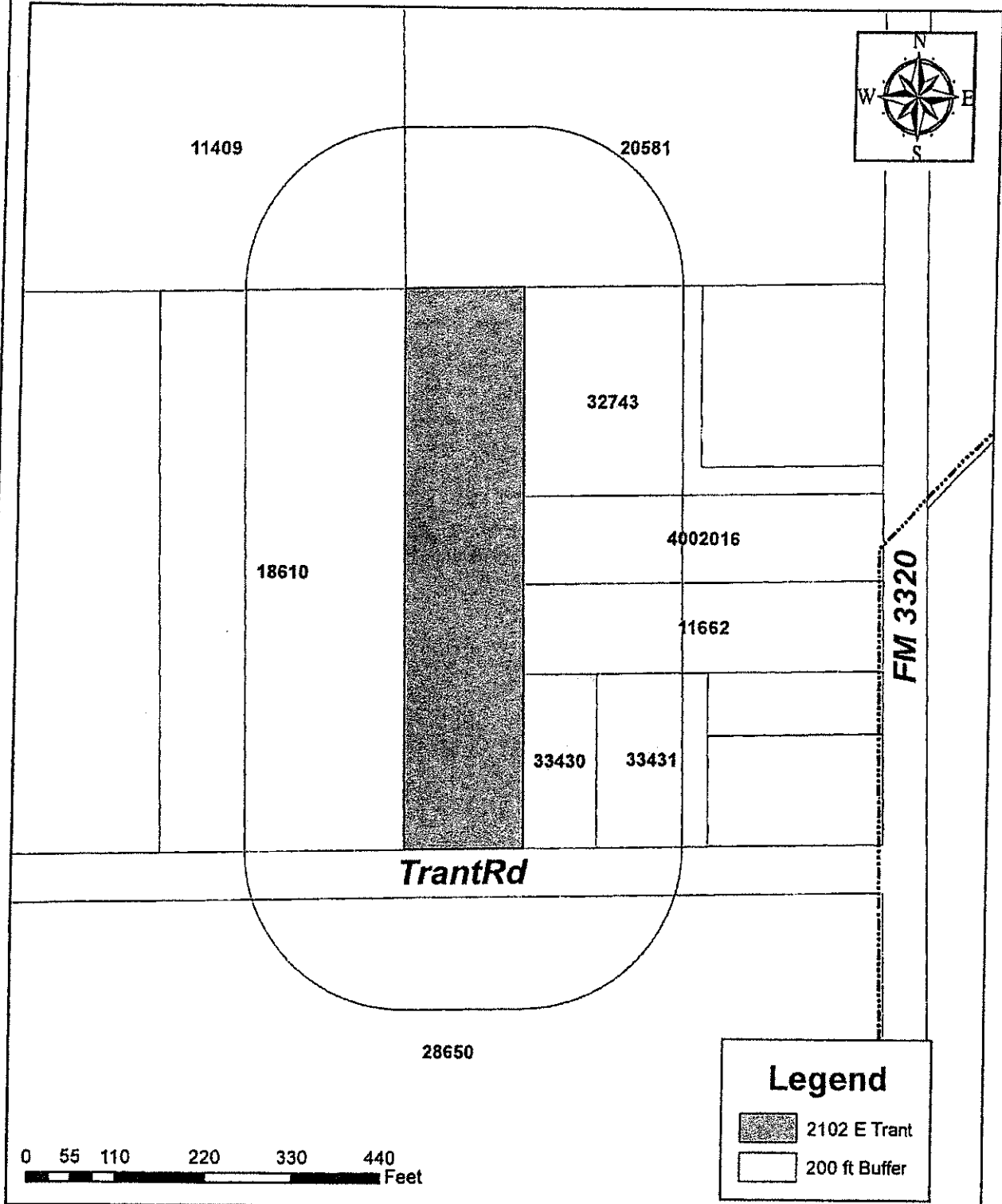
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature Cesar Silva Date: 9-19-19


Property Owner's Signature Cesar Silva Date: 9-19-19

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 2102 E Trant



Document Path: C:\Users\resendez\Desktop\GISMaps\Buffer Map.mxd

Page 1 / 1	Drawn By: Planning Department	<b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 10/3/2019		
	Note:		

IVA C BURRIS REVOCABLE  
LIVING TRUST THE  
640 E FM 1118  
KINGSVILLE, TX 78363-2628  
#11409

MIGUEL RAMIREZ  
ETUX BERENICE  
PO BOX 5060  
KINGSVILLE, TX 78364-5060  
#32743

RICHARD AMAYA  
2200 E TRANT RD  
KINGSVILLE, TX 78363  
#33430

BOUSQUET MARY FAMILY  
TRUST  
4468 TWIN POST RD  
DALLAS, TX 75244-6745  
#20581

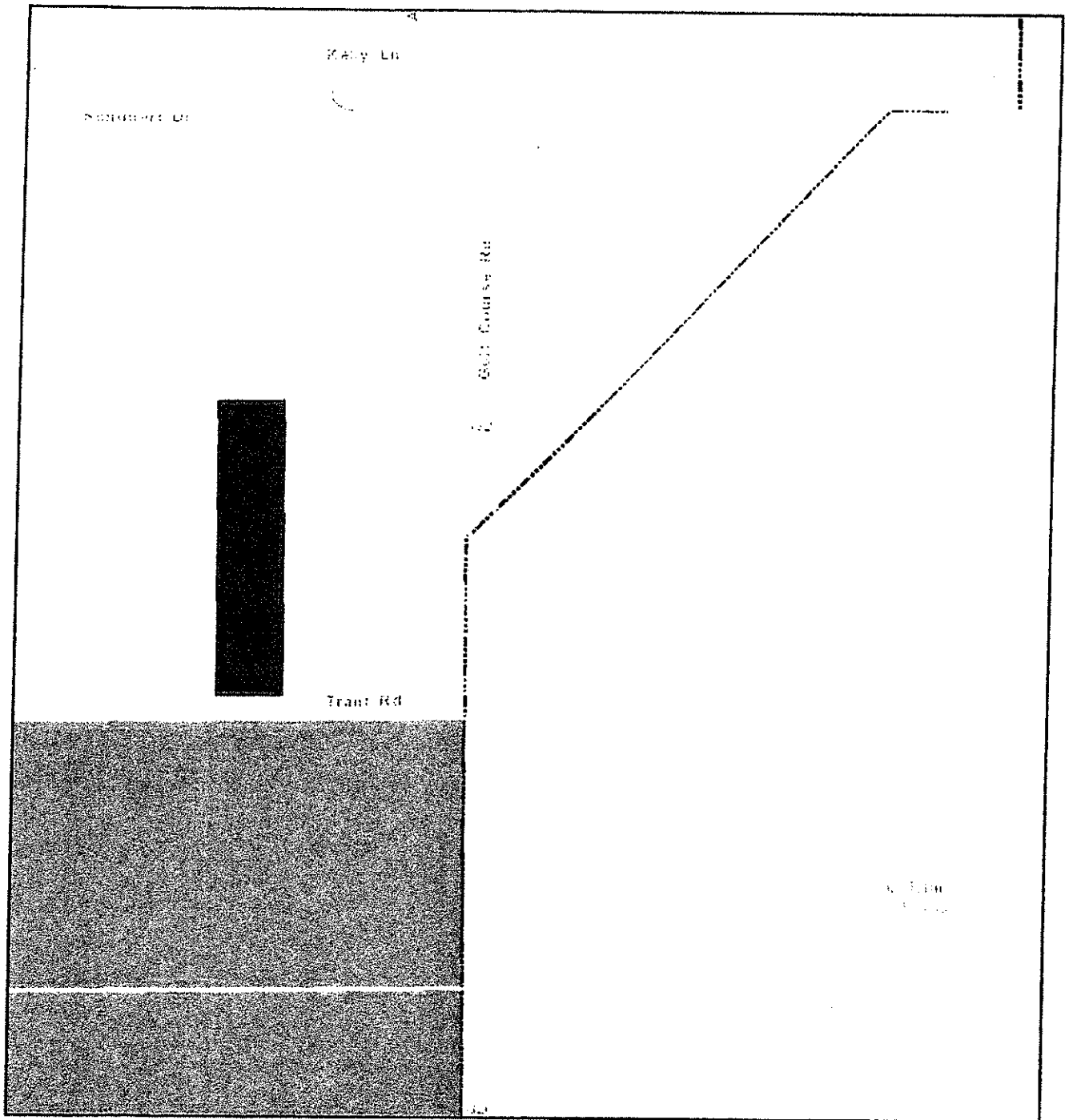
OMAR A SOLIZ  
ETUX MARIA  
3333 GOLF COURSE RD  
KINGSVILLE, TX 78363-8944  
#4002016

THI-ANH TRINH NGUYE  
2204 E TRANT RD  
KINGSVILLE, TX 78363-9603  
#33431

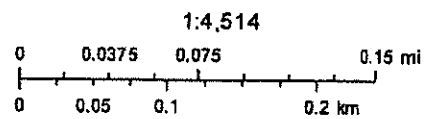
ROEL NUNEZ EST  
ROBERT A GARZA  
MARY G DE LEON (IND EXECUTOR)  
237 CANDLEWOOD  
KINGSVILLE, TX 78363  
#18610

MARTIN AMAYA  
ETUX NYDIA  
3411 GOLF COURSE RD  
KINGSVILLE, TX 78363-8943  
#11662

LANDMARK ORGANIZATION  
INC  
5501A BALCONES DR #232  
AUSTIN, TX 78731-4907  
#28650



September 17, 2019



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## Kleberg CAD

### Property Search > 10870 GONZALEZ JUAN J for Year 2019

Tax Year: 2019

#### Property

##### Account

Property ID: 10870 Legal Description: HAGGERTON, LOT 3, ACRES 2.31  
 Geographic ID: 134700003000192 Zoning:  
 Type: Real Agent Code:  
 Property Use Code:  
 Property Use Description:

##### Location

Address: 2102 E TRANT RD Mapsco:  
 TX  
 Neighborhood: Map ID: B2  
 Neighborhood CD:

##### Owner

Name: GONZALEZ JUAN J Owner ID: 49223  
 Mailing Address: ETUX MARIA D % Ownership: 100.0000000000%  
 720 E MESQUITE AVE  
 KINGSVILLE, TX 78363-3936

##### Exemptions:

#### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$23,100	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$23,100	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$23,100	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$23,100	

#### Taxing Jurisdiction

Owner: GONZALEZ JUAN J  
 % Ownership: 100.0000000000%  
 Total Value: \$23,100

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$23,100	\$23,100	\$0.00
CKI	CITY OF KINGSVILLE	0.830000	\$23,100	\$23,100	\$191.73
GKL	KLEBERG COUNTY	0.781450	\$23,100	\$23,100	\$180.52
SKI	KINGSVILLE I.S.D.	1.518900	\$23,100	\$23,100	\$350.87



**GENERAL WARRANTY DEED**

**Notice of confidential rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.**

DATE: AUGUST 26, 2019

GRANTOR: JUAN J. GONZALEZ AND WIFE, MARIA D. GONZALEZ

GRANTOR'S ADDRESS: 702 East Mesquite Ave., Kingsville, TX 78363

GRANTEE: CESAR SILVA, as his sole and separate property

GRANTEE'S ADDRESS: 4005 Franklin Adams, Kingsville, TX 78363

CONSIDERATION: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration (cash).

**PROPERTY:**

**Lot Three (3), Haggerton Addition, an addition to the Town of Kingsville, Kleberg County, Texas, as shown on map or plat of record in Envelope 164, Map Records of Kleberg County, Texas. More commonly known as 2102 E. Trant Rd., Kingsville, Texas 78363.**

**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:**

Easements, rights-of-way, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; and encroachments or overlapping of improvements; taxes for the current year, the payment of which Grantee assumes, zoning laws, regulations and ordinances of municipal and other governmental authority, if any, affecting the property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

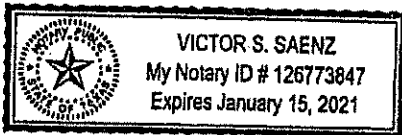
1 1 0 . 0

(Acknowledgment)

THE STATE OF TEXAS  
COUNTY OF KLEBERG

This instrument was acknowledged before me on the 26 day of August, 2019 by JUAN J. GONZALEZ and wife, MARIA D. GONZALEZ.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS



PREPARED IN THE LAW OFFICE OF:  
Michael J. Shelly, P.C.  
Attorney at Law  
5102 Holly Rd., Suite A  
Corpus Christi, Texas 78411

AFTER RECORDING RETURN TO:  
S&S ABSTRACT AND TITLE CO  
801 East Kleberg  
Kingsville, TX 78363

## Training



At part of their flood awareness training, Kingsville firefighters took turns falling into the Brookshire Pool in full bunker gear and then pulling themselves out. (Photos by Anthony Ruiz)

in a vehicle and how to use different pieces of equipment that are safety in our back to be able to get through safely," he said.

"Right now, this is just an awareness training," he added. "This is just to keep these guys alert and able to read a flood after the potential hazard."

Garcia said he hopes that next year the fire department will be able to hold an advanced training for its firefighters.

"We're also in the process of trying to recruit our special operations team," he said. "And through that we'll have some of our people go through specialized training for things like swift water rescue. It'll be more than a flood situation."

The training was divided into two parts, with firefighters spending the morning at Coastal Bend College-Kingsville for the classroom component.

In the afternoon, the firefighters regrouped at the Brookshire Pool, located at 1519 E. Bayou Ave., for practical training.

Afternoon training included shallow water crossing and strong different tools and equipment to rescue situations. Because of Friday's cold front, training that day was moved held at 1:30 P.M. to avoid swimming pool.

"That's an outdoor pool," Garcia said. "We don't want to risk anybody getting sick."

The main component of the afternoon session was how to survive falling into a body of water while wearing full bunker gear.

"That's the gear we wear when we fight fires," Garcia said. "It's heavy. There are cases where we might be fighting a fire, for example, and somebody falls into a swimming pool, and if you don't know how to properly float, then you're going to sink to the bottom."

Kingsville firefighter Clint Bland went into the pool in full bunker gear twice during the training, once while wearing an air pack and once without.

"The first time, with the air pack, wasn't as frightening," he said. "The air pack took our backs helped us to stay afloat, and generally that's probably the situation that we're going to be in because we're going to be on air mode of a structure fire."

Bland said second time, without the air pack, was "frightening" as he struggled to keep himself floating on the water inside the bunker gear.

"It was a much harder to stay afloat," he said. "But the instructors gave me some good advice and I was able to make it back out."

Bland said the bunker gear, with the pack, weighs about 70 pounds when it's fully.

"Now, when you're coming out of the water, it's probably significantly more," he said. "The worst part was the boots. They filled with water and felt like anchors on my feet."

Bland said he and the other firefighters learned a lot from the flood awareness training.

"The main thing that we came out here to do was to learn something new, and I feel that we got that out of this training," he said. "We're actually here in a body of water in structural gear, and that isn't something that we get to do every day."

"We just wanted to get everybody's feet wet, and I think we did that," he added. "Both figuratively and literally."

Anthony Ruiz can be contacted at [arui@kingsvalleynews.com](mailto:arui@kingsvalleynews.com) or (361) 221-0252.

## KISD

July this year. She is the third KISD administrator to receive commendation and distinction for the district in 2019.

In January, former KISD Superintendent Linda Perez studied curriculum and instruction responsibilities of district's superintendent in Green Bay, Wis., and district's instructional services director, Yvonne Gonzalez, while Ruiz oversaw the KISD's special education and career and technical education departments.

Gonzalez, who had been hired for the position that summer, reported from the district to Ruiz. Ruiz was the interim superintendent for the National Common School District.

Ruiz retired from the district in early May, ending a nearly 20-year tenure at an educator and administrator with the KISD.

Perez first recommended Ruiz, then an educational services administrator with San Diego ISD, to the KISD without board approval. The board approved Ruiz's salary during their July 11 special meeting, but the motion failed on a 3-3 split vote.

Board Vice-President Brandon Greenwood and trustees Steven Crites and Lynn Valdez voted in favor, while Board Secretary Gerardo Garcia and trustees Greg Garcia and Nick Prado were against.

Perez was again brought before the board during the July 15 regular meeting where she was hired on a 1-3 split. Board President Bruce Condit, who was not present for the July 11 special meeting, voted in favor of her hire, while the rest of the board voted the same as in the previous meeting.

After an election closed session Monday, the board voted 4-0 to accept Perez's resignation once a suitable replacement was hired. Gonzalez Garcia made the motion, and Greg Garcia seconded.

Condit was not present for Monday's regular meeting.

Anthony Ruiz can be contacted at [arui@kingsvalleynews.com](mailto:arui@kingsvalleynews.com) or (361) 221-0252.

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Graciela Pineda

## Search

UN, Customs and Border Protection, the US Coast Guard and Texas Parks and Wildlife continued an investigation of the boaters.

During their search, investigators found the remains of a second individual, believed to be a man. Both bodies were partially clothed.

The bodies were transported to the Dallas County Medical Examiner and will be autopsied. The results of the autopsies will be released to the public.

