

# City of Kingsville, Texas

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## AGENDA CITY COMMISSION MONDAY, APRIL 12, 2021 REGULAR MEETING

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

**Conference Line call: 1 (415) 655-0001 and  
when prompted type access code: 126 210 9951 #**

**OR**

**Live Videostream:** <http://www.cityofkingsville.com/webex>

### I. Preliminary Proceedings.

#### OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

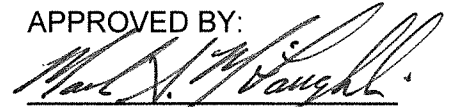
#### MINUTES OF PREVIOUS MEETING(S)

Regular Meeting-March 22, 2021

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING  
AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT  
AT PUBLIC MEETINGS OF THE CITY COMMISSION.** To

reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

APPROVED BY:



Mark McLaughlin  
City Manager

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

1. Public Hearing on the replat of Orig Town, Block 56, Lots 17 & 18 (0.16 acres) also known as 330 East Kenedy Avenue, Kingsville, Texas. Tim Hellstein, authorized agent, Robert & Cecilia Pacheco, owners. (Director of Planning & Development Services).
2. Public Hearing on the submission of an application to the Texas Community Development Block Grant (TXCDBG) Program for a Main Street Grant for the installation of ADA compliant sidewalks and lighting activity; road construction/renovation to include curb and gutter and related drainage; demolition and clearance activity. (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 changing the zoning map in reference to Cooper 2, Block 3, Lots 15 & 16 (exempt), also known as 803 W. Yoakum, Kingsville, Texas from R1 (Single-Family) to R3 (Multi-Family). (Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 1-Building Regulations, Sections 2, 6-8, 11, 23, 40 & 60, and Article 6-Zoning, Sections 91 & 143, revising sections for compliance with existing International Building Codes. (Director of Planning & Development Services).
3. Motion to approve of final passage of an ordinance amending the Fiscal Year 2020-2021 budget to appropriate additional funds needed for the water system risk and resilience assessment. (Public Works Director).
4. Motion to approve of final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend funds received from the Law Enforcement Officer Standards and Education Fund for continuing education. (Police Chief).
5. Motion to approve of final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend funds awarded from the 2022 Local Borderstar Security Program for personnel costs. (Police Chief).
6. Motion to approve of final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, providing for a correction to the commercial sewer rate undercharge. (Finance Director).

## REGULAR AGENDA

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

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

7. Consider replat of Orig Town, Block 56, Lots 17 & 18 (0.16 acres) also known as 330 East Kenedy Avenue, Kingsville, Texas. (Director of Planning & Development Services).
8. Consider a resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Main Street Fund, and authorizing the Mayor, City Manager to act as the City's authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (Director of Planning & Development Services).
9. Consider accepting donation from NuStar Energy for the Fire Department. (Fire Chief).
10. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donation from NuStar Energy for Fire Department equipment maintenance and supplies. (Fire Chief).
11. Consider awarding RFP#21-06 for 2021 Downtown Improvements-7<sup>th</sup> Street for TxCDBG Contract #7219192 as per staff recommendation, and approving a resolution authorizing the City Manager to enter into a Construction Contract for 2021 Downtown Improvements-7<sup>th</sup> Street between the City and Etech Construction, Inc. (RFP#21-06) (TxCDBG #7219192) (City Engineer).
12. Consider awarding RFP for Manhole Rehabilitation Project-Phase III for TxCDBG Contract #7218269 to Brush Country Construction, as per staff recommendation, and approving a resolution authorizing the Mayor to enter into a Standard Form of

Price for Wastewater Manhole Rehabilitation Project-Phase 3 (TxCDBG #7218269). (City Engineer).

13. Consider a resolution authorizing Change Order #1 to the Standard Form of Agreement between the City and Contractor on the Basis of a Stipulated Price for North Armstrong Street Improvements from Santa Gertrudis Avenue to Kenedy Avenue. (City Manager/City Engineer).
14. Consider a resolution authorizing staff to cease the process to sell the City's approximately 1.0 acres of land located off Corral Ave. and US77 Bypass (Garcia Farm Tract, Lot A) in Kingsville, Texas. (Tourism Center site). (City Manager).
15. Consider a resolution decommissioning pocket parks off West Alice and West Richard (Lantana Park 1, Block 7, Lot Park) (0.08 acres) and West Lantana and West Richard (Lantana Park 1, Block 7, Lot Park) (0.25 acres) in Kingsville, Texas. (City Manager/City Attorney).
16. Consider a resolution authorizing staff to proceed with placing for sale the City's 0.25 acres of land located off West Lantana and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park). (City Manager/City Attorney).
17. Consider a resolution authorizing staff to proceed with placing for sale the City's 0.08 acres of land located off West Alice and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park). (City Manager/City Attorney).

## 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 or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizen's comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

### 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:

April 8, 2021 at 3:30 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

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