

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, JUNE 14, 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.

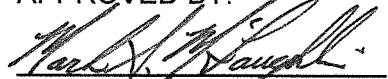
OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting-May 24, 2021

APPROVED BY:


Mark McLaughlin
City Manager

****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.

II. Public Hearing - (Required by Law).¹

1. Public Hearing on a request for a Special Use Permit for Light Manufacturing Processes which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and is not classified as hazardous use (Recycling Center) at 4th, Block 2, Lot 1-3, also known as 708 South 6th Street, Kingsville, Texas. Saul Figueroa, applicant; Ronald Ripps, owner. (in C4 Commercial District) (Director of Planning & Development Services).

III. Reports from Commission & Staff.²

"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.³

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 Fiscal Year 2020-2021 budget to accept and expend grant funds from Coastal Bend Regional Advisory Council (CBRAC) for Fire Department medical equipment and supplies. (Fire Chief).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover the computer and software for the additional engineering staff. (City Engineer).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for Light Manufacturing Processes which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and is not classified as hazardous use (Recycling Center) at 4th, Block 2, Lot 1-3, also known as 708 South 6th Street, Kingsville, Texas; amending the comprehensive plan to account for any deviations from the existing comprehensive plan; providing for publication. (in C4 Commercial District) (Director of Planning & Development Services).
4. Consider a resolution authorizing participation in Bulletproof Vest Partnership Program FY2021 with the Office of the Governor, Criminal Justice Division, Justice Assistance Grant (JAG) for bulletproof vests for the Kingsville Police department, authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
5. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to expend grant funds from BJA-2021 Southwest Border Rural and Tribal Assistance Program for (2) automated license plate packages and a rapiscan detection unit. (Police Chief).
6. Consider a resolution accepting funding from the Texas General Land Office, Community Development Block Grant, Disaster Recovery-Mitigation Program for citywide drainage system improvements. (City Engineer).
7. Consider a resolution accepting funding from the Texas General Land Office, Community Development Block Grant, Disaster Recovery-Mitigation Program for citywide wastewater collection system improvements. (City Engineer).
8. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to transfer cash match funds on the (4) Texas Water Development Board projects and the (2) Texas General Land Office grants for city-wide wastewater collection system & drainage system improvements. (City Engineer).
9. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).
10. Consider a resolution authorizing the City Manager to execute the February 2021 Storm Recovery Agreement with Gexa Energy. (City Attorney).

11. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the Personnel Exception, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).

12. Consider action on City Manager contract compensation sections. (Mayor Fugate).

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 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:

June 10, 2021 at 3:00 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)

MAY 24, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 24, 2021 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
Hector Hinojosa, Commissioner
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner

CITY COMMISSION ABSENT:

Ann Marie Torres, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Bill Donnell, Public Works Director
Diana Gonzales, Human Resources Director
Deborah Balli, Finance Director
Rudy Mora, Engineer
Nicholas Daniels, Building Official
Uchechukwu Echeozo, Director of Planning & Development Services
Ricardo Torres, Chief of Police

STAFF PRESENT VIA CONFERENCE CALL OR VIDEO STREAM

Janine Reyes, Tourism Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with all four Commission members present. Commissioner Torres absent from this meeting.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – May 10, 2021

Motion made by Commissioner Lopez to approve the minutes of May 10, 2021, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

****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.

II. Public Hearing - (Required by Law).¹

1. Public hearing regarding condemnation proceeding for structures located at 627 E. Ave. D, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:02 P.M.

Mr. Nicholas Daniels, Building Official reported that the structure is an attractive nuisance to children and is a harbor for vagrants, criminals, and immoral people. There is evidence of roach, rat, mouse, and other vermin found within the property. The structure has an uncovered roof and graffiti. The overall condition is to be found in a severe and hazardous state of disrepair and it is unsecured and dangerous allowing easy access to animals, vagrants, and criminal activity.

Mayor Fugate asked if the property owner has contacted staff since receiving notices.

Mr. Daniels responded that no contact has been received from the property owner.

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 comments Mayor Fugate closed this public hearing at 5:05 P.M.

Mayor Fugate commented that it is his understanding from staff, that public hearing #3 and public hearing #4 will not be heard during tonight's meeting.

Ms. Courtney Alvarez, City Attorney responded that this was correct.

2. Public hearing regarding condemnation proceeding for structures located at 201 S. US Hwy 77 Bypass, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:05 P.M.

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.

Mr. Daniels commented that this public hearing is for the dilapidated structure located at 201 S. US Hwy 77 Bypass. He further commented that the concern he has the lack of maintenance with the canopy. He is concerned that it may become a wind-blown debris hazard as we are in a high wind area. He further stated that there are significant failures to the canopy and the structure of the post. Daniels further stated that the building appears to be in somewhat a structurally sound manner, although his concern is the awning. With him not having plans or destructive testing to see how it is attached to the building and what type of damage it would post to the building if the awning is to

be removed. This location also attracts nuisance to children and may become a harbor for vagrants, criminals, and immoral people. There is evidence of roach, rat, mouse, and other vermin found. The structure has an uncovered roof and graffiti.

Mayor Fugate asked if the property owner has contacted staff since receiving notices.

Mr. Daniels responded that no contact has been received from the property owner. He further commented that this property has been without utilities since 2017.

Mayor Fugate and Commissioner Alvarez commented that the property is also behind on taxes.

Ms. Alvarez commented that the first time this property was inspected it was behind on taxes but has recently become current.

Mayor Fugate commented that the city has never condemned a gas station and asked what happens to the underground fuel tanks.

Ms. Alvarez responded that since they are below ground, the city would not be doing anything concerning the fuel tanks. She also stated that the green cards (certified letter cards) were signed for by someone at the property owner's address, so they did receive notice of this action.

There being no further comments Mayor Fugate closed this public hearing at 5:08 P.M.

3. Public hearing regarding condemnation proceeding for structures located at 816 S. 2nd Street, Kingsville, Texas. (Director of Planning & Development Services).

No discussion or action was taken on this condemnation.

4. Public hearing regarding condemnation proceeding for structures located at 311 S. 14th Street, Kingsville, Texas. (Director of Planning & Development Services).

No discussion or action was taken on this condemnation.

5. Public hearing regarding condemnation proceeding for structures located at 123 N. 2nd Street, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:08 P.M.

Mr. Daniels commented that staff has been in contact with the owner of this property. The owner has made a down payment with the City to remediate the issue (voluntary demolition) and remove the structure. Daniels further commented that the issue is that the owners recently made it aware that he would like to keep an accessory structure onsite. The accessory structure currently appears to be structurally sound. Daniels further stated that the issue with having an accessory structure without a main structure, will violate the city ordinance as well as not having plans for the immediate construction of the main structure. Mr. Daniels commented that he hesitates to allow to leave a singular accessory structure.

Mayor Fugate commented that if he heard correctly, it cannot be done as it would violate our city ordinance. Mr. Daniels responded that this was correct, it would violate the ordinance and he would not want to set precedence then it would require an ordinance amendment. Mayor Fugate commented that staff will not have to.

Commissioner Lopez asked what is the accessory structure that is located on the property?

Mr. Daniels responded that it is a shed and a carport that is attached and are removed from the main structure.

Commissioner Hinojosa asked if the main house is what is in bad shape. Mr. Daniels responded yes.

Mr. Eliseo Cuellar, 123 N. 2nd Street commented that the main structure is at the point where it may need to be demolished. He stated that he has had several individuals that they can come up with plans to fix it, but it will cost quite a bit. He further commented that he would like to keep the carport as it is on a concrete foundation, and it is a pipe structure. It is not a danger to anyone and will not be blown away as it has been there for over 50 years. It may need some minor repairs such as a few shingles on the roof.

Mayor Fugate asked Mr. Cuellar what he would do with the carport.

Mr. Cuellar responded that he has a lady that has a plan and would come down and fix it. He further stated that his understanding, when he first started this, the first time he was contacted he went down about a month after he received the sticker on the building, and he asked what he could do, and they told him that he needed a permit. He further asked what type of permit he needed. He further stated that he mentioned that his son was going to be staying at this location and making some repairs but was told no and no work could be done until a permit is issued. He also stated that he was also told that he could not work on the structure until it is inspected; this was in June or July that he was told this. Cuellar stated that at this point he did not do anything to the structure. Sometime in November or December when he received another letter from the city, he then indicated to staff that he was considering doing some work on the structure, but it had been since August, September, October, and November that he had not done anything on the structure because he was told that he could be fined. He further stated that the way he understood it, as he heard a while ago, is that the plans are not an immediate deal. He stated that he can give the city the plans and start constructing whenever he gets the material, from what he understood was said a while ago. He stated that the idea was that he did not understand as he thought it was immediate then he was asked how long of a timeframe he needed. He stated that as he has never done this, he is not aware of how much time is needed. He commented that the only reason he is here is for the carport. He further commented that he could look into the VA for loans to build a home on this property or look for a grant through the government. He stated that he can do a lot of things but will need some time.

Mayor Fugate commented that the city has individuals come in all the time when it comes to these condemnations that say they need more time. Fugate further commented that he has received several complaints from the neighbors about this structure. This structure devalues the neighbor's property, and it is a safety issue for them. He further commented that this house did not get in this condition overnight, it is in terrible shape and will cost a lot of money to bring it back to code. He further asked why the city should wait any longer.

Mr. Cuellar stated that as he mentioned he was under the impression that he had to come up with plans and immediately begin the repairs.

Mayor Fugate commented that if you own property in Kingsville, you must maintain it. If it is not maintained the city will have to do something about it, and it has gotten to that point. Mayor Fugate further commented that as Mr. Cuellar is his friend and have known each other for quite some time, worked together at the Courthouse, and he hates doing this.

Mr. Cuellar commented that he is embarrassed about this.

Mayor Fugate asked Mr. Cuellar how much more time he needs to get something done.

Mr. Cuellar responded that he needs to speak with the lady that has the plans and can get people to come down and fix it.

Mayor Fugate asked who is the lady that is going to fix it?

Mr. Cuellar responded that the lady is a relative of his ex-daughter-in-law. He said that he was told that she would come down and put some money down and do work on it, but he does not know what plans, and only she knows as she has fixed houses before.

Commissioner Alvarez asked that when it comes to demolition of properties there is a cost involved that the owner must pay.

Ms. Alvarez commented that it is a good question, and she will explain it when we get to the action item of it.

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 comments Mayor Fugate closed this public hearing at 5:18 P.M.

III. Reports from Commission & Staff.²

"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."

Mr. McLaughlin commented that the city has been awarded the Community Development Block Grant from the General Land Office for \$36 million. This will pay for five of the nine drainage projects. The city received or will be indebted to pay a portion of a loan, but the total amounts that the city has received are more than \$50 million this year. The first one will be \$6.5 million which is the Texas Water Development Board Grant loan where we received 43% grant 57% of the remainder in a loan which will cost the city \$112,000 per year for the next 30 years. This will get the first four drainage projects done. The city also received the General Land Office Grant for the 2016 floods for \$7.2 million, this will work on sewer lines, lift stations, build of the new lift station and work on the sewer plants and a lot of manholes. The city also received a \$36 million grant to finish the other five drainage projects. The Kimley Horn Study that was done in 2018 had nine project areas that were identified within the study, with all the grants that the city has been awarded, all nine projects in the study will be done. McLaughlin stated that they are all to be let in the next fiscal year. It is hard to determine when construction will begin as grants take time to get all the engineering specs completed, contracts bid out and other work before beginning the construction of these projects. As for the timeframe for this to be done, McLaughlin stated that he is not sure, but it could take about 2 to 3 years to get all the projects constructed. He further stated that he wants to make it clear that the rain the city received last Wednesday that all these drainage projects will fix it, as it will not with that type of rainfall in a short period, although the city is going a step in the right direction.

Commissioner Hinojosa commented that for his understanding of these grants, the newspaper made it sound like the County was going to receive the money. He further commented that he knows that the city will receive the money but want assurance from staff that the city will receive the money and not the County.

Mr. McLaughlin responded that the city would receive \$36 million, and the County will receive \$10 million of its own for the areas that are identified, which are just outside the city limits but feed into our neighborhoods.

Commissioner Hinojosa further commented that this is what he understood, but just wanted to be sure as the impression he got from the newspaper was that the County would receive the money.

Mayor Fugate commented that Kleberg County Judge Rudy Madrid was instrumental in the city receiving this grant award and is grateful for his efforts.

Mr. McLaughlin commented that the two drainage grants have a cash match, \$36,000 for the first one and \$360,000 for the second one.

Mayor Fugate commented that the legislature is trying to pass a bill that would restrict debt unless you receive voter approval. If this bill passes the legislature, it will go into effect on September 1, 2021. He further asked if this would be done before September 1st.

Ms. Alvarez commented that the Texas Water Development Board will be done before September 1st, but not sure about the grant from the General Land Office. Alvarez further commented on her report to the City Commission. She stated that the next City Commission meeting is scheduled for June 14, 2021. The deadline for staff to submit their agenda items is scheduled for June 4th. She further explained the process that is taken by staff for condemnation. She also commented that with regards to agenda item #21 and #22, historically in the past if we have less than a full Commission present, we do not proceed with the evaluation, but it is up to the Commission on whether they would like to proceed anyway or hold off until the next scheduled meeting.

Mayor Fugate presented and read a proclamation for Mr. Joe Gazin, Newscaster for KIII TV-3, who will be retiring on Friday, May 28, 2021.

IV. Public Comment on Agenda Items.³

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

Mr. Wayne Grant, Bishop, TX commented that he was present at the City Commission meeting on May 10th where he was considered for an appointment to the Planning & Zoning Commission for a two-year term. During that Commission meeting, a motion was made by Commissioner Lopez and Commissioner Torres to approve the appointment to the Planning & Zoning Commission and seconded by Commissioner Hinojosa and the motion was passed and approved by all five members of the Commission. He further stated that he found out that someone could not be on a Commission because they did not reside in Kingsville. He further read off the minutes of that meeting; Mr. Wayne Grant, appointee to the Planning & Zoning Commission commented that for transparency purposes and after hearing the residency requirement, he would like for the Commission to know that he is not a resident of the city but has several businesses within the city and further read that Mayor Fugate commented that he does not believe this is a requirement for the Board Mr. Grant was just appointed to. The motion was passed and approved by the following vote, Hinojosa, Alvarez, Lopez, Torres, Fugate voting for this appointment. Mr. Grant further

commented that he received two phone calls from two different secretary's, one was from the Commission of the Planning & Zoning Committee and the other was the City Secretary. He further stated that the City Secretary commented to him that because of the statute that he could not be a member of the Commission. He further stated that he then requested to speak with Mark McLaughlin, City Manager who reinstated the same thing, because of his residency he could not be a part of the Commission. He stated that he found that document and because of the minutes that he read where it was legally documented that he was a part of the Commission, he thought that maybe it would be on the next agenda to have the public hearing to remove him from the Commission, which did not take place. The phone calls that he received said that the City Attorney said that he cannot do it because he does not reside in Kingsville. Mr. Grant commented that it is not legal precedence to remove him from the Commission as it was merely a phone call. He further stated that the actual statute states, there is hereby created and established for the city a Planning & Zoning Commission which shall be composed of nine members. The members shall be residence citizens, taxpayers, and qualified voters of the city, all of whom shall be appointed by the City Commission. Mr. Grant commented that he was appointed and approved by the City Commission, but the statute clearly says that he cannot as he does not reside in the City of Kingsville. He further stated that it goes on to say the City Manager did not finish the statement and says that members of the Commission may be removed by the City Commission after public hearings and forecalls assigned in writing. He further stated that he never received the calls in writing and never came up on the agenda, so as far as the legal precedence goes, he is still a member of the Commission. Grant commented that he hopes that the city would be forthcoming with placing this on the agenda and doing it the right way because with his non-profit and being the owner, he is held accountable for legal documents as far as the agenda and the minutes and things have to be done properly. He suggests that the city properly does this and place this on the agenda and have the public hearing and place in writing the reasons why he is not on the Commission because he is not the one to neglect his duties if he is appointed somewhere. Mr. Grant stated that as far as his mind is telling him that he is still a part of the Planning & Zoning Commission.

Mrs. Mary Valenzuela, City Secretary read a public comment on behalf of Mr. Rutillo Vega. The public comment read as followed: Your public information officer suggested I submit a comment for reading at the meeting tonight. Your website would not let me, so I am emailing you. "My name is Rutilio "Rudy" Vega. I am a veteran and proud former member of the Kingsville community. I still regularly visit for business and coffee with friends. I have filed complaints about an employee with both commission and the city manager regarding events for July 4th and emails I have been receiving. I am now told that the employee denies sending me emails and so nothing will be done. I have sent emails to many people in the city so I do not know how it can be said they do not exist. I plea to commission to please assist any way they can so that this problem can be fixed. I do not believe citizens should be disrespected just because they can. God bless you and the city." Sincerely, Rutilio Vega.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover the rolled over Parks City Green Irrigation Project. (Finance Director).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover incentive agreement payments for Starbucks and Marshalls. (Finance Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover CARES Act expenditures for FY20-21. (Finance Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover FEMA Winter Storm Event grant expenditures submitted for reimbursement. (Finance Director).

5. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional audit services costs. (Finance Director).

6. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to replace the Engineering Services salary budget which was budgeted for in-kind engineering services in the Safe Routes to School Grant. (Finance Director).

7. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donation from NuStar Energy for equipment maintenance and supplies. (correcting fund used). (Finance Director).

8. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional overtime for the Police Department. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider condemnation of structures located at 627 E. Ave. D, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Lopez, motion finding not able to repair building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order it demolition by owner/agenda/person in charge with 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

10. Consider condemnation of structures located at 201 S. US Hwy 77 Bypass, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Lopez, motion finding not able to repair building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

11. Consider condemnation of structures located at 816 S. 2nd Street, Kingsville, Texas. (Director of Planning & Development Services).

No discussion or action was taken on this condemnation.

12. Consider condemnation of structures located at 311 S. 4th Street, Kingsville, Texas. (Director of Planning & Development Services).

No discussion or action taken on this condemnation.

13. Consider condemnation of structures located at 123 N. 2nd Street, Kingsville, Texas. (Director of Planning & Development Services).

Commissioner Lopez asked if this condemnation includes the carport and storage or is it just the house?

Mr. Daniels responded that due to the proximity and access to it the city would end up taking just the house, however, the accessory structure will be removed with it. Daniels further commented that we would not want to create a violation of our city ordinance.

Mayor Fugate commented that if the city demolishes the house, it also must take the other two buildings as well. Mr. Daniels responded that this was correct.

Commissioner Alvarez asked if the property owner still has 30 days to demolish it himself? Mayor Fugate responded yes.

Mr. McLaughlin commented that he can also come up with a plan and tell city staff how he plans to fix it.

Mayor Fugate commented that it is very frustrating to him that citizens wait until the last minute and the plan did not sound very convincing either. He did not get a good feeling about the property owner getting this structure fixed or have the money to do so as it would take thousands of dollars to bring it up to city code.

Commissioner Hinojosa commented that the property owner stated that he was trying to get an application from the VA which should have been started when he first heard from the City regarding this property.

Commissioner Alvarez asked if this property has utilities. Ms. Alvarez responded that this property still has water and electricity.

Commissioner Lopez commented that she believes that the property owners' son was residing at this location.

Mayor Fugate commented that everyone knows Mr. Cuellar as he worked for the City of Kingsville for many years, but he does not believe city employees should not be set

at a higher standard than our regular employees, but they should also not be considered at a lower level. If this were a private citizen coming in here with this problem, we would already have a motion in place. This individual needs to be treated as anyone else would be treated, not any harsher, but not any lesser. We have to treat him as a regular citizen. Fugate further commented that if you look at this house it is in horrible shape. It has been in horrible shape for many years and when he says that he has neighbors complaining, he has neighbors complaining. He also stated that if this was in your neighborhood, what would you want the city to do.

Commissioner Lopez commented that as this property owner is family to her, she will need to abstain.

Mayor Fugate asked if Mr. Cuellar was family to Commissioner Lopez.

Commissioner Lopez responded yes and that she will not do this as it is hard. She further commented that this family has lived there for a long time, and she knows that they have moved out to a nicer home. She also stated that she does not know if the property owner's son still resides at this property or not. She also commented that she does know that this property is an eyesore, but she will not be making a motion for condemnation. Commissioner Lopez further commented that the city has allowed others additional time and maybe we need to give me the benefit of the doubt. If he does not do anything, then bring the item back. She also commented that she is aware that Mayor Fugate does not like to do this, but it has been done in the past such as with the lady on Santa Gertrudis where the Commission did it several times with that property.

Mayor Fugate responded that it was done with that lady because there was a problem with Planning & Zoning and did not follow the law properly, and so therefore the city had to give her a second chance at it. He further commented that if you come here with a plan city staff will work with them, but he did not have a plan to present.

Commissioner Alvarez commented that she agrees with Commissioner Lopez in the sense that the other property owners of the condemnations for tonight did not seem as if they cared as those individuals did not respond to staff or show up to the meeting and Mr. Cuellar did show up. Commissioner Alvarez commented that she would not mind giving Mr. Cuellar additional time.

Mayor Fugate asked how much additional time the Commission would like to give Mr. Cuellar.

Commissioner Lopez asked how much time can he be given?

Commissioner Alvarez commented that automatically he would get 30 days if the Commission decided to vote.

Mayor Fugate commented that he would not get 30 days because when the Commission votes on condemnation the property owner has 30 days to do the demolition of the property.

Commissioner Lopez asked Ms. Alvarez how many days the Commission has granted in the past, 60 or 90 days? Ms. Alvarez responded that she believes it was more than 30 days.

Mayor Fugate commented that the Commission has given property owners 60 to 90 days in the past and almost everyone that has been given 60 to 90 days comes back

to the Commission for condemnation, which is the same thing that will happen to this one.

Commissioner Lopez commented that at least the property owner made an effort to come in.

Commissioner Alvarez commented that she has no problem giving this property owner 90 days.

Commissioner Lopez commented that with the extended time, the property owner will know now that the Commission is serious about this and will now have to do something about this property.

Mr. McLaughlin commented that it would be 90 days on the carport as the property owner has already agreed to the house structure being demolished, he is not coming in asking for the city to hold on to the house.

Commissioner Lopez commented that she was confused as she was not sure if it was the house or just the carport.

Mr. McLaughlin responded that the property owner only asked for the carport to stay.

Mayor Fugate commented that the problem he has with this is that if the city demolishes the house and not the carport, the city would be violating its city ordinance. Fugate further asked Ms. Alvarez for her opinion on this.

Ms. Alvarez responded that in the past we have taken down the auxiliary structures at the same time as the main structure. She further commented that there was one instance where it was the auxiliary structure that was substandard with the main structure being okay, so the Commission only demolished the auxiliary structure, but the city has not generally done it conversely where the structure comes down and the auxiliary stays. She further stated that with the city having the other two condemnations where the Commission will take no discussion or action that will be returning at a future meeting.

Commissioner Lopez asked if this property within the Historic District? Ms. Alvarez responded no, as it is just right outside the boundary.

Mayor Fugate commented that the Commission will give this property owner some time on everything as it does not matter, 60 or 90 days, it is coming back to the Commission for condemnation consideration. Fugate further stated that the Commission will take no action on this condemnation, but he does want this back on the agenda at the first meeting in September 2021.

Commissioner Alvarez asked if the Commission could make a motion to grant a 90-day extension.

Mayor Fugate responded no. The Commission takes no action, then it will come back at a future meeting.

Commissioner Lopez asked who will be contacting the property owner to make him aware of this so that he knows he has 90 days.

Commissioner Alvarez asked Ms. Alvarez if the Commission would need to take a vote on the 90-day extension?

Ms. Alvarez asked the Commission if they had a consensus for the amount of time they would like to give?

Mayor Fugate commented that he wants this condemnation on the agenda for the first meeting in September 2021.

Both Commission Lopez and Commissioner Alvarez agreed with Mayor Fugate's comment.

14. Consider a resolution authorizing the Mayor to enter into a Mutual Aid Agreement between the Commanding Officer of Naval Air Station Kingsville, Texas, and the City of Kingsville, Texas for the provision of firefighting assistance. (Fire Chief).

Mr. Juan J. Adame, Fire Chief stated that the Kingsville Fire Department is requesting to renew the Fire Mutual Aid Agreement between Naval Air Station Kingsville and the City of Kingsville Fire Department to provide reciprocal fire and EMS services between both organizations.

Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to enter into a Mutual Aid Agreement between the Commanding Officer of Naval Air Station Kingsville, Texas, and the City of Kingsville, Texas for the provision of firefighting assistance, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

15. Consider accepting grant funding from the Coastal Bend Regional Advisory Council for the Fire Department. (Fire Chief).

Motion made by Commissioner Lopez to accept grant funding from the Coastal Bend Regional Advisory Council for the Fire Department, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

16. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend grant funds from Coastal Bend Regional Advisory Council (CBRAC) for Fire Department medical equipment and supplies. (Fire Chief).

Introduction item only.

17. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover the computer and software for the additional engineering staff. (City Engineer).

Mr. Rudy Mora, City Engineer stated that the position of Capital Improvement Manager requires a computer and software to the meeting the needs of the department.

Introduction item only.

18. Consider a resolution supporting the City of Kingsville's Application to the Texas Department of Transportation's 2021 Transportation Alternatives Set-Aside (TA) Call for Projects (for pedestrian and/or bicycle infrastructure); authorizing the Mayor to act on the City's behalf with such program. (City Engineer).

Mr. Mora stated that on April 14, 2021, the city was notified by TxDOT that the three Preliminary Applications in Step 1 of the grant process were accepted, so the City can move forward with the Detailed Applications as part of Step 2. The deadline to submit

Detailed Applications is June 14, 2021. Staff recommends submitting Detailed Applications to the Transportation Alternatives Set-Aside Program 2021 Call for Project.

Motion made by Commissioner Alvarez to approve the resolution supporting the City of Kingsville's Application to the Texas Department of Transportation's 2021 Transportation Alternatives Set-Aside (TA) Call for Projects (for pedestrian and/or bicycle infrastructure); authorizing the Mayor to act on the City's behalf with such program, seconded by Commissioner Hinojosa.

Mayor Fugate thanked Mr. Mora for all the hard work Mr. Mora has done for the City of Kingsville and further congratulated him on the award of the grants the city has received this year.

The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

19. Consider a resolution authorizing the City Manager to execute a Logo & Brand Guide Development Agreement with ESD and Associates for the City of Kingsville. (Tourism Director).

Mr. McLaughlin commented that there are two problems with the city's current logo. One is that the City's logo is very similar to another city's logo and the other is that the wayfinding signs in the city are beginning to fade. Some still look okay but others are looking bad. He further stated that he has asked the Tourism Director, Janine Reyes to go out and look to see how the city can rebrand its logo. He further stated that the current logo has nothing that shows what Kingsville is all about other than looking like the front part of the current City Hall.

Mayor Fugate commented that what it was, was that the city was moving into this building and the logo represents the dome on this building.

Mr. McLaughlin further stated that what Ms. Reyes did was reach out to some people that do this type of business. The proposal is to allow staff to move forward with a rebranding project to design a new logo with our colors, then bring it back to the Commission for approval as this will be the basis for everything. The logo will be used by all departments but with a special characteristic added that will highlight city departments. McLaughlin further stated that the logo development is about \$3,500. To replace all the signs the cost would be in the \$30,000 range. He further stated that the current wayfinding signs will be removed and repurposed to Parks and reuse them with parks signs on them.

Commissioner Alvarez commented that the current city seal has all the elements that make Kingsville and would like to just keep the seal.

Commissioner Lopez commented that the city seal is the best seal/logo the city has ever had.

Commissioner Hinojosa asked if the city had gone out for bids and stated that this concern is that this is close to \$50,000, as it is all one deal. He further commented that he feels uncomfortable without getting some other persons involved than just one or two.

Ms. Alvarez commented that the Commission would be looking at tonight would be \$3,200 to \$3,300 agreement, which is all this resolution authorizes so that they may begin the design process. Then staff will work with them on some design plans that would seem viable then present them to the Commission before selecting the one to

move forward on. Alvarez further stated that in the memo written up by Ms. Reyes, she has broken down, as over the next couple of years we would be implanting the new brand or logo and what the cost would be. It also breaks down how those things would be done. She further stated that for this item it is only the agreement to design the brand or logo for \$3,300.

Commissioner Hinojosa commented that what it sounds like to him is that staff is piecing this, the changing of the city logo. He further commented that he understands that it's only for the design of the logo, but he is looking at the overall picture.

Mayor Fugate commented that what staff is saying is that the Commission is not voting on the overall picture. All that is being voted on is the redesigning of the logo for \$3,300.

Commissioner Hinojosa asked that if later the construction and cost of the logo will be able to use \$3,300 when it is all put together on the \$50,000. He further commented that he still feels that it is piecing it.

Ms. Alvarez commented that from what she was understanding from having spoken with Ms. Reyes last week, the only thing that the Commission would be looking at tonight is roughly a \$3,200 to \$3,300 agreement to do the design for the logo. Then this would come back before Commission for final approval. Once the logo is decided on it would be up to the City Manager and his staff to decide when they would have the monetary funds to implement it.

Ms. Janine Reyes, Tourism Director stated that as for the other expenses that were included, should this logo be approved, down the line other changes would need to be made. She further stated that this is a separate company and the only thing that is being asked is \$3,200 as staff has selected ES&D and Associates as they are the agency of record for Texas A&M University Kingsville to which they are very pleased with their work. Ms. Reyes stated that all this company will be doing is the logo design and would like to make it clear that once a logo, certain city assets will need to be changed. She stated that she has polled city staff and most did not feel the need to have a different version of our core logo. Logos on City of Kingsville assets can be phased in, beginning with the City of Kingsville Wayfinding Signs and continuing with vehicle branding on an annual basis. Stationery and business cards will be phased in as supply runs out. The cost of the logo change is not the only cost to take into consideration as the larger cost will be changing city assets to represent the new logo and brand. Ms. Reyes further stated that the only cost staff is seeking for the City Commission to approve at this point is the logo and brand redesign at an estimated cost of \$3,200.

Mayor Fugate asked where this would be paid from. Mr. McLaughlin responded that this would be paid from the Tourism Department budget.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to execute a Logo & Brand Guide Development Agreement with ESD and Associates for the City of Kingsville, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

20. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Mayor Fugate read the executive session and convened the meeting into closed session at 6:14 p.m.

Mayor Fugate reconvened the meeting into open session at 6:38 p.m.

21. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).

This executive session was not heard at this time.

22. Consider action on City Manager contract compensation sections. (Mayor Fugate).

No discussion or action was taken on agenda item #22.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:39 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: June 3, 2021

To: Mark McLaughlin (City Manager)

From: Uche Echeozo (Director of Planning and Development Services)

Subject: **Saul Figueroa, applicant; Ronald Ripps, owner; requesting a Special Use Permit for a Light Manufacturing process (land use) which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (Recycling Center) 4TH, CADILLAC BLOCK 2, LOTS 1-3, also known as 708 S. 6th Street, Kingsville, Texas.**

The Planning and Zoning Commission meeting held as scheduled last evening, June 2, 2021 with 6 members in attendance.

Members deliberated over the issue of granting approval for a Special Use Permit to enable the applicant carry out a recycling business. Letters were sent out to neighbors and the City received comments expressed in a letter by the next-door neighbor suggesting the business move to a bigger place due to increased activities. Commissioners, after deliberations, voted to approve the recommendation for a Special Use Permit A recorded vote of all members present was taken and Commissioners Mike Klepac, Larry Garcia, Debbie Tiffie, Idotha Battle and the Chairman – Steve Zamora all voted ‘YES’. Bill Aldrich voted ‘No’

The meeting was adjourned by 6.49p.m.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: May 27, 2021

To: Planning and Zoning Commission Members

From: Uche Echeozo (Director of Planning and Development Services)

Subject: **Saul Figueroa, applicant; Ronald Ripps, owner; requesting a Special Use Permit for a Light Manufacturing process (land use) which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (Recycling Center) 4TH, CADILLAC BLOCK 2, LOTS 1-3, also known as 708 S. 6th Street, Kingsville, Texas.**

The applicant approached the department sequel to a Code Enforcement correspondence, because they wanted to carry out the business of operating a Recycling Center at the premises located at 708 S. 6th Street, Kingsville, TX. A look at the current zoning for the subject property revealed a C4 (Commercial District) use which does not allow for such endeavors except under a Special Use Regime.

To establish some background to this application, some other entity – ABC Recycling – got a similar Special Use Permit for the same type of business more than 10 years ago with certain conditions including putting up an eight-foot fence and maintaining a tidy environment. There was also a requirement (City Ordinance) to pay an annual fee of \$500 and not to operate beyond 5pm (Monday – Saturday).

Consequently, a Special Use Permit application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same (with the conditions) since the proposed use will be in conformity with the zoning ordinance of the City of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", with a stylized flourish at the end.