On Friday, the Dallas County Sheriff's Department had received a report for the public's assistance in locating a missing person and woman.

Three two were identified as James L. Baker, 46, and Michelle Baker, 46. The couple had been seen at the Ponderosa Park around noon on Oct. 11. Friends of the couple reportedly told investigators they were traveling to Fort Lauderdale, Fla., and were scheduled to arrive there Nov. 20.

They were traveling in a silver 2018 Chevrolet Suburban pickup truck with

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### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, November 20, 2019 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

**Chad Davis, applicant, requesting a Special Use Permit for car wash use in C2 (Retail District) at RINCON DE ZAPATA, LOT A-D also known as 1400 S 14th St Bldg, Kingsville, Texas.**

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, November 25, 2019 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

**Chad Davis, applicant, requesting a Special Use Permit for car wash use in C2 (Retail District) at RINCON DE ZAPATA, LOT A-D also known as 1400 S 14th St Bldg, Kingsville, Texas.**

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, November 20, 2019 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

**Cesar Silva, applicant, requesting the rezoning of HAGGERTON, LOT 3 also known as 2102 E. Trent Rd, Kingsville, Texas from C4 (Commercial) to R1 (Single Family).**

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

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The City Commission of the City of Kingsville will hold a Public Hearing Monday, November 25, 2019 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

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The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

**ORDINANCE #2019-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO HAGGERTON, LOT 3 (2.31 ACRES), ALSO KNOWN AS 2102 E. TRANT ROAD, KINGSVILLE, TEXAS, FROM C4 (COMMERCIAL DISTRICT) to R1 (SINGLE FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Cesar Silva, owner applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, November 20, 2019 during a meeting of the Planning and Zoning Commission, and on Monday, November 25, 2019 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

**WHEREAS**, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Haggerton, Lot 3 (2.31 acres), also known as 2102 E. Trant from C4-Commercial District to R1-Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

**SECTION 2.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 3.** That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 4.** That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 5.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 6.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

**INTRODUCED** on this the 25th day of November, 2019.

**PASSED AND APPROVED** on this the 9th day of December, 2019.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #3**

Definition

**City of Kingsville  
Planning and Dev. Services Department**

---

TO: Mayor and City Commissioners

CC: Deborah Balli, Interim City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Nov. 21, 2019

SUBJECT: Amend definition of Tiny Homes and Maximum Height Restriction in R2A Zoning District

---

**Summary:** This item authorizes the amendment of the definition of Tiny Homes to include a maximum square footage and decrease the maximum height allowance for principal uses in the R2A zoning district wherein Tiny Homes are allowed.

**Background:** City ordinances were updated in November 2018 to create an R2A zoning district so as to allow owners of 25 ft. wide lots in town to be able to build single family homes on their lot, something not allowed for previously wherein a minimum 50 ft. wide lot was required. Sec. 15-6-21 a tiny home is defined as "a dwelling that is a minimum of 200 square feet" with no maximum size listed. It is being recommended that the ordinance be amended to the definition of tiny homes reads "a dwelling with a square footage between 200 square feet and 1,000 square feet." It is the intention of the Planning and Zoning Board that such dwellings be truly small. Appendix B allows structures up to 35 ft. height in the R2A zoning district. It is recommended to reduce the height restriction to 15 ft. for principal uses as the intention is, as above, for tiny homes to be truly small. Note that accessory structures are limited to 15 ft. height.

**Financial Impact:** None.

**Recommendation:** It is being recommended that the definition of tiny homes in Sec. 15-6-21 be amended to read "a dwelling with a square footage between 200 square feet and 1,000 square feet" and to amend Appendix B to list a maximum height of 15 ft. for principal uses in the R2A zoning district. The Planning and Zoning Commission met and voted 5-0 to recommend these changes.



To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: November 15, 2019

Subject: Definition of Tiny Homes in the R2A District

At the September 5, 2018 meeting of the Planning & Zoning Commission, guidelines for tiny homes as principal residential dwelling unit were discussed. In the attached memo, Mr. Ginter suggested one of the guidelines for the R2A District be "the living area of homes in this residential district should have square footage between 200 square feet and 1,000 square feet." In addition to the two guidelines suggested in the memo, changes were proposed for Appendix A Land Use Chart and Appendix B Space Requirements.

City ordinances were updated on 11/13/2018 to add the R2A zoning and make changes to Appendix A and Appendix B as discussed except for the definition of tiny homes. In Sec. 15-6-21 a tiny home is defined as "a dwelling that is a minimum of 200 square feet" with no maximum size listed. I am recommending that the ordinance be changed so that the definition of tiny homes read "a dwelling with a square footage between 200 square feet and 1,000 square feet."

The Planning Department has had inquiries regarding building homes much larger than the 1,000 square feet on lots in the R2A district and in subdividing 50 ft. wide lots into two lots and building homes of well over 1,000 square feet on them to maximize building size. Given a typical 25 ft x 140 ft lot size and the space requirements, theoretically a single-story house as large as 1,725 square feet could be built and a two-story house as large as 3,450 square feet could be built. I do not believe that was the original intent of the Planning and Zoning Commission so would like to revisit this issue.



To: Planning and Zoning Commissioners

From: Tom Ginter, Director

Date: August 31, 2018

Subject: Agenda Item – **Guidelines for Tiny Homes as Principal Residential Dwelling Unit**

Enclosed are changes to the Land Use appendix and the Space Requirement table that concern tiny homes. Where they are to be permitted is what I have perceived from our discussions. These changes are still up for discussion. I have identified the tiny homes district as R2A. This designation can be whatever you desire.

Here are the guidelines for the R2A District, Tiny Homes as Principal Residential Dwelling Unit

1. The living area of homes in this residential district should have square footage between 200 square feet and 1,000 square feet
2. The structure width of a tiny home will the minimum at 8.5 feet to the maximum of 20 feet

APPENDIX B - SPACE REQUIREMENT RESIDENTIAL USE					
Lot Size	R1	R2	R2A	R3	R4
Minimum Lot Area Sq ft	5,500	2,500	2,000 <sup>2</sup>	6,000	6,000
Minimum Lot Area per unit sq ft	5,500	2,500	2,000	1,000	1,000
Minimum Open Space per unit sq ft	0	0		4,001	4,001
Minimum Lot Width (measured at the setback line)	50	25	18	50	50
Setback Principal Use Front	20	20	20ft <sup>1</sup>	20	20
Side Yard - Interior	5	5	5	5	5
Side Yard - Street	10	10	5	10	10
Rear Yard	10	10	5 <sup>1</sup>	10	10

- 1 The front 20 feet setback can be used for parking and the front porch, the rear yard can be used for a porch
- 2 The minimum lot area for a tiny home will be 2,000 square feet and the maximum lot size is 3,700 square feet

LAND USE - APPENDIX A						
	R1	R2	R2A	R3	R4	MH
Dwelling One family det.	P	P		P	P	P
Dwelling One family att.		P		P	P	
Dwelling Two family		P		P	P	
Dwelling Multi-family				P	P	
Tiny Homes		P	P			P

**PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
August 1, 2018**

**Planning and Zoning Members Present**

Steve Zamora  
Debbie Tiffie  
Bill Aldrich  
Mike Klepac  
Brian Coufal

**Citizens Present**

**Staff Present**

Tom Ginter, Director of Planning & Development Services  
Stephannie Resendez, Administrative Assistant II

1. **The meeting was called to order at 6:00 p.m.**
2. **Discuss and take action on the meeting minutes of last meeting.**  
*None.*
3. **Miscellaneous/Public Comments on or off the agenda. – None.**
4. **Old Business/Postponements – None.**

**New Business –**

5. **Discuss and Consider Action on amending the City of Kingsville Code of Ordinance by amending Section 5-6-21 Definitions to include a definition for a Brewery.**

Tom Ginter went over section 15-6-21 about the definition of a brewery. Mr. Ginter told the members that were absent last meeting what was discussed. To be a brewery, they have to brew at least 10,000 barrels of beer annually. The real key for a brewery is distribution. Mr. Ginter stated the definition of a Brewery: an industrial use that brews ales, beers and/or similar beverages on site. Breweries are classified as a use that manufactures more than 10,000 barrels of beverage annually. they can sell beer to brewery and/or conduct samplings and tastings, but the beer cannot leave the premises. They can self-distribute or distribute through a distributor and sell only their beer.

Bill Aldrich made a motion to approve the definition of a brewery. Mike Klepac seconded. All in favor; none opposed. Motion Carried.

**6. Discuss and Consider Action amending the Chapter VX, Article 6, Zoning amending Appendix A – Land Use Categories to add Brewery.**

Mr. Ginter stated that what he has for C2, which is the zoning where the Sirloin Stockade is located at. Mr. Ginter suggested it be Special Use Permit and stated because it is next to a residential neighborhood. Mr. Ginter stated that he thinks it gives it a little more chance then if you not permit it and they try to rezone. In C3, it is also suggested to do a Special Use Permit as well. Mr. Ginter stated that most of the C3 zoning is located Downtown. Mr. Ginter suggested it be permitted in the following zonings: C4 (Commercial District), I1 (Light Industrial), I2 (Heavy Industrial) and Ag (Agricultural).

Debbie Tiffie made a motion to approve the amending of Chapter VX, Article 6, Zoning amending Appendix A – Land Use Categories to add Brewery. A Special Use Permit is required in C2 and C3. It will be permitted in C4, I1, I2, and Ag. Mike Klepac seconded. All in favor; none opposed. Motion Carried.

**7. Discussion of Tiny Homes and the other subjects related to that concept including but not limited to:**

- A. THOW- Tiny House on Wheels**
- B. Tiny House as the principal structure**
- C. Accessory Dwelling Units**
- D. Tiny Hose Neighborhood Park**

Mr. Ginter told the board that he got information from the Appraisal District. There are 90, vacant, platted, 25 x 140 parcels in the community. The general residential structure should have square footage between 200 to 1,000 square feet. Tiny Homes for example can be allowed in R2, R5 and Mobile Home Districts. Mr. Zamora asked if the lots would have to be rezoned. Mr. Ginter replied that the City can initiate the rezoning. The City can initiate the rezoning of those R1 properties that are 3500 sq ft. to R5 (Tiny Homes).

Mr. Aldrich stated that tiny house on wheels sounds like a trailer. And commented that he doesn't think they need to be on wheels. Mr. Ginter replied that it is up to the board. Ms. Tiffie stated that no in a residential area and agreed with Mr. Aldrich. Ms. Debbie stated it should not be allowed in a residential area.

Ms. Tiffie commented on the common area and stated that it would not work in a residential. Mr. Ginter stated that they will let it go. Mr. Coufal stated if someone wanted to create a new development, it'd be great. Ms. Tiffie stated that they can set it up for a Special Use Permit.

Mr. Ginter continued with the Accessory Dwelling Unit and stated they have a notation in the Land Use Category. It is called a secondary residential structure

but there are no guidelines to size and location. Mr. Ginter asked the Commission if there were amenable to expanding upon the guidelines and put it in writing in an ordinance. Mr. Aldrich stated that they don't want them in someone's backyard and don't want it on wheels.

Mr. Ginter stated what he would like to improve the secondary residential structure and give the commission guidelines for the next meeting.

8. Miscellaneous – None.

9. Adjournment - Meeting adjourned at 6:42 PM

Sec. 15-6-21. - Definitions.

For the purpose of this subarticle, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*Accessory building/use.* A subordinate building on the same lot with a principal building for exclusive use for accessory uses as defined. A use which is clearly incidental and subordinate to the use of the main use of the property; and commonly associated with the principal use, including semi-public and auxiliary parking when approved.

*Alternative mounting structure.* A manmade tree, clock tower, church steeple, bell tower, utility pole, light standard, identification pylon, flagpole, or similar structure, designed to support and camouflage or conceal the presence of telecommunications antennas.

*Amusement, commercial (indoor).* Any amusement enterprise offering entertainment or games of skill, not elsewhere listed, wholly enclosed in a building including a bowling alley, billiard or pool hall, pinball parlor, electronic games, or similar activities.

*Amusement, commercial (outdoor).* Any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge, not elsewhere listed, wherein any portion of the activity takes place in the open, including a golf driving range, amusement park, miniature golf, or similar activities.

*Antenna.* A structure or device used to collect or radiate electromagnetic waves, including directional antennas, such as panels, wireless cable and satellite dishes, and omnidirectional antennas, such as whips, but not including satellite earth stations.

*Antenna, amateur radio.* An antenna used by an amateur radio operator that is less than 50 feet (15 meters) in height, and whip antennas less than four inches in diameter and less than ten feet (three meters) in height.

*Antenna array.* An arrangement of antennas and their supporting structure.

*Antenna, dish.* A parabolic or bowl-shaped device that receives and/or transmits signals in a specific directional pattern.

*Antenna, panel.* An antenna that receives and/or transmits signals in a directional pattern.

*Antenna, radio and television broadcast.* An antenna used to broadcast commercial radio and television signals, including digital broadcasts and other digital transmissions by a licensed radio or television broadcast station.

*Antenna, stealth.* A telecommunications antenna that is effectively camouflaged or concealed from view.

*Antenna, telecommunications.* An antenna used to provide a telecommunications service. This excludes lightning rods, private mobile radio systems, amateur radio antennas less than 50 feet (15 meters) in height, whip antennas less than four inches in diameter and less than ten feet (three meters) in height, and radio and television broadcast antennas.

*Antenna, whip.* An omnidirectional dipole antenna of cylindrical shape that is no more than six inches (15 centimeters) in diameter.

*Appliance service or repair.* This term includes major and small appliances as well as radio and television.

*Bakery or confectionery shop, retail.* A place for preparing, baking, or selling all products on the premises where prepared (no deliveries to buyers, wholesaler, or other retail outlets).

*Basement.* A story below the first story as hereinafter defined.

*Boarding or rooming house.* A building other than a hotel, where lodging is permitted or meals are served for compensation.

architectural element to blend with the existing building; designs that conceal the antenna/array/equipment, such as manmade trees, clock towers, bell towers, steeples, light poles, and similar alternative-design mounting structures.

*Storage of autos.* A tract of land devoted to storing operative and/or inoperative automobiles and/or other vehicles that is enclosed by a fence of at least eight feet in height, and which accommodates, on a continuing basis, the storage of such automobiles and/or vehicles. In no instance shall wrecking and/or salvage operations be affiliated with the use of the land, or the stored autos be partially disassembled or dismantled.

*Structure.* Anything, other than a fence, constructed or erected, requiring location on the ground or attachment to something located on the ground. This includes, but is not limited to: advertising signs, billboards, poster boards, buildings, poles, water towers, cranes, smokestacks, earth formations and overhead transmission lines.

*Tavern.* Any enterprise which has as its principle business the selling of alcoholic beverages for consumption on the premises.

*Telecommunications.* The transmission, between or among points specified by the user, of audio and/or visual information of the user's choosing, without change in the form or content of the information as sent and received.

*Telecommunications facility.* A telecommunication tower, antennas, and related equipment buildings, but the term also includes antennas and related equipment installed on roof tops.

*Telecommunications service.* The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

*Tennis or swim club, private.* A private recreational club with restricted membership, usually smaller in area than a country club, but including a clubhouse, swimming pool, tennis courts, handball courts, or similar facilities, none of which are available to the general public.

*TIA/EIA-222.* Telecommunications Industry Association/Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."

*Tiny Homes .* A dwelling that is a minimum of 200 square feet.

*Tower, electric transmission.* A self-supporting structure over 50 feet (15 meters) in height, designed to support high-voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

*Tower, guyed.* Any telecommunications tower supported, in whole or in part, by cables anchored to the ground.

*Tower, height.* The distance measured from grade to the highest point of any and all components of the structure, which includes antennas, hazard lighting and other appurtenances, but excludes lightning rods.

*Tower, monopole.* A self-supporting telecommunications tower that consists of a single vertical pole fixed into the ground and/or attached to a foundation.

*Tower, self-supporting lattice.* A telecommunications tower that consists of an open network of metal braces forming a tower, which is usually triangular or square in cross-section.

*Tower, telecommunications.* A self-supporting lattice, monopole, or guyed structure more than 20 feet (six meters) in height, built primarily to support one or more telecommunications antennas.

*Trade or commercial school.* A school, operated for profit, teaching vocational skills.

*Utility, others not listed.* Any utility facility franchised or approved by the city.

*Utility shops or storage yards and buildings.* An area or building used by utilities for the repair and/or storage of equipment, vehicles or supplies.