Uche Echeozo
Director of Planning and
Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

kingsville
Recycling

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 708 S. 6th Nearest Intersection 6th & 3rd

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: Lot 1, 2, 3 Block 2, 4 addition

Existing Zoning Designation C4-Commercial Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Saul Figueroa Phone 956-372-0800 FAX _____

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

Mailing Address 708 S 6th St. City Kingsville State Tx. Zip 78363

Property Owner Ronald Ripps Phone 210-410-1500 FAX _____

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

Mailing Address 708 S 6th St. 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 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:

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 Saul Figueroa Date: 4/27/21
Property Owner's Signature _____ Date: _____
Accepted by: _____ Date: _____

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 708 S. 6th Nearest Intersection _____

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: LOTS 1,2,3 BLOCK 2, 4 ADDITION

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent RONALD RIPPS Phone 210 410-1500 FAX _____

Email Address (for project correspondence only): RONRIPPS@GMAIL.COM

Mailing Address 247 TUXEDO City SAN ANTONIO State TX Zip 78209

Property Owner RONALD RIPPS Phone 210 410-1500 FAX _____

Email Address (for project correspondence only): RONRIPPS@GMAIL.COM

Mailing Address 247 TUXEDO City SAN ANTONIO State TX Zip 78209

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

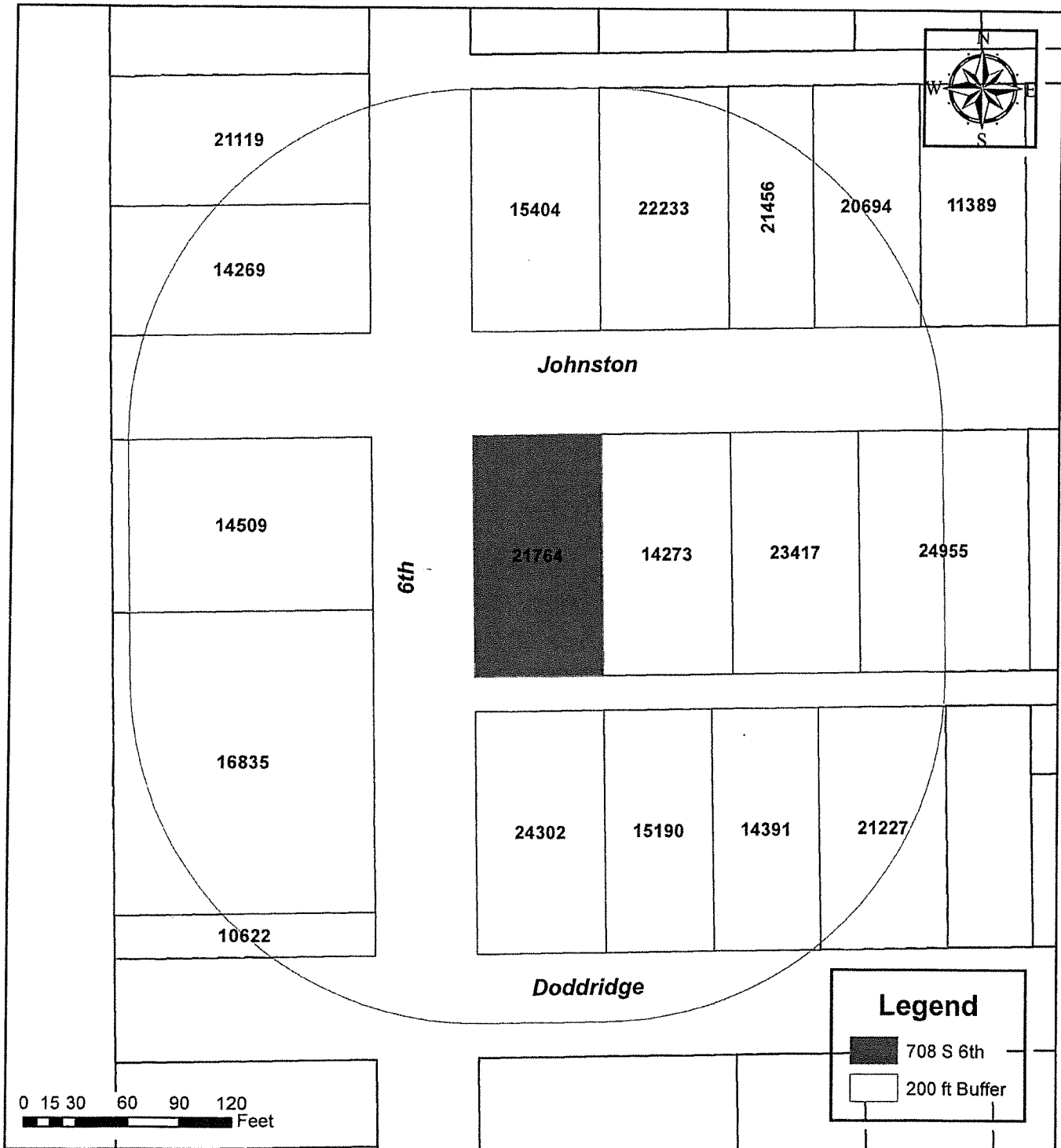
<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> 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 <input checked="" type="checkbox"/>	\$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:

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 _____ Date: _____
Property Owner's Signature Ronald Ripps Date: 4-27-21
Accepted by: _____ Date: _____

200 ft Buffer Map of 708 S. 6th



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

Page 1 / 1	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>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 5/14/2021		
	Note:		

TOMMIE D KILLION
502 E KENEDY AVE
KINGSVILLE, TX 78363-5665
#21119

JASSO TRINIDAD III
ETUX CYNTHIA G
600 S FITZHERALD ST
FALFURRIAS, TX 78355
#16835

DAGOBERTO V CAVAZOS EST
208 E JOHNSTON AVE
KINGSVILLE, TX 78363-5555
#22233

CAROL LYNN ROGERS
209 E JOHNSTON AVE
KINGSVILLE, TX 78363-5554
#14273

CAROLYN HOEHN
AKA CAROLYN JOHNSON
210 E DODDRIDGE AVE
KINGSVILLE, TX 78363-5506
#15190

SILVA & CUMBERLAND INC
629 S 6TH ST
KINGSVILLE, TX 78363-5522
#14269

JUAQUIN WRIGHT
721 S 6TH ST
KINGSVILLE, TX 78363
#10622

JOSE HUGO FERNANDEZ
214 E JOHNSTON
KINGSVILLE, TX 78363
#21456, 11389

JONATHAN DAVID SHEETS
ETUX JESSICA ESTHER
632 COUNTY ROAD 81A
BISHOP, TX 78343-3233
#23417

SAN JUANA ESTRADA
228 N CR 1026
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#14391

JUAQUIN ARTURO WRIGHT
ANNA MARIA WRIGHT
204 E DODDRIDGE
KINGSVILLE, TX 78363
#14509, 24302

ARCELIA G BALBOA
DBA SHEAR ELEGANCE
COIFFURES SALON
622 S 6TH ST
KINGSVILLE, TX 78363
#15404

JOSE B GOMEZ
218 E JOHNSTON
KINGSVILLE, TX 78363
#20694

JAVIER BARBA JR
ERICA SANCHEZ
225 E JOHNSTON
KINGSVILLE, TX 78363
#24955

ERNESTO CANTU
ETUX SULEMA CANTU
220 E DODDRIDGE AVE
KINGSVILLE, TX 78363-5506
#21227

ORDINANCE 2010- 19

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR THE OPERATION OF A RECYCLING COLLECTION CENTER AND PLACEMENT OF A RECYCLING TRAILER AT 708 SOUTH SIXTH STREET FOR ABC RECYCLING LLC; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION;

WHEREAS, the Planning and Zoning Commission has forwarded to the City Commission it's reports and recommendations concerning the application of Larry Lopez on behalf of ABC Recycling LLC for amendment to the zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, June 16, 2010, during a meeting of the Planning and Zoning Commission, and on Monday, June 28, 2010, during a meeting of the City Commission, in the Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; 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 the operation of a recycling collection center and placement of a recycling trailer for ABC Recycling LLC at 708 S. 6th Street as more specifically described on the site plan attached as Exhibit A.

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

1. **ALLOWED USE:** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for the operation of a recycling collection center and the placement of a recycling trailer for ABC Recycling LLC at 708 S. 6th Street. as more specifically describe on site plan attached as Exhibit A. ABC Recycling LLC will collect for recycling aluminum cans & scrap, brass, copper, steel and iron.

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

3. **REMOVAL OF TRAILER AND COLLECTED ITEMS:** The recycling trailer and all collected items will be removed from the site of the special use permit no later than fifteen (15) days of the expiration of the time limit.

4. MISCELANEOUS: No one shall live/reside at the property. The size of the trailer shall not be larger than 60 feet by 12 feet. Landscaping shall be installed and maintained for the duration of the special use permit. Trash pick-up shall be coordinated with the City of Kingsville Solid Waste Management Supervisor. Water and Sewer service shall be in compliance with the City of Kingsville Code of Ordinances. All City Ordinances shall be complied with. On-premises customer parking shall be made available at the site. Location of the recycling trailer must meet all location setbacks. All items collected for recycling at this collection site shall not be visible from adjacent public or private property. Screening shall be installed onto the existing chain link fence subject to review and approval of the Building Department. A landscaping plan shall be reviewed and approved by the Planning Department and all approved landscaping must be installed prior to issuance of a Certificate of Occupancy. An eight foot high fence or screen shall be installed on the rear property line adjacent to the existing residence on Johnston Street to provide screening between the proposed business and the existing residence. Hours of operation shall be within 9am to 5pm Monday through Saturday. A directional low level sign shall be installed at the corner of Johnston & 6th Streets to show customers where to enter for drop offs.

SECTION 3. 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 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 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.

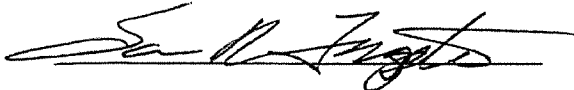
SECTION 6. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

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.

INTRODUCED on this the 28th day of June, 2010.

PASSED AND APPROVED on this the 12th day of July, 2010.

THE CITY OF KINGSVILLE



Sam R. Fugate, Mayor


Exhibit 3

ATTEST:



Edna Lopez, City Secretary

APPROVED:



Courtney Alvarez, City Attorney

EFFECTIVE DATE: July 28, 2010

Kleberg CAD

Property Search > 21764 RIPPS RONALD L for Year 2021

Tax Year: 2021 - Values not available

Property

Account

Property ID: 21764 Legal Description: 4TH, BLOCK 2, LOT 1-3, (ABC RECYCLING)
 Geographic ID: 100600201001192 Zoning: C4
 Type: Real Agent Code:
 Property Use Code:
 Property Use Description:

Location

Address: 708 S 6TH ST Mapsco:
 Neighborhood: Map ID: C1
 Neighborhood CD:

Owner

Name: RIPPS RONALD L Owner ID: 11550
 Mailing Address: 247 TUXEDO AVE % Ownership: 100.000000000000%
 SAN ANTONIO, TX 78209-3714

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: RIPPS RONALD L
 % Ownership: 100.000000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CKI	CITY OF KINGSVILLE	N/A	N/A	N/A	N/A
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE I.S.D.	N/A	N/A	N/A	N/A
WST	SOUTH TEXAS WATER AUTHORITY	N/A	N/A	N/A	N/A

Total Tax Rate:

N/A

Taxes w/Current Exemptions:

N/A

Taxes w/o Exemptions:

N/A

Improvement / Building

Improvement #1: COMMERCIAL State Code: F1 Living Area: 2906.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	WH3A	EWB	1965	2416.0
MAAD	ADDN (INC W/MAIN FOR SF PRICING)	WH3A		0	490.0
ASP	ASPHALT (100%)	*		1965	1427.0

Improvement #2: COMMERCIAL State Code: F1 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
ASP	ASPHALT (100%)	*		0	5208.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	F1	F1	0.2410	10500.00	75.00	140.00	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$41,190	\$12,000	0	53,190	\$0	\$53,190
2019	\$29,040	\$12,000	0	41,040	\$0	\$41,040
2018	\$27,680	\$12,000	0	39,680	\$0	\$39,680
2017	\$21,600	\$12,000	0	33,600	\$0	\$33,600
2016	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2015	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2014	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2013	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2012	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2011	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2010	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2009	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2008	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2007	\$16,010	\$16,120	0	32,130	\$0	\$32,130

Questions Please Call (361) 595-5775**This year is not certified and ALL values will be represented with "N/A".**

Website version: 1.2.2.33

Database last updated on: 5/13/2021 8:17 PM

© N. Harris Computer Corporation

Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Wholesale office, storage, sales not elsewhere listed										P	P	P	
Climate-controlled self-storage							S		P	P	P		
Milk depot							S	S	P	P	P		
Industrial and Related Uses													
Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous									S	S	P	P	
Storage of sand, gravel, stone, minerals, gas, petroleum or other substances										P	S	P	
Extraction of soil, sand, gravel, stone, minerals, gas, petroleum or other substances											S	S	S

Butcher shop brings local products to the community

By LAURA NEWMAN
REPORTER

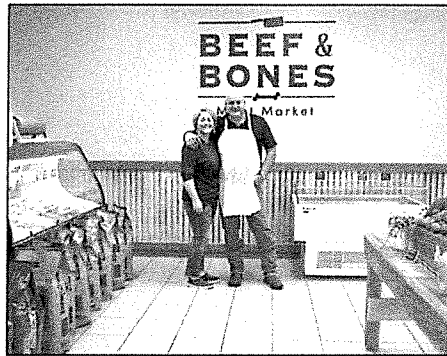
Kingsville residents finally have a place to purchase freshly butchered meats, locally grown produce, local seasonings and sauces and treats for the pup.

A family owned butcher shop, Beef and Bones, located on 14th Street between Bray's and Pizza Hut opened their doors to the public on April 15.

Owners Lorette and Charles Williams said the turn out thus far has been nothing short of amazing.

"We have been so overwhelmed by the response and we are so very grateful. In the three weeks we have been open, we have had repeat customers. It's just so nice to be able to talk to them. Lorette Williams said.

"Personally, I feel more connected to my community, owning a small business because you see people come in and you create relationships with them when you may have never had that opportunity—that to me is the most exciting thing."



Beef & Bones now open

Charles and Lorette Williams, owners of Beef and Bones, opened the doors to the only butcher shop in Kingsville on April 15. They sell everything from meats to homemade dog treats. (Photo by Laura Newman)

Charles Williams was born in Kingville, but grew up in the Valley. He came back from the Valley to Kingville more than 20 years ago.

Williams spent more than 20 years in the oil and gas industry until he was laid off due to the

CWID-19 Pandemic.

Williams continued to look for a job in the oil and gas industry, but did not have any success finding a job.

He and his wife decided to try something different. When Williams was younger, he was a

butcher and it was something he has always enjoyed doing—along with cooking and learning about different meats.

While Charles and Lorette Williams are both the owners, Charles Williams is mainly running the shop.

Lorette Williams is an Executive Director of Communications and Marketing at Del Mar College, but spends her free time on the weekends helping out at the shop.

Beef and Bones is open from 10 a.m. to 6 p.m. Tuesday through Saturday and they sell everything from meats to dog treats—hence their name.

Customers have a variety of different cuts of meats to choose from, locally grown produce, Texas based seasonings and sauces and even treats for the pup.

Buck and Belle's Corner is where customers can find items for their pups, such as, homemade treats, custom made dog bowl stands and beds. The corner is named after their dogs Buck and Belle.

The idea and goal for this shop is to provide local products to the community. As of right now, the meats come from different sources, but are mainly North Dakota and Iowa cattle.

However, the Williams are currently looking into

getting locally grown cattle for their shop. Produce is locally grown and they plan to continue to partner with local farmers to bring in their produce.

All sauces and seasonings are Texas based, but most of them are from the Valley area. The dog bowl stands and beds are hand crafted right here in Bishop.

Lorette Williams said people have even come in and made request on certain items and they have been able to stock their shelves with those items.

Charles Williams said the community has been supportive and he has even been told by their customers how much they appreciate them being in town.

"I'm grateful for the city's response to our store, we have had several hundred customers and I have not experienced one customer that has been difficult to deal with, Charles Williams said.

"They are just grateful and supportive and it makes our jobs easier, especially as new business owners."

Commissioner's approve Vietnam Wall to come to Kingsville

By LAURA NEWMAN
REPORTER

Sheriff Richard Kirkpatrick presented the reclassification of the

Captain position to the Kleberg County Commissioners Court at Monday afternoon's meeting.

Kirkpatrick wants to

reclassify the Captain position to an Assistant Chief Jail Administrator, who will oversee and help run the jail. The salary will remain

the same for this position.