## APPENDIX B. - SPACE REQUIREMENTS

### Sec. 1. - Space requirements for residential use.

The following chart sets out the space requirements for residential uses within the city:

RESIDENTIAL USE							
Lot Size	R1	R2	R2A	R3	R4	MH	Ag
Minimum lot area, sq.ft.	5,500	2,500	2,000 <sup>4</sup>	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq.ft.	5,500	2,500	2,000	1,000	1000	3,000	10 acres
Minimum open space per unit, sq. ft.	0	0		4,001	4,001	0	0
Minimum lot width, ft. (measured at the setback line)	50	25	15	50	50	25	300
Setback; Lots							
Principal Uses:							
Front yard, ft.	20	20	20 <sup>5</sup>	20	20	20	
Side yard (interior), ft.	5	5	5	5	5	5	
Side yard (on street), ft.	10	10	5	10	10	10	10
Rear yard, ft.	10	10	5 <sup>5</sup>	10	10	10	
Accessory Uses:							
Front yard, ft.	20	20	20	20			
Side yard, (interior) ft.	5	5	5	5			
Rear yard, ft.	5	5	5	5			
Height			35'				

ORDINANCE NO.2019-\_\_\_\_\_

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTION 15-6-21-DEFINITIONS TO REVISE THE DEFINITION FOR TINY HOMES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City Planning and Zoning Commission in 2018 discussed a recent nationwide trend of tiny homes, but there was no suitable definition for tiny homes or related zoning designations, which prompted the Planning and Zoning Commission and the City Commission to recommend such changes to the Code of Ordinances which were adopted via three separate ordinances (definition, Appendix A, and Appendix B) on November 11, 2018;

**WHEREAS**, the definition of tiny homes added via Ordinance #2018-61 on November 11, 2018 did not contain a maximum size for a tiny home and it is now recommended that one be added;

**WHEREAS**, the City Planning and Zoning Commission considered the definition and zoning category for tiny homes at a publicly posted meeting on November 20, 2019 and approved the item with a vote 5-0 with no abstentions for the changes stated herein;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF KINGSVILLE BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

I.

**THAT** Sections 15-6-21 of Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**§ 15-6-21 DEFINITIONS.**

...

*TIA/EIA-222. Telecommunications Industry Association/Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."*

*Tiny Homes. A dwelling ~~that is a minimum of~~ with a square footage of between 200 square feet and 1,000 square feet.*

*Tower, electric transmission.* A self-supporting structure over 50 feet (15 meters) in height, designed to support high-voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

...

II.

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

V.

**THAT** nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this day on the 25th day of November, 2019.

**PASSED AND APPROVED** on this the 9th day of December, 2018.

**EFFECTIVE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #4**

**City of Kingsville**  
**Planning and Dev. Services Department**

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TO: Mayor and City Commissioners

CC: Deborah Balli, Interim City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Dec. 5, 2019

SUBJECT: Amend definition of Tiny Homes and Maximum Height Restriction in R2A Zoning District

---

**Summary:** This item authorizes the amendment of the definition of Tiny Homes to include a maximum square footage and decrease the maximum height allowance for principal uses in the R2A zoning district wherein Tiny Homes are allowed.

**Background:** City ordinances were updated in November 2018 to create an R2A zoning district to allow owners of 25 ft. wide lots in town so to be able to build single family homes on their lot, something not allowed for previously wherein a minimum 50 ft. wide lot was required.

Sec 15-6-21 a tiny home is defined as “a dwelling that is a minimum of 200 square feet” with no maximum size listed. It is being recommended that the ordinance be amended to the definition of tiny homes reads “a dwelling with a square footage between 200 square feet and 1,000 square feet.” It is the intention of the Planning and Zoning Board that such dwellings be truly small.

Appendix B allows structures up to 35 ft. height in the R2A zoning district. It was recommended to reduce the height restriction to 15 ft. for principal uses as the intention is, as above, for tiny homes to be truly small.

Per City Commission request, the matter of maximum height for principal uses in the R2A zoning district was revisited by the Planning and Zoning Commission at their Dec. 4, 2019 meeting. The consensus was to change their recommendation for maximum height to 20 feet.

**Financial Impact:** None.

**Recommendation:** It is being recommended that the definition of tiny homes in Sec. 15-6-21 be amended to read “a dwelling with a square footage between 200 square feet and 1,000 square feet” and to amend Appendix B to list a maximum height of 20 ft. for principal uses in the R2A zoning district. During their Nov. 20, 2019 meeting, the Planning and Zoning Commission met



**City of Kingsville**  
**Planning and Dev. Services Department**

and voted 5-0 to recommend these changes. During their Dec. 4, 2019 meeting, the Planning and Zoning Commission voted 4-1, to recommend 20 ft. as the maximum height for principal uses in the R2A zoning district.



To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: November 27, 2019

Subject: Consideration of amending the maximum height for principal uses in the R2A District

At the November 25, 2019 meeting of City Commission, discussion of changes proposed by the Planning and Zoning Commission regarding the definition of tiny homes and the maximum square footage, led to questions about a height restriction for tiny homes as well. Currently the height restriction on the principal uses in R2A per Appendix B Space Requirements is a maximum of 35 ft. – rather tall for a tiny home. City Commission charged Planning staff to come up with a recommendation regarding a height restriction and bring the matter back to Commission at their December 9, 2019 meeting and I am referring the matter to you for a recommendation.

A maximum height of 15 ft. was proposed but concern raised that there would not be sufficient height to construct a tiny home with a loft. I would recommend a 20 ft. height restriction for principal uses in keeping with that for accessory buildings.



Chart B

**City of Kingsville  
Planning and Dev. Services Department**

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TO: Mayor and City Commissioners

CC: Deborah Balli, Interim City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Nov. 21, 2019

SUBJECT: Amend definition of Tiny Homes and Maximum Height Restriction in R2A Zoning District

---

**Summary:** This item authorizes the amendment of the definition of Tiny Homes to include a maximum square footage and decrease the maximum height allowance for principal uses in the R2A zoning district wherein Tiny Homes are allowed.

**Background:** City ordinances were updated in November 2018 to create an R2A zoning district so as to allow owners of 25 ft. wide lots in town to be able to build single family homes on their lot, something not allowed for previously wherein a minimum 50 ft. wide lot was required. Sec. 15-6-21 a tiny home is defined as "a dwelling that is a minimum of 200 square feet" with no maximum size listed. It is being recommended that the ordinance be amended to the definition of tiny homes reads "a dwelling with a square footage between 200 square feet and 1,000 square feet." It is the intention of the Planning and Zoning Board that such dwellings be truly small. Appendix B allows structures up to 35 ft. height in the R2A zoning district. It is recommended to reduce the height restriction to 15 ft. for principal uses as the intention is, as above, for tiny homes to be truly small. Note that accessory structures are limited to 15 ft. height.

**Financial Impact:** None.

**Recommendation:** It is being recommended that the definition of tiny homes in Sec. 15-6-21 be amended to read "a dwelling with a square footage between 200 square feet and 1,000 square feet" and to amend Appendix B to list a maximum height of 15 ft. for principal uses in the R2A zoning district. The Planning and Zoning Commission met and voted 5-0 to recommend these changes.



## APPENDIX B. - SPACE REQUIREMENTS

### Sec. 1. - Space requirements for residential use.

The following chart sets out the space requirements for residential uses within the city:

RESIDENTIAL USE							
Lot Size	R1	R2	R2A	R3	R4	MH	Ag
Minimum lot area, sq.ft.	5,500	2,500	2,000 <sup>4</sup>	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq.ft.	5,500	2,500	2,000	1,000	1000	3,000	10 acres
Minimum open space per unit, sq. ft.	0	0		4,001	4,001	0	0
Minimum lot width, ft. (measured at the setback line)	50	25	15	50	50	25	300
Setback; Lots							
Principal Uses:							
Front yard, ft.	20	20	20 <sup>5</sup>	20	20	20	
Side yard (interior), ft.	5	5	5	5	5	5	
Side yard (on street), ft.	10	10	5	10	10	10	10
Rear yard, ft.	10	10	5 <sup>5</sup>	10	10	10	
Accessory Uses:							
Front yard, ft.	20	20	20	20			
Side yard, (interior) ft.	5	5	5	5			
Rear yard, ft.	5	5	5	5			
Height							

Principal uses, feet maximums	35	35	35	35			
Accessory uses, feet	15	15	20	20			
Fences and Walls (Maximum Height)							
Front yard <sup>3</sup>	4	4	4	4			
Rear yard	6	6	6	6			
Side yard	6	6	6	6			

<sup>1</sup> The 400 square foot open space requirement may or may not be additional to the required lot size, depending on the size of the lot. Before the building permit can be issued all space requirements must be met in whole.

<sup>2</sup> See Section 15-6-86(B)(1) for area requirements for additional structures.

<sup>3</sup> Fences within the required front yard are limited. No fence or wall may exist within the area formed by an arc of 20 feet from a street intersection. Fences not within a required yard area shall not exceed 10 feet.

<sup>4</sup> The minimum lot area for a tiny home will be 2, 000 square feet and the maximum lot size is 3,700 square feet.

<sup>5</sup> The front 20 feet setback can be used for parking and the front porch and the rear yard setback can be used for a porch.

(Ord. 84009, passed 6-18-84; Ord. 90036, passed 9-10-90; Ord. 2005-42, passed 11-28-05; Ord. No. 2018-62, § I, passed 11-13-2018)

## Sec. 2. - Space requirements for non-residential use.

The following chart sets out the space requirements for non-residential uses within the city:

NON-RESIDENTIAL USE							
Setbacks; Lots	C1	C2	C3	C4	I1	I2	Ag

Principal uses:							
Front yard, ft.	20	20		20	30	30	20
Side yard, (interior) ft.	10	X	X	X	X	X	10
Side yard, (on street) ft.	10	20	X	20	20	20	20
Rear yard, ft.	20	X	X	X	20	20	20
Accessory uses:							
Front yard, ft.	N.P.	N.P.	X	X	N.P.	N.P.	N.P.
Side yard, (interior) ft.	10	0	X	X	0	0	0
Side yard, (street) ft.	10	0	X	X	0	0	0
Rear yard, ft.	0	0	X	X	0	0	0
Distance between structure	10	10	0	10	0	0	15
Height							
Principal uses, ft.	20	35	S	S	0	0	0
Accessory uses, ft.	15	35	35		0		0
Fences and Walls, Height Feet <sup>1</sup>	8	8	8	8	8	8	8
<sup>1</sup> Fences within the required front yard are limited. No fence or wall may exist within the area formed by an arc of 20 feet from a street intersection. Fences not within a required yard area shall not exceed 10 feet.							

(Ord. 84009, passed 6-18-84; Ord. 90036, passed 9-10-90)

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 6-ZONING, AMENDING APPENDIX B-SPACE REQUIREMENT, SECTION ONE-SPACE REQUIREMENTS FOR RESIDENTIAL USE TO ADD A MAXIMUM HEIGHT FOR TINY HOMES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City Commission approved the addition of tiny homes to its zoning ordinances and approved minimum size requirements via Ordinance #2018-62 on November 13, 2018, but no maximum size requirements were approved at that time; and

**WHEREAS**, the Planning & Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the proposed zoning ordinance changes (to add maximum size requirements for tiny homes); and

**WHEREAS**, the item was approved with a 5-0 vote of the Planning Commission on the requested zoning chart change with no abstentions at a meeting they held on November 20, 2019; and

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**I.**

**THAT** Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Appendix B-Space Requirements, Section 1-Space Requirements for Residential Use Chart shall be amended to read as follows:

*Use Regulations and Districts*

...

**APPENDIX B. – SPACE REQUIREMENTS**

**Sec. 1. – Space Requirements for Residential Use.**

The following chart sets out the space requirements for residential uses within the city:

<i>Lot Size</i>	R1	R2	R2A	R3	R4	MH	Ag
Minimum lot area, sq.ft.	5,500	2,500	2,000 <sup>4</sup>	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq.ft.	5,500	2,500	2,000	1,000	1000	3,000	10 acres
Minimum open space per unit, sq.ft.	0	0		4,001	4,001	0	0
Minimum lot width, ft. (measured at the setback line)	50	25	15	50	50	25	300
<i>Setback; Lots</i>							
<i>Principal Uses:</i>							
Front yard, ft.	20	20	20 <sup>5</sup>	20	20	20	
Side yard (interior), ft.	5	5	5	5	5	5	
Side yard (on street), ft.	10	10	5	10	10	10	10
Rear yard, ft.	10	10	5 <sup>5</sup>	10	10	10	
<i>Accessory Uses:</i>							
Front yard, ft.	20	20	20	20			
Side yard, (interior) ft.	5	5	5	5			
Rear yard, ft.	5	5	5	5			

Height							
Principal uses, feet maximums	35	35	<del>35</del> 20	35			
Accessory uses, feet	15	15	20	20			
Fences and Walls (Maximum Height)							
Front yard <sup>3</sup>	4	4	4	4			
Rear yard	6	6	6	6			
Side yard	6	6	6	6			

<sup>1</sup> The 400 square foot open space requirement may or may not be additional to the required lot size, depending on the size of the lot. Before the building permit can be issued all space requirements must be met in whole.

<sup>2</sup> See Section 15-6-86(B)(1) for area requirements for additional structures.

<sup>3</sup> Fences within the required front yard are limited. No fence or wall may exist within the area formed by an arc of 20 feet from a street intersection. Fences not within a required yard area shall not exceed 10 feet.

<sup>4</sup> The minimum lot area for a tiny home will be 2, 000 square feet and the maximum lot size is 3,700 square feet.

<sup>5</sup> The front 20 feet setback can be used for parking and the front porch and the rear yard setback can be used for a porch.

...

## II.

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

## III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section,

paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

**Effective Date:** \_\_\_\_\_, 2019

**INTRODUCED** on this the 25th day of November, 2019.

**PASSED AND APPROVED** on this the 9<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



# **REGULAR AGENDA**

# **AGENDA ITEM #5**

**City of Kingsville  
Planning and Dev. Services Department**

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TO: Mayor and City Commissioners  
CC: Mark McLaughlin, City Manager  
FROM: Cynthia Martin, Interim Director of Planning and Dev. Services  
DATE: November 26, 2019  
SUBJECT: Planning and Zoning Board Appointment

---

**Summary:** Rev. Idotha Battle is seeking appointment to the Planning and Zoning Board.

**Background:** Rev. Idotha Battle is a resident of Kingsville and long-time community supporter through the DIVA Scholarship program among others. Rev. Battle has a background in health care, teaching and ministry. She is firmly rooted in the community and understands its needs and strengths. She will bring much needed diversity to the Board.

I believe she will be an effective board member.

**Financial Impact:** NA

**Recommendation:** It is recommended that Rev. Idotha Battle be appointed to the Planning and Zoning Board for a two-year term.



## MINISTRY AND PROFESSIONAL RESUME

### REVEREND IDOTHA Y. BATTLE

532 West Ragland Ave Kingsville, Texas 78363 | 361 455-9641 | idothabattle@yahoo.com

### EDUCATION

Florida A & M University-Tallahassee, Florida	
Bachelor of Science in Nursing, Registered Nurse	1969
Suwannee River Jr. College –Madison, Florida	
Associate Degree in Nursing	1966
Logsdon Theological Seminary –Abilene, Texas	
Pastoral Ministry	1997

### MINISTRY QUALIFICATIONS:

	<u>YEAR</u>	<u>CONFERENCE</u>	<u>PRESIDING BISHOP</u>
Itinerant Deacon	1987	SWTX	Bishop Mayo
Itinerant Elder	1989	SWTX	Bishop Pruitt

### PROFESSIONAL AND PHILANTHROPIC MEMBERSHIPS

- Delta Sigma Theta Sorority, 1985-present
- Kingsville Ministerial Alliance, 1997-present
- Boys Scouts of America Pack # 144, Head Charter Representative, 2005-present
- The Diva Association of Kingsville Inc, Founder, 2008-present
- CASA board member 2016
- Crime stopper executive member 2016
- Kingsville Noon Lion club board member 2015
- Rotary Club- member

**Marital Status:** Married to Reverend Jessie M. Battle, retired AMEC Pastor

### TEACHING EXPERIENCE

Coastal Bend College, Kingsville, Texas

Instructor-Campus Leadership 2009-2017

- Prepare and deliver lectures to students desiring to become LVN on topics such as Basic and Advanced nursing skills, Medication Administration, OB, Pediatric, Medical surgical, Mental Health, Professional Development, Growth and development, nursing. Served as a preceptor, and advisor for clinical rotations. Evaluate and grade students' class work, laboratory and clinical, assignments, and papers.

**Kingsville Independent School District (KISD)****2007-2009**

- Substitute teacher for the High school, Middle and Elementary schools, teaching subjects including Math, History, English, and Algebra.
- US Civil Service Commission GS-11 management supervisor  
Occupational Health Nurse (26 yrs.)

**Retired -2007****Central Texas College- Killeen, Texas****1976-1978**

- Developed the initial LVN nursing program for the college and served as one of the instructors for the course. Involved in hiring other personnel for the program, testing and enrolling students for the course. Had the responsibility to ensure principles and methods for curriculum and training development, teaching and instruction modules for individuals and the measurement of training/learning effects

**Southwest Texas Board of Minister Examiners and  
Southwest Conference Statistician****1995-present**

- Prepare and deliver curriculum for a course of study for ministers preparing for ordained ministry in the African Methodist Episcopal Church.
- Work with the secretarial staff and record the statistics for Southwest Conference, San Antonio District and Austin Capital District make annual report of findings to the Tenth Episcopal District.

**Tenth District African Methodist Episcopal Church**

- 1<sup>st</sup> Vice president, Chaplain, 2<sup>nd</sup> Vice President, Secretary

**PASTORAL EXPERIENCE:****St. Paul African Methodist Episcopal Church-Kingsville, Texas  
Pastor/Teacher****1995-present**

- Prepare and deliver sermons every week, teach biblical studies weekly, advised and counsel parishioners, develop and plan seminars with men and women ministry. Organize outreach for the youth in the community and work with the Education Foundation for scholarships for High school graduates' and the DIVA Association of Kingsville Inc. an 501 C(3) organization. Community worker was voted "Citizen of the year 2014.

Organized the baccalaureate ceremony at the high school for 12 years with the ministry staff in Kingsville.

# **AGENDA ITEM #6**

**City of Kingsville  
Department**

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**TO:** Mayor and City Commissioners

**CC:** City Manager, Mark McLaughlin

**FROM:** Interim Director of Planning & Dev. Services, Cynthia Martin

**DATE:** December 5, 2019

**SUBJECT:** Rezoning request from Mario Bazan to rezone 828 E Alice from R1 Single-Family to R2 Two-Family

---

**Summary:** Mario Bazan, owner and applicant would like to rezone his property at 828 E Alice from R1 Single-Family to R2 Two-family so that he can build a duplex on the lot.

**Background:** He is planning to build a small duplex – two one bedroom, one bath units on the lot. The lot is currently vacant and is 37.5 ft. wide and 140 ft. deep so there is room for a small duplex. The surrounding properties are zoned either R1 Single-Family or C1 Neighborhood Commercial except for the property at 820 E Alice (also owned by Mr. Bazan) which is zoned R2 Two-Family but has only a single-family residence on it. The houses in the area are single-family residences.

Given that the lot would remain residential and the small scale of the duplex planned for the lot, rezoning this lot to R2 would not be incompatible with the neighborhood. However, there are concerns from neighbors that the rezone would set a precedent as the area from that property south, east and west is zoned R1 Single-Family Residential and negatively affect the historic character of the neighborhood. Of those residents receiving notification of the pending rezoning, three called and/or emailed to voice disapproval and one to voice approval.

**Financial Impact:** As there will be new construction on this lot, there will be increased property tax revenue. It would be difficult to estimate how much more revenue, if any, a small duplex would create versus a potentially similar sized single-family residence would create.

**Recommendation:** The Planning and Zoning Commission met with five members present and voted two to approve and two to deny with one abstention citing the arguments stated above under background.





To: Planning and Zoning Commission Members

From: Cynthia Martin, Interim Director Planning & Dev. Services

Date: November 27, 2019

Subject: Rezoning request from Mario Bazan to rezone 828 E Alice from R1 Single-Family to R2 Two-Family

Mario Bazan, owner and applicant would like to rezone his property at 828 E Alice from R1 Single-Family to R2 Two-family so that he can build a duplex on the lot. He is planning to build a small duplex – two one bedroom, one bath units. The lot is 37.5 ft. wide and 140 ft. deep so there is room for a small duplex. The surrounding properties are zoned either R1 Single- Family or C1 Neighborhood Commercial except for the property at 820 E Alice (also owned by Mr. Bazan) which is zoned R2. The houses in the area are single- family residences.

Given that the lot would remain residential and the small scale of the duplex planned for the lot, rezoning this lot to R2 would not be incompatible the neighborhood.

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 828 E. Alice Nearest Intersection East Alice + N. 13<sup>th</sup>

(Proposed) Subdivision Name 3 Rd Block 20 Lot 20, 21  
Block 20 Block W/ 18, 19

Legal Description: \_\_\_\_\_

Existing Zoning Designation Single Family Future Land Use Plan Designation R 2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mario A. Bazar Phone 361-455-6089 FAX \_\_\_\_\_

Email Address (for project correspondence only): mbazar2000@yahoo.com

Mailing Address 821 E. Richardson City Kingsville State TX Zip 78363

Property Owner Same as Applicant Phone \_\_\_\_\_ FAX \_\_\_\_\_

Email Address (for project correspondence only): Same as Applicant

Mailing Address Same as Applicant City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> Minor Plat	\$100.00
<input checked="" type="checkbox"/> Re-zoning Request	\$250.00	<input type="checkbox"/> Re-plat	\$250.00
<input type="checkbox"/> SUP Request/Renewal	\$250.00	<input type="checkbox"/> Vacating Plat	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA)	\$250.00	<input type="checkbox"/> Development Plat	\$100.00
<input type="checkbox"/> PUD Request	\$250.00	<input type="checkbox"/> Subdivision Variance Request	\$25.00 ea

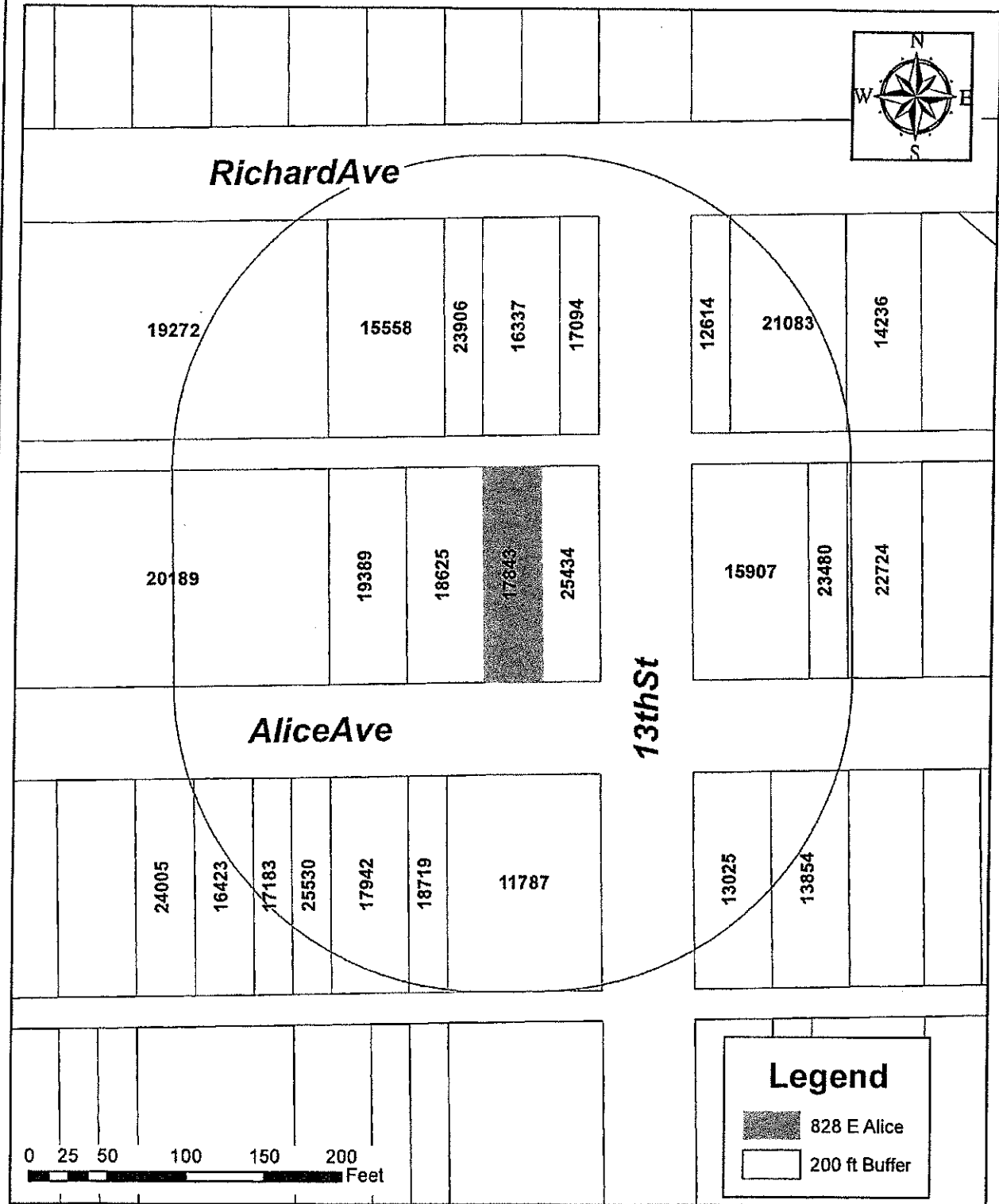
Please provide a basic description of the proposed project:

Add Two one-bedroom one bath units to property


I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature Mario Bazar Date: 10/30/19  
Property Owner's Signature Mario Bazar Date: 10/30/19  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map for 828 E Alice



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\Buffer Map.mxd

1 / 1 Page	Drawn By: Planning Department	<b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/18/2019		
	Note:		

MARIO BAZAN  
821 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#19272, 15558, 20189, 19389,  
18625

ROBERTO RODRIGUEZ  
AND HERMINIA GONZALES  
831 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#17094

RUFINA H NAJERA  
% FRANCISCO N NAJERA  
910 E ALICE AVE  
KINGSVILLE, TX 78363-4642  
#23480

LUCAS SAMUEL GARZA  
706 W AMADA  
HEBBRONVILLE, TX 78361  
#16423

MICHAEL GUTIERREZ  
821 E ALICE  
KINGSVILLE, TX 78363-4639  
#18719

TADEO REYNA JR  
TMR RENTAL PROPERTIES  
1325 MICHAEL ST  
KINGSVILLE, TX 78363-6952  
#13854

PETRA BAZAN EST  
827 E RICHARD AVE  
KINGSVILLE, TX 78363-4611  
#23906

ANNA L AKRIDGE  
AMELIA JUAREZ  
1117 E FORDYCE  
KINGSVILLE, TX 78363  
#25434

LINDA PENA  
910 E ALICE AVE  
KINGSVILLE, TX 78363-4642  
#22724

DIEGO VASQUEZ  
817 E ALICE AVE  
KINGSVILLE, TX 78363-4639  
#17183, 25530

OSCAR G GARZA JR  
711 E RICHARD AVE  
KINGSVILLE, TX 78363-4609  
#11787

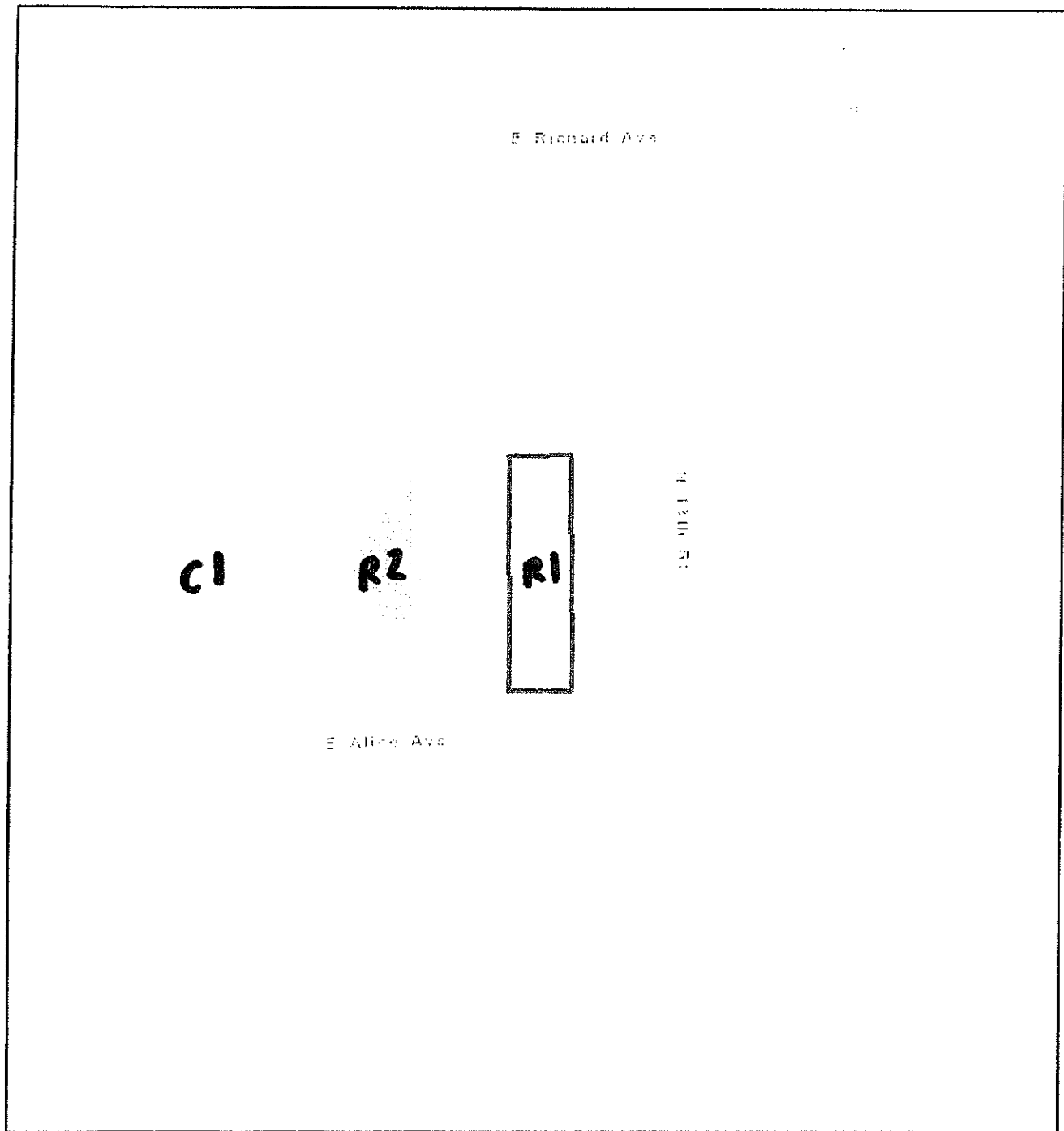
EVARISTO ALFARO JR  
ETUX VERONICA  
413 W AVE D  
KINGSVILLE, TX 78363  
#16337

THELMA A DAVIS  
104 RED HAWK POINTE  
KATHLEEN, GA 31047  
#15907

JUAN PENA EST  
711 E LEE AVE  
KINGSVILLE, TX 78363-4658  
#24005

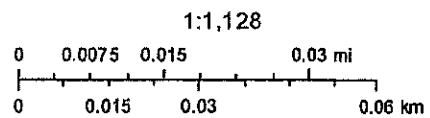
LINDA A RODRIGUEZ  
819 E ALICE AVE  
KINGSVILLE, TX 78363-4639  
#17942

EDELMIRA GONZALEZ  
% IRMA LERMA  
506 FOX XING  
BURNET, TX 78611  
#13025



November 27, 2019

C1- Neighborhood service  
 R2- Two family  
 R1- single Family



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## Kleberg CAD

### Property Search > 17843 BAZAN MARIO for Year 2019

Tax Year: 2019

#### Property

##### Account

Property ID: 17843 Legal Description: 3RD, BLOCK 20, LOT W/2 18, 19  
 Geographic ID: 100502018000192 Zoning:  
 Type: Real Agent Code:  
 Property Use Code:  
 Property Use Description:

##### Location

Address: 828 E ALICE Mapsco:  
 Neighborhood: Map ID: C1  
 Neighborhood CD:

##### Owner

Name: BAZAN MARIO Owner ID: 21096  
 Mailing Address: 821 E RICHARD AVE % Ownership: 100.0000000000%  
 KINGSVILLE, TX 78363-4611  
 Exemptions:

#### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$2,630	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$2,630	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$2,630	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$2,630	

#### Taxing Jurisdiction

Owner: BAZAN MARIO  
 % Ownership: 100.0000000000%  
 Total Value: \$2,630

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$2,630	\$2,630	\$0.00
CKI	CITY OF KINGSVILLE	0.853040	\$2,630	\$2,630	\$22.43
GKL	KLEBERG COUNTY	0.769500	\$2,630	\$2,630	\$20.24
SKI	KINGSVILLE I.S.D.	1.518900	\$2,630	\$2,630	\$39.95
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$2,630	\$2,630	\$2.28

# Society

BA

Kingsville Record and Bishop News

Thursday, November 14, 2019

## KISD names students of the month



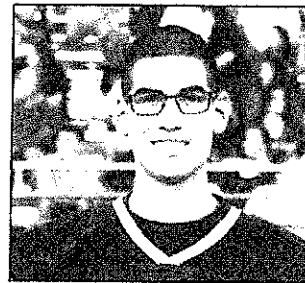
**Julia Montoya**  
Perez Elementary School

Julia Montoya is a third grader at Perez Elementary School. She is the daughter of Angela Espinoza and Victor Montoya. Julia is active in softball, music, basketball and the J.R. Perez Cadets. Her favorite subject is math and after high school, she plans on attending Texas A&M University-Kingsville to study and become a teacher. Julia said her greatest influences are her parents and her third grade teacher, Nikita Resendez. "Having Julia in my class is a privilege," Resendez said. "She is a hard worker and a great helper to students around her."