The Sheriff's Department is in search of a candidate to fill this position after the passing of Capt. Alberto Castillo. Kirkpatrick said the candidate must have a

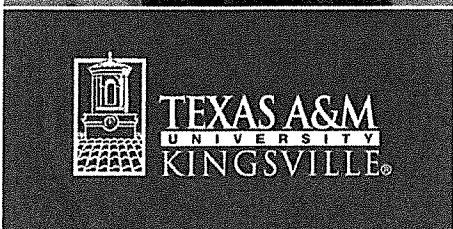
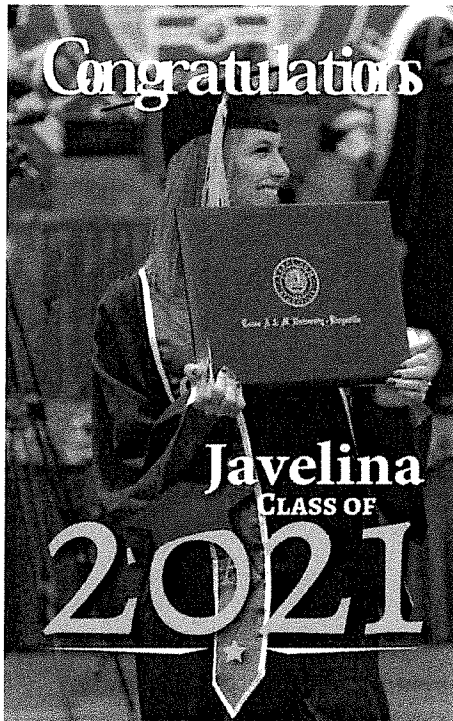
minimum of three years

working in the jail. Commissioner's also approved to bring the Vietnam Wall to Kingsville and allow Commissioner Jerry Martinez to seek donations for this project. The Viet-

nam Wall project will

cost more than \$4,500. The Vietnam Wall has enough names to circle around the courthouse.

Martinez said there are names from Korean War, Afghanistan, Iraq and September 11.





COLDWELL BANKER
HOMESTEAD
PROPERTIES, INC.



515 E. King Ave • Kingsville, Tx
(361) 592-4343

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, June 2, 2021 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:

Saul Figueroa, applicant; Ronald Ripps owner; requesting a Special Use Permit for Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous use (Recycling Center) at 4TH, BLOCK 2, LOT 1-3 also known as 708 South 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 100 West King, Kingsville, Texas in the Helen Kleberg Groves 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, June 14, 2021 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Saul Figueroa, applicant; Ronald Ripps owner; requesting a Special Use Permit for Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous use (Recycling Center) at 4TH, BLOCK 2, LOT 1-3 also known as 708 South 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 100 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

ORDINANCE 2021-_____

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR LIGHT MANUFACTURING PROCESSES WHICH DOES NOT EMIT DETECTABLE DUST, ODOR, FUMES, OR GAS BEYOND THE BOUNDARY OF THE PROPERTY OR NOISES ABOVE THE AMBIENT LEVEL AND IS NOT CLASSIFIED AS HAZARDOUS USE (RECYCLING CENTER) AT 4TH, BLOCK 2, LOT 1-3, ALSO KNOWN AS 708 SOUTH 6TH STREET, KINGSVILLE; 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 Saul Figueroa (applicant), Ronald Ripps (owner), for amendment to the zoning map of the City of Kingsville;

WHEREAS, the property is currently zoned C4-Commercial District and it is desired for the area to be used for a Light Manufacturing process which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (recycling center), while its prior use was a recycling center with a special use permit;

WHEREAS, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in C4 a special use permit is required to have a Light Manufacturing process which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use as listed on the SUP application; and

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

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, June 2, 2021, during a meeting of the Planning Commission, and on Monday, June 14, 2021, a public hearing was held 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 and Zoning Commission voted 5-1 to APPROVE, with 0 abstentions and 0 absent, the requested special use permit with special conditions; 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 the operation of a recycling collection center and placement of a recycling trailer for Kingsville Recycling at 708 S. 6th Street as more specifically described on the site plan attached as Exhibit A.

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

1. **ALLOWED USE:** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for the operation of a recycling collection center and the placement of a recycling trailer for Kingsville Recycling at 708 S. 6th Street. as more specifically describe on site plan attached as Exhibit A. Kingsville Recycling will collect for recycling aluminum cans & scrap, brass, copper, steel and iron.

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

3. **REMOVAL OF TRAILER AND COLLECTED ITEMS:** The recycling trailer and all collected items will be removed from the site of the special use permit no later than fifteen (15) days of the expiration of the time limit.

4. **MISCELANEOUS:** No one shall live/reside at the property. The size of the trailer shall not be larger than 60 feet by 12 feet. Landscaping shall be installed and maintained for the duration of the special use permit. Trash pick-up shall be coordinated with the City of Kingsville Solid Waste Management Supervisor. Water and Sewer service shall be in compliance with the City of Kingsville Code of Ordinances. All City Ordinances shall be complied with. On-premises customer parking shall be made available at the site. Location of the recycling trailer must meet all location setbacks. All items collected for recycling at this collection site shall not be visible from adjacent public or private property. Screening shall be installed onto the existing chain link fence subject to review and approval of the Planning Department. A landscaping plan shall be reviewed and approved by the Planning Department and all approved landscaping must be installed prior to issuance of a Certificate of Occupancy. An eight foot high fence or screen shall be installed on the rear property line adjacent to the existing residence on Johnston Street to provide screening between the proposed business and the existing residence. Hours of operation shall be within 9am to 5pm Monday through Saturday. A directional low level sign shall be installed at the corner of Johnston & 6th Streets to show customers where to enter for drop offs.

SECTION 3. 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 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 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 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.

INTRODUCED on this the 14th day of June, 2021.

PASSED AND APPROVED on this the 28th day of June, 2021.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

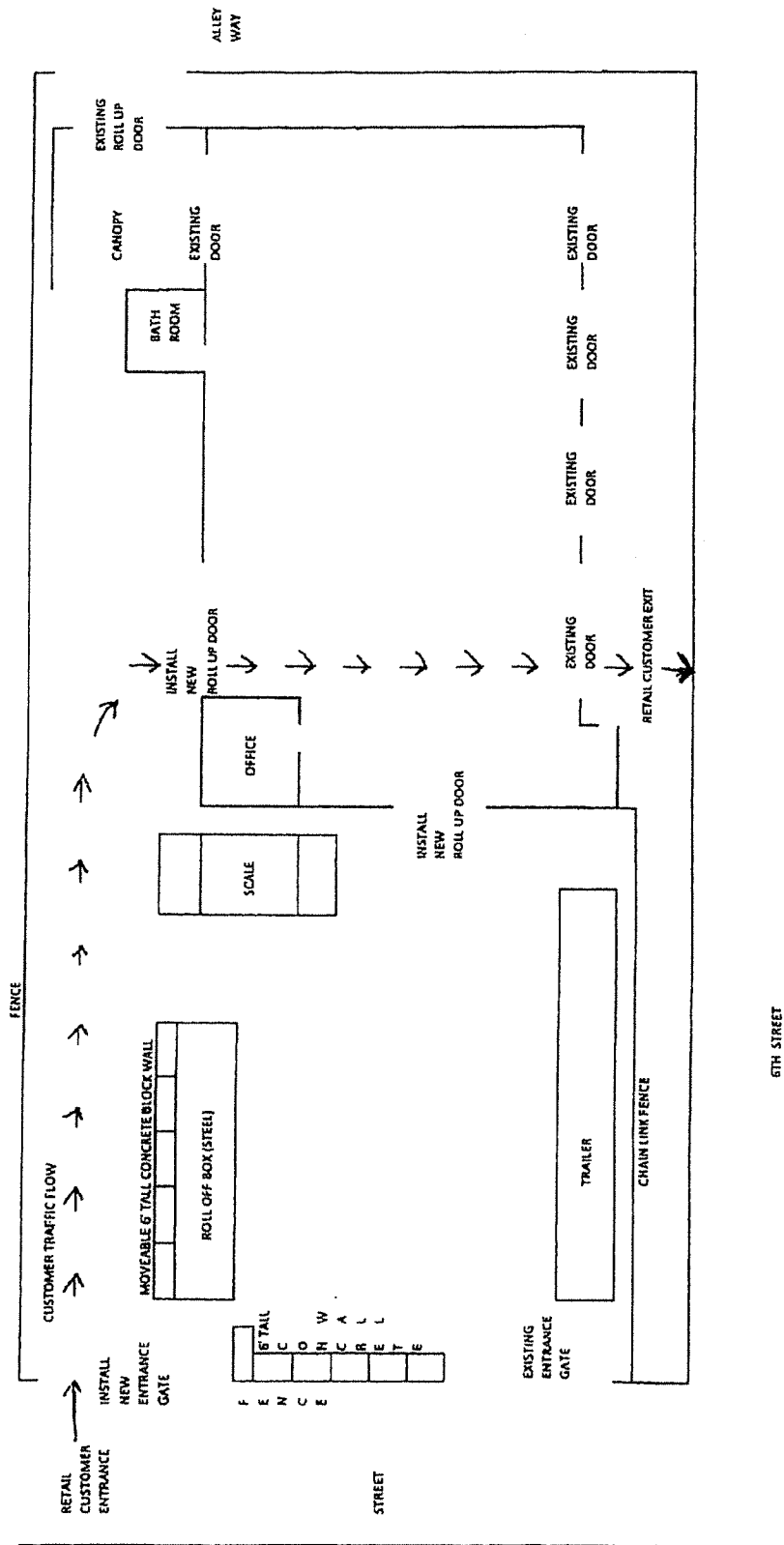
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Exhibit A



CONSENT AGENDA

AGENDA ITEM #1

Budget Am.

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief

DATE: May 14, 2021

SUBJECT: Accept monetary grant from the Coastal Bend Regional Advisory Council (CBRAC)

Summary:

The Kingsville Fire Department is requesting approval to accept a grant from the Coastal Bend Regional Advisory Council (CBRAC) in the amount of \$22,486.00.

Background:

Each year CBAC distributes funds to emergency medical services departments based on the number of EMS calls.

Financial Impact:

No financial impact. This grant will be used to purchase medical equipment and supplies.

Recommendation:

Accept the donation from CBRAC in the amount of \$22,486.00.



COASTAL BEND REGIONAL
ADVISORY COUNCIL
PO BOX 18460
CORPUS CHRISTI TX 78480

AMERICAN BANK
800-267-8316
www.americanbank.com

6232

88-328/1149

CHECK NUMBER

05/06/2021

PAY TO THE ORDER OF KINGSVILLE FIRE DEPT

\$ **22,486.00

Twenty-two thousand four hundred eighty-six and 00/100*****

DOLLARS

KINGSVILLE FIRE DEPT
Attn: Joey Reed
P.O. BOX 1458
KINGSVILLE, TX 78363

Two Signatures Required
Valid After 90 Days

Joey Reed
Christina Ray

MEMO

FY21 EMS County Grant Kleberg County

AUTHORIZED SIGNATURE

05/06/2021

KINGSVILLE FIRE DEPT

FY21 EMS County Grant Kleberg County

6232

22,486.00

RAC-Primary

FY21 EMS County Grant Kleberg County

22,486.00

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM COASTAL BEND REGIONAL ADVISORY COUNCIL (CBRAC) FOR FIRE DEPARTMENT MEDICAL EQUIPMENT AND SUPPLIES.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 027 – EMS Fund					
<u>Revenues-4</u>					
2200	Fire	State Grants	72010	\$22,486	
<u>Expenditures-5</u>					
2200	Fire	Supplies	21100	\$22,468	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend grant funds from Coastal Bend Regional Advisory Council for medical equipment and supplies for the Fire Department. Funding will come from the grant funding.]

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 not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 24th day of May 2021.

PASSED AND APPROVED on this the 14th day of June 2021.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: May 24, 2021

SUBJECT: Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional Professional Service cost.

Summary:

An additional position was filled after the FY 20-21 budget was approved with the intent being that later in the budget year funding would be found and approved. The position requires a computer and software to meet the needs of the Department.

Financial Impact:

Utility Fund's Fund balance will have a reduction of \$5,120.03.

Recommendation:

Staff recommends approval of the Budget Amendment.

Attachments:

Encumbrance Report





City of Kingsville, TX

Encumbrance Report

By Account Number

Encumbrance Date Range: -

051 - UTILITY FUND

051-5-8000-31410 - ProfSrv - Sftware Mnt

Type: Purchase Order

Purchase Order	Description	Vendor	Status	Issued Date	Enc. Balance
	Item		Project Account Key	Post Date	Amount
191852	Ink for Canon	KYOCERA DOCUMENT SOLUTIONS	Completed	06/28/2019	0.00
	Ink for Printer			06/28/2019	-437.00
	Ink for Printer			06/28/2019	437.00
210230	New Engineering Workstation	SHI Government Solutions	Completed	10/23/2020	0.00
	HP Workstation Z4 G4 - MT - 4U			10/23/2020	2,261.68
	HP Workstation Z4 G4 - MT - 4U			10/27/2020	* -2,261.68
210273	Autodesk License Renewal and Additior	SHI Government Solutions	Completed	10/29/2020	0.00
	Engineering & Construction Collection Renewal			10/29/2020	1,170.21
	Engineering & Construction Collection Renewal			10/29/2020	1,170.21
	Engineering & Construction Collection New License			10/29/2020	2,858.35
	Engineering & Construction Collection Renewal			10/30/2020	-1,170.21
	Engineering & Construction Collection Renewal			10/30/2020	-1,170.21
	Engineering & Construction Collection New License			10/30/2020	* -2,858.35
210659	Autodesk Licensing Renewal	SHI Government Solutions	Completed	01/04/2021	0.00
	Autodesk Architecture, Engineering & Construction			01/04/2021	2,749.32
	Autodesk Architecture, Engineering & Construction			01/06/2021	-2,749.32
211227	ArcGIS Renewal	ESRI	Outstanding	04/05/2021	5,994.64
	ArcGIS Desktop Advanced Concurrent Use Secondary			04/05/2021	1,209.00
	ArcGIS Desktop Advanced Concurrent Use Primary			04/05/2021	3,022.50
	ArcGIS Enterprise Workgroup Standard			04/05/2021	1,259.38
	ArcPad Maintenance			04/05/2021	503.76
Encumbrance Balance:					5,994.64
Total 051 - UTILITY FUND:					5,994.64

* UNBUDGETED EXPENSES

FOR CEM POSITION

(PER KYLE BENSON/IT)

10/1/20 THESE AMOUNTS WERE APPROVED BY CITY MANAGER AFTER FY20/21 BUDGET APPROVED, WITH EXTENT BEING THAT BASED ON THE BUDGET YOUR FUNDING WOULD BE FOUND AND APPROVED.

2,261.68 HP WORKSTATION Z4 G4 - MT - 4U
2,858.35 AUTODESK LICENSE RENEWAL AND ADDITION
5,120.03 REQUEST AMOUNT

5/3/21 PER FINANCE DIRECTOR, A BUDGET REQUEST MUST BE SUBMITTED TO THE COMMISSION FOR APPROVAL. IF APPROVED, LET FINANCE KNOW WHAT ACCOUNT(S) + AMOUNT(S) TO RE-ALLOTE THE BUDGET MONIES TO.

EXAMPLE:
ACC# DISCRIP. AMOUNT
21100 SUPPLIES \$600
31660 TRAILER MAINTENANCE \$1,800
41100 VEHICLE MAINT. \$400

TOTAL \$ 7,120.03

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER THE COMPUTER AND SOFTWARE FOR THE ADDITIONAL ENGINEERING STAFFING.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 – Utility Fund					
<u>Expenditures-5</u>					
8000	Engineering	Professional Services	31400	\$5,120.03	

[To amend the City of Kingsville FY 20-21 Budget to cover the computer and software for the additional Engineering staffing. Funding will come from the unappropriated fund balance.]

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 not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 24th day of May 2021.

PASSED AND APPROVED on this the 14th day of June 2021.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #3

MEMO

Date: June 3, 2021

To: Mark McLaughlin (City Manager)

From: Uche Echeozo (Director of Planning and Development Services)

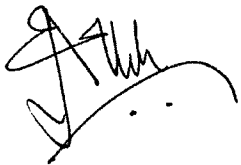
Subject: **Saul Figueroa, applicant; Ronald Ripps, owner; requesting a Special Use Permit for a Light Manufacturing process (land use) which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (Recycling Center) 4TH, CADILLAC BLOCK 2, LOTS 1-3, also known as 708 S. 6th Street, Kingsville, Texas.**

The Planning and Zoning Commission meeting held as scheduled last evening, June 2, 2021 with 6 members in attendance.

Members deliberated over the issue of granting approval for a Special Use Permit to enable the applicant carry out a recycling business. Letters were sent out to neighbors and the City received comments expressed in a letter by the next-door neighbor suggesting the business move to a bigger place due to increased activities. Commissioners, after deliberations, voted to approve the recommendation for a Special Use Permit A recorded vote of all members present was taken and Commissioners Mike Klepac, Larry Garcia, Debbie Tiffie, Idotha Battle and the Chairman – Steve Zamora all voted ‘YES’. Bill Aldrich voted ‘No’

The meeting was adjourned by 6.49p.m.

Thank you.



Uche Echeozo
Director of Planning and
Development Services

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: May 27, 2021

To: Planning and Zoning Commission Members

From: Uche Echeozo (Director of Planning and Development Services)

Subject: **Saul Figueroa, applicant; Ronald Ripps, owner; requesting a Special Use Permit for a Light Manufacturing process (land use) which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (Recycling Center) 4TH, CADILLAC BLOCK 2, LOTS 1-3, also known as 708 S. 6th Street, Kingsville, Texas.**

The applicant approached the department sequel to a Code Enforcement correspondence, because they wanted to carry out the business of operating a Recycling Center at the premises located at 708 S. 6th Street, Kingsville, TX. A look at the current zoning for the subject property revealed a C4 (Commercial District) use which does not allow for such endeavors except under a Special Use Regime.