**Orion Sanchez**  
Memorial Middle School

Orion Sanchez is a seventh grader at Memorial Middle School. He is the son of Hector and Lyda Sanchez. Orion participates in all Special Olympic activities, and has done so since he was in fourth grade. His favorite subject is art, and after graduation he would like to attend the police academy in Corpus Christi on his path to becoming a police officer. Orion said his greatest influences in life are his parents. "Orion comes to school eager to start the day with a positive attitude," adaptive education teacher Harriet Williams said. "He goes out to classes and is being successful. He is well-mannered and a delight to have in class."



**Rudy Calzada Jr.**  
H.M. King High School

Rudy Calzada Jr. is a senior at H.M. King High School. He is the son of Rudy and Gladys Calzada. Rudy is active in basketball, bowling, tennis and track and field, and was named the 2018-19 Special Olympics Area 2 Male Athlete of the Year. He also performs in the high school choir. While Rudy is undecided what he wants to do after high school, he said he wants to make it in the Special Olympics World Games. He said his family, including his parents and sister Mariela, are his greatest influences "because they rock." "Rudy is a motivated and dedicated student that strives all athletes to not only compete but to improve," KISD Special Olympics Coach Michelle Carales said. "He exemplifies the Special Olympic motto: Let me win if I can, but let me be brave in the attempt."

## Caperton-Katz engaged to wed



Richard and Nancy Brown, of Bishop, announce the engagement of their daughter, Samantha Katz to Andrew Caperton, the son of Barry and Nancy Frenzel of Georgetown. The bride-elect is a 2008 graduate of Bishop High School. She is a 2018 graduate of Coastal Bend College with a degree in vocational nursing. She is currently employed at Naval Air Station-Kingsville at the Base Health Clinic tending to service personnel and their families. The groom-elect is a 2008 graduate of Henscheid High School in Henscheid, Texas. He is a 2015 graduate of Texas A&M University-Kingsville with a bachelor's of science in agriculture and a minor in biology. He is currently employed as a firefighter/EIT at NASA/JSC Station Kingsville. In 2017, he was recognized for his efforts in fighting a fire in Downtown Kingsville, and in 2018 he was named Captain of the Year by NASK. A March 10, 2020 wedding is planned in Kingsville. (Linda Lora, Bishop, submitted photo)

## Fire

The new fire engine is a 2019 Ford F-550 with a 300-hp diesel engine, 10,000-gal. water tank, and a 100-gal. foam tank. It also has a 100-gal. water tank, a 100-gal. foam tank, and a 100-gal. water tank. The unit will be used for fire suppression and rescue.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

Most engines have a 100-gal. water tank and a 100-gal. foam tank. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

pushed his engines, but when they were returned to the station, the firefighters were told to be ready to go. The firefighters were told to be ready to go.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

The city of Kingsville has a long history of fire suppression. The city has a fire department that has been serving the community for over 100 years. The city has a fire department that has been serving the community for over 100 years.

## PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 4, 2019 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Marin Wazni, owner and applicant, requesting the rezoning of JRD, BLOCK 20, LOT W2 18, 19 also known as 828 East Alice, Kingsville, Texas from R1 (Single-Family) to R2 (Two-Family).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Croves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

## PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, December 9, 2019 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Marin Wazni, owner and applicant, requesting the rezoning of JRD, BLOCK 20, LOT W2 18, 19 also known as 828 East Alice, Kingsville, Texas from R1 (Single-Family) to R2 (Two-Family).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Croves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

**RIO 7 CINEMAS**

THURSDAY, NOV 14	FRIDAY, NOV 15	SATURDAY, NOV 16	SUNDAY, NOV 17
THE MONUMENTS MEN	THE MONUMENTS MEN	THE MONUMENTS MEN	THE MONUMENTS MEN
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**SHEPHERD HILLS CUTLERY**

Exit 127 on I-44 Lebanon, MO

**TREE TRIMMING**

City of Kingsville Parks & Recreation Department invite Kingsville citizens to join us in a tree trimming workshop at our monthly

**VOLUNTEER DAY**

Saturday, Nov. 16th 9 a.m. - 12 p.m. at Dick Kleberg Park meeting by the Lion.

The morning will begin with discussion on the do's and don'ts in trimming trees, followed by demonstrations.

We are needing volunteers for the event as well.

Please contact Jennifer Bernal @ 361.221.2705 or jbernal@cityofkingsville.com

**ORDINANCE #2019-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 3<sup>RD</sup>, BLOCK 20, LOTS W/2 18, 19, ALSO KNOWN AS 828 EAST ALICE, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY DISTRICT) TO R2 (TWO-FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Mario Bazan, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, December 4, 2019 during a meeting of the Planning and Zoning Commission, and on Monday, December 9, 2019 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was NOT APPROVED with a 2-2 vote of the Planning Commission regarding the requested rezone with one abstention; and

**WHEREAS**, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 3rd, Block 20, Lots W/2 18, 19, also known as 828 East Alice from R1-Single Family District to R2-Two-Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

**SECTION 2.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 3.** That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 4.** That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 5.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.



**SECTION 6.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

**INTRODUCED** on this the 9th day of December, 2019.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

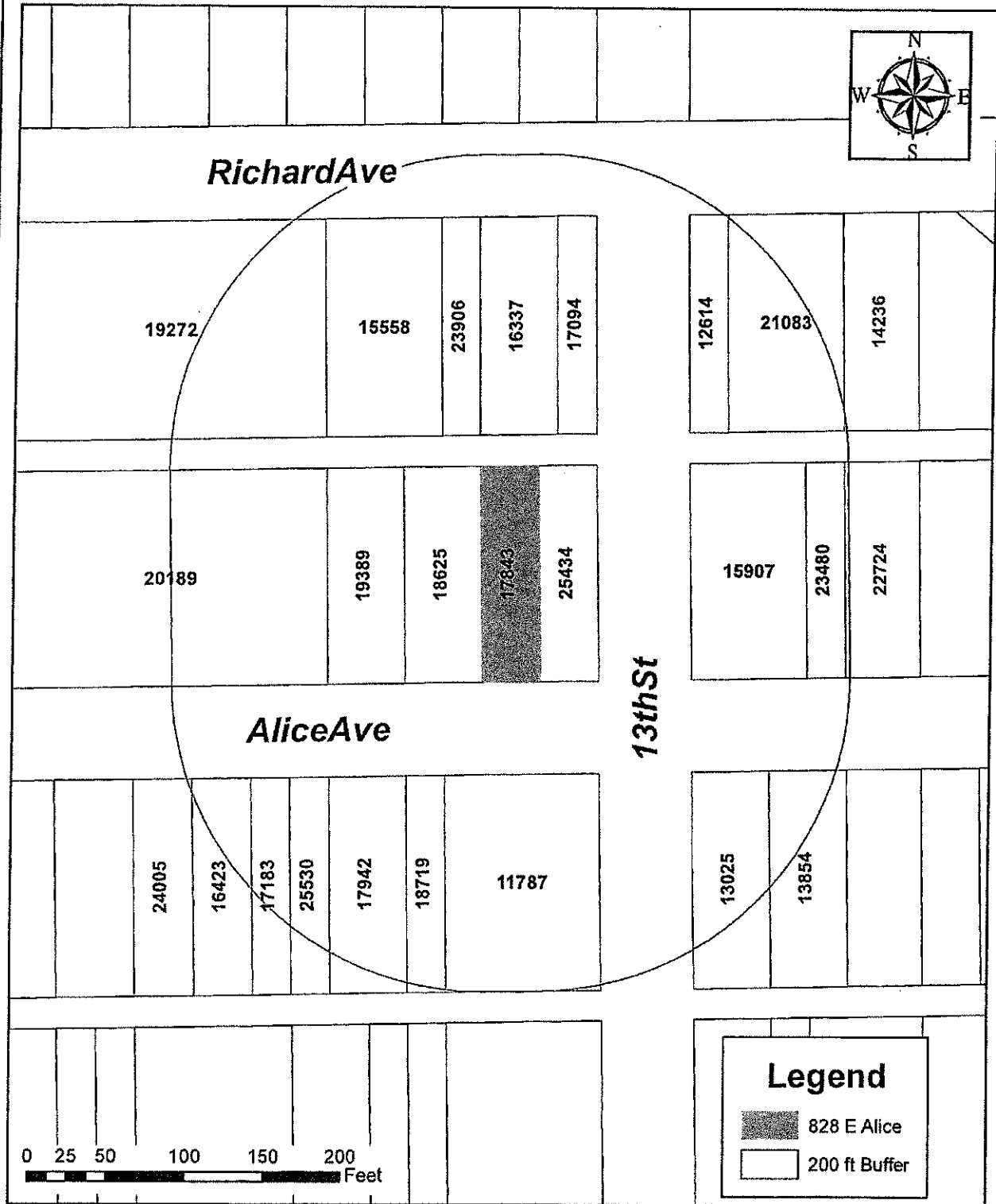
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary


**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map for 828 E Alice



Document Path: C:\Users\resendez\Desktop\GIS\Maps\Buffer Map.mxd

Page 1 / 1	Drawn By: Planning Department	<small>DISCLAIMER</small> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/18/2019		
	Note:		

## **AGENDA ITEM #7**

**City of Kingsville  
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Deborah Balli, Interim City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 25, 2019

SUBJECT: Consider and act upon amending an ordinance to include No Parking Zone for the 600 and 700 BLK of N. Well St. and extending the no parking zone along the 600 BLK of Ave. B.

---

**Summary:**

The agenda item is proposing two new No Parking Zones at the 600, 700 and 800 Block of N. Wells St. (between Richard and Nettie) and extending an existing No Parking Zone on Ave. B 100 feet due to the location of existing No Parking Signs. There would be 16 new no parking signs from 7:00am – 5:00pm Monday – Friday.

**Background:**

The City has several No Parking Zones throughout. The No Parking Zones are in place for the safety of the citizens and motorist, by providing no parking on streets you increase visibility and safety.

**Financial Impact:**

The city would fund \$1,079.20 for no parking signs from its Streets Dept Budget. The funds available for Account# 001-5-3050-52200 are in the amount of \$38,500.00.

**Recommendation:**

Staff recommends approval of all items as presented.

**Attachments:**

Ordinance No. 2019-\_\_\_\_\_

City Code of Ordinance – Schedule II Parking Restricted on Certain Streets.

Email on No Parking Sign Costs

Proposed No Parking Zones – Exhibit

Letter to Property Owners

List of Property Owners affected by Proposed No Parking Zones



Street Name	From	To	Street Width
Wells	Richard	Ella	28 Ft
Ave B	300' Ft East of Armstrong	400' Ft East of Armstrong	28 Ft

### Existing Parking Zones

Street Name	From	TO	Street Width
-------------	------	----	--------------

### No Parking (All Times)

Corral	Santa Rosa	6th	34 Ft
Santa Gertrudis (West Bound Lane)	Santa Monica	Seale	22 Ft
Santa Gertrudis (East Bound Lane)	Santa Monica	Seale	22 Ft
Santa Gertrudis	Armstrong	6th	40 Ft
Richard	University Blvd	Armstrong	28 Ft
Alice	Armstrong	200' Ft West	24 Ft

### No Parking (7am-7pm)


Armstrong	King	Corral	42 Ft- 48 Ft
-----------	------	--------	--------------

### Northbound and Southbound Streets

University Blvd (North Bound Lane)	Richard	Santa Gertrudis	30 Ft
University Blvd (South Bound Lane)	Richard	Santa Gertrudis	30 Ft
Ella	Armstrong	Wells	28 Ft
Nettie	Armstrong	Wells	28 Ft
Ave A	Armstrong	415' Ft East	34 Ft
Ave B	Armstrong	415' Ft East	26 Ft
Ave C	Armstrong	Wells	26 Ft
Ave D	Armstrong	Wells	28 Ft
Mesquite	Armstrong	Wells	34 Ft
Ratama	Richard	Santa Gertrudis	28 Ft
Alice	University Blvd	Lantana	26 Ft

# Proposed No Parking Zones



<div>Page</div> <div>1 / 1</div>	<div>Drawn By:</div> <div>Engineering Department</div>	<div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY.</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS.</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <div>RESPONSIBLE IF THE INFORMATION CONTAINED</div> <div>HEREIN IS USED FOR ANY DESIGN,</div> <div>CONSTRUCTION, PLANNING, BUILDING,</div> <div>OR ANY OTHER PURPOSE.</div>	<div>  </div> <div> <b>CITY OF KINGSVILLE</b>  <b>ENGINEERING DEPARTMENT</b>            400 West King            Kingsville, Texas 78363            Office: 361-595-8007            Fax: 361-595-8064         </div>
	<div>Last Update:</div> <div>12/3/2019</div>		
	<div>Note:</div>		

# CITY OF KINGSVILLE



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

November 27, 2019

RE: Proposed No Parking Zones

Dear Property Owner,

The City is proposing to amend its current City ordinance on No Parking Zones. The proposed item will add No Parking Zones and signs effective Monday – Friday 7:00 am – 5:00 pm on the 600, 700 and 800 blocks of North Wells St. I have attached a map of the proposed no parking zones. A second and final reading of the proposed ordinance amendment will be presented to the City Commission Meeting on December 9, 2019 at 5:00 pm. If you would like to attend the meeting and give your comments during the Public Comments section, it will take place at City Hall located 400 W. King Ave, Kingsville Texas 78363.

Sincerely,

Rutilio P. Mora Jr.  
City Engineer

Enclosure: Proposed No Parking Zones

## RESIDENTS NOTIFIED ABOUT PROPOSED NO PARKING ZONES

NAME	ADDRESS	MAILING ADDRESS
DORINA THOMAS	720 N WELLS ST KINGSVILLE, TX 78363	1822 GROSS RD DALLAS, TX 75228-4766
MICHAEL KRUEGER	702 W SANTA GERTRUDIS KINGSVILLE, TX 78363	P.O. BOX 1538 KINGSVILLE, TX 78363
MICHAEL KRUEGER	704 W SANTA GERTRUDIS KINGSVILLE, TX 78363	P.O. BOX 1538 KINGSVILLE, TX 78363
MICHAEL KRUEGER	706 W SANTA GERTRUDIS KINGSVILLE, TX 78363	P.O. BOX 1538 KINGSVILLE, TX 78363
SUSAN ANNETTE GOMEZ	703 W NETTIE KINGSVILLE, TX 78363	3025 COUNTY ROAD 81
LEILA SAMADI	709 W SANTA GERTRUDIS KINGSVILLE, TX 78363	700 S 14TH ST STE A KINGSVILLE, TX 78363
JARNAIL DHALIA	704 W RICHARD KINGSVILLE, TX 78363	916 MADISON DR MOUNTAIN VIEW, CA 94040-4027
ROBERTO OBREGON	703 W ELLA AVE KINGSVILLE, TX 78363	1727 W SAGE RD KINGSVILLE, TX 78363
ROBERTO OBREGON	702 W ELLA AVE KINGSVILLE, TX 78363	1727 W SAGE RD KINGSVILLE, TX 78363
SAN JUANITA RODRIGUEZ	630 W ELLA AVE KINGSVILLE, TX 78363	P.O. BOX 5022 KINGSVILLE, TX 78363
JOSE JESUS ZARAGOSA	630 W SANTA GERTRUDIS KINGSVILLE, TX 78363	1011 W FRONT ST ALICE, TX 78332-5207
LUIS BENAVIDES	630 W RICHARD KINGSVILLE, TX 78363	630 W RICHARD AVE KINGSVILLE, TX 78363
FABRIZIO MARTORELLO	627 W SANTA GERTRUDIS KINGSVILLE, TX 78363	614 W RICHARD AVE KINGSVILLE, TX 78363
COASTAL BAY BREEZE LLC	629 W NETTIE KINGSVILLE, TX 78363	P.O. BOX 25 PORTLAND, TX 78374-0025