To establish some background to this application, some other entity – ABC Recycling – got a similar Special Use Permit for the same type of business more than 10 years ago with certain conditions including putting up an eight-foot fence and maintaining a tidy environment. There was also a requirement (City Ordinance) to pay an annual fee of \$500 and not to operate beyond 5pm (Monday – Saturday).

Consequently, a Special Use Permit application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same (with the conditions) since the proposed use will be in conformity with the zoning ordinance of the City of Kingsville.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

kingsville
Recycling

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 708 S. 6th Nearest Intersection 6th & 1st

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: Lot 1, 2, 3 Block 2, 4 addition

Existing Zoning Designation C4-Commercial Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Saul Figueroa Phone 956-372-0800 FAX _____

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

Mailing Address 708 S 6th St. City Kingsville State Tx. Zip 78363

Property Owner Ronald Ripps Phone 210-410-1500 FAX _____

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

Mailing Address 708 S 6th St. 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 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:

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 Saul Figueroa Date: 4/27/21
Property Owner's Signature _____ Date: _____
Accepted by: _____ Date: _____

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 708 S. 6th Nearest Intersection _____

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: LOTS 1,2,3 BLOCK 2, # 4 ADDITION

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent RONALD RIPPS Phone 210 410-1500 FAX _____

Email Address (for project correspondence only): RONRIPPS@GMAIL.COM

Mailing Address 247 TUXEDO City SAN ANTONIO State TX Zip 78209

Property Owner RONALD RIPPS Phone 210 410-1500 FAX _____

Email Address (for project correspondence only): RONRIPPS@GMAIL.COM

Mailing Address 247 TUXEDO City SAN ANTONIO State TX Zip 78209

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

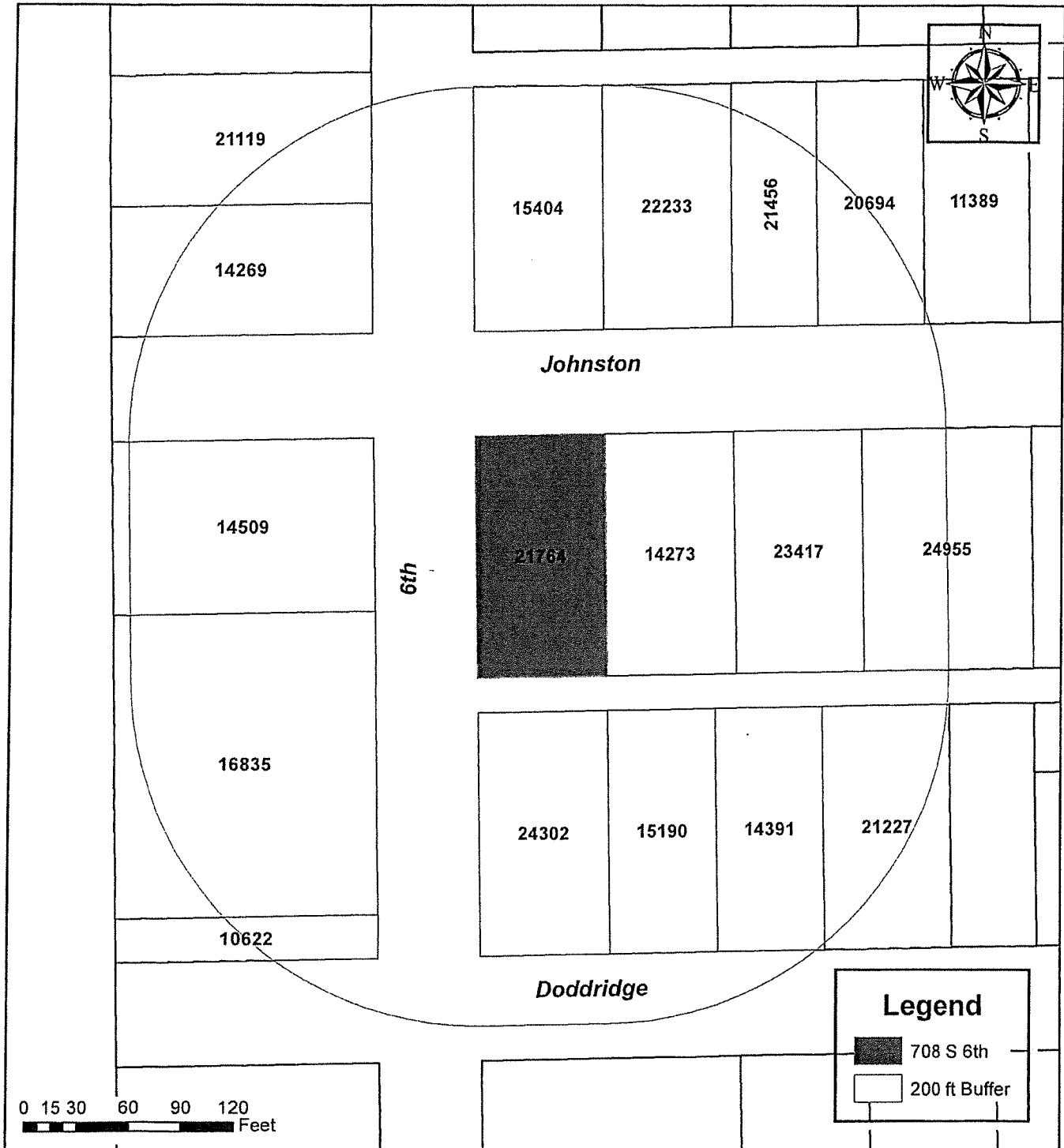
<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> 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:

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 _____ Date: _____
Property Owner's Signature Ronald Ripps Date: 4-27-21
Accepted by: _____ Date: _____

200 ft Buffer Map of 708 S. 6th



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

Page 1 / 1	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>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 5/14/2021		
	Note:		

TOMMIE D KILLION
502 E KENEDY AVE
KINGSVILLE, TX 78363-5665
#21119

JASSO TRINIDAD III
ETUX CYNTHIA G
600 S FITZHERALD ST
FALFURRIAS, TX 78355
#16835

DAGOBERTO V CAVAZOS EST
208 E JOHNSTON AVE
KINGSVILLE, TX 78363-5555
#22233

CAROL LYNN ROGERS
209 E JOHNSTON AVE
KINGSVILLE, TX 78363-5554
#14273

CAROLYN HOEHN
AKA CAROLYN JOHNSON
210 E DODDRIDGE AVE
KINGSVILLE, TX 78363-5506
#15190

SILVA & CUMBERLAND INC
629 S 6TH ST
KINGSVILLE, TX 78363-5522
#14269

JUAQUIN WRIGHT
721 S 6TH ST
KINGSVILLE, TX 78363
#10622

JOSE HUGO FERNANDEZ
214 E JOHNSTON
KINGSVILLE, TX 78363
#21456, 11389

JONATHAN DAVID SHEETS
ETUX JESSICA ESTHER
632 COUNTY ROAD 81A
BISHOP, TX 78343-3233
#23417

SAN JUANA ESTRADA
228 N CR 1026
KINGSVILLE, TX 78363
#14391

JUAQUIN ARTURO WRIGHT
ANNA MARIA WRIGHT
204 E DODDRIDGE
KINGSVILLE, TX 78363
#14509, 24302

ARCELIA G BALBOA
DBA SHEAR ELEGANCE
COIFFURES SALON
622 S 6TH ST
KINGSVILLE, TX 78363
#15404

JOSE B GOMEZ
218 E JOHNSTON
KINGSVILLE, TX 78363
#20694

JAVIER BARBA JR
ERICA SANCHEZ
225 E JOHNSTON
KINGSVILLE, TX 78363
#24955

ERNESTO CANTU
ETUX SULEMA CANTU
220 E DODDRIDGE AVE
KINGSVILLE, TX 78363-5506
#21227

ORDINANCE 2010- 19

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR THE OPERATION OF A RECYCLING COLLECTION CENTER AND PLACEMENT OF A RECYCLING TRAILER AT 708 SOUTH SIXTH STREET FOR ABC RECYCLING LLC; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION;

WHEREAS, the Planning and Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Larry Lopez on behalf of ABC Recycling LLC for amendment to the zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, June 16, 2010, during a meeting of the Planning and Zoning Commission, and on Monday, June 28, 2010, during a meeting of the City Commission, in the Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; 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 the operation of a recycling collection center and placement of a recycling trailer for ABC Recycling LLC at 708 S. 6th Street as more specifically described on the site plan attached as Exhibit A.

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

1. **ALLOWED USE:** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for the operation of a recycling collection center and the placement of a recycling trailer for ABC Recycling LLC at 708 S. 6th Street. as more specifically describe on site plan attached as Exhibit A. ABC Recycling LLC will collect for recycling aluminum cans & scrap, brass, copper, steel and iron.

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

3. **REMOVAL OF TRAILER AND COLLECTED ITEMS:** The recycling trailer and all collected items will be removed from the site of the special use permit no later than fifteen (15) days of the expiration of the time limit.

4. MISCELANEOUS: No one shall live/reside at the property. The size of the trailer shall not be larger than 60 feet by 12 feet. Landscaping shall be installed and maintained for the duration of the special use permit. Trash pick-up shall be coordinated with the City of Kingsville Solid Waste Management Supervisor. Water and Sewer service shall be in compliance with the City of Kingsville Code of Ordinances. All City Ordinances shall be complied with. On-premises customer parking shall be made available at the site. Location of the recycling trailer must meet all location setbacks. All items collected for recycling at this collection site shall not be visible from adjacent public or private property. Screening shall be installed onto the existing chain link fence subject to review and approval of the Building Department. A landscaping plan shall be reviewed and approved by the Planning Department and all approved landscaping must be installed prior to issuance of a Certificate of Occupancy. An eight foot high fence or screen shall be installed on the rear property line adjacent to the existing residence on Johnston Street to provide screening between the proposed business and the existing residence. Hours of operation shall be within 9am to 5pm Monday through Saturday. A directional low level sign shall be installed at the corner of Johnston & 6th Streets to show customers where to enter for drop offs.

SECTION 3. 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 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 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.

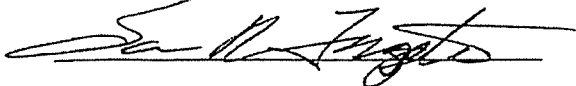
SECTION 6. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

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.

INTRODUCED on this the 28th day of June, 2010.

PASSED AND APPROVED on this the 12th day of July, 2010.

THE CITY OF KINGSVILLE



Sam R. Fugate, Mayor


Exhibit 3

ATTEST:



Edna Lopez, City Secretary

APPROVED:



Courtney Alvarez, City Attorney

EFFECTIVE DATE: July 28, 2010

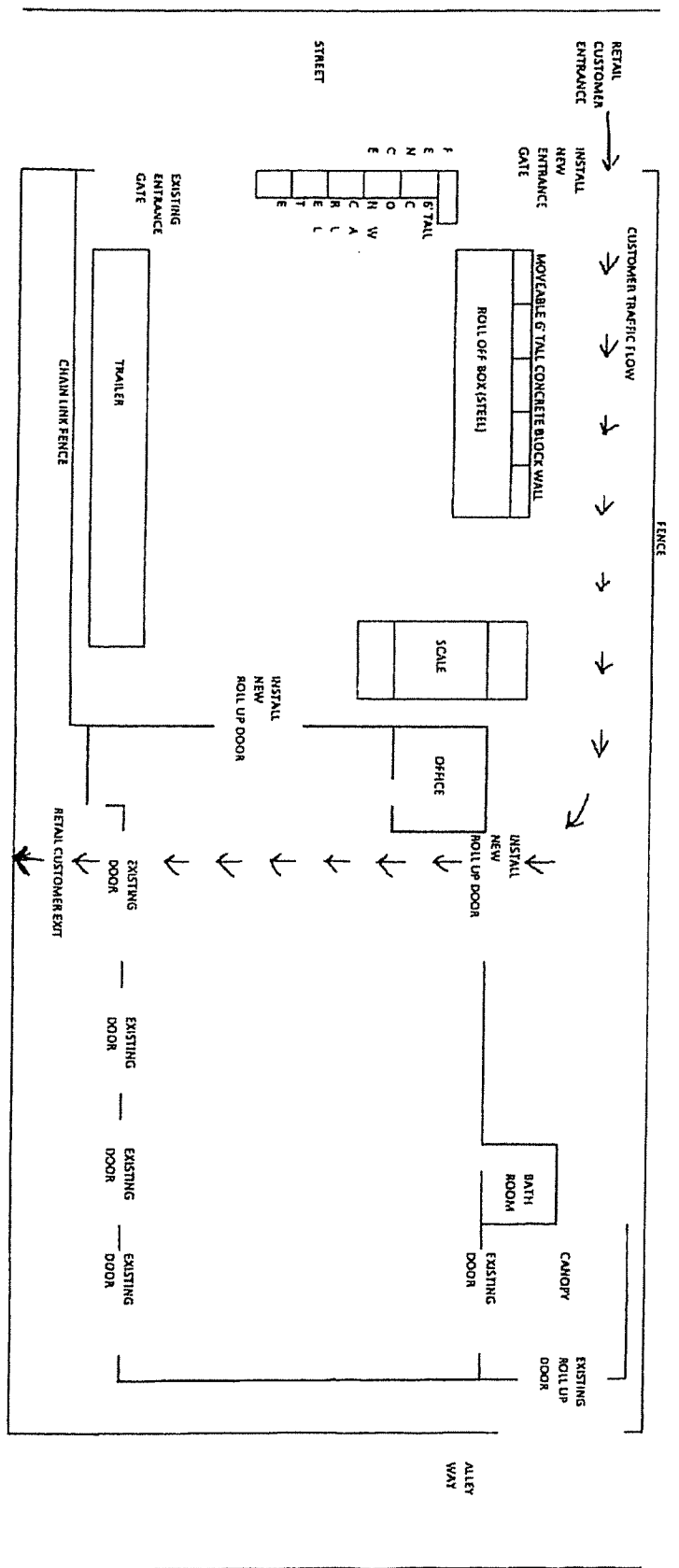


Exhibit 4

Kleberg CAD

Property Search > 21764 RIPPS RONALD L for Year 2021

Tax Year: 2021 - Values not available

Property

Account

Property ID: 21764 Legal Description: 4TH, BLOCK 2, LOT 1-3, (ABC RECYCLING)
 Geographic ID: 100600201001192 Zoning: C4
 Type: Real Agent Code:
 Property Use Code:
 Property Use Description:

Location

Address: 708 S 6TH ST Mapsco:
 Neighborhood: Map ID: C1
 Neighborhood CD:

Owner

Name: RIPPS RONALD L Owner ID: 11550
 Mailing Address: 247 TUXEDO AVE % Ownership: 100.0000000000%
 SAN ANTONIO, TX 78209-3714

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: RIPPS RONALD L
 % Ownership: 100.0000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CKI	CITY OF KINGSVILLE	N/A	N/A	N/A	N/A
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE I.S.D.	N/A	N/A	N/A	N/A
WST	SOUTH TEXAS WATER AUTHORITY	N/A	N/A	N/A	N/A

Total Tax Rate: N/A

Taxes w/Current Exemptions: N/A

Taxes w/o Exemptions: N/A

Improvement / Building

Improvement #1: COMMERCIAL State Code: F1 Living Area: 2906.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	WH3A	EWB	1965	2416.0
MAAD	ADDN (INC W/MAIN FOR SF PRICING)	WH3A		0	490.0
ASP	ASPHALT (100%)	*		1965	1427.0

Improvement #2: COMMERCIAL State Code: F1 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
ASP	ASPHALT (100%)	*		0	5208.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	F1	F1	0.2410	10500.00	75.00	140.00	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$41,190	\$12,000	0	53,190	\$0	\$53,190
2019	\$29,040	\$12,000	0	41,040	\$0	\$41,040
2018	\$27,680	\$12,000	0	39,680	\$0	\$39,680
2017	\$21,600	\$12,000	0	33,600	\$0	\$33,600
2016	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2015	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2014	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2013	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2012	\$16,010	\$12,000	0	28,010	\$0	\$28,010
2011	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2010	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2009	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2008	\$16,010	\$16,120	0	32,130	\$0	\$32,130
2007	\$16,010	\$16,120	0	32,130	\$0	\$32,130

Questions Please Call (361) 595-5775**This year is not certified and ALL values will be represented with "N/A".**

Website version: 1.2.2.33

Database last updated on: 5/13/2021 8:17 PM

© N. Harris Computer Corporation

Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Wholesale office, storage, sales not elsewhere listed										P	P	P	
Climate-controlled self-storage							S		P	P	P		
Milk depot							S	S	P	P	P		
<i>Industrial and Related Uses</i>													
Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous									S	S	P	P	
Storage of sand, gravel, stone, minerals, gas, petroleum or other substances										P	S	P	
Extraction of soil, sand, gravel, stone, minerals, gas, petroleum or other substances											S	S	S

Butcher shop brings local products to the community

By LAURA NEWMAN
REPORTER

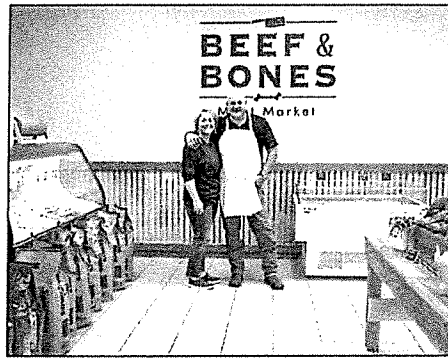
Kingsville residents finally have a place to purchase freshly butchered meats, locally grown produce, local seasonings and sauces and treats for the pup.

A family owned butcher shop, Beef and Bones, located on 14th Street between Bray's and Plaza 141 opened their doors to the public on April 15.

Owners, Lorette and Charles Williams said the turn out thus far has been nothing short of amazing.

"We have been so overwhelmed by the response and we are so very grateful. In the three weeks we have been open, we have had repeat customers. It's just so nice to be able to talk to them," Lorette Williams said.

"Personally, I feel more connected to my community, owning a small business because you see people come in and you create relationships with them when you may have never had that opportunity—that to me is the most exciting thing."



Beef & Bones now open

Charles and Lorette Williams, owners of Beef and Bones, opened the doors to the only butcher shop in Kingsville on April 15. They sell everything from meats to homemade dog treats. (Photo by Laura Newman)

Charles Williams was born in Kingsville, but grew up in the Valley. He came back from the Valley to Kingsville more than 20 years ago.

Williams spent more than 20 years in the oil and gas industry until he was laid off due to the

COVID-19 Pandemic.

Williams continued to look for a job in the oil and gas industry, but did not have any success finding a job.

He and his wife decided to try something different. When Williams was younger, he was a

butcher and it was something he has always enjoyed doing—along with cooking and learning about different meats.

While Charles and Lorette Williams are both the owners, Charles Williams is mainly running the shop.

Lorette Williams is an Executive Director of Communications and Marketing at Del Mar College, but spends her free time on the weekends helping out at the shop.

Beef and Bones is open from 10 a.m. to 6 p.m. Tuesday through Saturday and they sell everything from meats to dog treats—hence their name.

Customers have a variety of different cuts of meats to choose from, locally grown produce, Texas based seasonings and sauces and even treats for the pup.

Beef and Bones' Corner is where customers can find items for their pups, such as, homemade treats, custom made dog bowl stands and beds. The corner is named after their dogs, Buck and Belle.

The idea and goal for this shop is to provide local products to the community. As of right now, the meats come from different sources, but are mainly North Dakota and Iowa cattle.

However, the Williams are currently looking into

getting locally grown cattle for their shop. Produce is locally grown and they plan to continue to partner with local farmers to bring in their produce.

All sauces and seasonings are Texas based, but most of them are from the Valley area. The dog bowl stands and beds are hand crafted right here in Kingsville.

Lorette Williams said people have even come in and made request on certain items and they have been able to stock their shelves with those items.

Charles Williams said the community has been supportive and he has even been told by their customers how much they appreciate them being in town.

"I'm grateful for the city's response to our store, we have had several hundred customers and I have not experienced one customer that has been difficult to deal with," Charles Williams said.

"They are just grateful and supportive and it makes our jobs easier, especially as new business owners."

Commissioner's approve Vietnam Wall to come to Kingsville

By LAURA NEWMAN
REPORTER

Sheriff Richard Kirkpatrick presented the reclassification of the

Captain position to the Kleberg County Commissioners. Court at Monday afternoon's meeting.

Kirkpatrick wants to

reclassify the Captain position to an Assistant Chief Jail Administrator, who will oversee and help run the jail. The salary will remain

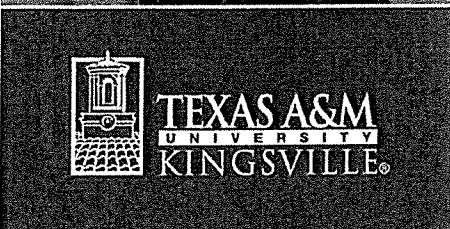
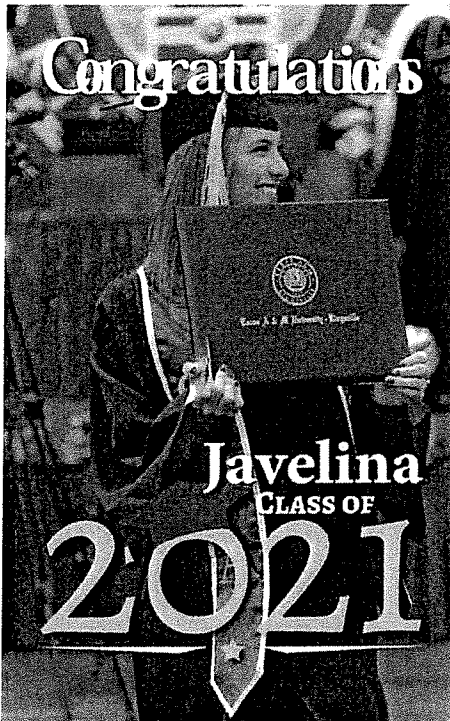
the same for this position.

The Sheriff's Department is in search of a candidate to fill this position after the passing of Capt. Alberto Castillo. Kirkpatrick said the candidate must have a

minimum of three years working in the jail.

Commissioner's also approved to bring the Vietnam Wall to Kingsville and allow Commissioner Jerry Martinez to seek donations for this project. The Viet-

nam Wall project will cost more than \$4,500. The Vietnam Wall has enough names to circle around the courthouse. Martinez said there are names from Korean War, Afghanistan, Iraq and September 11.





COLDWELL BANKER
HOMESTEAD
PROPERTIES, INC.



Let's make it happen.

515 E. King Ave • Kingsville, Tx
(361) 592-4343

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, June 2, 2021 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:

Saul Figueroa, applicant; Ronald Rippe owner; requesting a Special Use Permit for Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous use (Recycling Center) at 4TH, BLOCK 2, LOT 1-3 also known as 708 South 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves 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, June 14, 2021 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Saul Figueroa, applicant; Ronald Rippe owner; requesting a Special Use Permit for Light manufacturing processes which do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the ambient level and are not classified as hazardous use (Recycling Center) at 4TH, BLOCK 2, LOT 1-3 also known as 708 South 6th Street, Kingsville, Texas.

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

ORDINANCE 2021-_____

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR LIGHT MANUFACTURING PROCESSES WHICH DOES NOT EMIT DETECTABLE DUST, ODOR, FUMES, OR GAS BEYOND THE BOUNDARY OF THE PROPERTY OR NOISES ABOVE THE AMBIENT LEVEL AND IS NOT CLASSIFIED AS HAZARDOUS USE (RECYCLING CENTER) AT 4TH, BLOCK 2, LOT 1-3, ALSO KNOWN AS 708 SOUTH 6TH STREET, KINGSVILLE; 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 its reports and recommendations concerning the application of Saul Figueroa (applicant), Ronald Ripps (owner), for amendment to the zoning map of the City of Kingsville;

WHEREAS, the property is currently zoned C4-Commercial District and it is desired for the area to be used for a Light Manufacturing process which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use (recycling center), while its prior use was a recycling center with a special use permit;

WHEREAS, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in C4 a special use permit is required to have a Light Manufacturing process which does not emit detectable dust, odor, fumes, or gas beyond the boundary of the property or noises above the acceptable ambient level and is not classified as hazardous use as listed on the SUP application; and

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

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, June 2, 2021, during a meeting of the Planning Commission, and on Monday, June 14, 2021, a public hearing was held 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 and Zoning Commission voted 5-1 to APPROVE, with 0 abstentions and 0 absent, the requested special use permit with special conditions; 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 the operation of a recycling collection center and placement of a recycling trailer for Kingsville Recycling at 708 S. 6th Street as more specifically described on the site plan attached as Exhibit A.

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

1. **ALLOWED USE:** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for the operation of a recycling collection center and the placement of a recycling trailer for Kingsville Recycling at 708 S. 6th Street. as more specifically describe on site plan attached as Exhibit A. Kingsville Recycling will collect for recycling aluminum cans & scrap, brass, copper, steel and iron.

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

3. **REMOVAL OF TRAILER AND COLLECTED ITEMS:** The recycling trailer and all collected items will be removed from the site of the special use permit no later than fifteen (15) days of the expiration of the time limit.

4. **MISCELANEOUS:** No one shall live/reside at the property. The size of the trailer shall not be larger than 60 feet by 12 feet. Landscaping shall be installed and maintained for the duration of the special use permit. Trash pick-up shall be coordinated with the City of Kingsville Solid Waste Management Supervisor. Water and Sewer service shall be in compliance with the City of Kingsville Code of Ordinances. All City Ordinances shall be complied with. On-premises customer parking shall be made available at the site. Location of the recycling trailer must meet all location setbacks. All items collected for recycling at this collection site shall not be visible from adjacent public or private property. Screening shall be installed onto the existing chain link fence subject to review and approval of the Planning Department. A landscaping plan shall be reviewed and approved by the Planning Department and all approved landscaping must be installed prior to issuance of a Certificate of Occupancy. An eight foot high fence or screen shall be installed on the rear property line adjacent to the existing residence on Johnston Street to provide screening between the proposed business and the existing residence. Hours of operation shall be within 9am to 5pm Monday through Saturday. A directional low level sign shall be installed at the corner of Johnston & 6th Streets to show customers where to enter for drop offs.

SECTION 3. 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 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 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 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.

INTRODUCED on this the 14th day of June, 2021.

PASSED AND APPROVED on this the 28th day of June, 2021.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

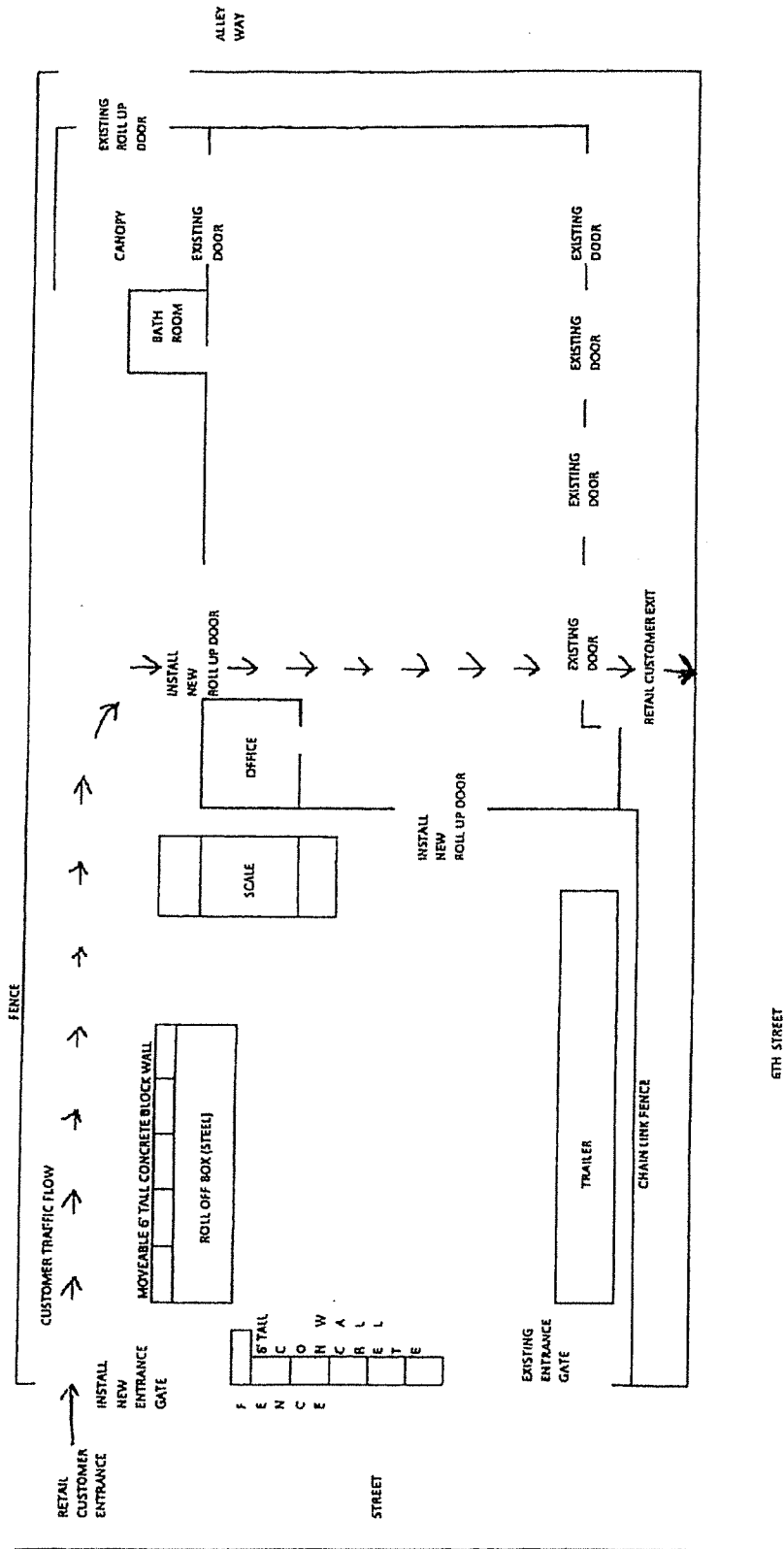
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Exhibit A



AGENDA ITEM #4

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: May 21, 2021

SUBJECT: FY2021 Bulletproof Vest Partnership Grant

Summary:

The Kingsville Police Department applied for the FY2021 Bulletproof Vest Partnership Grant due to applications only being accepted until June 14th, 2021 at 6:00 pm (Eastern Time)

Background:

Justice Assistance Grant (JAG) funds or other federal funding sources may not be used to pay for that portion of the bullet proof vest (50%) that is not covered by BVP funds. JAG or other federal funds may be used to purchase vests for an agency, but they may not be used as the 50% match for BVP purposes.

Uniquely Fitted Armor Vest Requirement- Jurisdictions receiving funding for reimbursement of body armor purchases must have in place a uniquely fitted vest requirement when the FY 2019 BVP applications are submitted.

In the BVP Program, "uniquely fitted vests" means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: 1) correctly-sized panels and carrier, determined through appropriate measurement, and 2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of the Office of Justice Programs' efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the *Standard Practice for Body Armor Wearer Measurement and Fitting of Armor* ([Active Standard ASTM E3003](#)) available at no cost. [The Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.



City of Kingsville Police Department

In addition, a certification section has been added to the 2021 application (in the BVP system) stating the jurisdictions and law enforcement agency are aware of and will comply with this requirement.

Financial Impact:

The Kingsville Police Department currently outfits our officers with SUMMIT Level IIIA body armor, with a 5X8 Soft Trauma Plate, and interior carrier and an exterior uniform carrier at a total cost of \$1000.00 per unit.

We have applied to replace 10 units in FY21 due to address turnover in staffing as well as perhaps some older vests that need to be replaced. The maximum allowable funding from BVP is 50% of the cost or \$10,000.00.

Recommendation:

We request a resolution to allow for the acceptance, administration and expenditure of this grant by the Chief of Police.



RESOLUTION #2021-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN BULLETPROOF VEST PARTNERSHIP PROGRAM FY2021 WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, JUSTICE ASSISTANCE GRANT (JAG) FOR BULLETPROOF VESTS FOR THE KINGSVILLE POLICE DEPARTMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the Office of the Governor, Criminal Justice Division, Justice Assistance Grant (JAG) for the Bulletproof Vest Partnership (BVP) Grant Program for grant monies for equipment for law enforcement personnel; and

WHEREAS, the BVP Program has funding to provide for 50% of the cost of bulletproof vests for law enforcement personnel via a grant to local law enforcement agencies; and

WHEREAS, the JAG is providing grants through funding from BVP Program FY2021; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the BVP Grant Program grant application; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full; and

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer safety; and

WHEREAS, the City of Kingsville and the Kingsville Police Department are aware of and will comply with uniquely fitted armor vest requirement; and

WHEREAS, the City Commission of the City of Kingsville designates the City Manager as the grantee's authorized official and the Kingsville Police Chief as his/her designee, who has the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

I.

THAT the City authorize the Kingsville Police Department through the Chief of Police to participate in Bulletproof Vest Partnership Program FY2021 and to seek funding for law enforcement personnel bulletproof vests to assist with improved security for our law enforcement personnel in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Bulletproof Vest Partnership Program FY2021 including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 14th day of June, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

City of Kingsville Police Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: June 12, 2020

SUBJECT: Request for Application BJA Southwest Border Rural Law Enforcement Assistance Program

Summary:

The police department is requesting a resolution for application and acceptance of BJA Southwest Border Rural Law Enforcement Assistance Program.

Background:

The Mexico–United States border, known as the southwest border (SWB), extends nearly 2,000 miles, is the tenth-longest border between two countries in the world, and is the most frequently crossed. State, local, and tribal law enforcement agencies located in the SWB face limited staffing and resources while also having to traverse a variety of terrains—from rural areas to deserts—in order to enforce immigration rules, prevent violent crime, and protect the safety of U.S. citizens. The Bureau of Justice Assistance (BJA) SWB Rural Law Enforcement Assistance Program is an innovative new initiative designed to provide resources to small, rural, and tribal law enforcement agencies, located in one of the SWB states of Arizona, California, New Mexico, or Texas. The goal of this effort is to help these agencies address precipitous increases of all types of crime unique to this region, including human trafficking, sexual assaults, extortion, gang activity, murder, drug trafficking, unique local issues, and other forms of violent crime.

Awards under this initiative must meet at least one of the following five program purposes:

- Improve the agency's investigative, intelligence, and/or interdiction capabilities.
- Enhance information sharing, including investigative and intelligence data sharing with other agencies.
- Enable agencies to participate in projects across the Southwest Border states.
- Assist in projects/initiatives unique to an agency or its region.
- Improve dedicated communications capabilities.



**City of Kingsville
Police Department**

Items normally provided by a law enforcement agency in the course of its mission are not included in this program; for example, vehicles, weapons, uniforms, radios, and other standard-issue items. Agencies are guided to request funding only for the specific amount needed to obtain the requested item(s) and the costs should be reasonable. Requests cannot exceed \$150,000 per agency. For as long as funding is available, agencies may submit one or more application—however, the combined requested amount cannot exceed the \$150,000 cap. For example, the total amount a group of interdiction teams under one law enforcement agency can request combined is \$150,000 for the entire agency.

Financial Impact:

Purchase of 2 Camera ALPR Message Board Trailer including associated hardware, software, shipping and services. Contract# GS-07F-0031W (GSA)

Total Cost \$61,184.77

Rapiscan Systems (Itemizer 4DN)

Total Cost: \$21,963.11

(2) Two Ranger Crew XP 1000 Premium , Steel Blue-49 State
Contract# 051717-PSI (Sourcewell)

Total Cost: \$59,610.54

Harris XG-75 Mobile, Scan Model Remote Mount 764/870MHz
P25 Trunking, EDACS Trunking radios @\$3,535.56 per unit

Total Cost: \$7071.12

Program Grand Total \$149,829.54

This grant does not have a cash match, but we do have recurring costs associated with the equipment. The Intelligence Led Policing "ILP" Package which includes commercial data (\$11,750.00) and the CLK fees for each camera (\$525) would be recurring annually.

Recurring Cost: \$13,325.00

Recommendation:

We request approval to apply for, administer and purchase the equipment when approved. Thank you for your assistance regarding this matter.



RESOLUTION #2020- 48

A RESOLUTION AUTHORIZING PARTICIPATION IN SOUTHWEST BORDER RURAL LAW ENFORCEMENT INFORMATION SHARING AND INTERDICTION ASSISTANCE GRANTS FY2020 WITH THE US DEPARTMENT OF JUSTICE (DOJ) BUREAU OF JUSTICE ASSISTANCE (BJA) FOR SOFTWARE AND EQUIPMENT FOR THE KINGSVILLE POLICE DEPARTMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the DOJ, Office of Justice Programs, BJA for the FY20 Southwest Border Rural Law Enforcement Sharing and Interdiction Assistance Grant for grant monies for software and equipment for law enforcement personnel; and

WHEREAS, the BJA Program FY2020 has funding to provide for the cost of software and equipment for law enforcement personnel via a grant to local law enforcement agencies; and

WHEREAS, the BJA is providing grants through funding from DOJ's Office of Justice Programs FY2020; and

WHEREAS, there is no cash match for the BJA Grant Program grant application; and

WHEREAS, the City agrees that in the event of loss or misuse of the DOJ grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the DOJ in full; and

WHEREAS, the City of Kingsville has previously applied for other grants that assist with improved officer safety and to reduce crime; and

WHEREAS, the City Commission of the City of Kingsville designates the City Manager as the grantee's authorized official and the Kingsville Police Chief as his/her designee, who has the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

I.

THAT the City authorize the Kingsville Police Department through the Chief of Police to participate in the BJA FY20 Southwest Border Rural Law Enforcement Sharing and Interdiction Assistance Grant and to seek funding for law enforcement personnel software and equipment to assist with efforts to reduce violent crime, including drug-related crime and human trafficking in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to BJA FY20 Southwest Border Rural Law Enforcement Sharing and Interdiction Assistance Grant including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

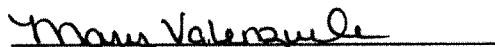
III.

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

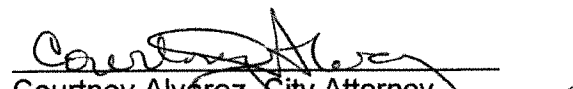
PASSED AND APPROVED by a majority vote of the City Commission on the 22nd day of June, 2020.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

Subaward Agreement
between the
City of Kingsville on behalf of the Kingsville Police Department
and the
Institute for Intergovernmental Research (IIR)
in the
Southwest Border Rural Law Enforcement Assistance Program

This Subaward Agreement (*Agreement*) is entered into as of the 23rd day of April 2021, by and between the Institute for Intergovernmental Research (*IIR*) and the City of Kingsville on behalf of the Kingsville Police Department (*KPD*). Funds have been allocated to *IIR* under Catalog of Federal Domestic Assistance (CFDA) Number 16.738 (Edward Byrne Memorial Justice Assistance Grant Program) by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), in federal Cooperative Agreement Award Number 2019-MU-BX-K002, Southwest Border Rural (SWB) Law Enforcement Training and Technical Assistance, to provide needed resources to small, rural, and tribal law enforcement agencies in the Southwest Border region. The following terms and conditions govern this *Agreement*:

- a. The term of this *Agreement* is for the time period from April 23, 2021, to June 30, 2022. Either party may withdraw by delivering ten days' written notice to the other party of its intent to withdraw from this *Agreement*.
- b. *KPD* agrees to perform the tasks mutually agreed upon and identified in the Project Plan at Attachment A. *IIR* agrees to pay *KPD* on a reimbursement basis for actual costs incurred as described in the attached Project Plan, up to a total amount not to exceed \$83,147.88.
- c. All financial transactions conducted under this *Agreement* will be in compliance with applicable federal financial guidelines, rules, and regulations.
- d. *KPD* will invoice *IIR* for agreed-upon allowable costs incurred during the invoice period. Only costs incurred in the subaward period and applicable to the project as outlined in the Project Plan in Attachment A will be allowable. Any indirect costs charged must be consistent with either an Indirect Cost Negotiated Agreement with a federal agency or other indirect cost allocation plan/rate in accordance with 2 Code of Federal Regulations (CFR) Part 200. Invoices should include appropriate backup documentation and should be submitted no more frequently than monthly. Appropriate backup documentation includes all necessary documentation to support claims made on invoices. *IIR* shall pay *KPD*'s invoice within 30 days after submission and *IIR*'s review and approval. However, if *IIR* is unable to draw funds from BJA on the associated award due to issues beyond *IIR*'s control, invoice payment may exceed the 30 days.
- e. *KPD* must invoice *IIR* for allowable expenses incurred pursuant to this *Agreement* within 30 days of the expiration of this *Agreement*. Invoices submitted after 30 days of the expiration of this *Agreement* may not be paid, due to requirements associated with federal funding availability.

- f. If there are changes or delays in project implementation or scope, *KPD* will provide a status report to *IIR* summarizing the related issues and progress (activity) to date. *IIR* will submit any requests for a change in scope to BJA for consideration and approval. *IIR* may request additional activity/progress reports during the term of this *Agreement*.
- g. At project completion, *KPD* will complete and submit to *IIR* a post-implementation evaluation, provided by *IIR*. *IIR* may require additional information for the evaluation as may be necessary to allow *IIR* to fulfill its federal reporting requirements.
- h. *KPD* certifies that any services/activities funded through this subaward will be performed by qualified personnel in a workmanlike manner and in accordance with the requirements set forth in this *Agreement*. *KPD* certifies that it will use reasonable care and skill to efficiently and effectively perform the services required to complete the Project Plan.
- i. *KPD* certifies that all personnel participating in this program, such as those receiving and implementing equipment and/or utilizing resources acquired through this subaward, are United States citizens or are fully and legally authorized to work in the United States. *KPD's* failure to comply with the foregoing is grounds for immediate termination of this *Agreement* by *IIR*.
- j. In executing this *Agreement*, *KPD* represents that it is fully capable of meeting the requirements of this *Agreement* and is not aware of any pending or potential restrictions that would make it unable to comply with those requirements.
- k. The following attachments/information are hereby incorporated by reference and made a part hereof:
 - Attachment A – Project Plan
 - Attachment B – Additional Provisions
 - Attachment C – Breach of Personally Identifiable Information Procedures
 - Attachment D – Federal Funding Accountability and Transparency Act (FFATA) Subcontractor Reporting Data Sheet
 - Attachment E – Award Continuation Sheet (Special Conditions) to Cooperative Agreement 2019-MU-BX-K002
 - Attachment F – SWB Rural Law Enforcement Assistance Program Overview
 - *KPD's* response to the solicitation

Remainder of this page intentionally left blank

Each individual signing this *Agreement* directly and expressly warrants that he/she has been given and has received and accepted authority to sign and execute the *Agreement* on behalf of the party for whom it is indicated he/she has signed, and further has been expressly given and received and accepted authority to enter into a binding agreement on behalf of such party with respect to the matters contained herein and as stated herein.

Accepted:

Ricardo Torres

City of Kingsville
Kingsville Police Department

Accepted:

Gina Hartsfield

Gina Hartsfield, President and CEO
Institute for Intergovernmental Research

Ricardo Torres, Chief of Police

Printed Name and Title

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO EXPEND GRANT FUNDS FROM BJA-2021 SOUTHWEST BORDER RURAL AND TRIBAL ASSISTANCE PROGRAM FOR (2) AUTOMATED LICENSE PLATE PACKAGES AND A RAPISCAN DETECTION UNIT.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 114 – SWB Rural & Tribal Assistance Grant					
<u>Revenues-4</u>					
0000	Non Dept	Federal Grant	72005	\$83,147.88	
<u>Expenditures-5</u>					
2100	Police	Machinery & Equipment	71200	\$83,147.88	

[To amend the City of Kingsville FY 20-21 Budget to expend grant funds from BJA-2021 Southwest Border Rural and Tribal Assistance Program for (2) automated license plate packages and a Rapiscan detection unit. Funding will come from the grant funding provided.]

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 not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 14th day of June 2021.

PASSED AND APPROVED on this the 28th day of June 2021.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

RESOLUTION #2020 75

A RESOLUTION OF THE CITY COMMISSION OF KINGSVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) APPLICATION TO THE TEXAS GENERAL LAND OFFICE FOR DRAINAGE SYSTEM IMPROVEMENTS AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-MIT PROGRAM.

WHEREAS, the City of Kingsville desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to disastrous events, which represent a threat to the public health, safety and welfare; and

WHEREAS, it is necessary and in the best interests of the citizens of the City of Kingsville to apply for funding under the CDBG-MIT Program;

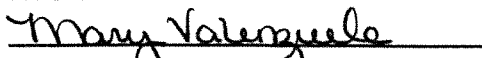
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF KINGSVILLE, TEXAS:

1. That a CDBG-MIT application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development Block Grant-Mitigation.
2. That the application be for \$36,311,929 of grant funds to provide citywide drainage system improvements.
3. That the Mayor and City Manager are designated as the Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and participation in the CDBG-MIT Program.
4. That the Mayor is designated to oversee all grant activities so as to ensure there are no Conflicts of Interest.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That contributing funds in the amount of \$366,787 in cash are committed by the City of Kingsville toward application activities.
7. That this resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of October, 2020.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

May 21, 2021

Sam R. Fugate
Mayor, City of Kingsville
400 West King
Kingsville, TX 78363

Re: Mitigation Harvey Round 1 State Most Impacted and Distressed Competition Award Announcement

Dear Mayor Fugate:

The Texas General Land Office Community Development and Revitalization division (GLO-CDR) has completed its scoring of all Mitigation Harvey Round 1 State Most Impacted and Distressed (SMID) Competition grant applications. We are pleased to announce the approval of your application for Community Development Block Grant Disaster Recovery (CDBG-DR) funding. **Congratulations!** This letter is confirmation that Kingsville's application for Mitigation Harvey Round 1 State Most Impacted and Distressed Competition has been approved for funding and will move forward to contracting.

Project Information:

Applicant:	Kingsville
CDBG-DR Amount:	\$36,311,929.00
Project Description:	Citywide Drainage System Improvements

As indicated, the next step will be contract execution, followed closely by a Kickoff meeting. To ensure thorough guidance throughout the project's lifecycle, your Grant Manager, Gabriela Rodriguez, will assist you in meeting program requirements, the terms of your executed Subrecipient Agreement, and to address specific questions that arise along the way. Gabriela will contact you directly to establish a contact list of key stakeholders and identify roles and responsibilities. In the meantime, she can be reached at Gabriela.rodriguez.glo@recovery.texas.gov or (512) 475-5123.

GLO-CDR is dedicated to Kingsville's success. If you have any immediate questions regarding this award, feel free to contact me at Cynthia.Hudson.glo@recovery.texas.gov or (512) 917-4073.

Sincerely,

Cynthia Hudson

Cynthia Hudson
Director of Grant Management

cc: U.S. Representative – Filemon Vela
U.S. Senator – John Cornyn
U.S. Senator – Ted Cruz
State Senator – Eddie Lucio, Jr.
State Representatives – J.M. Lozano

RESOLUTION #2021-_____

A RESOLUTION ACCEPTING FUNDING FROM THE TEXAS GENERAL LAND OFFICE, COMMUNITY DEVELOPMENT BLOCK GRANT, DISASTER RECOVERY-MITIGATION PROGRAM FOR CITYWIDE DRAINAGE SYSTEM IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville applied to the Texas General Land Office ("GLO") for funding to assist with the citywide drainage system improvements via Resolution #2020-75 authorized by City Commission on October 26, 2020 at a duly posted meeting and was recently notified of a \$36,311,929.00 award, which requires a cash match of \$366,787 that the City already has funds designated to cover; and

WHEREAS, the GLO-Community Development and Revitalization division approved the City's application for Community Development Block Grant Disaster Recovery funding for Mitigation Harvey Round 1 State Most Impacted and Distressed competition and sent a letter of award that advised they will move forward with contracting; and

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

I.

THAT the City accepts the Texas General Land Office's Community Development Block Grant Disaster Recovery-Mitigation Grant Award in an amount of \$36,311,929.00 for citywide drainage system improvements.

II.

THAT the Mayor and the City Manager were previously designated as the Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and participation in the CDBG-MIT Program.

III.

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

IV.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 14th day of June, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

RESOLUTION #2020 76

A RESOLUTION OF THE CITY COMMISSION OF KINGSVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) APPLICATION TO THE TEXAS GENERAL LAND OFFICE FOR DRAINAGE SYSTEM IMPROVEMENTS AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-MIT PROGRAM.

WHEREAS, the City of Kingsville desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to disastrous events, which represent a threat to the public health, safety and welfare; and

WHEREAS, it is necessary and in the best interests of the citizens of the City of Kingsville to apply for funding under the CDBG-MIT Program;

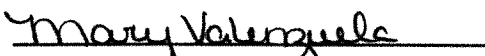
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF KINGSVILLE, TEXAS:

1. That a CDBG-MIT application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the Community Development Block Grant-Mitigation.
2. That the application be for \$7,293,111 of grant funds to provide citywide sewer system improvements.
3. That the Mayor and City Manager are designated as the Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and participation in the CDBG-MIT Program.
4. That the Mayor is designated to oversee all grant activities so as to ensure there are no Conflicts of Interest.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That contributing funds in the amount of \$73,668 in cash are committed by the City of Kingsville toward application activities.
7. That this resolution shall be and become effective on or after adoption.


PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of October, 2020.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

March 11, 2021

Sam Fugate
Mayor, City of Kingsville
400 West King
Kingsville, TX 78363

Re: Mitigation 2016 State Most Impacted and Distressed Competition Award Announcement

Dear Mayor Fugate:

The Texas General Land Office Community Development and Revitalization division (GLO-CDR) has completed its scoring of all Mitigation 2016 State Most Impacted and Distressed (SMID) Competition grant applications. We are pleased to announce the approval of your application for Community Development Block Grant Disaster Recovery (CDBG-DR) funding. **Congratulations!** This letter is confirmation that Kingsville's application for Mitigation 2016 State Most Impacted and Distressed Competition has been approved for funding and will move forward to contracting.

Project Information:

Applicant:	Kingsville
CDBG-DR Amount:	\$ 7,293,111.00
Project Description:	Citywide Wastewater Collection System Improvements

As indicated, the next step will be contract execution, followed closely by a Kickoff meeting. To ensure thorough guidance throughout the project's lifecycle, your Grant Manager, Ahide Gutierrez, will assist you in meeting program requirements, the terms of your executed Subrecipient Agreement, and to address specific questions that arise along the way. Ahide will contact you directly to establish a contact list of key stakeholders and identify roles and responsibilities. In the meantime, she can be reached Ahide.Gutierrez.GLO@recovery.Texas.gov or (737) 465-9811.

GLO-CDR is dedicated to Kingsville's success. If you have any immediate questions regarding this award, feel free to contact me at Cynthia.Hudson.glo@recovery.texas.gov or (512) 917-4073.

Sincerely,

Cynthia Hudson
Director of Grant Management

cc: U.S. Representative – Filemon Vela
U.S. Senator – John Cornyn
U.S. Senator – Ted Cruz
State Senators – Eddie Lucie, Jr.
State Representative – J.M. Lozano

RESOLUTION #2021-_____

A RESOLUTION ACCEPTING FUNDING FROM THE TEXAS GENERAL LAND OFFICE, COMMUNITY DEVELOPMENT BLOCK GRANT, DISASTER RECOVERY-MITIGATION PROGRAM FOR CITYWIDE WASTEWATER COLLECTION SYSTEM IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville applied to the Texas General Land Office ("GLO") for funding to assist with the citywide wastewater collection system improvements via Resolution #2020-76 authorized by City Commission on October 26, 2020 at a duly posted meeting and was recently notified of a \$7,293,111.00 award, which requires a cash match of \$73,688 that the City already has funds designated to cover; and

WHEREAS, the GLO-Community Development and Revitalization division approved the City's application for Community Development Block Grant Disaster Recovery funding for Mitigation Harvey Round 1 State Most Impacted and Distressed competition and sent a letter of award that advised they will move forward with contracting; and

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

I.

THAT the City accepts the Texas General Land Office's Community Development Block Grant Disaster Recovery-Mitigation Grant Award in an amount of \$7,293,111.00 for citywide wastewater collection system improvements.

II.

THAT the Mayor and the City Manager were previously designated as the Chief Executive Officers and Authorized Representatives to act in all matters in connection with this application and participation in the CDBG-MIT Program.

III.

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

IV.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 14th day of June, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Courtney Alvarez

From: Rutilio "Rudy" Mora
Sent: Friday, May 21, 2021 4:51 PM
To: Deborah Balli; Courtney Alvarez
Cc: Michael Mora
Subject: Re: 2016 GLO Mitigation Grant

Courtney,

Will these grants need to be accepted by Commission?

Rudy

Sent from my iPhone

On May 21, 2021, at 4:47 PM, Deborah Balli <DBalli@cityofkingsville.com> wrote:

Rudy,

Can you send me the grant details on the \$7,293,111 that shows exactly what the grant covers, the funding allocation so I can budget this for next year. I need to know the match amount.

Did we take it before commission to accept the award? If so, when. I don't see it on any of the later agendas. We received the award letter dated 3/11/2021, so I would think it would be somewhere in that timeframe. If not, does it to go before commission?

Thanks
Deborah

AGENDA ITEM #8

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: June 14, 2021

SUBJECT: Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget for Wastewater and Drainage Improvements.

Summary:

The City has recently received multiple grants and 0% loans for wastewater and drainage improvement through the Texas Water Development Board and Texas General Land office. The local match, grants and loans are as follows:

Texas Water Development Board

Fund 116 – Drainage Master Plan Location 7 Improvements Project #40135

\$ 602,000	Total Grant
\$ 754,000	Total Loan
<u>\$ 44,000</u>	<u>Local Match</u>
\$1,400,000	Total Project

Fund 117 – Drainage Master Plan Location 1 Improvements Project #40142

\$ 602,000	Total Grant
\$ 754,000	Total Loan
<u>\$ 44,000</u>	<u>Local Match</u>
\$1,400,000	Total Project

Fund 118 – Drainage Master Plan Location 3 Improvements Project #40143

\$ 645,000	Total Grant
\$ 811,000	Total Loan
<u>\$ 44,000</u>	<u>Local Match</u>
\$1,500,000	Total Project



**City of Kingsville
Engineering Dept.**

Fund 119 – Drainage Master Plan Location 4 Improvements Project #40144

\$817,762	Total Grant
\$1,038,238	Total Loan
\$44,000	Local Match
\$1,900,00	Total Project

Texas General Land Office

Fund 113 – City-wide Wastewater Collection System

\$5,898,547	Construction
\$884,782	Engineering
\$583,449	Administration
\$73,668	Local Match
\$7,293,110	Total Project

Fund 122 – GLO Mitigation

\$30,000,00	Construction
\$4,500,000	Engineering
\$2,178,716	Administration
\$366,787	Local Match
\$36,311,929	Total Project

Financial Impact:

Fund 068 has a balance of \$1,266,174.97 and will be used to cover the grant's cash matches which total \$616,455.00.

Recommendation:

Staff recommends approval of the Budget Amendment.

Attachments:

None



Texas Water Development Board

Fund 116

PROJECT FUNDING REQUEST

BOARD DATE: April 22, 2021

PRESENTED BY: Mireya Loewe

ACTION REQUESTED

Approve by resolution a request from the City of Kingsville (Kleberg County) for \$1,356,000 in financial assistance consisting of \$754,000 in financing and \$602,000 in grant from the Flood Infrastructure Fund for planning, design, and construction of a flood management project.

PROJECT NAME AND NUMBER

Drainage Master Plan – Location 7 Improvements, Project Number 40135

STAFF RECOMMENDATION

☒ Approve ☐ No Action

BACKGROUND

Passed by the 86th Texas Legislature and approved by the voters through a constitutional amendment, the Flood Infrastructure Fund (FIF) program was created to provide funding for flood mitigation projects. The purpose of the FIF, as outlined in Senate Bill 7 was to assist in financing drainage, flood mitigation, and flood control projects. FIF projects to be presented for consideration have been scored and ranked utilizing a prioritization criteria outlined in Texas Administrative Code Title 31 § 363.404 and further identified in the Flood Intended Use Plan. The prioritized list of projects was approved by the Board on September 17, 2020.

The City of Kingsville (City) is the seat of Kleberg County, approximately 41 miles southwest of Corpus Christi, Texas. The City has a population of approximately 25,400.

PROJECT NEED AND DESCRIPTION

Heavy rainfalls create flooding problems in several locations within city limits. The drainage basin known as Location 7, is approximately 45 acres, is fully developed, and includes approximately 85 homes. The area drains into Escondido Creek, which is located approximately 3,500 feet north. Based on a 2018 drainage study, the current drainage infrastructure does not meet a 2-year storm event. Both the stormwater system and the road channels are undersized. This creates high-water problems near homes and flooding along Pasadena Drive and adjacent streets, particularly near the North and South Pasadena St. intersection.

The proposed project will be located within the Location 7 drainage basin and will relieve drainage issues along Pasadena Drive and in Glover Park Subdivision in the southwest side of the City. It includes upsizing approximately 1,600 linear feet (LF) of stormwater drainage system, adding 17 curb inlets, and completing 2,900 LF of channel excavation to improve flow hydraulics. Based on the drainage study, the City anticipates the proposed channel and stormwater system improvements will reduce street flooding by approximately 30 percent during a 10-year storm event.

COMMITMENT PERIOD: SIX (6) MONTHS TO EXPIRE OCTOBER 31, 2021

PROJECT SCHEDULE

Task	Schedule Date
Closing	July 5, 2021
Engineering Feasibility Report Completion (End of Planning Phase)	November 29, 2021
Design Phase	February 28, 2022
Start of Construction	May 31, 2022
Construction Completion	March 31, 2023

KEY ISSUES

The City's project is eligible under Category 2 of the 2020 Flood Intended Use Plan. This category of funding was designed for planning, acquisition, design, and construction activities to implement flood mitigation projects. Category 2 projects are eligible to receive up to 70 percent in grant funding. Recipients of financial assistance may either use their own available funds or borrow FIF funds at zero percent for any portion of the required local share not provided through FIF grant funds.

The City qualified for a \$602,000 grant under the FIF equal to 43 percent of the total project cost of \$1,400,000. The remaining 57 percent will be funded through a \$44,000 cash contribution by the City and \$754,000 in FIF financing.

The City submitted three additional FIF Category 2 applications. The requests are included on this agenda and in the financial analysis presented in Attachment 1. In addition, the four funding requests have been combined into a single resolution presented in Attachment 3.

Project No.	Grant Amount	Financing Amount	Local Funds	Total Project Cost
40135	\$ 602,000	\$ 754,000	\$ 44,000	\$ 1,400,000
40142	\$ 602,000	\$ 754,000	\$ 44,000	\$ 1,400,000
40143	\$ 645,000	\$ 811,000	\$ 44,000	\$ 1,500,000
40144	\$ 817,000	\$ 1,039,000	\$ 44,000	\$ 1,900,000
Totals	\$ 2,666,000	\$ 3,358,000	\$ 176,000	\$ 6,200,000

LEGAL

Special Conditions

- Executed Grant Agreement
- Demonstration of local contribution

Attachments:

1. Financial Review
2. Project Budget
3. Resolution (21-)
4. Location Map

Financial Review

City of Kingsville

Risk Score: 2A

Key Indicators

Indicator	Result	Benchmark
Population Growth, Average Annual 2010-2019	County: -0.39%	State: 1.24%
Top 10 Customers of the System	22%	<10-15%
Median Household Income Index %	64%	100%
Days of Cash on Hand (3-year Average)	413 days	30-149 days
Cash Balance Ratio	6%	0 – 9%
Debt Service Coverage Ratio	1.49x	1.0x
Debt-to-Operating Revenues	1.15x	4.00-5.99x
Unemployment Rate (December)	7.7%	6.7%

Key Risk Score Strengths

- Debt to operating revenues are low due to the City's high revenues and low debt. The City has ample room to take on future debt as necessary.
- Days cash of hand is above the benchmark showing the City's ability to handle surges in short-term liabilities.
- Although the interest and sinking tax is projected to increase, this is primarily due to the increase in the City's current debt over the next two years. The proposed debt is projected to be repaid solely with utility revenues.

Key Risk Score Concerns

- The City's top 10 customers are higher than the benchmark with its top customer, Texas A&M University - Kingsville, accounting for 9.3 percent of total system revenues, which projects a slight concentration risk.
- The City's unemployment is above the benchmark, although there were no major layoffs of note from its top 10 employers.

PLEDGE

Legal Pledge Name	Ad valorem tax and subordinate lien revenue
Type of Pledge	<input type="checkbox"/> Tax <input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Tax & Revenue <input type="checkbox"/> Contract <input type="checkbox"/> Other
Revenue Pledge Level	<input type="checkbox"/> First <input checked="" type="checkbox"/> Second <input type="checkbox"/> Third <input type="checkbox"/> N/A

RATES AND CHARGES

Average Residential Use	Gallons/Month	Current Rates	Projected Rates	Current Household Cost Factor	Projected Household Cost Factor
WATER	6,540	\$29.82	\$29.82	1.81%	1.81%
WASTEWATER	5,903	\$27.98	\$27.98		

TAXES

	2020 Tax Year Rate	Max Projected Tax Rate (2023)	Maximum Allowable Rate	3-Year Avg Current Tax Collections	Assessed Valuation
Maintenance & Operation	\$0.700	\$0.700	\$2.50	96%	\$913,258,576
Interest & Sinking	\$0.151	\$0.165			
Total Tax Rate	\$0.851	\$0.864			

Cost Savings

Based on a 30-year maturity schedule and current interest rates, the City could save approximately \$1,623,824 over the life of the financing. The City is also saving \$602,000 in grant funding.

Project Data Summary

Responsible Authority	Kingsville
Program	FLOOD
Commitment Number	G1001338, L1001337
Project Number	40135
List Year	2020
Type of Pledge	Combo Tax and Revenue
Pledge Level (if applicable)	Second Lien
Legal Description	\$602,000 City of Kingsville, Texas Grant Agreement, \$3,358,000 City of Kingsville, Texas Combination Tax and Revenue Certificates of Obligation, Proposed Taxable Series 2021
Tax-exempt or Taxable	Taxable
Refinance	No
Outlay Requirement	Yes
Disbursement Method	Escrow
Outlay Type	Outlay = Escrow Release
Qualifies as Disadvantaged	No
Financial Managerial & Technical Complete	N/A
Phases Funded	Planning, Design, and Construction
Pre-Design	Yes
Project Consistent with State Water Plan	N/A
Water Conservation Plan	N/A
Overall Risk Score	2A

PROJECT TEAM

Team Manager	Financial Analyst	Engineering Reviewer	Environmental Reviewer	Attorney
Mireya Loewe	Tyrone Alcorn	Dennis Newman	Lauren Dill	Joe Reynolds

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER CASH MATCH FUNDS ON THE (4) TEXAS WATER DEVELOPMENT BOARD PROJECTS AND THE (2) TEXAS GENERAL LAND OFFICE GRANTS FOR CITY-WIDE WASTEWATER COLLECTION SYSTEM & DRAINAGE SYSTEM IMPROVEMENTS.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 068 – CO Series 2013 - Drainage					
<u>Expenditures-5</u>					
6900	Transfers	Transfer to Fund 113	80113	\$73,668.00	
6900	Transfers	Transfer to Fund 116	80116	\$44,000.00	
6900	Transfers	Transfer to Fund 117	80117	\$44,000.00	
6900	Transfers	Transfer to Fund 118	80118	\$44,000.00	
6900	Transfers	Transfer to Fund 119	80119	\$44,000.00	
6900	Transfers	Transfer to Fund 122	80122	\$366,787.00	
Fund 113 – City Wide Wastewater Collection System Improvements					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$73,668.00	
Fund 116 – Drainage Master Plan Location #7 – Project #40135					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$44,000.00	
Fund 117 – Drainage Master Plan Location #1 – Project #40142					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$44,000.00	

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 118 – Drainage Master Plan Location #3 – Project #40143					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$44,000.00	
Fund 119 – Drainage Master Plan Location #4 – Project #40144					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$44,000.00	
Fund 120 – General Land Office Hurricane Harvey Mitigation Grant					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 068	75068	\$366,787.00	

[To amend the City of Kingsville FY 20-21 Budget to transfer the cash match on the (4) Texas Water Development Board Projects and the (2) Texas General Land Office Grants for City-Wide Wastewater Collection System & Drainage System Improvements. The Funding will come from the unappropriated fund balance of the CO Series 2013 for drainage Fund 068.]

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 not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 14th day of June 2021.

PASSED AND APPROVED on this the 28th day of June 2021.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #9

AGENDA ITEM #10

RESOLUTION #2021-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FEBRUARY 2021 STORM RECOVERY AGREEMENT WITH GEXA ENERGY; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the extraordinary February 2021 winter storm event resulted in some of the highest energy and ancillary service charges ever experienced by electric consumers in ERCOT;

WHEREAS, the City's energy costs remained stable throughout the winter storm due to its Commercial Electric Service Agreement (CESA) with Gexa Energy, who is the retail electric provider for the Texas Coalition for Affordable Power (TCAP) that the city is a member of;

WHEREAS, ancillary services are reliability products procured by ERCOT as grid operator to maintain the stability and reliability of the electric grid and ERCOT bills the cost of ancillary services to entities, like retail electric providers, that serve end-use customers and are commonly passed on to the customer in various ways;

WHEREAS, the cost of ancillary services is generally very small but during Winter Storm Uri in February the ancillary service costs far exceeded the energy price ceiling (of \$9,000/kwH), resulting in exorbitant rates for a period of days;

WHEREAS, the exorbitant winter storm ancillary service charges impact every retail electric provide in the ERCOT service territory and thus every consumer in that area;

WHEREAS, the Texas Legislature has taken steps to try and prevent this situation from reoccurring in the future and even approved HB4492, which is awaiting the Governor's signature, that would provide that some of the costs incurred from the winter storm be covered by a securitization plan that would spread these market costs over a longer period of time and at low interest rates thereby reducing the immediate monthly impact to consumers;

WHEREAS, an election on the winter storm ancillary service charge recovery must be made now and any change to the amount owed due to the potential enactment of HB4492 will result in a revision in the ancillary service pricing;

WHEREAS, the terms of the CESA with Gexa are confidential and the terms of the February 2021 Winter Storm Recovery Agreement are also confidential pursuant to section C of the CESA;

WHEREAS, the City elects the lowest monthly payment option until such time as the bill is signed into law and the winter storm ancillary service charges are recalculated at which time the City may revisit the issue.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute the February 2021 Winter Storm Recovery Agreement with Gexa Energy in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 14th day of June, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

AGENDA ITEM #12