City of Kingsville, TX

# Budget Report

## Account Summary

For Fiscal: 10/2019-09/2020 Period Ending: 11/30/2019

### Fund: 001 - GENERAL FUND

#### Expense

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Remaining
Salaries & Wages	589,124.00	589,124.00	18,549.92	51,170.43	0.00	537,953.57	91.31 %
Overtime	49,875.00	49,875.00	1,146.62	4,901.06	0.00	44,973.94	90.17 %
Longevity - Non Civil Service	2,328.00	2,328.00	48.93	144.03	0.00	2,183.97	93.81 %
Retirement - TMRS	56,758.00	56,758.00	1,713.89	4,878.88	0.00	51,879.12	91.40 %
FICA	49,062.00	49,062.00	1,397.47	4,023.00	0.00	45,039.00	91.80 %
Group Health Insurance	192,894.00	192,894.00	7,120.17	21,027.02	0.00	171,866.98	89.10 %
Workers' Compensation	17,305.00	17,305.00	0.00	763.24	0.00	16,541.76	95.59 %
Unemployment Compensation	4,500.00	4,500.00	3.44	9.05	0.00	4,490.95	99.80 %
Life Insurance	1,288.00	1,288.00	95.76	185.58	0.00	1,102.42	85.59 %
Supplies	3,304.00	3,304.00	0.00	0.00	0.00	3,304.00	100.00 %
Uniforms & Personal Wear	2,500.00	2,500.00	0.00	888.76	0.00	1,611.24	64.45 %
Chemicals	9,000.00	9,000.00	0.00	0.00	1,749.65	7,250.35	80.56 %
Motor Gas & Oil	56,035.00	56,035.00	0.00	42.98	0.00	55,992.02	99.92 %
Minor Eq/Furniture	4,850.00	4,850.00	0.00	0.00	0.00	4,850.00	100.00 %
Medical Supplies	119.00	119.00	0.00	0.00	0.00	119.00	100.00 %
Communications	2,020.00	2,020.00	0.00	25.23	0.00	1,994.77	98.75 %
Professional Services	9,000.00	9,000.00	0.00	0.00	4,000.00	5,000.00	55.56 %
Prof. Services-GPS	3,060.00	3,060.00	0.00	512.00	2,560.00	-12.00	-0.39 %
Printing & Publishing	500.00	500.00	15.87	15.87	0.00	484.13	96.83 %
Training & Travel	2,000.00	2,000.00	0.00	24.00	0.00	1,976.00	98.80 %
Equipment Rent	3,000.00	3,000.00	0.00	16.25	0.00	2,983.75	99.46 %
Catering	500.00	500.00	0.00	0.00	0.00	500.00	100.00 %
Utilities	195,000.00	195,000.00	0.00	17,186.58	0.00	177,813.42	91.19 %
Laundry	5,168.00	5,168.00	0.00	407.50	0.00	4,760.50	92.11 %
Vehicle Maintenance	56,946.00	56,946.00	-598.48	4,081.47	17,143.51	35,721.02	62.73 %
Equipment Maintenance	500.00	500.00	0.00	0.00	0.00	500.00	100.00 %
Street & Bridge	50,000.00	50,000.00	0.00	9,790.86	4,000.00	36,209.14	72.42 %
Signs & Signals	40,000.00	40,000.00	0.00	1,581.75	0.00	38,418.25	96.05 %
Drainage	25,000.00	25,000.00	0.00	0.00	0.00	25,000.00	100.00 %
Capital Lease-Principle	116,379.00	116,379.00	0.00	0.00	0.00	116,379.00	100.00 %
Capital Lease-Interest	8,178.00	8,178.00	0.00	0.00	0.00	8,178.00	100.00 %

**ORDINANCE NO. 2019-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 6-TRAFFIC CONTROL DEVICES, SECTION 2 SCHEDULE II-PARKING RESTRICTED ON CERTAIN STREETS; PROVIDING FOR THE RESTRICTION OF PARKING NEAR THE UNIVERSITY FROM 7:00AM TO 5:00PM MONDAY THROUGH FRIDAY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the new Music Building on the Texas A&M University-Kingsville campus located at the intersection of Santa Gertrudis and Armstrong is scheduled to open soon and has reduced the available on campus parking in the area and is likely to increase off campus parking in the surrounding neighborhoods once opened;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**I.**

**THAT** Schedule II of Article 6: Parking Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**Sec. 7-6-2. Schedule II, Parking Restricted on Certain Streets.**

**SCHEDULE II. PARKING RESTRICTED ON CERTAIN STREETS.**

It shall hereafter be unlawful for any person to park or leave standing any vehicle on the following streets:

**TABLE INSET:**

Street	Location	Side	Time Limit	Ord. No.	Date Passed
Armstrong St.	Lying anywhere between its intersection with Richard Ave. and Avenue F	Easternmost	7:00 a.m. to 7:00 p.m.; M--S	--	--
Armstrong St.	Lying anywhere between its intersection with Engineering Ave. and its intersection with King Ave.	Westernmost	7:00 a.m. to 7:00 p.m.	--	4-1-74

Corral Ave. (Farm to Market Rd. 1898)	Lying anywhere between its intersection with Armstrong St. and its intersection with University Blvd.	Both	All times	--	--
Corral Ave. (Farm to Market Rd. 1898)	Lying anywhere between Sixth St. and Armstrong St.	Both	All times	80018	7-7-80
Santa Gertrudis Ave.	From its intersection with Sixth St. westerly to its intersection with Armstrong Ave.	Northernmost and Southernmost	All times	90002	2-5-90
Santa Gertrudis Ave.	Between Sixth St. and Armstrong Ave.	North	All times	--	7-9-73
Santa Gertrudis St.	Lying anywhere between its intersection with Seale Street and its intersection with Santa Monica St.	Northernmost	All times	--	9-9-74 Amended 3-9-09
West Alice Ave.	East 98.88 feet of the 800 Block adjacent to Fire Station #2	North	All times	--	5-8-61
West Richard St.	800, 900 and 1,000 blocks adjacent to Block One of the Lantana Park Addition	South	All times	--	1-3-69

Street	Location	Side	Time Limit	Ord. No.	Date Passed
Retama St.	Lying anywhere between its intersection with Santa Gertrudis and its intersection with Richard Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
University Blvd. St.	Lying anywhere between its intersection with Santa Gertrudis and its intersection with Richard Ave.	Western-most	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Lantana St.	Lying anywhere between its intersection with Richard Ave. and its intersection with Alice Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Richard Ave.	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Ella Ave.	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Nettie Ave.	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Ave. A	Lying anywhere between its intersection with Armstrong St. and extending 300 feet east of Armstrong St.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--

Street	Location	Side	Time Limit	Ord. No.	Date Passed
Ave. B	Lying anywhere between its intersection with Armstrong St. and extending 300 feet east of Armstrong St.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Ave. C	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Ave. D	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
Mesquite Ave.	Lying anywhere between its intersection with Armstrong St. and its intersection with Wells Ave.	Both	7:00 a.m. to 5:00 p.m., Monday-Friday	2011-	--
<u>Wells St.</u>	<u>Lying anywhere between its intersection with Richard to its intersection with Nettie Elle</u>	<u>Both</u>	<u>7:00 a.m. to 5:00 p.m.; M-F</u>		
<u>Ave B</u>	<u>300 feet east of Armstrong to 400 feet east of Armstrong</u>	<u>Both</u>	<u>7:00 a.m. to 5:00 p.m.; M-F</u>		

## II.

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

## III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final

judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

**INTRODUCED** on this the 25th day of November, 2019.

**PASSED AND APPROVED** on this the 9th day of December, 2019.

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Sam Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

## **AGENDA ITEM #8**

**RESOLUTION NO. 2019-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS, DESIGNATING THE AUTHORIZED SIGNATORIES FOR FINANCIAL, HEALTH TRUST PLAN, AND OTHER ITEMS OF CITY BUSINESS FROM INTERIM CITY MANAGER TO CITY MANAGER.**

**WHEREAS**, a new City Manager was named by the City Commission and an employment agreement was approved on October 28, 2019 for Mark McLaughlin to occupy the position of City Manager starting on December 2, 2019;

**WHEREAS**, the financial, health trust plan, and other items of city business require documents to be authorized and signed on the behalf of the position of City Manager;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**Section 1:** That as of December 2, 2019 the following individual is hereby authorized to sign financial, health trust plan, and other items of city business that are required to be authorized and signed on the behalf of the position of City Manager:

Remove: Deborah Balli, Interim City Manager

Add: Mark McLaughlin, City Manager

**Section 2:** This resolution shall be effective until it is repealed or superseded by another resolution.

**Section 3:** This Resolution shall be and become effective on and after adoption.

**PASSED AND APPROVED** by a majority vote of the City Commission on this the 9<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



## **AGENDA ITEM #9**

**City of Kingsville  
Finance Department**

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TO: Mayor and City Commissioners  
CC: Mark McLaughlin City Manager  
FROM: Charlie Sosa, Purchasing Manager  
DATE: November 26, 2019  
SUBJECT: RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING *"Heavy Equipment"*.

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**Summary:**

This item authorizes City to approve a resolution with Government Capital Corporation for financing of Heavy Equipment.

**Background:**

Heavy Equipment is needed at the Landfill.

**Financial Impact:**

None

**Recommendation:**

It is recommended the City approve the resolution regarding a contract for the purpose of financing Heavy Equipment with Government Capital Corporation.



## RESOLUTION

### A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "**HEAVY EQUIPMENT**".

WHEREAS, City of Kingsville (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Heavy Equipment". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY CITY OF KINGSVILLE:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing "Heavy Equipment".

Section 2. That the Finance Contract by and between the City of Kingsville and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the City Manager or their designee, as the authorized signer of the Finance Contract by and between the City of Kingsville and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. That should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

PASSED AND APPROVED by the Board of the City of Kingsville in a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**Issuer:** City of Kingsville

Witness Signature

\_\_\_\_\_  
Sam Fugate, Mayor

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**RESOLUTION #2019-\_\_\_\_\_**

**A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "HEAVY EQUIPMENT" THROUGH GOVERNMENT CAPITAL CORPORATION; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville, Texas (the "Issuer" or "City") desires to enter into a certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Heavy Equipment" and desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended;

**WHEREAS**, the City will locate the needed equipment through a purchasing cooperative program to be in compliance with Texas procurement law;

**WHEREAS**, the City will then negotiate a Finance Contract with GCC for the equipment, which will be brought to Commission for approval.

**NOW THEREFORE, BE IT RESOLVED** by the City Commission of the City of Kingsville, Texas:

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC for the purpose of financing "Heavy Equipment", the City will consider a resolution to approve the Finance Contract.

**THAT**, the City intends that the Finance Contract by and between the City and GCC will be designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC, the City intends to consider an authorizing resolution to appoint the City Manager or their designee, as the authorized signer of the Finance Contract by and between the City and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC, the City intends to consider an authorizing resolution stating that should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation Section 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

**THAT** all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

**THAT** this Resolution shall be and become effective on and after adoption.

**THAT** this resolution was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** by a majority vote of the City Commission on the 9th day of December, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

## **AGENDA ITEM #10**

**City of Kingsville  
Finance Department**

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TO: Mayor and City Commissioners  
CC: Mark McLaughlin City Manager  
FROM: Charlie Sosa, Purchasing Manager  
DATE: November 26, 2019  
SUBJECT: RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING *"Vehicles"*.

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**Summary:**

This item authorizes City to approve a resolution with Government Capital Corporation for financing of Vehicles.

**Background:**

Vehicles are needed at the Police Department.

**Financial Impact:**

None

**Recommendation:**

It is recommended the City approve the resolution regarding a contract for the purpose of financing vehicles with Government Capital Corporation.



## RESOLUTION

A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "**Vehicles**".

WHEREAS, City of Kingsville (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Vehicles". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY CITY OF KINGSVILLE:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing "Vehicles".

Section 2. That the Finance Contract by and between the City of Kingsville and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the City Manager or their designee, as the authorized signer of the Finance Contract by and between the City of Kingsville and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. That should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

PASSED AND APPROVED by the Board of the City of Kingsville in a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**Issuer:** City of Kingsville

Witness Signature

\_\_\_\_\_  
Sam Fugate, Mayor

\_\_\_\_\_  
Mary Valenzuela, City Secretary



**RESOLUTION #2019-\_\_\_\_\_**

**A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "VEHICLES" THROUGH GOVERNMENT CAPITAL CORPORATION; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville, Texas (the "Issuer" or "City") desires to enter into a certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Vehicles" and desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended;

**WHEREAS**, the City will locate the needed vehicles through a purchasing cooperative program to be in compliance with Texas procurement law;

**WHEREAS**, the City will then negotiate a Finance Contract with GCC for the equipment, which will be brought to Commission for approval.

**NOW THEREFORE, BE IT RESOLVED** by the City Commission of the City of Kingsville, Texas:

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC for the purpose of financing "Vehicles", the City will consider a resolution to approve the Finance Contract.

**THAT**, the City intends that the Finance Contract by and between the City and GCC will be designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC, the City intends to consider an authorizing resolution to appoint the City Manager or their designee, as the authorized signer of the Finance Contract by and between the City and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

**THAT**, once terms of a mutually agreeable Finance Contract have been negotiated between the City and GCC, the City intends to consider an authorizing resolution stating that should the need arise, if applicable, the City will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation Section 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

**THAT** all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

**THAT** this Resolution shall be and become effective on and after adoption.

**THAT** this resolution was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** by a majority vote of the City Commission on the 9th day of December, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #11**

**City of Kingsville  
Planning and Dev. Services Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Nov. 26, 2019

SUBJECT: Adoption of 2018 Version of the International Building Code and 2018 Version of the Existing Building Code

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**Summary:** This item authorizes the amendment of the Kingsville Code of Ordinances, Chapter XV, Article 1 Building Regulations to adopt the 2018 version of the International Building Code and the 2018 version of the Existing Building Code.

**Background:** In 2010, the City of Kingsville adopted the 2009 version of the International Building Code and in 2012, the City adopted the 2009 version of the Existing Building Code. Updating these building codes to the 2018 versions provides two benefits. One, by going with the 2018 versions of these two codes, the City's building codes will be in sync with the proposed adoption by the City of the 2018 version of the International Fire Code. Secondly, as the 2018 version of the International Building Code includes energy codes, the City will be in sync with the efforts of the State of Texas regarding energy cost savings for the state. In 2016, the State of Texas adopted the most recent edition of the International Energy Efficiency Code (IECC) for commercial buildings. For residential buildings, Texas Governor Greg Abbott signed HB 1736 in 2016 moving the state's single-family residential code from the 2009 to the 2015 International Residential Code. According to the State Comptroller's Office, energy cost savings for Texas resulting from the state updating its commercial and residential building energy codes are significant, estimated to be on the order of nearly \$1 billion annually by 2030.

As it is proposed to adopt the 2018 versions of the International Building Code and the Existing Building Codes in their entirety, it is recommended to remove Sec. 15-1-3 Additions and Amendments to International Building Code.



**City of Kingsville**  
**Planning and Dev. Services Department**

**Financial Impact:** It is expected that the adoption of the 2018 version of the International Building Code to include energy codes will increase the cost of new construction. There should be long term energy savings to offset.

**Recommendation:** It is being recommended to adopt the 2018 version of the International Building Code and the 2018 version of the Existing Building Code and to strike Sec. 15-1-3 Additions and Amendments to the International Building Code of the City of Kingsville Code of Ordinances



ORDINANCE NO. 2019-\_\_\_\_\_

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE AND REMOVING SECTION 15-1-3; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in 2010 the City of Kingsville adopted the 2009 version of the International Building Code and now desires to adopt the 2018 version;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

I.

**THAT** Sections 15-1-2, 15-1-3, & 15-1-12 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 15-1-2 ADOPTION BY REFERENCE.**

The purpose of this subarticle is to provide minimum standards, provisions and requirements for safe construction, alteration and modification of buildings within the city. All such construction, alteration and modification of buildings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled *International Building Code 2009 2018* Edition, approved and adopted by the Southern Building Code Congress International with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The *International Building Code, 2009 2018* Edition, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**~~§ 15-1-3 ADDITIONS AND AMENDMENTS TO INTERNATIONAL BUILDING CODE.~~**

~~—The *International Building Code, 2009* Edition, is hereby modified and changed in the following particulars:~~

~~—(A) The *International Building Code*, 2009 Edition, is hereby amended to add a section entitled “Contractors License Required” which reads:~~

~~It shall be the duty of every contractor or builder, who shall make contracts for the erection, repair or modification of buildings and structures and every builder or contractor subletting the same or any part thereof, to pay a license fee of ninety dollars (\$90.00) annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, and in case of removal from one place to another to have made corresponding change in the file accordingly. Any person convicted in Municipal Court of a violation of this code may have his license revoked for a period not to exceed two years. Such person shall be notified by certified mail addressed to his place of business, as filed, of the proposed revocation and be given an opportunity at a hearing before the governing body to present such facts and circumstances that are relevant to the case.~~

~~—(B) Chapter 11, § 1103.2.2 (Existing Buildings) shall be amended by adding the following:~~

~~Section 3411—Accessibility for the physically disabled and/or handicapped shall not be required or applied to existing buildings with the exception of major repairs or alterations or changes in occupancy class. In no case may any repair or alteration reduce the degree of compliance with Section, 3411 Appendix E, or other regulations governing handicapped access. Reduction or lessening the number of handicapped facilities or degree of access shall not be permitted unless compliance with Section 3411 and Appendix E is maintained.~~

~~—(C) Chapter 1, §113, entitled “Board of Appeals” is hereby amended to read “Board of Adjustment” and shall read the same in all other references to such Board in the *International Building Code*, 2009 Edition.~~

~~—(D) Chapter 1, § 113.1, entitled “Appointment,” shall hereby be amended to read:~~

~~There shall hereby be a Board of Adjustment as defined in Title XI, Chapter 6, Section 7, entitled “Board of Adjustment,” of the City Code of Kingsville, Texas, which shall be appointed as set forth therein for the terms specified.~~

~~—(E) Sanitation shall be created by adding the following:~~

~~Central, common or shared sanitary facilities in multiple use buildings may be utilized to satisfy the minimum fixture requirement of the Plumbing Code for the subdivision of a building provided that the facilities are within two hundred feet, require no outside travel, and meet all code requirements. The two hundred feet shall be measured by line of travel between the entrances of the restroom and~~

~~subdivision of the building. Food service businesses with a floor area larger than five hundred square feet in area must possess full public restroom for both sexes. Reserved.~~

...

#### **§ 15-1-6 SCHEDULE OF PERMIT FEES.**

(A) On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.

(B) The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:

(1) (a) Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. Permit fees for roof repairs shall be charged a permit fee of \$0.06 per square foot. When the work performed does not meet the code requirements and a reinspection is required, a reinspection fee of \$25.00 will be charged for each reinspection.

(b) Permit fees; new buildings and additions.

1. All buildings shall be charged a permit fee of \$0.16 per square foot. The minimum fee shall be \$10. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A Construction Site Office shall be charged a permit fee of \$30.00

2. In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.

3. *Moved buildings or structures.* A fee of \$0.10 per square foot shall be charged for the issuance of any permit for a moved building or structure.

(2) *Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.

(3) *Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.



(4) *Plan-checking fee.* A plan-checking fee shall be paid at the time of submitting plans and specifications for review of commercial projects. The plan-checking fee shall be equal to one-half of the building permit fee as set forth in §107.3 of the *International Building Code*. Such plan-checking fee is in addition to the building permit fee. A Plan Update or Revision fee shall be charged equal to 50% of the original Plan Review fee and shall be payable upon submission of update or revision.

(5) *Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

(6) *Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the building.

(7) *After hours inspection fee.* The cost of performing and inspection after regular business hours is equal to \$25.00 per hour with a 2 hour minimum charge.

(8) *Reinspection fee.* When the work performed does not meet the code requirements and a reinspection is required, a fee of \$25.00 will be charged for each reinspection.

(9) *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (a) no work has commenced, (b) no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

...

## **§ 15-1-12 FAILURE TO COMPLY.**

It shall be unlawful for any person to commence any work on a building or structure before obtaining the necessary permit, or otherwise fail to comply with any provision of the *International Building Code*, ~~2009~~ 2018 Edition, or any provision of this subarticle.

## **II.**

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

Effective Date: \_\_\_\_\_

**INTRODUCED** on this the 9<sup>th</sup> day of December, 2019.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

## **AGENDA ITEM #12**

**City of Kingsville  
Planning and Dev. Services Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Nov. 26, 2019

SUBJECT: Adoption of 2018 Version of the International Building Code and 2018 Version of  
the Existing Building Code

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**Summary:** This item authorizes the amendment of the Kingsville Code of Ordinances, Chapter XV, Article 1 Building Regulations to adopt the 2018 version of the International Building Code and the 2018 version of the Existing Building Code.

**Background:** In 2010, the City of Kingsville adopted the 2009 version of the International Building Code and in 2012, the City adopted the 2009 version of the Existing Building Code. Updating these building codes to the 2018 versions provides two benefits. One, by going with the 2018 versions of these two codes, the City's building codes will be in sync with the proposed adoption by the City of the 2018 version of the International Fire Code. Secondly, as the 2018 version of the International Building Code includes energy codes, the City will be in sync with the efforts of the State of Texas regarding energy cost savings for the state. In 2016, the State of Texas adopted the most recent edition of the International Energy Efficiency Code (IECC) for commercial buildings. For residential buildings, Texas Governor Greg Abbott signed HB 1736 in 2016 moving the state's single-family residential code from the 2009 to the 2015 International Residential Code. According to the State Comptroller's Office, energy cost savings for Texas resulting from the state updating its commercial and residential building energy codes are significant, estimated to be on the order of nearly \$1 billion annually by 2030.

As it is proposed to adopt the 2018 versions of the International Building Code and the Existing Building Codes in their entirety, it is recommended to remove Sec. 15-1-3 Additions and Amendments to International Building Code.



**City of Kingsville**  
**Planning and Dev. Services Department**

**Financial Impact:** It is expected that the adoption of the 2018 version of the International Building Code to include energy codes will increase the cost of new construction. There should be long term energy savings to offset.

**Recommendation:** It is being recommended to adopt the 2018 version of the International Building Code and the 2018 version of the Existing Building Code and to strike Sec. 15-1-3 Additions and Amendments to the International Building Code of the City of Kingsville Code of Ordinances



**ORDINANCE NO.2019-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, ADOPTING THE 2018 VERSION OF THE INTERNATIONAL EXISTING BUILDING CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in 2012, the City adopted the 2009 International Existing Building Code via Ordinance #2012-10 on March 8, 2012;

**WHEREAS**, the City is updating other building codes and desires to adopt the 2018 version of the International Existing Building Code, as published by the International Code Council;

**WHEREAS**, the International Existing Building Code is adopted for regulating and governing the repair, alteration, change in occupancy, addition and relocation of existing buildings, including historic buildings, in the City of Kingsville, Texas;

**WHEREAS**, staff will have a copy of the 2018 version of this code prior to the effective date of this ordinance;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**I.**

**THAT** Section 15-1-502 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 15-1-502 ADOPTION BY REFERENCE.**

The purpose of this subarticle is for regulating and governing the repair, alteration, change in occupancy, addition and relocation of existing buildings, including historic buildings, in the City of Kingsville, Texas. All such repair, alteration, change in occupancy, addition and relocation of existing buildings, including historic buildings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled *International Existing Building Code 2018 2009* Edition, approved and adopted by the International Code Council with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail.

**II.**

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

V.

**THAT** nothing in this ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this the 9<sup>th</sup> day of December, 2019.

**PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Effective Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #13**



**City of Kingsville  
Planning and Dev. Services Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Cynthia Martin, Interim Director of Planning and Dev. Services

DATE: Nov. 26, 2019

SUBJECT: Adoption of 2018 Version of the International Fire Code, related ordinance changes and updated fee schedule

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**Summary:** This item authorizes the amendment of the City of Kingsville Code of Ordinances Chapter IX, Article 5, Fire Prevention and Protection, to adopt the 2018 version of the International Fire Code, make related changes to City code and adopt an updated fee schedule.

**Background:** In 2011, the City of Kingsville adopted the 2009 version of the International Fire Code. It is time to update the International Fire Code to the 2018 version. Best practice is to be using a version of the fire code that is not over five years old. This policy has a positive impact on a City's ISO fire rating that in turn lowers insurance rates on commercial and residential properties. By going with the 2018 version of this code, the City's fire code will be in sync with the proposed adoption by the City of the 2018 versions of both the International Building Code and the Existing Building Code.

To make the 2018 version of the International Fire Code better fit with our ordinances, the following changes are recommended:

- **Sec. 9-5-13 Permits and Certificates** should be removed as it is not consistent with the 2018 Edition. All of these items are covered in the new edition. It was originally passed in 2004 prior to the adoption of the 2009 Edition.
- **Sec. 9-5-14 Kingsville fire department** needs to be changed to an updated fee schedule, attached, to be consistent with the 2018 Edition.
- **Sec. 9-5-14 (A) (1)** the \$25.00 special handling fee should be increased to \$50.00.
- **Sec. 9-5-14 (A) (2)** should be removed. It is covered in the attached proposed fee schedule
- **Sec. 9-5-14 (B)** should be removed. It is addressed in the attached proposed fee schedule



**City of Kingsville**  
**Planning and Dev. Services Department**

In recommending changes to the current fire permit fee schedule found in **Sec. 9-5-14 (A) Permit Fees**, the Fire Chief and Fire Marshal scoured through the permitting fees of over forty other cities in Texas that had populations ranging from 15,000-50,000. They found that the fees varied greatly from jurisdiction to jurisdiction. Being unable to really find any one City whose fee schedule stood out in its entirety, the proposed fee schedule was based on the following criteria:

- 1) Will the fee recover the costs of services rendered?
- 2) Affordability to the business owners of our City.
- 3) Consideration the average prices of fees from other cities like ours.
- 4) Are the fees consistent with the permitting codes of the International Fire Code?

**Financial Impact:** There will be increased revenue from fees to the City to help offset expenses related to costs of services rendered. There may be an increase to the cost of doing business in the City but there will be a positive impact on insurance rates for business and home owners.

**Recommendation:** It is being recommended to adopt the 2018 version of the International Fire Code, the related code changes suggested and the updated fee schedule.



Proposed Fire Permit Fee Schedule  
for the City of Kingsville

Permit Type	Amount
105.6.1 Aerosol Products	100.00 Annually
105.6.2 Amusement Buildings	100.00 Annually
105.6.3 Aviation Facilities	100.00 Annually
105.6.4 Carnivals and Fairs	150.00 Annually
105.6.5 Cellulose Nitrate Film	75.00 Annually
105.6.6 Combustible Dust-Producing Operations	100.00 Annually
105.6.7 Combustible Fibers	100.00 Annually
105.6.8 Compressed Gases	100.00 Annually
105.6.9 Covered Mall Buildings	50.00 Each Display Annually
105.6.10 Cryogenic Fluids	100.00 Annually
105.6.11 Cutting and Welding	75.00 Annually
105.6.12 Dry Cleaning Plants	70.00 Annually
105.6.13 Exhibits and Trade Shows	150.00 Per Day
105.6.14 Explosives	100.00 Annually
105.6.15 Fire Hydrants and Valves	20.00 Per Hydrant Annually
105.6.16 Flammable and Combustible Liquids	80.00 Annually
105.6.17 Floor Finishings	80.00 Annually
105.6.18 Fruit and Crop Ripening	100.00 Annually
105.6.19 Fumigation and Thermal Insecticidal Fogging	50.00 Per Application
105.6.20 Hazardous Materials	100.00 Annually
105.6.21 HPM Facilities	100.00 Annually
105.6.22 High Piles Storage	100.00 Annually
105.6.23 Hot Work Operations	50.00 Per Site
105.6.24 Industrial Ovens	100.00 Annually
105.6.25 Lumber Yards and Wood Working Plants	100.00 Annually
105.6.26 Liquid or Gas Fuel Vehicles or Equipment in Assembly Buildings	25.00 Per Vehicle Annually
105.6.27 LP Gas	100.00 Annually
105.6.28 Magnesium	100.00 Annually
105.6.29 Miscellaneous Combustible Storage	100.00 Annually
105.6.30 Mobile Food Preparation Vehicles	75.00 Annually
105.6.32 Open Burning	100.00 Annually
Ceremonial Fire Permit (Bonfires)	150.00 Annually

Proposed Fire Permit Fee Schedule  
for the City of Kingsville

105.6.33 Open Flames and Torches	100.00 Annually
105.6.34 Open Flames and Candles	50.00 Annually
105.6.35 Organic Coatings	100.00 Annually
105.6.36 Outdoor Assembly Event (exceeding 1000 persons)	100.00 Per Event
105.6.37 Places of Assembly	100.00 Annually
NOTE: Places of Worship Are Exempt from Annual Assembly Fee.	
105.6.38 Plant Extraction Systems	100.00 Annually
105.6.39 Private Fire Hydrants	100.00 System
105.6.40 Pyrotechnic Special Effects Material (Fire Works Displays)	150.00 per hour (1 hour min.)
105.6.41 Pyroxilin Plastics	100.00 Annually
105.6.42 Refrigeration Equipment	100.00 Annually
105.6.43 Repair Garages and Motor Fuel Dispensing Facilities	100.00 Annually
105.6.44 Rooftop Heliports	100.00 Annually
105.6.45 Spraying or Dipping	100.00 Annually
105.6.46 Storage of Scrap Tires and Tire By Products	100.00 Annually
105.6.47 Temporary Membrane Structures and Tents	100.00 Annually
105.6.48 Tire Rebuilding Plants	100.00 Annually
105.6.49 Waste Handling	100.00 Annually
105.6.50 Wood Products	100.00 Annually
Group I Occupancy (Hospitals, Nursing Homes)	2.00 per bed (200.00 min.)
Group R1 occupancy (Residential Hote/Motel)	
Less than 4 Floors	100.00 Annually
Four Floors or More	150.00 Annually
Group R2 Occupancy (Residential Apartments)	10.00 Per Unit Annually
Large Day Care Facilities	75.00 Annually
Small Home Day Care Facilities	50.00 Annually
Underground and Above Ground Storage Tanks	100.00 Per Vessel
Group E Occupancies (includes Public and Private Schools)	40.00 Per Building
<b>Construction Permits: (Includes Removal and Modifications)</b>	
105.7.1 Automatic Extinguishing Equipment (Installation or Modification)	125.00 Base Fee
Each Sprinkler Head	0.50 Per Head
105.7.2 Battery Systems	100.00
105.7.3 Capacitor Energy Storage Systems	100.00

Proposed Fire Permit Fee Schedule  
for the City of Kingsville

105.7.4 Compressed Gasses (Construction or Removal)	100.00 Per Vessel
105.7.5 Cryogenic Fluids	100.00 Per Vessel
105.7.6 Emergency Responder Radio Coverage	100.00
105.7.7 Fire Alarm Detection Systems (Installation or Modification)	125.00 Base Fee
Each Additional Panel	5.00
Each Additional Sensor	5.00
105.7.8 Fire Pumps	100.00 Per Pump
105.7.9 Flammable and Combustible Liquids	100.00 Per Vessel
105.7.10 Fuel Cell Power Systems	100.00
105.7.11 Gas Detection Systems	100.00
105.7.12 Gates and Barracades Across Fire Apparatus Access Roads	100.00
105.7.13 Hazardous Materials	100.00
105.7.14 High Piles Combustible Storage	100.00
105.7.15 Industrial Ovens	100.00
105.7.16 LP Gas	100.00 Per Tank
105.7.17 Motor Vehicle Repair Rooms and Booths	100.00
105.7.18 Plant Extraction Systems	100.00
105.7.19 Private Fire Hydrants	100.00
105.7.20 Smoke Control or Smoke Exhaust Systems	100.00
105.7.21 Solar Photovoltaic Power Systems	100.00
105.7.22 Special Event Structures	100.00
105.7.23 Spraying or Dipping (Paint Booths)	100.00
105.7.24 Standpipe Systems	100.00 Per System
105.7.25 Temporary Membrane Structures and Tents	100.00 Per Tent
If a site does not meet requirements for the issuance of a permit after two inspections, the applicant must submit a new application and pay a permit fee before any subsequent inspections are conducted.	
<b>Plan Review Fees:</b>	
Fire Prevention Plan Reviews (for first \$1000 of construction value)	50.00
(for each additional \$1000 of value)	5.00
<b>Annual Inspection Fees:</b>	
Annual Overall Fire and Life Safety Inspection	Free
First Reinspection	Free

Proposed Fire Permit Fee Schedule  
for the City of Kingsville

Second Reinspection	50.00 Per Hour (1 Hour Min.)
Fire Alarm Systems	75.00 Per Zone
Automatic Sprinkler Systems	75.00 Per Riser
Fixed Extinguishing Systems	75.00 Per System
<b>False Alarm Fees:</b>	
First False Alarm	Free
All subsequent false alarms in any calendar year	40.00 Per Response
<b>After Hours and Special Handling Fees:</b>	
After Hours Inspection Fee	47.00 Per Hour (1 hour min.)
Special Handling Fee	50.00

ORDINANCE NO. 2019-\_\_\_\_\_

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER IX, ARTICLE 5, FIRE PREVENTION AND PROTECTION, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE AND REVISING THE PERMIT FEE SCHEDULE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

**WHEREAS**, in 2011 the City of Kingsville adopted the 2009 version of the International Fire Code via ordinance #2011-11 on April 5, 2011 and now desires to adopt the 2018 version;

**WHEREAS**, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

I.

**THAT**, Section 9-5-10, 13, & 14 of Article 5: Fire Prevention and Protection of Chapter IX, General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 9-5-10 ADOPTION.**

There is hereby adopted the fire prevention regulations of the city, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion. The *International Fire Code*, ~~2009~~ 2018 Edition, as approved by the International Code Council, is hereby adopted in its entirety except to the extent as herein amended or when in conflict with locally adopted ordinances dealing with administration and personnel.

....

**~~§ 9-5-13 Permits and Certificates.~~**

~~(A) Permits by use.~~

~~(1) Airports, heliports and helistops.~~

~~(a) No person shall use any building, shed or enclosure as an aircraft hangar, or for the purpose of servicing or repairing any aircraft, without a permit.~~

~~(b) No person shall operate an aircraft refueler unless a valid permit has been issued for such vehicle.~~

~~(2) Combustible fibers. Storing or handling combustible fibers in quantities in excess of 100 cubic feet shall require a permit.~~

~~(3) Compressed gas. A permit shall be required for the storage, handling or use at normal temperature and pressure of more than 2,000 cubic feet of flammable compressed gas or 6,000 cubic feet of nonflammable compressed gas.~~

~~(4) Cryogenic fluids. Except when regulated by federal or state regulations a permit shall be obtained for:~~

~~(a) Production, storage or sale of cryogenic fluids.~~

~~(b) Transportation on the highway of flammable cryogenic fluids in excess of 120 gallons.~~

~~(c) Transportation on the highway of liquefied oxygen or cryogenic oxidizers in excess of 120 gallons.~~

~~(d) Storage and transportation of nonflammable, nontoxic cryogenic fluids in excess of 500 gallons.~~

~~(e) Storage or use of more than 10 gallons of liquefied oxygen, flammable cryogenic fluids or cryogenic oxidizers.~~

~~(5) Day care facilities. A permit shall be required to operate a day care facility.~~

~~(6) Dry cleaning plants.~~

~~(a) No person shall engage in the business of dry cleaning without a permit. Such permit shall prescribe the type of system to be used.~~

~~(b) No change shall be made in the solvent used in the equipment to a solvent in a more hazardous class unless permission for such change shall first have been obtained from the Fire Official and a new permit issued.~~

~~(7) Explosive materials shall not be permitted within the city limits except those being transported on US Highway 77 Bypass.~~

~~(8) Flammable and combustible liquids. A permit shall be obtained for the following:~~

~~(a) Storage, handling or use of Class I flammable liquids as defined by the current International Fire Code in excess of three gallons in any dwelling or other place of human habitation, or in excess of six gallons in any other building or other occupancy, or in excess of ten gallons outside of any building.~~

~~(b) Exceptions:~~

~~1. The storage or use of flammable liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant.~~

~~2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.~~

~~3. Storage, handling or use of Class II or III liquids as defined by the current International Fire Code in excess of 25 gallons in a building; or in excess of 60 gallons outside a building, except for fuel oil used in connection with oil burning equipment.~~

~~4. For the manufacturing, processing, blending, or refining of flammable or combustible liquids. Applications for a permit shall be accompanied by plans showing the topography of the proposed site, the proximity of the plant to places of assembly, residential, or mercantile occupancies, and adequacy of water supply for fire control.~~

~~5. Installation or removal of an underground or aboveground flammable/ combustible liquid storage tanks.~~



~~(c) No person shall install or remove an underground or aboveground flammable/combustible liquid storage tank without a permit.~~

~~(9) Reserved.~~

~~(10) Fumigation and thermal insecticide fogging.~~

~~(a) No person shall engage in the business of fumigation or thermal insecticidal fogging is to begin.~~

~~(b) Fumigators and thermal insecticidal foggers shall pay an annual permit fee in the amount of \$315.00.~~

~~(c) Annual permit holders must call at least 24 hours before the fumigation is to begin.~~

~~(d) The Fire Marshal is to be notified at least 24 hours before any building or structure is to be closed in connection with the use of any toxic or flammable fumigant and at the time the building or structure is released for occupancy.~~

~~(11) Hazardous chemicals.~~

~~(a) No person, firm or corporation shall store, dispense, use or handle hazardous materials in excess of those quantities specified in Table 2703.1.1(1) unless a valid permit has been issued. No person, firm, or corporation shall abandon, remove, place temporarily out of service, close, or substantially modify a storage or processing facility, or other area regulated by this code until a permit has been issued by the Fire Official.~~

~~(b) A permit shall be obtained from the Fire Marshal for the storage, dispensing, use, or handling of hazardous materials in excess of those quantities listed herein.~~

~~(c) A permit shall be required to store, handle or use hazardous production materials regulated by Chapter 27 of the International Fire Code.~~

~~(12) High piled combustible stock. No person shall use any building or portion of a building, exceeding 2,500 square feet for the storage of high piled combustible stock without first obtaining a permit from the Fire Official. A floor plan showing the dimensions and location of stock piles and aisles shall be submitted upon application for a permit.~~

~~(13) Liquefied and compressed natural gas. No person shall construct or operate a facility within the scope of Chapters 30 and 38 of the current International Fire Code without a permit or other appropriate authorization.~~

~~(14) Liquefied petroleum gas.~~

~~(a) No person shall install or maintain any LP gas container, or operate any tank vehicle which is used for the transportation of LP gas without a permit. Where a single container or the aggregate of interconnected containers is over 2,000-gallon water capacity, the installer shall submit plans to the Fire Marshal. A permit shall not be required for the installation or maintenance of less than 120-gallon water capacity.~~

~~(b) Installers shall maintain a record of all installations for which a permit is not required by Chapter 38 of the current International Fire Code and have it available for inspection by the Fire Marshal.~~

~~(c) Exception: Installation of gas burning appliances and replacing of portable cylinders.~~

~~(15) Lumber storage. No person shall store in excess of 100,000 board feet of lumber without a permit.~~

~~(16) Mechanical refrigeration. No person shall install or operate a refrigeration unit or system containing in excess of 20 pounds of refrigerant other than air or water without a permit.~~

~~Exception: Air conditioning units or systems.~~

~~(17) Organic coatings. A permit shall be required for any organic coating manufacturing operation making more than one gallon of an organic coating on any working day.~~

~~(18) Repair garages. No person shall use any building, shed or enclosure as a place of business for the purpose of repairing any motor vehicle therein, without a permit as allowed by § 15-6-19.~~

~~(19) Tank vehicles for flammable and combustible liquids. No person shall engage in the business of delivering flammable or combustible liquids from tank vehicles without a permit.~~

~~(20) Tents and air supported structures. No person shall erect, operate or maintain a tent or air supported structure covering an area in excess of 120 square feet without a permit. Exception: Tents used exclusively for camping purposes.~~

~~(21) Tire rebuilding plant. No person shall operate or maintain any tire recapping or rebuilding plant without a permit.~~

~~(22) Places of assembly. No place of assembly as defined in Chapter 2 of the current International Fire Code shall be maintained, operated or used as such without a permit. The permit shall not be issued unless all seats, stands, and structures conform to the requirements of the city.~~

~~(23) Wrecking yard, junk yard or waste handling plant. No person shall conduct or maintain any wrecking yard, junk yard or waste material handling plant without a permit.~~

~~(24) Day care facilities. A permit shall be required to operate a day care facility.~~

~~(25) Fireworks. No person shall conduct an indoor display or outdoor display which utilizes fireworks without a permit and provide a surety bond or public liability insurance for a minimum of \$100,000.00 as noted in Chapter 33 of the current International Fire Code.~~

~~(26) Foster homes/group homes. A permit shall be required to operate a foster home or a group home.~~

~~(27) High rise life safety systems. No person shall install, enlarge or extend a high rise life safety system without a permit from the Fire Official.~~

~~(28) Hospitals and nursing homes. A permit shall be required to operate a hospital or nursing home.~~

~~(29) Restaurants. A permit shall be required to operate a restaurant.~~

~~(30) Underground and aboveground fuel tanks. No person shall install or remove underground and aboveground fuel storage tanks without a permit.~~

~~(31) Unvented portable fuel burning heaters. No person shall sell, purchase or use an unvented portable fuel burning heater within the city limits without a permit.~~

~~(Ord. 2002-27, passed 10-14-02; Ord. 2004-24, passed 8-23-04)~~

Reserved.

**§ 9-5-14. - Kingsville Fire Department.**

(A) *Permit fees.* Applications for permits shall be accompanied by the payment of fees in accordance with the Kingsville Fire Prevention Permit Fee Schedule, as follows:

FIRE PREVENTION CODE PERMIT <u>FEE</u> SCHEDULE	
Permit Type	Fee
<del>Airports, Heliports and Helistops</del>	<del>\$ 59.00 annually</del>
<del>Assembly, A 1 or A 2</del>	<del>—70.00 annually</del>
<del>Bowling pin and bowling alley resurfacing and refinishing</del>	<del>—62.00 per insp.</del>
<del>Cellulose-nitrate motion picture film</del>	<del>—52.50 annually</del>
<del>Cellulose-nitrate plastic (pyroxylin)</del>	<del>—52.50 annually</del>
<del>Churches (one-time fee—no day care facility on premises)</del>	<del>—67.00</del>
<del>Combustible fibers (storage and handling)</del>	<del>—87.00 annually</del>

Compressed gas	—64.00 annually
Cryogenic fluids	—64.00 annually
Dry cleaning plants	—70.00 annually
Explosives, blasting agents and ammunition	—93.00 annually
Fire/arson reports	—4.00 (per page)
Fire alarm systems (required 15,000 sq. ft. zones)	—37.00 (per zone)
Flammable and combustible liquids	—71.00 annually
Flammable finishes	—70.00 annually
Foster homes/group homes	—40.00 annually
Fumigation and thermal insecticide fogging	—315.00 annually
Hazardous chemicals	—87.00 annually
High piled combustible stock (>12' high)	—63.00 annually
High rise life safety system (testing before issuance of C. of O.)	—166.00 (per test)

Liquefied natural gas	—63.00 annually
Liquefied petroleum gas	—63.00 annually
Lumber storage	—63.00 annually
Magnesium	—25.00 annually
Mechanical refrigeration	—30.00 annually
Organic coatings	—63.00 annually
Ovens	—32.50 annually
Places of assembly	—58.00 annually
Pressure test	—56.00 (per visit)
Pulverized particles (dust)	—22.50 annually
Repair garages	—60.00 annually
Restaurants (facilities that accommodate 100 or less occupants)	—40.00 annually
Tank vehicles for flammable and combustible liquids	—40.00 annually

Tents and air supported structures	—70.00 annually
Tire rebuilding plant	—40.00 annually
Underground/aboveground fuel tanks (installation and/or removal)	—56.00 (per insp.)
Wrecking yard, junkyard or waste handling	—40.00 annually
Fireworks display (aerial)	—185.00 (per display)
Fireworks display (Non-aerial)	—109.00 (per display)
Open burning (See 3 below)	—93.00 per day
Automatic sprinklers, standpipes and fire lines (testing) per riser	—55.00 annually
Extinguishing systems per system	—44.00 annually
Fire alarms systems (per floor)	—37.00 per floor
Hospital and nursing homes	—1.20 (per bed)
Day care facilities (or similar short term occupancies)	—40.00 annually

105.6.1 Aerosol Products	100.00 Annually
105.6.2 Amusement Buildings	100.00 Annually
105.6.3 Aviation Facilities	100.00 Annually
105.6.4 Carnivals and Fairs	150.00 Annually
105.6.5 Cellulose Nitrate Film	75.00 Annually
105.6.6 Combustible Dust-Producing Operations	100.00 Annually
105.6.7 Combustible Fibers	100.00 Annually
105.6.8 Compressed Gasses	100.00 Annually
105.6.9 Covered Mall Buildings (kiosks & stages)	50.00 Each Display Annually
105.6.10 Cryogenic Fluids	100.00 Annually
105.6.11 Cutting and Welding	75.00 Annually
105.6.12 Dry Cleaning Plants	75.00 Annually
105.6.13 Exhibits and Trade Shows	150.00 Per Day
105.6.14 Explosives	100.00 Annually
105.6.15 Fire Hydrants and Valves	20.00 Per Hydrant Annually
105.6.16 Flammable and Combustible Liquids	80.00 Annually
105.6.17 Floor Finishings	80.00 Annually
105.6.18 Fruit and Crop Ripening	100.00 Annually
105.6.19 Fumigation and Thermal Insecticidal Fogging	50.00 Per Application
105.6.20 Hazardous Materials	100.00 Annually
105.6.21 HPM Facilities	100.00 Annually
105.6.22 High Piles Storage	100.00 Annually
105.6.23 Hot Work Operations	50.00 Per Site
105.6.24 Industrial Ovens	100.00 Annually
105.6.25 Lumber Yards and Wood Working Plants	100.00 Annually
105.6.26 Liquid or Gas Fueled Vehicles or Equipment in Assembly Buildings	25.00 For Each Annually
105.6.27 LP Gas	100.00 Annually
105.6.28 Magnesium	100.00 Annually
105.6.29 Miscellaneous Combustible Storage	100.00 Annually
105.6.30 Mobile Food Preparation Vehicles	75.00 Per Vehicle Annually
105.6.31 Motor Fuel Dispensing Facilities	75.00 Annually
105.6.32 Open Burning	100.00 Annually
105.6.32.1 Ceremonial Fire Permit (Bonfires)	150.00 Annually
105.6.33 Open Flames and Torches	100.00 Annually
105.6.34 Open Flames and Candles	50.00 Annually

105.6.35 Organic Coatings	100.00 Annually
105.6.36 Outdoor Assembly Event (exceeding 1,000 persons)	100.00 Per Event
105.6.37 Places of Assembly	100.00 Annually
105.6.38 Plant Extraction Systems	100.00 Annually
105.6.39 Private Fire Hydrants	25.00 Per Hydrant
105.6.40 Pyrotechnic Special Effects Material (Fire Works Displays)	150.00 Per Hour (1 Hour Minimum)
105.6.41 Pyroxilin Plastics	100.00 Annually
105.6.42 Refrigeration Equipment	100.00 Annually
105.6.43 Repair Garages and Motor Fuel Dispensing Facilities	100.00 Annually
105.6.44 Rooftop Heliports	100.00 Annually
105.6.45 Spraying or Dipping	100.00 Annually
105.6.46 Storage of Scrap Tires and Tire By-Products	100.00 Annually
105.6.47 Temporary Membrane Structures and Tents	100.00 Annually
105.6.48 Tire Rebuilding Plants	100.00 Annually
105.6.49 Waste Handling	100.00 Annually
105.6.50 Wood Products	100.00 Annually
Group I Occupancy (Hospitals, Nursing Homes)	2.00 Per Bed (200.00 Minimum)
Group R1 Occupancy (Residential Hotel/Motel)	
Less than 4 Floors	100.00 Annually
Four Floors or More	150.00 Annually
Group R2 Occupancy (Residential Apartments)	10.00 Per Unit Annually
Large Day Care Facilities	75.00 Annually
Small Home Day Care Facilities	50.00 Annually
Underground and Above Ground Storage Tanks	100.00 Per Vessel
Group E Occupancies (includes Public and Private Schools)	40.00 Per Building
<b>Construction Permits: (Includes Removal and Modifications)</b>	
105.7.1 Automatic Extinguishing Equipment (Installation or Modification)	125.00 Base Fee
Each Sprinkler Head	0.50 Per Head
105.7.2 Battery Systems	100.00
105.7.3 Capacitor Energy Storage Systems	100.00
105.7.4 Compressed Gasses	100.00 Per Vessel



(Construction or Removal)	
105.7.5 Cryogenic Fluids	100.00 Per Vessel
105.7.6 Emergency Responder Radio Coverage	100.00
105.7.7 Fire Alarm Detection Systems (Installation or Modification)	125.00 Base Fee
Each Additional Panel	5.00 Each
Each Additional Sensor	5.00 Each
105.7.8 Fire Pumps	100.00 Per Pump
105.7.9 Flammable and Combustible Liquids	100.00 Per Vessel
105.7.10 Fuel Cell Power Systems	100.00
105.7.11 Gas Detection Systems	100.00
105.7.12 Gates and Barricades Across Fire Apparatus Access Roads	100.00
105.7.13 Hazardous Materials	100.00
105.7.14 High Piles Combustible Storage	100.00
105.7.15 Industrial Ovens	100.00
105.7.16 LP Gas	100.00 Per Tank
105.7.17 Motor Vehicle Repair Rooms and Booths	100.00
105.7.18 Plant Extract Systems	100.00
105.7.19 Private Fire Hydrants	100.00
105.7.20 Smoke Control or Smoke Exhaust Systems	100.00
105.7.21 Solar Photovoltaic Power Systems	100.00
105.7.22 Special Event Structures	100.00
105.7.23 Spraying or Dipping (Paint Booths)	100.00
105.7.24 Standpipe Systems	100.00 Per System
105.7.25 Temporary Membrane Structures and Tents	100.00 Per Tent
If a site does not meet requirements for the issuance of permit after two inspections, the applicant must submit a new application and pay a permit fee before any subsequent inspections are conducted.	
<b>Plan Review Fees:</b>	
Fire Prevention Plan Reviews (for first hour)	50.00 (1 Hour Minimum)
(for each additional hour)	50.00

<b>Annual Inspection Fees:</b>	
Annual Overall Fire and Life Safety Inspection	Free
First Reinspection	Free
Second Reinspection	50.00 Per Hour (1 Hour Minimum)
Fire Alarm Systems	75.00 Per Zone
Automatic Sprinkler Systems	75.00 Per Riser
Fixed Extinguishing Systems	75.00 Per System
<b>False Alarm Fees:</b>	
First False Alarm	Free
All subsequent false alarms in any calendar year	40.00 Per Response
<b>After Hours and Special Handling Fees:</b>	
After Hours Inspection Fee	47.00 Per Hour (1 Hour Minimum)
Special Handling Fee	50.00

(1) A ~~special \$25.00~~ 50.00 special handling fee is required if an inspector must handle the permit inspection in such a way as to interfere with his regular scheduled duties or if less than 24 hours notice is given for an inspection.

(2) ~~Churches that do not have a day care facility must pay a one-time fee for an assembly occupancy.~~

(3) If a site does not meet the standards for issuance of a permit after two inspections, the applicant must submit a new application and pay a permit fee before any subsequent inspections will be conducted.

(B) ~~Applications and fee required for failure to pass inspection. If a site does not meet the standards for issuance of a permit after two inspections, the applicant must submit a new application and pay a permit fee before any subsequent inspections will be conducted.~~

(C) ~~Burning permits.~~ Burning permits will not be issued unless the Fire Department approves the material to be burned as recommended by the Texas Commission on Environmental Quality (TCEQ).

(Ord. 2002-27, passed 10-14-02; Ord. 2004-24, passed 8-23-04; Ord. 2005-24, passed 7-11-05)

...

## II.

**THAT** all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

**THAT** this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

Effective Date: \_\_\_\_\_

**INTRODUCED** on this the 9<sup>th</sup> day of December, 2019.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney