

# City of Kingsville, Texas

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## AGENDA CITY COMMISSION MONDAY, AUGUST 9, 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

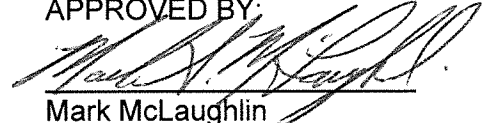
INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

#### MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - July 12, 2021

Regular Meeting - July 26, 2021

APPROVED BY:

  
Mark McLaughlin  
City Manager

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

1. None.

### III. Reports from Commission & Staff.<sup>2</sup>

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study*

*Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

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

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

#### **V.**

##### **Consent Agenda**

##### **Notice to the Public**

*The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

##### **CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:**

*(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)*

1. Motion to approve final passage of an ordinance by changing the zoning map in reference to Ronning 2, Block 1, Lots 7-12; Lund Addn, Block 5, Lots 10-14, W/2 15, E/2 15-18; Lund Addn, Block 6, Lots 15-28; Penny, Block 2, Lots 22-42; Ronning 2, Block 3, Lots 1-6; Lund Addn, Block 7, Lots 1-9; Lund Addn, Block 8, Lots 1-14; Penny, Block 1, Lots 1-21, Kingsville, Texas, From "R-2" Two Family District to "C-2" Retail Commercial District; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (East King Ave. between 15<sup>th</sup> & 17<sup>th</sup> Sts.) (Director of Planning and Development).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend grant funding from the Ed Rachal Foundation Grant for Police Department equipment. (Police Chief).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration; providing for revision of Article 1-City Commission, Section 10-Agenda, to provide for electronic submission of comments. (City Attorney).

##### **REGULAR AGENDA**

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

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

4. Discussion regarding the Coastal Bend Food Bank and its community outreach programs. (Mayor Fugate).
5. Consider approval of certification of 2020 excess debt collections and certification of 2021 anticipated collection rate. (Finance Director).
6. Consider accepting the 2021 certified total appraised assessed and taxable values of all existing and new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (Finance Director).

7. Consider proposed tax rate, if it will exceed the no-new revenue tax rate or the voter-approval rate (whichever is lower), take record vote, and schedule public hearing for September 7, 2021. (Finance Director).
8. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 Budget to accept and expend grant funds from the Assistance to Firefighters Grant Program for medical supplies. (Fire Chief).
9. Consider historical photo project for the Municipal Building in downtown. (Tourism Director).
10. Consider city participation in the Douglass Youth Center Community Fair/festival and the HM King High School Homecoming Parade. (Interim Downtown Manager/Tourism Director).
11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances sections 3-3-125 & 3-3-127, providing for Tourism staff to be the Main Street Advisory Board secretary. (Tourism Director).
12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX-General Regulations, Article 8-Parks and Recreation, Section 11-Liquor in Public Parks Prohibited, Exception, providing for revision to the scope of the exception. (Parks Director).
13. Consider a resolution appointing a new alternate representative to the Coastal Bend Council of Governments. (City Manager/City Attorney).

## **VII. Adjournment.**

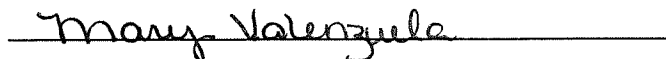
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

### **NOTICE**

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail [mvalenzuela@cityofkingsville.com](mailto:mvalenzuela@cityofkingsville.com) for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

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

August 4, 2021 at 3:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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)**

**JULY 12, 2021**

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 12, 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  
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  
Alicia Tijerina, Interim Main Street Manager  
Diana Gonzales, Human Resources Director  
Deborah Balli, Finance Director  
Rudy Mora, Engineer  
Uchechukwu Echeozo, Director of Planning & Development Services  
Ricardo Torres, Chief of Police  
Susan Ivy, Parks & Recreation Director  
Mike Mora, Capital Improvements Manager

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

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

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

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting - June 28, 2021**

**Motion made by Commissioner Lopez to approve the minutes of June 28, 2021, as presented, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, 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 the 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).<sup>1</sup>**

### **1. Public Hearing on a request for the replat of 5<sup>th</sup> Addition, Block 1, Lots 8-16, (pt of Chamber of Commerce), (Exempt) also known as 635 E. King Ave., Kingsville, Texas. Ampler Development LLC, applicant/authorized agent; Kingsville Chamber of Commerce, owner. (Director of Planning & Development Services).**

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

Mr. Mark McLaughlin, City Manager reported that this request is for the re-plat the existing lots 8-16 into one single unit to enable them to carry out a commercial development.

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 5:04 P.M.

### **2. Public Hearing on a request for a Special Use Permit for Package Liquor Store use at Walmart Stores, Lot 3, (Kingsville Plaza), acres 1.742, also known as 2730 S. Brahma Blvd., Suite 750, Kingsville, Texas. James Byrom, applicant; Kingsville Group LLC, owner. (in C2 Retail District) (Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:04 P.M.

Mr. McLaughlin stated that this is a request for a special use permit to carry out the business of operating a Package Liquor Store at the premises located at 2730 S. Brahma Blvd., Suite 750. Staff looked at the current zoning for said property and revealed a C2 (Retail District) use which does not allow for such endeavors except under a Special Use Permit.

Commission asked if this location had previously been opened as a liquor store. Staff responded yes, use to be Topsy Time Liquor Store.

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.

### **3. Public Hearing on a request for a Special Use Permit for Amusement, Commercial Indoor use at 9<sup>th</sup>, Block 19, Lots 17-27, E20' 28, also known as 900 E. Caesar Blk., Kingsville, Texas. Young Lee Hyo & Eun Yong Im, owners. (in C2 Retail District) (Director of Planning & Development Services).**

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

Mr. McLaughlin stated that this is a request for a special use permit for a Commercial Indoor Amusement. The applicant would like to open an entertainment business that includes ax throwing as well. Staff has looked into the current zoning for this property

and revealed a C2 (Retail District) use which does not allow for this type of establishment.

Commissioner Hinojosa asked if there would be any problems with parking within this vicinity?

Mr. McLaughlin responded that the building already exists as well as the parking, so all the parking issues were resolved when the building was built.

Commissioner Hinojosa further asked if there was any opposition to this request?

Mr. McLaughlin asked Mr. Uchechukwu Echeozo, Director of Planning & Development Services if staff received any complaints about this type of business coming to this location.

Ms. Alvarez responded that there were some questions but is not aware if there was opposition.

Mr. Echeozo commented that one neighbor had some concerns about the increase in traffic.

Mayor Fugate commented that if it generates traffic, it is also generating sales tax.

Commissioner Torres stated that one individual was concerned about the noise coming from this establishment.

Commissioner Hinojosa asked if the city mailed out letters to owners within a certain range from this location? He further commented that one of the property owners listed is incorrect, Cavazos Property. He does not think that it is owned by the Cavazos Property.

Commissioner Alvarez commented that she was not sure why a letter was not sent to the property owner that built the new house near this location.

Ms. Alvarez commented that all staff can do is go by what the appraisal district currently shows as the property owner for that property being.

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 5:08 P.M.

**4. Public Hearing on the Downtown Improvement projects completed using the Main Street Grant Contract No.7219012 from the Texas Department of Agriculture as part of the Texas Community Development Block Grant Program. (Director of Planning & Development Services).**

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

Mr. Echeozo stated that the city has concluded the work on the downtown improvements on Kleberg Avenue. A public hearing is being scheduled as part of the close-out requirements. This will allow residents details of activities completed using the grant funds. The result of this project for the downtown area on Kleberg Avenue, between 7<sup>th</sup> and 8<sup>th</sup> Street, includes the following: new sidewalks installed, disabled ramps, crosswalks, and decorative lamps.

Commissioner Hinojosa asked if the same layout will be used for the lamppost?

Mr. McLaughlin responded yes; it will be the same layout.

Commissioner Lopez asked if the curb extension located in the downtown area are of the same width, as one looks narrower than the other.

Mr. Rudy Mora, City Engineer responded that both are the same width, 25 feet wide.

Commissioner Lopez further commented that she has received some complaints regarding the curb extension and running over them as they are not able to clear the turn.

Mr. McLaughlin responded that staff has a plan in place. He further commented that there is enough room to make a turn and remain within their lane. McLaughlin further stated that if staff sees that there are tire marks left on the curb extension due to overdriving or bricks popping out, then staff will look into placing bollards.

Commissioner Torres asked about flags and brackets in the downtown area. Will flags be larger or will they remain the same size and remain in that area?

Mr. Echeozo responded that we will need to purchase larger brackets. Staff only went with smaller flags as the smaller brackets were already purchased.

Commissioner Torres further commented that the VFW can provide the larger flags and the city provide the proper brackets and poles.

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 5:14 P.M.

### **III. Reports from Commission & Staff.<sup>2</sup>**

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water, And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

Mr. McLaughlin gave an update on the streets and Sage Road. Commercial sanitation trucks are running late today, but garbage pickup for today will be done. He further announced the Maggie Salinas Pavilion dedication to take place on Saturday, July 17, 2021, at 10:30 a.m. with a reception to follow at City Hall.

Commissioner Torres thanked Mr. William Donnell, Public Works Director, and his crew for all their hard work.

Commissioner Alvarez thanked the Visitors Center staff for their hard work on the 4<sup>th</sup> of July weekend festivities.

Ms. Alvarez reported that the next Commission meeting is scheduled for July 26, 2021. The deadline for staff to submit agenda items is July 16, 2021.

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

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

Mrs. Mary Valenzuela, City Secretary read a public comment on behalf of Mr. Bruce Harvill, 1414 W. Santa Gertrudis, Apt. 1007, Kingsville, TX. The comment read as followed:

Honorable Mayor Fugate, Mayor Protem Hinojosa, City Commissioners, City Manager, City Staff, and Kingsville Residents. My name is Bruce Harvill, and I live at 1414 W. Santa Gertrudis, Apartment 1007, here in beautiful Kingsville. Thank you for allowing my comments to be read aloud this evening. Ideally, I would like to make these comments in person. Unfortunately, I suffered an unplanned oral procedure this past Friday that has distorted my speech. I would first like to address the problems the City of Kingsville is having with pot-heads – oops, a Freudian slip – that should read potholes. Many potholes have been around so long that I have given them names. There are Fred and Ethel down the street - Rick and Lucy a block over. My car's suspension does not love Lucy. In the past few months, I have heard of a map that shows which streets are slated for repaving, and which potholes are to be filled. If this map exists, I would respectfully request that it be published on the City of Kingsville website so that everyone knows what progress is being made to address this problem. Along that same avenue, for many years, the City of Kingsville has had a water drainage problem. Our part of South Texas is flat - very flat - and to drain the water, it must flow downhill - or at least that is what my father, a geology professor taught me. I am aware that the city has been awarded two large grants to address this flushing issue. However, like the pothole issue, the citizens of Kingsville might like to see what improvements are planned. Knowing the facts, and understanding the timeline, is better than believing the slew of rumors that are flying around town like Monarch butterflies. Once again, I am respectfully requesting that information be published on the City of Kingsville website. Now, I'd like you to take a stroll downtown. Or, as I like to call it, memory lane. Many people go downtown because they want to feel nostalgic. They want to experience the warm, fuzzy feelings of the past. However, they find an empty building, after an empty building, with faded paint peeling off their facades. To many people, this view is very disheartening. I am proposing that we have a downtown painting party. Heck, who doesn't like a good party, especially when it involves paint? I am not proposing anything radical – just match the current colors with a fresh coat of paint. I am reminded of the old Navy saying – if it moves salute it – if it doesn't, paint it. I think this simple beautification project could easily be completed well before the Ranch Hand Breakfast in November. I am sure that entire city departments can assist in cutting through the red tape to get this started. As one of my high school coaches said, no more excuses - only find solutions. To kick things off, I am willing to put my money where my mouth is. At great risk of my wife banishing me to sleeping on the sofa, I am willing to put up the first \$200 for paint to see “paint the town” happen sooner than later. Is anyone else willing to join in? Or, are we going to wait for another 5, or 10 years to get something done that can be accomplished within months. And finally, on a more personal level – I was somewhat nervous about making comments this evening. Like many people, there is a certain amount of fear in addressing the City Commissioners. I can state without reservation, that if I say anything that ruffles the wrong person's feathers, I could and probably will suffer negative repercussions. In the course of working on a project that was to benefit the City of Kingsville, I encountered some issues - well, more like intimidation from city employees. For example, an employee of

the city has told me outright what I can and cannot post on my personal Facebook page. I also had a person claiming to be a city employee contact a business associate with false information regarding my project. This action slowed down the progress I was making in negotiations and killed the project. However, I am most bothered by my wife's business being negatively impacted by my attempts to get three or four higher-ranking city employees to do what they are supposed to do. Allow me to tell you a little about my wife. During the Vietnam War, Linda was a proud member of the United States Army. Linda then worked as a nurse for 30 years and raised a family. Linda has recently celebrated the 45th anniversary - of her 29th birthday – meaning, she is well past retirement age. She should be sitting at home enjoying her retirement. But, instead, she opened a small business located downtown – now, she is retired or tired all over again. Linda spends between \$1,200 and \$1,500 a month of her retirement money to keep the doors of her little business open, not because she has to, but because she cannot bear to have another building downtown lying vacant. As stubborn as she is, she will continue to do so until she is no longer physically able. She sees the vision of what downtown can be. Do you? So, to those very few people who are trying to flaunt the power of their position. – Stop it. – The good ol' boy's system died years ago - the City of Kingsville does not need to back-slide to the wink-wink, cross your fingers behind your back, not telling the truth, and the most damaging of all, playing favorites within our business community. Every small, locally owned business is just as important and the big box stores and restaurant chains. Maybe, just maybe we should go back to practicing the lessons we all learned in Kindergarten – you remember, be kind to each other – share what we have – cookies and milk WILL fix nearly every problem, but the most important lesson of all – do the right thing because it is the right thing to do. Let me repeat that, do the right thing because it is the right thing to do. So, let's all promise to do the right things - at all costs. I am sure my time has expired – thank you all for listening to my comments – my God bless you all, the City of Kingsville and the great State of Texas. Good night.

No further comments were received or made.

V.

### **Consent Agenda**

### **Notice to the Public**

*The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

### **CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:**

*(At this point the Commission will vote on all motions, resolutions, and ordinances not removed for individual consideration)*

**Motion made by Commissioner Lopez to approve the consent agenda as presented, seconded by Commissioner Alvarez and Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting “FOR”.**

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for Package Liquor Store use at Cadillac Terrace, Block 1, Lots 8-17, South 10' of Lot 7, and Part Alley, (Sundial Plaza) also known as 1010 S. 14<sup>th</sup> St., Kingsville, Texas. (in C2 Retail District) (Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations from the B.C. & Addie Brookshire Foundation for assistance with recreational programming and equipment for the Parks Department. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional health care costs for staffing changes. (Parks Director).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend in-kind services from Big House Burgers for TABC expenditures of \$2,700 for the Sip and Shop event and Stef and Bec's Boutique along with Ultra Screen Printing for Merchandise costs of \$1,137 for custom shirts. (Tourism Director).

## REGULAR AGENDA

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

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

5. Consider a request for the replat of 5<sup>th</sup> Addition, Block 1, Lots 8-16, (pt of Chamber of Commerce), (Exempt) also known as 635 E. King Ave., Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Hinojosa to approve the request for the replat of 5<sup>th</sup> Addition, Block 1, Lots 8-16, (pt of Chamber of Commerce), (Exempt) also known as 635 E. King Ave., Kingsville, Texas, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

6. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for Package Liquor Store use at in C2 (Retail District) at 2730 S. Brahma Blvd., Suite 750, Kingsville, Texas (Kingsville Plaza), also known as Walmart Stores, Lot 3; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Introduction item.

7. Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for Commercial Indoor Amusement use in C2 (Retail District) at 900 East Caesar Blk., Kingsville, Texas, also known as 9<sup>th</sup>, Block 19, Lots 17-27, E20' 28; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Commissioner Lopez asked if this location was near the religion store?

Commissioner Alvarez responded that this is near the insurance office near the religion store.

Commissioner Lopez asked if special insurance was required. Ms. Alvarez responded that this type of amusement is known to be in Austin and other cities.



Introduction item.

**8. Consider awarding RFQ #21-08 North and South Wastewater Treatment Plant Performance Evaluation. (City Engineer).**

Mr. Mora stated that RFP# 21-08 for North and South Wastewater Treatment Plant Performance Evaluation was advertised on May 20, 2021, and May 27, 2021. Statement of Qualifications (SOQ's) was due June 15, 2021. Three (3) SOQs were received which include Ardurra (Formerly LNV) from Corpus Christi, TX, Garver from Harlingen, TX, and SWG from Weslaco, TX. The purpose of the RFQ was to provide the following: Wastewater Treatment Plant Performance Evaluation; Modifications to the Existing Wastewater Treatment Plant structures; Equipment upgrades and other improvements; Increase plant capacity within TCEQ regulations; Final Reports and Recommendations; Funding options; Other special services. The selection review committee, which consisted of the City Manager, City Engineer, Capital Improvements Manager, Public Works, Wastewater Supervisor, and Purchasing Manager reviewed the SOQs and overall selected Garver to negotiate a contract for Professional Engineering Services. Mora further stated that there is no financial impact in awarding the RFQ. Staff recommends awarding the RFQ for the North and South WWTP Performance Evaluation to Garver. The next step is to negotiate a contract for Professional Engineering Services.

**Motion made by Commissioner Lopez to approve the award of RFQ #21-08 North and South Wastewater Treatment Plant Performance Evaluation, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

**9. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional budget costs for Engineering Department due to increased operating costs. (City Engineer).**

Introduction item.

**10. Consider a resolution ending the local state of disaster that was extended on March 23, 2020. (City Attorney).**

Ms. Alvarez stated that when the pandemic started last year, the city approved a resolution for an emergency order regarding the pandemic. One of the items that were included in this order, based on the Governor's suspension of a part of the Open Meetings Act, was to provide for an alternate means for Boards to conduct meetings and for citizens to participate in those meetings due to the part of the suspension of the Open Meetings Act. As things are improving, the Governor will be ceasing his suspension of the part of the Open Meetings Act come September 1, 2021. As it was a point of discussion from the Commission during the last Commission meeting, that meetings go back to in-person and allow for the public to participate in person at all Commission meetings and Board meetings. This resolution would end the order that the Commission approved on March 23, 2020 and would allow individuals to participate in all Commission and Board meetings in person.

Commissioner Alvarez asked if the Commission chooses to suspend the order in place, will the public still have the option to make their public comments via WebEx or will they need to participate in person.

Ms. Alvarez responded that the public would need to address the Commission at the podium as per City Ordinance. She further stated that if the Commission wanted to allow an alternate means for participation from the public, such as submitting public comments via email to the City Secretary, the ordinance can be revised to allow for that option.

**Motion made by Commissioner Alvarez to approve the resolution ending the local state of disaster that was extended on March 23, 2020, seconded by Commissioner Torres and Commissioner Hinojosa.**

Commissioner Lopez commented that she would like to see something added where the public can still email their comments, as some are unable to make it to our meetings.

Commissioner Torres asked if the meeting would still be streamed or do both?

Ms. Alvarez responded that the streaming of meetings is not something that is addressed in the code of ordinances. It is a decision that the City Manager and Commission can make. Alvarez further stated that she thought the intent was to continue streaming the meeting regardless of it was virtual or in-person participation for public comments and public hearings.

Commissioner Lopez commented that it was good that the city will be streaming the meetings with the participant being able to call in for comments.

Ms. Alvarez responded that public participation would only be through written submission and in person.

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

**11. Discussion on the July 4<sup>th</sup> concert and events. (Tourism Director).**

Mr. McLaughlin commented that the city had a very successful 4<sup>th</sup> of July event over the weekend. The Retail Coach Report shows, from cell phone hits, how many people were in certain areas of the city. The report shows that approximately 2,200 individuals visited for the 4<sup>th</sup> of July event. He further stated that not all downtown merchants were open during the weekend festivities. Downtown merchants commented that they had a good day and had good sales during the weekend event. Mr. McLaughlin further commented that the Foundation that does the scholarships, after all their expenses, produced \$3,700 plus a few dollars extra for their scholarship program that funds the students at Texas A&M University-Kingsville. He further stated that the event did cost the city a little overtime for the Street Department crew, as they worked after normal hours on Friday evening placing barricades for the weekend event.

Commissioner Torres asked for staff to explain the foundation to the Commission and asked if the Foundation is a 501(3) c.

Mrs. Alicia Tijerina, Interim Downtown Manager responded yes.

Commissioner Torres further asked what the Foundation does as she has never heard of this Foundation, which is the reason she is asking the question.

Mayor Fugate commented that it is a private Foundation.

Mrs. Tijerina commented that it is a Foundation that they have that they put money into to provide scholarships for students at Texas A&M University-Kingsville.

Commissioner Torres asked that what was mentioned was that it was a private Foundation or a 501(3)c? Mrs. Tijerina responded yes. Commissioner Torres further asked if the Foundation was only providing scholarships to Texas A&M University students? Mrs. Tijerina responded yes, Texas A&M University-Kingsville students only. Commissioner Torres further asked and commented that none of this money stays in our community as not all Texas A&M students are from Kingsville. Mrs. Tijerina

commented that the majority of their money goes towards scholarships, the Foundation does other community events for the city, so the money does come back to our community. Commissioner Torres asked if staff has received a report as to how much money comes back to the community? Mrs. Tijerina asked if Commissioner Torres is asking if staff received a report from the Foundation specifically? Commissioner Torres responded yes. Mrs. Tijerina responded that not that she is aware of, but she knows that they sponsor several events within our community for the Tourism Department/City and others. Tijerina further commented that the Foundation donates to several organizations such as the Boys & Girls Club and Toys for Tots. Commissioner Torres further asked if staff has ever received a report as to what and to who they provide these donations? Mrs. Tijerina responded no.

Mr. McLaughlin commented that the Foundation is a 501(3)c therefore they do not have to submit that type of information to the city.

Commissioner Torres further commented that this would be information that can be requested. Mr. McLaughlin responded that anyone could request that information. Commissioner Torres responded that this is why she is asking the question and further asked if the information had ever been requested? Mrs. Tijerina responded no. Commissioner further asked how and why was this Foundation chosen and did the Foundation come to staff or did staff go to the Foundation? Mrs. Tijerina responded that staff met with them regarding the Ranch Hand Event which then brought up this event for our community. Commissioner Torres asked if any other organization had come to the city for this type of event or has staff had spoken with any other organization? Mrs. Tijerina responded that they have spoken with several organizations, but none have volunteered to do these types of events. Tijerina further stated this Foundation sphere headed the entire event, music, and staging which takes money to get, and the Foundation and city staff were able to do this in twelve days.

Mayor Fugate commented that the city has had other organizations that have had events in our downtown. He further commented that it does not happen very often, but it has happened in the past.

Commissioner Torres asked how many individuals attended the weekend events on both Saturday and Sunday, comparing Saturday to Sunday? She commented that she does compare as she was at the parade on Saturday.

Mrs. Tijerina commented that she can say that there were more people on Sunday than on Saturday. She further commented that on Saturday there could have been a couple of hundred individuals and on Sunday for the concert, it was quite packed.

Commissioner Torres asked why staff decided to separate the events into Saturday and Sunday instead of having the events on Sunday?

Mrs. Tijerina responded that their idea was that they wanted an event for the 4<sup>th</sup> of July for Kingsville.

Commissioner Torres asked who is she referring to when she says they?

Mrs. Tijerina responded the Villarreal's. She further commented that staff had asked about Saturday, but they wanted to do the event on Sunday as it was the 4<sup>th</sup> of July.

Commissioner Torres further asked if the Foundation had total control instead of the city?

Mrs. Tijerina responded no and commented that staff thought it was a good thing to do on the 4<sup>th</sup> of July as there are no pre-scheduled events on that day, and with individuals being off on Monday, it was a good idea.

Commissioner Torres stated that she read on the application that they were the only ones that could decide who and what vendors were going to sell, and who it was going to be.

Mrs. Tijerina responded that this was not true and asked where Commissioner Torres had read this.

Mr. McLaughlin commented that when you are granted, as the prime vendor, because they are producing the resources to put this event on with money out of their pocket, as they brought in the multimillion-dollar stage which is an expense out of their pocket and did not charge the city for it. In return the city allowed them to choose the competition they are willing to engage with. So, if they are selling alcohol, they would not be bringing in another alcohol sales vendor. If they want to do the soda and water sales, they turned it over to the Boys & Girls Club where in return they were part of the cleanup crew. Mr. McLaughlin further commented that there are some stipulations that we can make with those vendors to get these programs. He further stated that they did not charge the city for the liquor license or staging so the in-kind is that they would decide if they were going to have competition which would have reduced their amount for scholarships.

Mrs. Tijerina commented that as per TABC you could not have two vendors as it was their license that they were using.

Commissioner Torres commented that she understood the alcohol part but the section she is reading is from their application, that is very specific, which grants Chico and Elena Villarreal Foundation reserves the exclusive right for approval on items and the right to cancel a booth exhibit require, alteration and or removal of any merchandise. Torres commented that this is what she is speaking about.

Mrs. Tijerina responded that this is a standard application which is the same application that is used for the Ranch Hand Festival.

Commissioner Torres commented that this is what she is confused about because it has its Foundation, but it also has Kingsville Visitor's Center.

Mrs. Tijerina commented that this is correct as the Visitor's Center did assist them with the vendors, as they have a vendor's list. She further commented that they wanted to limit the number of people that they were going to have. They did not want two vendors selling the same thing. This would make the competition less and allowing those vendors to make more money.

Commissioner Torres commented that she liked the idea of having a concert, but as mentioned by Mr. McLaughlin, the city lost money. The city has overtime on there and we did not make more than anything. Some of the businesses around there, because of what the application stated, were not comfortable putting in any application so that they could be vendors because they thought that what it was specifically said there, they were not going to be able to. Torres further commented that this was something that concerned her, because of that. She knew it was a huge showing and she would also like to know which businesses were open and how many were open on Sunday.

Mrs. Tijerina commented that she can say which businesses were open, which there are not many that are open on Sunday, other than Blue Quail Design. After 5:00 p.m.,

most were not going to be open on Sunday. They opened on Sunday which was Celebrations by the Party Sisters, Eve's Heavenly Delights, Novel Blend, and Linda Vista were the only businesses that opened on Sunday, which they usually are not open. Those businesses are the only ones opened within that area. All the other merchants were never told that they could not be opened, but rather they were encouraged to be open on Sunday.

Commissioner Torres commented that this was not the consensus that was given to her that they were encouraged to open, or vendors were not encouraged to apply. She further commented that another thing is the VIP section and asked for staff to explain that to her.

Mrs. Tijerina stated that the VIP section was for the sponsors which are what it's normally for. Those that pay big money are the ones that get to sit in the private area.

Commissioner Torres asked how many seats did the city have? Mrs. Tijerina responded that she believes the city had a table. Commissioner Torres further asked who was going to sit at that table? Mrs. Tijerina responded that she did not know who was to be seated at that table. Commissioner Torres asked if anybody was told about the table? Mrs. Tijerina responded that she is not aware as she did not handle that part. Commissioner Torres commented that this is one of the questions she had as she knows that there were city employees that were not invited or even told to sit at the VIP table which concerned her that we have sponsors that are VIP, and they were told about it, but the city, the major sponsor, and.... Mrs. Tijerina responded that she is not aware and would have to ask as to why, but it may have been that the Tourism Director gave those tickets away. Tijerina further stated that she is aware that some tickets were given out on the radio for advertising as the event was done within twelve days, but she does not know if anybody would have been, as there were eight tickets, and there being four hundred employees. Commissioner Torres commented that there are five City Commissioners and asked if they had shown up, where would they have been sitting? Mrs. Tijerina responded that if they were aware that they were coming in, they probably would have sat in the VIP section, as it has happened before. Commissioner Torres then commented that they did not know. Mrs. Tijerina responded that she is not aware of what they were told.

Commissioner Torres commented that it is a great idea to bring the concert, but there needs to be better clarification, especially to our vendors and our businesses that go out there and that want to come out to these events to make money. Especially since we have been closed for so long due to the pandemic.

Mrs. Tijerina commented that there was limited space, as the staff was not aware as to how many people would be attending, so there were only four vendors at the event.

**12. Consider a resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Mark McLaughlin. (Mayor Fugate).**

Commissioner Hinojosa stated that he would like to have page 3, Section J, 1<sup>st</sup> sentence to read "It will be the responsibility of the Manager to work with the City Commission" and further stated that this would be part of his motion.

**Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Mark McLaughlin, with the change to page 3 Section J to read City Commission, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".**

### **13. Discussion regarding budget preparation update and workshop regarding draft budget for FY21-22. (City Manager).**

Mr. McLaughlin stated with the assistance of the Finance Department, the expected expenditures, and revenues for next year are being reviewed. With changes being made, what is thought to be the expenses for next year comes down to the general fund. The general fund has projected expenses for next year for an amount of \$21,635,863.00 of which 25% of that is a requirement, as per city ordinance, which equates to about \$5.4 million. The start of the next fiscal year will be started with an extra \$300,000 to pay the bills before the ad valorem comes in. Mr. McLaughlin stated that what is needed is \$5.7 million in the general fund, fund balance projected. Currently, the city is about \$68,000 short which means that staff will need to go back and look at revenues and expenses. Mr. McLaughlin further stated that in that revenue line there are two big multipliers that we do not know yet, the first one being ad valorem as the city does not know what is going to happen to the voter-approved tax rate, the no new revenue tax rate until staffs receives that data on July 25<sup>th</sup>. He further stated that it is his instinct that as much as the city is growing, he feels that the city's tax rate will need to go down, to stay under the approved voter tax rate. He also stated that he believes that the city will bring in more ad valorem that we put in for the budget but stills feel that there is still room to grow. The other big multiplier is the sales tax numbers. The city had a great month which is over \$102,000 over the same month last year. He stated that the city is almost a half-million dollars ahead of budget projections on sales tax. If the city adopts the same sales tax numbers for next year, without any projected growth, the city will be about half a million dollars better than what was put in the budget. Mr. McLaughlin further stated that there is room in the general fund to make it all work out. The challenge will be how many supplementals the city will be able to fund or wait to see how the year develops then do budget amendments as needed. He further stated that part of the budget includes what the city fees will be.

Mr. McLaughlin passed out to the Commission an excel sheet showing the Water and Wastewater rate study done by Grady Reed who worked with the city doing various analyses of utility rates. He stated that the study shows the water rates for two years ago. In the fiscal year 2018-2019, the rate study recommended an increase in water rates by 2%, of which the city increased the rate by 2%, which caused no deficit in the proposed rates. In the fiscal year 2019-2020, the rate study recommended an increase in water rates by 1%, of which the city did not take that recommendation and did not increase the water rates for that fiscal year but did cause a deficit for the city of 1%. In the fiscal year 2020-2021 the rate study recommended a 0% increase in water rates, which the city did not increase the rate, but still caused the city a deficit of 1%, which was carried over from the previous year. For the next fiscal year, it will be staff's recommendation to increase the water rates by 1%, to catch up to the recommended percentage from the rate study, which will bring in around \$47,000 additional revenue. This revenue will go into fund 054, a utility fund for capital projects. Mr. McLaughlin further talked about the wastewater rate study. In the Fiscal year, 2018-2019 the recommended increase for wastewater was an 18% increase to which the City Commission approved the 18% increase. This left the city with no deficit. In the fiscal year 2019-2020, the recommended rate increase was 16% but the Commission only acted on increasing it by 8% which caused a deficit of 8%. In the fiscal year 2020-2021, it was recommended to increase by 2% but the city acted on 5%, which brought down the deficit to 5%. This would somewhat catch the city up according to the rate study. This fiscal year the city is 5% behind the rate study and it is being recommended to increase the wastewater rate by 2%, as per the rate study. What will be recommended this fiscal year is to increase it by 7% and be in line with the rate study. Mr. McLaughlin stated this will bring in an additional \$303,000 for the next budget cycle. The total additional revenue from both the water and wastewater increases will bring in an additional \$350,000 total which will go into Fund 054.

Mayor Fugate asked what the city was doing for those accounts that are receiving city services outside the city limits?

Mr. McLaughlin stated that rates for services outside the city limits are at a higher rate than those inside the city limits.

Mayor Fugate commented that he would like to see these rates.

Commissioner Hinojosa commented that those rates are at 1.5%, but maybe the city needs to consider increasing it to 1.75%.

Ms. Alvarez commented that the formula and format that is used to justify the rate are very commonly used. It would put the city in a harder position to defend, if the city were to arbitrarily increase, for example, by 5% because they are outside the city limits versus something else. Alvarez further stated that this is why the city relies on the consultant to help guide us as to what is justifiable for the current cost to run the system versus the individual's contribution to the system.

Mayor Fugate commented that he would like to see what other cities are charging for services outside the city limits.

Ms. Alvarez commented that historically in the past, the city manager would bring a rate increase to Commission and at that time of the proposal they would also present a study of the local utility rates in the surrounding areas so that the Commission can see where the city falls with regards to water and wastewater rates.

Mayor Fugate commented that he wants information from not only inside the city limits but outside as well.

Ms. Alvarez commented that the information will be individually tailored, based on the community.

Commissioner Alvarez asked that due to the rain we have been receiving, is the city losing revenues? Mr. McLaughlin responded yes, as people are not watering lawns due to the rain we have been receiving.

Mr. McLaughlin stated that as he does not have a rate study for garbage collection rates, those rates will not be increased. He did state that with regards to the Street User Fee, he has asked Mr. Michael Mora, Capital Improvements Manager to review the Street User Fee. He stated that there currently what is being collected is about \$802,000. Staff looked into how to increase the street user fee to collect more so that the city can do more. He further stated that currently there are 11 tiers for commercial with a flat fee of \$5.00 for residential. He further stated that what has been recommended is for Tier 1 to be broken up into Tier 1 A, B, & C with C staying at \$150, B at \$250, and A at \$500 per month. He further stated that if the only thing the city does is to add the tiers, the first option would only bring in an additional \$41,000 for the year. The second option is if the city adopted all three new tiers and added them in for the highest commercial businesses and raised the residential rate from \$5.00 to \$6.00 per month and kept the discount rate of 90%, the city would bring in an additional \$165,595.00 for the street department. The next option would be the same tiered system with residential fees would go from \$5.00 to \$6.00 but instead of discounting it 90%, it would be a discount of 85%, which will bring in \$243,355.00. The other option would be all the same except for discounting it to 80% which will bring in \$335,275.00. Mr. McLaughlin stated that after discussing it with staff it is his recommendation to adopt an option that will increase the residential fee from \$5.00 to \$6.00, adopt the tiers and take the discount from 90% to 85%, which will add \$243,000 and give the city about \$1 million for streets next year.

Commissioner Alvarez asked with the recommendation from the City Manager, what would be the rate for commercial businesses.

Mr. McLaughlin responded that the commercial would go up about \$300.00. He further stated that the tier shows the nonresidential proposed revenue monthly would be

\$26,580.00 for a total of \$318,960.00 yearly. Residential revenue would come out to \$62,097.00 monthly for a total of \$745,174.00 yearly.

Commissioner Torres asked if the commercial would be broken down? Mr. McLaughlin responded that instead of 11 tiers it would go to 14 tiers. Commissioner Torres asked how staff would figure out which are the 14? Mr. McLaughlin responded that it would be based on square feet plus the number of vehicles. He further stated that it has a trip factor in there that will then determine a number and if you are above a certain number, it will put you within the right tier.

Commissioner Hinojosa commented that he is aware that it takes money to operate, which most people do not realize. The minute the city starts increasing rates or fees, they will complain, especially with property values increasing. He further stated that he wishes that more citizens would attend the City Commission meetings so that they can be informed of what the city must do to provide better services. He further asked for the City Manager to prepare the budget as he feels is needed, and once the budget workshops come around, he will voice his opinion.

Commissioner Alvarez commented that our citizens are privileged in having two garbage pickups per week as other communities only have one.

Ms. Alvarez reminded the Commission of the dates that are scheduled for budget workshops, August 16<sup>th</sup>, August 17<sup>th</sup>, August 23<sup>rd</sup>, and August 24<sup>th</sup>. September 7<sup>th</sup> will be a special meeting to introduce the ordinances for the budget and tax rate, and September 13<sup>th</sup> to adopt the budget.

Commissioner Alvarez asked what time the budget workshops begin. Ms. Alvarez responded that traditionally they begin at 4:00 p.m., depending on quorum availability.

## **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:28 P.M.

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Sam R. Fugate, Mayor

## **ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary



**JULY 26, 2021**

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 26, 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  
Norma N. Alvarez, Commissioner  
Edna Lopez, Commissioner  
Ann Marie Torres, Commissioner

**CITY COMMISSION ABSENT:**

Hector Hinojosa, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Kyle Benson, IT Manager  
Derek Williams, IT  
Emilio Garcia, Health Director  
Diana Gonzales, Human Resources Director  
Deborah Balli, Finance Director  
Rudy Mora, Engineer  
Uchechukwu Echeozo, Director of Planning & Development Services  
Ricardo Torres, Chief of Police  
Susan Ivy, Parks & Recreation Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

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

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

**MINUTES OF PREVIOUS MEETING(S)**

None.

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

**1. Public Hearing on the request to rezone Ronning 2, Block 1, Lots 7-12; Lund Addn, Block 5, Lots 10-14, W/2 15, E/2 15-18; Lund Addn, Block 6, Lots 15-28; Penny, Block 2, Lots 22-42; Ronning 2, Block 3, Lots 1-6; Lund Addn, Block 7, Lots 1-9; Lund Addn, Block 8, Lots 1-14; Penny, Block 1, Lots 1-21, Kingsville, Texas, From "R-2" Two-Family District to "C-2" Retail Commercial District. (East King Ave. between 15<sup>th</sup> & 17<sup>th</sup> Sts.) (Director of Planning and Development).**

Mayor Fugate read and opened this public hearing at 5:07 P.M.

Mayor Fugate asked City Attorney Courtney Alvarez if this public hearing had anything to do with the rezoning that has some community members present at this meeting.

Ms. Alvarez responded no. She read public hearing #1 and further stated that this public hearing does not change the existing use.

Mayor Fugate continues with public hearing #1.

Mr. Uchechukwu Echeozo, Director of Planning & Development Services displayed a map showing the area that is being requested to be rezoned. He stated that the idea is to regularize commercial activity within King Avenue and 6<sup>th</sup> Street. He further stated that the city is currently undergoing positive changes. This request is to encourage business development to shore up the economic base of the city. This request is to rezone certain properties on King Avenue from R2-Two Family Residential to C2-Retail. The Planning and Zoning Commission met on July 21, 2021, where they discussed and voted unanimously to approve the rezoning of several lots fronting King Avenue between 15<sup>th</sup> and 17<sup>th</sup> Street from R2 Two Family Residential to C2 Retail.

Commissioner Lopez asked if there were any residential homes in the area and would this be considered spot zoning? Mr. Echeozo responded no; it is not considered spot zoning.

Mayor Fugate asked staff if the proper notices were sent out to those within a certain area? Mr. Echeozo responded yes; notices were mailed. Staff did not receive any abstentions from those who were noticed.

Commissioner Torres asked staff if this would change anything for residents in that area? Mr. Echeozo responded no.

Commissioner Lopez asked if those residents would be grandfathered in? Ms. Alvarez responded that this is not how the zoning works. You get taxed based on the use of the property, not on the zoning. Just by changing the zoning if you have an R1 use you will still be taxed as an R1 use. Even if your R1 use is then changed to a C2, so long as that is still residential that is how it will be taxed. Ms. Alvarez further stated that if you sell your property and turn it into a C1 or C2 use then the Appraisal District can go in and see that the user has changed so it would change the taxation.

Commissioner Torres asked if the residents made any updates to their homes, they would not charge anymore as residential or commercial.

Ms. Alvarez commented that if you make an update to your property, regardless of the use, you may see an increase in taxation as there is an increase in the valuation. She further commented that the zoning, how you categorized, how you are allowed to use the land does not impact the taxation, it is the actual use that affects 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.

Mr. Lupe Benavidez, 915 E. Shelton commented that he owns a residential property located at 1106 E. King Avenue and a while back it was zoned as a commercial zone. He further commented a while back Amigos Car Sales wanted that property rezoned, so he was under the impression that it was commercial property.

Mayor Fugate commented that what he thinks that is being done, that instead of having a request to rezone one piece of property they are just trying to do it all at the same time.

Mr. Benavidez commented that he understood that it was supposed to be from 15<sup>th</sup> Street down to 17<sup>th</sup> Street on the north side of King Avenue.

Ms. Alvarez commented that it is on the north and south side of King Avenue.

Mr. Benavidez further commented that then it was commercial already.

Mayor Fugate commented that some of the areas are, but this does not change their taxation.

There being no further comments Mayor Fugate closed this public hearing at 5:15 P.M

**2. Public Hearing on the request to rezone KT & I Co, Block 20, Lot Pt 13 (40.95 acres); KT & I Co, Block 20, Lot out NE Cor 13 (2.5 acres); KT & I Co, Block 21, Lot 4.25 acres out of 10, (4.25 acres); KT & I Co, Block 21, Lot 2.41 acres out of 10 (2.41 acres); Reidda Sub, Lot 1 (.236 acres); Reidda Sub, Lot 19 (.235 acres); KT & I Co, Block 21, Lot Pt 9-11 (19.77 acres); KT & I Co, Block 21, Lot out of 11 (9.18 acres); KT & I Co, Block 21, Lot Pt 11 (.45 acres); KT & I Co, Block 21, Lot W Pt 11 (1.15 acres); KT & I Co, Block 21, Lot Pt 11 (4.1 acres); KT & I Co, Block 21, Lot SW Pt 11 (1.0 acre); KT & I Co, Block 21, Lot SW Pt 11 (2.00 acres); KT & I Co, Block 21, Lot SW Pt 11 (1.00 acre), Kingsville, Texas, From "R-1" Single Family District to "C-1" Neighborhood Service District. (South 6<sup>th</sup> St. between Trant & Escondido Sts.) (Director of Planning and Development).**

Mayor Fugate announced that this public hearing would not be heard tonight or at any other future meeting unless a City Commissioner request for the item to be placed back on the agenda. He further commented that he would like for staff, in the future, when an item this big and important gets placed on the agenda he would like for staff to give the Commission advance notice so that they may respond properly to the community when receiving calls from citizens. He further stated that the action item for this public hearing listed under the regular section of this agenda (item #9) would not be discussed or acted on tonight.

No discussion for this public hearing.

### **III. Reports from Commission & Staff.<sup>2</sup>**

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water, And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

Mr. McLaughlin reported that the city received notice of its certified values for tax purposes for this year. The overall increase to the city's net taxable values increased by a little under \$60 million. Staff will not know those tax rates until later this week. Mr. McLaughlin further reported that a COVID-19 testing site has been set up for this week. Mr. McLaughlin reported that COVID-19 cases have been increasing in Kleberg County.

Commissioner Lopez reported that the testing site will be held tomorrow, July 27<sup>th</sup> at the Fix Testing site located at the Health Department with Wednesday taking place at the Vaccine Center located near the Coastal Bend College.

Mayor Fugate reported that he and the City Manager had a lunch meeting with Corpus Christi Mayor Paulette Guajardo and City Manager Peter Zaroni today. Meeting went very well and both entities look forward to working together on any future projects.

Ms. Alvarez reported that the next City Commission is scheduled for August 9<sup>th</sup> with a deadline for staff to submit agenda items by July 28<sup>th</sup>. She further announced that in the upcoming month of August, budget workshops will begin.

Commissioner Lopez reported that the City will be hosting a Facebook Live Question & Answer Session with the Mayor and City Manager on Tuesday, July 27<sup>th</sup> at 8:15 a.m.

Commissioner Alvarez and Commissioner Lopez both thanked staff for their hard work on the Maggie Salinas dedication and reception.

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

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

Ms. Krystal Emery, 1620 South 11th, Kingsville, Texas, 78363 commented that she wants to thank the Commissioners and Mayor Fugate for the opportunity to speak in Open Comment today about a recent event in our city. I currently serve as the President of the Rotary Club of Kingsville which celebrated its 98th year this past May. The mission of Rotary has always been rooted in the concept of service and its application in one's personal, business, and community life. Our Rotary Club has given over \$200,000 in scholarships, sponsorships, and community projects here in Kleberg County in just the last several years. When Mr. Tito Villarreal reached out looking for sponsors for the Fourth of July concert downtown, he spoke about wanting to provide an opportunity for our downtown businesses to serve the community on a Sunday (a day they are not typically open) and to provide great family entertainment for our local citizens who may not have the ability or resources to vacation on the holiday weekend. In addition, any profit from the concert would go to the Frank & Elena Villarreal Foundation for scholarships awarded to students attending Texas A&M University-Kingsville. Our board approved a \$1,500 sponsorship level because this concert met our objectives as a worthwhile event that benefited our local community. We appreciate the opportunity to give back to the community that has given so much to our membership. Part of our sponsorship included a VIP table that we decided to donate back to the community. I would like to thank Janine Reyes, who took on the task of giving away Rotary's VIP tickets to community members who either spent money in downtown Kingsville or engaged with the Kingsville Visitor Center's social media postings. As a fellow marketer with over 20 years of experience, I appreciate the extended reach that Janine cultivates by utilizing social media to put Kingsville on the map. Her dedication as the city's Director of Tourism and Public Information Officer should be commended appropriately for going above and beyond to bring Kingsville, not herself, into the spotlight, time and time again. As we continue to navigate the future cautiously with more in-person events, Rotary Club is eager to work again with the city, the county, local non-profits, school districts, and other entities for sponsorship, engagement, and community service. We are open to more members who wish to live out the idea of service above self. You can learn more about our local club at [rotarykingsville.com](http://rotarykingsville.com), and again, I thank you for your time tonight.

Mrs. Patricia Wolf, 203 W. Trant Rd. commented that she would like to thank the Commission for their commitment to the community, as it is not an easy job. She further

commented that she recently retired from real estate after 30 years in the business. She also stated that she understands growth and how you have to have a plan to succeed in that growth. She is being considered in the rezoning at KT&I on her property to which she has concerns about as she is not located on 6<sup>th</sup> Street but lives on the West side of the railroad tracks. She further commented that her concerns are not rezoning per se, but just confused why her property, on that corner, as residential property is being considered for rezoning. Many times when our community had issues with growth, she can remember when Kleberg County was a dry county and would have to travel to Agua Dulce to purchase her beverage. She further commented that she has always campaigned for growth in the community but has some confusion and wonders why her property is being considered for rezoning.

Mrs. Janell Nix, 419 W. Trant Rd. commented that Patty mentioned something that she was curious about as well. She further commented that looking at the map of the rezoning, Patty Wolf's property is included and there are three lots west of her property that is not included, but there is a big block that is included therefore wondering why her residence is included and those three lots not included. She further stated that this is a curiosity and asked if someone can explain this to them, it would help answer some questions they have. She further stated that across the street from Patty is also a big parcel of land and none of that north side of Trant Rd. is included. She further asked why those three blocks, three residences, were not included. Patty's is included and the ones on either side of those three are included. She stated that she doesn't understand that. She stated that she hopes to hear more information on this, as this is what the Commission was eluding to.

Mayor Fugate commented that this is done.

Mr. Hugh Leak, 408 Nelda commented that if this is a dead topic he would like to thank the City Commission. He further stated that he could not figure out why the whole area, up to his backyard, where they are in a nice, safe, and quiet neighborhood, where you can leave your garage door open and leave for half a day and come back with everything still there. He further commented that some of them were quite concerned and appreciate the consideration.

Mrs. Mary Valenzuela, City Secretary read two public comments she received for today's City Commission meeting. The comments read as followed:

Marci Castillo, 405 Nelda, commented the following, My husband and I are 31-year homeowners and residents in Allendale Subdivision II near the proposed location for the rezoning on 6<sup>th</sup> Street, Trant Road, and Escondido Road. We are concerned about the effects on the area and neighborhood if the property is rezoned and commercial establishments are built. Escondido Road is too narrow. Escondido Road and the loop road at Kleberg Park is busy with car traffic, walkers, and jogger, bike traffic, baseball, and soccer teams and their spectators. The traffic has increased in recent months as JK Northway became a COVID 19 vaccination site. Lines of cars look around the entire park and down Escondido Road then south down 6<sup>th</sup> Street making entry and exiting our neighborhood difficult. Recently a neighbor told me a family was walking on Escondido Road at night and he nearly hit them as he couldn't see them in the dark. When JK Northway has an event like the livestock show, concert, roping event, etc. We have cars parked all along Escondido Road and people walking the road to get to JK Northway. It makes driving this road very concerning in the daylight and downright dangerous at night. If there is a business operating on the corner of 6<sup>th</sup> Street and Escondido Road that allows cars to exit its establishment on Escondido Road it'll add to an already narrow and potentially dangerous road. Two abandoned buildings near us were once convenience stores and are now empty, decaying properties. One is located on Ailsie and 6<sup>th</sup> Street. The other is located at South Brahma Blvd. and FM 1717. Those businesses did not make

it. We don't want commercial enterprises in general in our neighborhood and we don't want abandoned, unkept properties creating eyesores for the people who live out here at the park. The baseball fields have snack bars that sell candy, popcorn, and drinks. If rezoning takes place on 6<sup>th</sup> Street and commercial building proceeds, businesses may take away revenue from the baseball/softball programs. Walmart and Gregg's Shortstop have amply supplied everyone's needs for many years. We are also concerned about increased rodent population due to the trash that will come from businesses that back up into our backyards. Rodents carry disease and would invade our properties causing the resident's health risks, property damage, and unwanted rodent infestation. We are concerned about crime to businesses if allowed to build in our backyards. That crime could spill over into our properties and homes. Currently, our neighborhood is a safe, quiet, and really nice place to live.

Mrs. Valenzuela further read a public comment submitted by John and Velinda Sanchez, 4100 S. 6<sup>th</sup> Street. The comment read as followed: My name is John Sanchez. My wife Velinda and I, as well as our son, are impacted by the City's rezoning request. We have 5 parcels included in the rezoning. We are in favor of the rezoning for the following reasons: A city that is not properly planned is a recipe for economic disaster. A comprehensive plan and subsequent rezoning help lay the guideposts for how a city will grow. It reduces any rezoning requests that don't match the plan, and actually protects residents in the area by having a clear picture of what can potentially be done in the area, before they buy, or before they make any decisions to sell, model, etc. The comprehensive plan should be revisited and tweaked every few years and should match any capital improvements plans so you know where the money for additional roads, schools, etc. should go. Kingsville has forged ahead spending capital monies in advance of the comprehensive plan because it is undeniable where the growth will occur in the very near future. The basic rule of planning is that rooftops breed retail. The additional homes in this area, coupled with the more than 330+ homes that are proposed in the area, mean commercial will come; help protect our area with this rezoning that will limit it to the lowest commercial zone possible and not allow bars, etc. Property taxes are partially based on use. A rezone will have no effect on your property unless you change the use. Planning and development are the economic engine to a city and its residents. Don't cut the engine short because of the short-sightedness of some to fully see what Kingsville is becoming, a robust and vital city in the area. Respectfully, John and Velinda Sanchez.

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for Package Liquor Store use at in C2 (Retail District) at 2730 S. Brahma Blvd., Suite 750, Kingsville, Texas (Kingsville Plaza), also known as Walmart Stores, Lot 3; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for Commercial Indoor Amusement use in C2 (Retail District) at 900 East Caesar Blk., Kingsville, Texas, also known as 9<sup>th</sup>, Block 19, Lots 17-27, E20' 28; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional budget costs for Engineering Department due to increased operating costs. (City Engineer).
4. Motion to consider the reappointment of Gloria Bigger-Cantu to the Main Street Advisory Board for a two-year term. (Tourism Director).
5. Motion to consider the reappointment of Ryder Takesue to the Main Street Advisory Board for a two-year term. (Tourism Director).
6. Motion to consider the reappointment of Daniel Burt to the Historical Development Board for a three-year term. (Director of Planning and Development).

## REGULAR AGENDA

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

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

7. Consider appointment of Tito Villarreal to the Main Street Advisory Board to fill an unexpired term ending August 12, 2021 and for a two-year term thereafter. (Tourism Director).

Motion made by Commissioner Lopez to approve the appointment of Tito Villarreal to the Main Street Advisory Board to fill an unexpired term ending August 12, 2021 and for a two-year term thereafter, seconded by Commissioner Alvarez.

Ms. Janine Reyes, Tourism Director stated that her staff is trying to clean up and take over the Main Street Advisory Board. There was a vacancy created on June 4<sup>th</sup> when Tom DiFrancesca resigned from the Board. This left an opening for a residential position. The Board consists of four Historical Downtown Merchants, 1 Texas A&M University-Kingsville representative, and 2 residential representatives. Mr. Tito Villarreal is a current resident of Kingsville and additionally brought in a successful event to the downtown area, therefore staff thought Mr. Villarreal would be a good fit for this Board.

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

8. Consider introduction of an ordinance by changing the zoning map in reference to Ronning 2, Block 1, Lots 7-12; Lund Addn, Block 5, Lots 10-14, W/2 15, E/2 15-18; Lund Addn, Block 6, Lots 15-28; Penny, Block 2, Lots 22-42; Ronning 2, Block 3, Lots 1-6; Lund Addn, Block 7, Lots 1-9; Lund Addn, Block 8, Lots 1-14; Penny, Block 1, Lots 1-21, Kingsville, Texas, From "R-2" Two-Family

**District to "C-2" Retail Commercial District; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (East King Ave. between 15<sup>th</sup> & 17<sup>th</sup> Sts.) (Director of Planning and Development).**

Introduction item only.

**9. Discussion of an ordinance changing the zoning map in reference to KT & I Co, Block 20, Lot Pt 13 (40.95 acres); KT & I Co, Block 20, Lot out NE Cor 13 (2.5 acres); KT & I Co, Block 21, Lot 4.25 acres out of 10, (4.25 acres); KT & I Co, Block 21, Lot 2.41 acres out of 10 (2.41 acres); Reidda Sub, Lot 1 (.236 acres); Reidda Sub, Lot 19 (.235 acres); KT & I Co, Block 21, Lot Pt 9-11 (19.77 acres); KT & I Co, Block 21, Lot out of 11 (9.18 acres); KT & I Co, Block 21, Lot Pt 11 (.45 acres); KT & I Co, Block 21, Lot W Pt 11 (1.15 acres); KT & I Co, Block 21, Lot Pt 11 (4.1 acres); KT & I Co, Block 21, Lot SW Pt 11 (1.0 acre); KT & I Co, Block 21, Lot SW Pt 11 (2.00 acres); KT & I Co, Block 21, Lot SW Pt 11 (1.00 acre), Kingsville, Texas, From "R-1" Single Family District to "C-1" Neighborhood Service District; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (South 6<sup>th</sup> St. between Trant & Escondido Sts.) (Director of Planning and Development).**

No discussion or action was taken on this item.

**10. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend grant funding from the Ed Rachal Foundation Grant for Police Department equipment. (Police Chief).**

Mr. Ricardo Torres, Chief of Police stated that they were awarded \$25,000 from the Ed Rachal Foundation for equipment. Staff is requesting approval to expend this award.

Introduction item only.

**11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration; providing for revision of Article 1-City Commission, Section 10-Agenda, to provide for electronic submission of comments. (City Attorney).**

Ms. Alvarez stated that it was the consensus of the Commission to allow for the submission of comments for the public hearing and public comments. Based on the Commission's request, staff drafted an amendment to the ordinance on how meetings are handled. This will continue as to what was put in place during the pandemic with regards to how to submit comments for both public hearings or public comments for meetings of the City Commission and City Boards. So long as comments are received 60 minutes before the start of each meeting of the City Commission or City Board.

Introduction item only.

**12. Consider a resolution decommissioning Kenedy Park off 14<sup>th</sup> Street and East Kenedy Street (5<sup>th</sup> Addition, Block 4, Lot 17-32 & E 40' of abandoned S. 13<sup>th</sup> Street) in Kingsville, Texas. (City Manager/ City Attorney).**

Mayor Fugate stated that this property is the Kenedy Park located on 14<sup>th</sup> Street. When the King Ranch deeded that property to the City in 1944, they were already incorporated. He further stated that anything that has to do with real estate, after they were incorporated, they still maintain an interest in. This property has a reverted clause in it that says that if the property is not used as a park, it must revert to the King Ranch. It is being proposed that the park be decommissioned as parkland to allow for it to be placed for sale with proceeds being placed back into the park system. The City has contacted the King Ranch regarding this proposal and they have no objection and the



City desires that the proceeds from the sale of Kenedy Park be used for the development of the Chamberlain Park project located north of City Hall.

**Motion made by Commissioner Lopez to approve the resolution decommissioning Kenedy Park off 14<sup>th</sup> Street and East Kenedy Street (5<sup>th</sup> Addition, Block 4, Lot 17-32 & E 40' of abandoned S. 13<sup>th</sup> Street) in Kingsville, Texas, seconded by Commissioner Alvarez.**

Commissioner Torres asked how far back Kenedy Park is. Mayor Fugate responded that it almost goes as far back to the water tower.

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

**13. Consider a resolution authorizing staff to proceed with placing for sale the City's real property known as Kenedy Park located off 14<sup>th</sup> Street and East Kenedy Street (5<sup>th</sup> Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13<sup>th</sup> St.) in Kingsville, Texas, (with all proceeds going into the Chamberlain Park Project north of City Hall). (City Manager/ City Attorney).**

Mayor Fugate commented that the King Ranch family is very interested in a park to be located to the north of City Hall. He further described what the park is proposed to look like and stated that at the front of City Hall a statue of Richard and Henrietta King will be placed.

**Motion made by Commissioner Lopez to approve the resolution authorizing staff to proceed with placing for sale the City's real property known as Kenedy Park located off 14<sup>th</sup> Street and East Kenedy Street (5<sup>th</sup> Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13<sup>th</sup> St.) in Kingsville, Texas, (with all proceeds going into the Chamberlain Park Project north of City Hall), seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR".**

#### **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:46 P.M.

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Sam R. Fugate, Mayor

#### **ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

# **CONSENT AGENDA**

# **AGENDA ITEM #1**

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



## MEMO

**Date:** July 21, 2021

**To:** Mark McLaughlin (City Manager)

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

**Subject:** **City of Kingsville, applicant, requesting the rezone of RONNING 2, BLOCK 1, LOTS 7-12; LUND ADDN, BLOCK 5, LOTS 10-14, W/2 15, E/2 15-18; LUND ADDN, BLOCK 6, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-6; LUND ADDN, BLOCK 7, LOTS 1- 9; LUND ADDN, BLOCK 8, LOTS 1-14; PENNY, BLOCK 1, LOTS 1-21, Kingsville, Texas from R2 (Two Family) to C2 (Retail).**

The Planning and Zoning Commission meeting held as scheduled this evening, July 21, 2021, with 6 members in attendance.

Members deliberated over the issue of granting approval for a re-zone of a number of lots fronting King Avenue between 15<sup>th</sup> to 17<sup>th</sup> Street from R2 – Two Family Residential to C2 – Retail. This action was to complete the commercial land use along a commercial arterial road. Letters were sent out to neighbors and the City received no letters (feedback) pertaining to the application. Commissioners, after deliberations, all voted to approve the recommendation to re-zone the affected properties. A recorded vote of all members present was taken, and Commissioners Larry Garcia, Idotha Battle and Michael Klepac, Bill Aldrich, Debbie Tiffée and the Chairman – Steve Zamora all voted ‘YES’.

The meeting was adjourned by 7.30p.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:** July 13, 2021  
**To:** Planning and Zoning Commission Members  
**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** City of Kingsville, applicant, requesting the rezone of RONNING 2, BLOCK 1, LOTS 7-12; LUND ADDN, BLOCK 5, LOTS 10-14, W/2 15, E/2 15-18; LUND ADDN, BLOCK 6, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-6; LUND ADDN, BLOCK 7, LOTS 1- 9; LUND ADDN, BLOCK 8, LOTS 1-14; PENNY, BLOCK 1, LOTS 1-21, Kingsville, Texas from R2 (Two Family) to C2 (Retail).

Sequel to the discussion held on April 21, 2021, with respect to rezoning parts of the City to introduce/regularize commercial activity within King Avenue and 6<sup>th</sup> Street, the City of Kingsville, currently undergoing positive developmental changes, is requesting to rezone relevant properties from residential to commercial in order to encourage business development in a bid to shore up the economic base of the City.

Specifically, this application is to re-zone certain properties (listed above) on King Avenue from R1 – Single Family Residential, to C2 – Retail. The idea is to regularize commercial activity within a major commercial strip.

Consequently, this application is being submitted for your consideration. It is therefore recommended that you consider and approve the application since it conforms to the planning concept of the emerging comprehensive plan (Neighborhood Concept)

Thank you.

A handwritten signature in black ink, appearing to read 'Uche Echeozo'.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address See attachment Nearest Intersection king st - 15<sup>th</sup> - 17<sup>th</sup>

(Proposed) Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description: See attachment

Existing Zoning Designation R2-Two Family Future Land Use Plan Designation C2- Retail

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent City of kingsville Phone 361-595-8055 FAX \_\_\_\_\_

Email Address (for project correspondence only): \_\_\_\_\_

Mailing Address PO Box 1458 City kingsville State TX Zip 78364

Property Owner See attachment Phone \_\_\_\_\_ FAX \_\_\_\_\_

Email Address (for project correspondence only): \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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

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

Please provide a basic description of the proposed project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

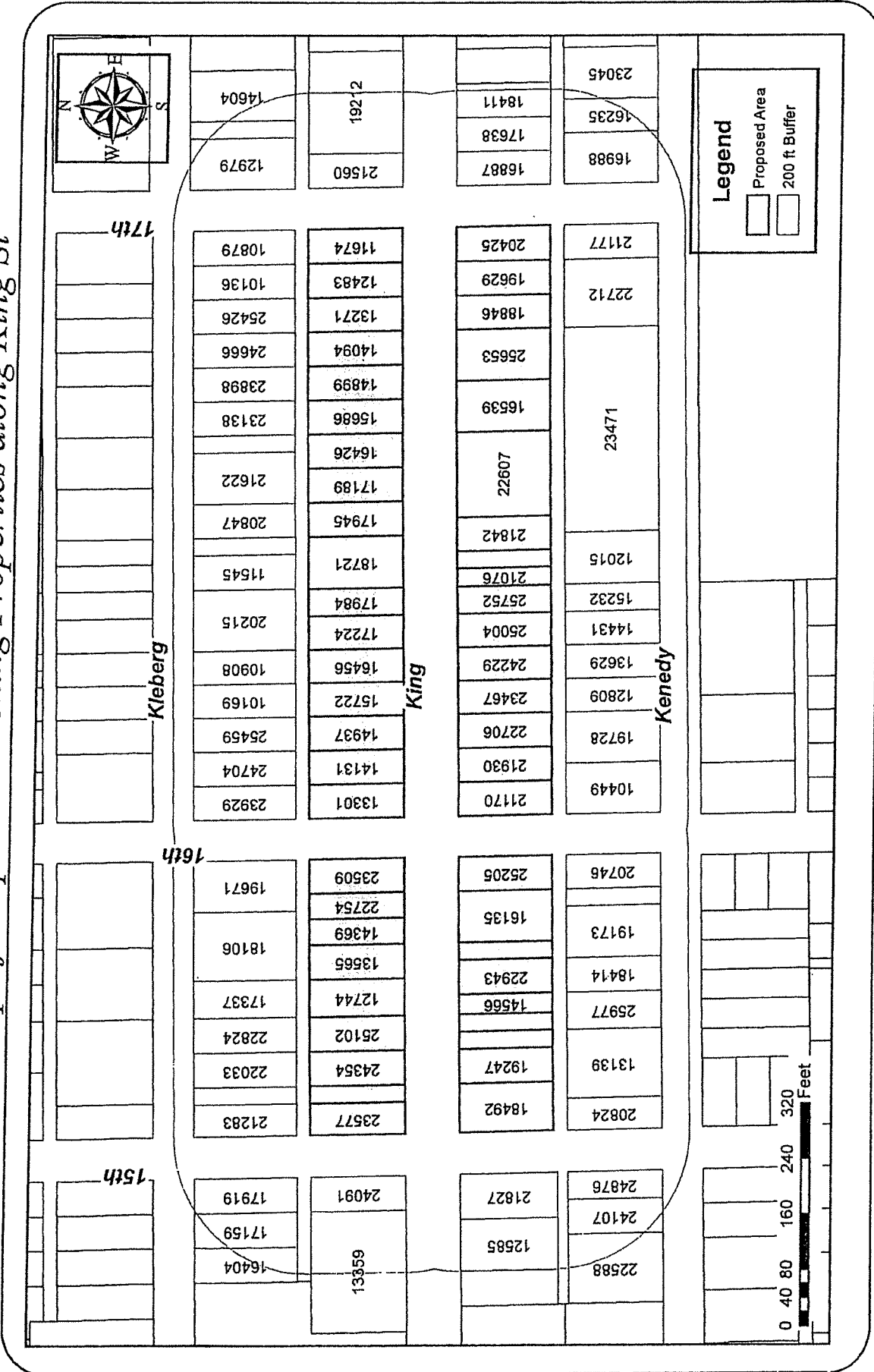
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature S. Resendo Date: 7-14-2021

Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_


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

# Map of Proposed Rezoning Properties along King St



Document Path: C:\Users\resendez\Desktop\GIS\Maps\Rezoning\_Uche.mxd

**City of Kingsville**  
**Planning Department**  
 410 West King  
 Kingsville, Texas 78363  
 Office: 361-595-8055



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Drawn By:  
 Planning Department  
 Last Update: 7/15/2021  
 Note:

**Page**  
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DISCLAIMER  
 THIS MAP IS FOR VISUAL PURPOSES ONLY.  
 THE INFORMATION ON THIS SHEET MAY  
 CONTAIN INACCURACIES OR ERRORS.  
 THE CITY OF KINGSVILLE IS NOT  
 RESPONSIBLE FOR THE INFORMATION CONTAINED  
 HEREIN IS USED FOR PLANNING, BUILDING,  
 OR ANY OTHER PURPOSE.

ABEL P GARZA  
4117 JAMLIE AVE  
KINGSVILLE, TX 78363-7421  
#23577

FILEMON ESQUIVEL JR  
1232 E KING AVE  
KINGSVILLE, TX 78363-5934  
#25102, 18721

RAUL GONZALEZ  
ABEL GONZALEZ  
PO BOX 180  
KINGSVILLE, TX 78364-0180  
#14369

EVA M SERNA EST  
1204 E KING AVE  
KINGSVILLE, TX 78363-5934  
#13301

MANUEL C CASTANEDA JR EST  
ETUX CARMEN EST  
1216 E KING AVE  
KINGSVILLE, TX 78363-5934  
#15722, 16456

VELMA GARCIA MCLENDON  
1238 E KING AVE  
KINGSVILLE, TX 78363-5934  
#17945

MARIA RITA GUERRA EST  
ETAL  
3418 WILLIE WAY  
SPRING, TX 77380-1264  
#15686

DIDIO TREVINO EST  
ETUX MARIA R  
1260 E KING AVE  
KINGSVILLE, TX 78363-5934  
#13271

CYNTHIA ANN GONZALES  
907 W KLEBERG AVE  
KINGSVILLE, TX 78363-4220  
#22943

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#25205

GUADALUPE R BENAVIDES JR  
915 E SHELTON  
KINGSVILLE, TX 78363-6350  
#16010

SARA SALINAS  
1116 E KING AVE  
UNIT A  
KINGSVILLE, TX 78363-5871  
#12744

ANITA G PENA  
1316 FM 1717  
KINGSVILLE, TX 78363  
#22754

SIMON DIAZ  
ETAL  
1325 E RICHARD AVE  
KINGSVILLE, TX 78363-4820  
#14131

ESMERALDA SALAZAR  
1220 E KING  
KINGSVILLE, TX 78363  
#17224

SAN MIGUEL FIGUEROA ESTER  
3021 BRAUNER PKWY  
CORPUS CHRISTI, TX 78415-  
4937  
#17189

RUBEN ROEL RUIZ  
ETAL  
6410 OAKBROOK DR  
CORPUS CHRISTI, TX 78413-2506  
#14899

RAYMUNDO GUERRA  
ETUX DOLORES  
1266 E KING AVE  
KINGSVILLE, TX 78363-5934  
#12483

FRANCIS CISNEROS  
1119 E KING AVE  
KINGSVILLE, TX 78363-5870  
#23694

GILBERT C GUERRA  
19540 CRYSTAL OAK  
SAN ANTONIO, TX 78258-3001  
#21170

CHRISTINA C ESQUIVEL  
1232 E KING  
KINGSVILLE, TX 78363  
#24354

RODOLFO E RAMOS SR EST  
1418 E KING AVE  
KINGSVILLE, TX 78363-5938  
#13565, 11674

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#23509

GILBERTO M ARGUIJO EST  
ETUX AURORA A ARGUIJO EST  
801 S 15<sup>TH</sup> ST  
KINGSVILLE, TX 78363-6425  
#14937

ANDREA LUNA  
1220 E KING  
KINGSVILLE, TX 78363  
#17984

JAVIER O VILLARREAL  
ETUX LYDIA L  
17603 KRUGERRAND DR  
SAN ANTONIO, TX 78232-2660  
#16426

JUAN MACARENO  
AND RUDY MACARENO  
211 E KLEBERG AVE  
KINGSVILLE, TX 78363-4572  
#14094

ZUMIC INVESTMENTS LLC  
7018 HANNAH  
CORPUS CHRISTI, TX 78413  
#18492, 19247, 20039, 12339,  
14566

RICARDO ALVAREZ  
621 N US HIGHWAY 77 BYP  
KINGSVILLE, TX 78363-4826  
#16135

ROGELIO S MARTINEZ  
ETUX VIRGINIA G  
5703 WISDOM CREEK DR  
DALLAS, TX 75249-2314  
#21930



JESSIE PEREZ  
1209 E KING AVE  
KINGSVILLE, TX 78363  
#22706

MIKE G MATA  
1217 E KING AVE  
KINGSVILLE, TX 78363-5933  
#23467

DANIELLA LOZA  
1705 SANTA MARIA  
KINGSVILLE, TX 78363  
#24229

DEL BOSQUE ANICETO EST  
7321 SAN ANGELO ST  
HOUSTON, TX 77020-7643  
#25004

SANTIAGO BARRAZA EST  
JOSEPHIN EIRENE GRANT (C/D)  
515 E RICHARD AVE  
KINGSVILLE, TX 78363-3840  
#25752

JOSEFINA IRENE GRANT  
1227 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#21076

ANASTACIO MARTINEZ JR EST  
% LAURO MARTINEZ  
529 ½ E NETTIE  
KINGSVILLE, TX 78363  
#13393

LCO PROPERTIES LLC  
700 E CORRAL  
KINGSVILLE, TX 78363  
#21842

EDGAR N TELLEZ  
1025 23<sup>RD</sup> ST, APT #4  
CORPUS CHRISTI, TX 78404  
#22607

MARGARITA C AMBRIZ  
1247 ½ E KING  
KINGSVILLE, TX 78363  
#16539

JOSE ANGEL ESPINOZA  
1249 E KING  
KINGAVILLE, TX 78363  
#25653

JUAQUIN A WRIGHT  
ETUX ANNA M  
1251 E KING AVE  
KINGSVILLE, TX 78363-5933  
#18846

JOSE RENE CARRION EST  
1423 E SANTA GERTRUDIS ST  
KINGSVILLE, TX 78363-4804  
#19629

ESMERALDA PEREZ  
1269 E KING AVE  
KINGSVILLE, TX 78363-5933  
#20425

PENDLETON HOLDINGS LLC  
312 N PASADENA  
KINGSVILLE, TX 78363  
#22588

N & D BARNETT LLC  
% NOLAN BARNETT  
202 FALLS DR  
SUNNYVALE, TX 75128  
#12585

LLOYD ZACHARY EK  
ETUX TANJA  
342 DANA  
KINGSVILLE, TX 78363-8858  
#24091

EDNA L GARCIA  
1103 E KLEBERG  
KINGSVILLE, TX 78363-4743  
#21283

ERNAN C GUTIERREZ EST  
307 W CORRAL AVE  
KINGSVILLE, TX 78363  
#17337

GUSTAVO MRS CAVAZOS EST  
% ALICE CAVAZOS GUY  
6611 CARRIE LN  
SAN ANTONIO, TX 78218-3529  
#24704

VELMA SAN MIGUEL  
1217 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#10908

AMADOR MENDIETA EST  
1235 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#12361, 20847

ISABEL G TORRES EST  
% ISAIAS TORRES EST  
1247 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#23138

CARLOS ARELLANO  
ETUX RAWUEL R  
16078 NOVEMBER DR  
HARLIGEN, TX 78552  
#10879

MARGARITA C AMBRIZ  
AND OCTAVIO C AMBRIZ JR  
1247 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#24107

JOAQUIN BARRAZA EST  
ALICIA BARRAZA (IND EXEC)  
402 W HENRIETTA AVE  
KINGSVILLE, TX 78363  
#21827

JULIAN JAVIER ALANIZ  
1023 E KLEBERG AVE  
KINGSVILLE, TX 78363-4741  
#16404

FELIX MUNOZ  
1107 E KLEBERG AVE  
KINGSVILLE, TX 78363-4743  
#22033

FRANCISCO J GUERRA  
1123 E KLEBERG ABE  
KINGSVILLE, TX 78363-4743  
#18106, 19671

ROBERT UMBENHAUR  
ETUX ANABELL ABARCA  
14300 PINE CONE LN  
PINE GROVE, CA 95665-9636  
#25459

LEONIREZ CASANOVA  
ETUX SYLVIA B EST  
1507 E JOHNSTON AVE  
KINGSVILLE, TX 78363-6017  
#20215, 10136

SYLVIA HILL  
5485 BUGGYWHIP DR  
CORPUS CHRISTI, TX 78415  
#21622

CARMEN GARCIA  
ETUX CLARITA EST  
1255 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#23898, 24666

JOSE HUERTA JR  
1301 E KLEBERG AVE  
KINGSVILLE, TX 78363-4746  
#12979

JOSE L CRUZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#24876

GENE M JONES  
PO DRAWER A  
KINGSVILLE, TX 78364-1603  
#13359

RAYMUNDO GUERRA  
1266 E KING AVE  
KINGSVILLE, TX 78363  
#17159, 17919

JUAN M ABOYTES  
ETUX MARGARITA  
1111 E KLEBERG AVE  
KINGSVILLE, TX 78363-4743  
#22824

ISRAEL REYNA EST  
ETUX TRINIDAD M  
1201 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#23929

JOSUE LOPEZ GARCIA  
PO BOX 1421  
HIDALGO, TX 78577  
#10169

LORIE VILLARREAL  
307 E COUNTY ROAD 1995  
KINGSVILLE, TX 78363-2712  
#11545

RUBEN MATA  
ETUX MARGIE  
1258 E KLEBERG  
KINGSVILLE, TX 78363  
#14764

EUSEBIO REYES EST  
1267 E KLEBERG AVE  
KINGSVILLE, TX 78363-4744  
#25426

JOE S SCRAMUZZA  
109 W SAGE RD  
KINGSVILLE, TX 78363  
#22218

ROBERTO RODRIGUEZ JR  
ETUX MICHELLE  
1311 E KLEBERG  
KINGSVILLE, TX 78363  
#14604

DALIA C SANCHEZ  
7022 BUTTERMILK DR  
CORPUS CHRISTI, TX 78413  
#17638

JORGE A IBANEZ  
1709 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363-6735  
#16235

CENTRAL LAIN AMER DIS CHURCH  
OF NAZARENE INC  
1266 E KENEDY AVE  
KINGSVILLE, TX 78363-5931  
#22712

ANA MARIA AGUILAR  
800 GENERAL CAVAZOS BLVD  
APT #1004  
KINGSVILLE, TX 78363  
#15232

JULIA V CONNOR EST  
1218 E KENEDY AVE  
KINGSVILLE, TX 78363-5931  
#12809

DELFINO G DE LEON  
1132 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20746

LAURO JIMENEZ  
MARCELO JIMENEZ JR  
899 S COUNTY ROAD 1120  
RIVIERA, TX 78379-3524  
#18414

RODOLOFO E RAMOS SR EST  
1418 E KING AVE  
KINGSVILLE, TX 78363-5938  
#21560, 19212

JOSE MARIA MARTINEZ  
627 E MILLER AVE  
KINGSVILLE, TX 78363-6335  
#18411

DALIA SALAZAR  
PO BOX 561  
KINGSVILLE, TX 78364-0561  
#23045

BOY'S CLUB OF KINGSVILLE  
INC  
PO BOX 1181  
KINGSVILLE, TX 78364-1181  
#23471

AMELIA ORTA  
JUAN J GONZALEZ  
2415 E SANTA GERTRUDIS  
TRLR#111  
KINGSVILLE, TX 78363-7253  
#14431

DENNIS LEE GRIGGS  
106 TONKAWA  
KINGSLAND, TX 78639-4143  
#19728

ALWAYS A WAY LLC  
PO BOX 828  
SEGUIN, TX 78156  
#12259

MARGARITA SALINAS SAENZ  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#25977, 13139

RICARDO BAZAN  
ROSA MIRELES  
1301 E KING AVE  
KINGSVILLE, TX 78363-5935  
#16887

LUCIANA BAZAN EST  
% RICARDO BAZAN & ROSA MIRELES  
1304 E KENEDY  
KINGSVILLE, TX 78363  
#16988

ISMAEL ALDOPE  
1205 E KENEDY  
KINGSVILLE, TX 78363  
#21177

MARIA E ESPINOZA  
1234 E KENEDY AVE  
KINGSVILLE, TX 78363-5931  
#12015

ESMERALDO CANALES CANTU  
1001 S ED CAREY DR #230  
HARLIGEN, TX 78552  
#13629

ARGELIO D ALANIS  
523 E ANGLE ROAD  
KINGSVILLE, TX 78363  
#10449

BALDEMAR PEREZ  
ETUX ADELITA  
1126 E KENEDY  
KINGSVILLE, TX 78363  
#19173

JESUS LOPEZ  
ETUX JENNIGER ARRIAGA  
1102 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20824

### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, July 21, 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:

**City of Kingsville, applicant, requesting the rezone of RONNING 2, BLOCK 1, LOTS 7-12; LUND ADDN, BLOCK 5, LOTS 10-14, W/2 15, E/2 15-18; LUND ADDN, BLOCK 6, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-6; LUND ADDN, BLOCK 7, LOTS 1- 9; LUND ADDN, BLOCK 8, LOTS 1-14; PENNY, BLOCK 1, LOTS 1-21, Kingsville, Texas from R2 (Two Family) to C2 (Retail).**

The meeting will be held at City Hall, 400 West King, 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, July 26, 2021 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

**City of Kingsville, applicant, requesting the rezone of RONNING 2, BLOCK 1, LOTS 7-12; LUND ADDN, BLOCK 5, LOTS 10-14, W/2 15, E/2 15-18; LUND ADDN, BLOCK 6, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-6; LUND ADDN, BLOCK 7, LOTS 1- 9; LUND ADDN, BLOCK 8, LOTS 1-14; PENNY, BLOCK 1, LOTS 1-21, Kingsville, Texas from R2 (Two Family) to C2 (Retail).**

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.

**Oil-Away** or call 574-542-2023

**ORDINANCE \_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO RONNING 2, BLOCK 1, LOTS 7-12; LUND ADDN, BLOCK 5, LOTS 10-14, W/2 15, E/2 15-18; LUND ADDN, BLOCK 6, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-6; LUND ADDN, BLOCK 7, LOTS 1-9; LUND ADDN, BLOCK 8, LOTS 1-14; PENNY, BLOCK 1, LOTS 1-21, KINGSVILLE, TEXAS, FROM "R-2", TWO FAMILY DISTRICT TO "C-2", RETAIL COMMERCIAL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION. (East King Ave. between 15<sup>th</sup> & 17<sup>th</sup> Sts.)**

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

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, July 21, 2021, during a meeting of the Planning Commission and on Monday, July 26, 2021, during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 6-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Ronning 2, Block 1, Lots 7-12; Lund Addn, Block 5, Lots 10-14, W/2 15, E/2 15-18; Lund Addn, Block 6, Lots 15-28; Penny, Block 2, Lots 22-42; Ronning 2, Block 3, Lots 1-6; Lund Addn, Block 7, Lots 1-9; Lund Addn, Block 8, Lots 1-14; Penny, Block 1, Lots 1-21, Kingsville, Texas, From "R-2" Two Family District to "C-2" Retail Commercial District as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 26th day of July, 2021.

**PASSED AND APPROVED** on this the 9th day of August, 2021.

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

**THE CITY OF KINGSVILLE**

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

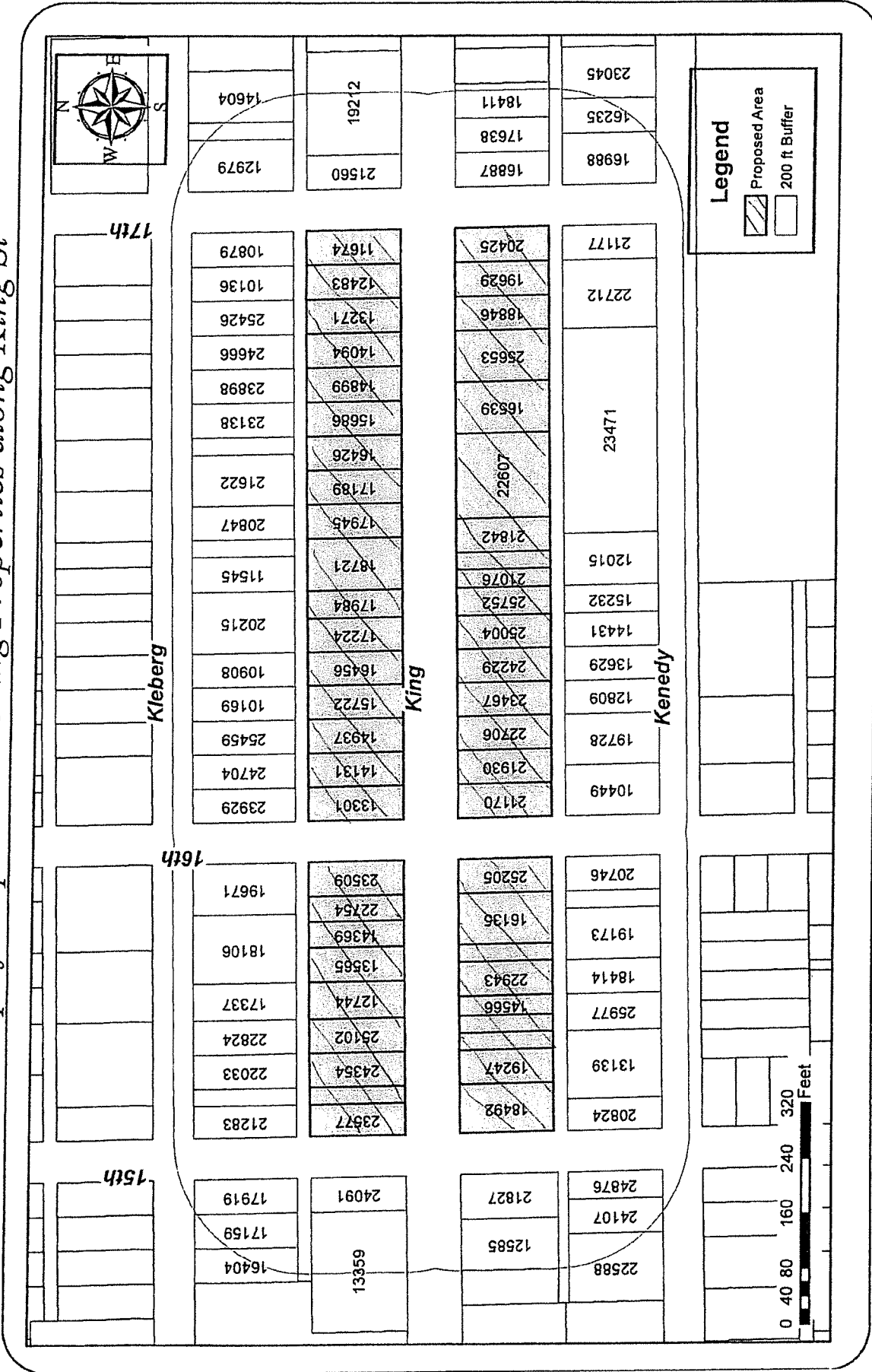
**ATTEST:**

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

**APPROVED:**

By: \_\_\_\_\_  
Courtney Alvarez, City Attorney

# Map of Proposed Rezoning Properties along King St



Document Path: C:\Users\resendez\Desktop\GIS\Maps\Rezoning\_Uche.mxd

<p><b>CITY OF KINGSVILLE</b>  <b>PLANNING DEPARTMENT</b>          410 West King          Kingsville, Texas 78363          Office: 361-595-8055</p>	<p><b>DISCLAIMER</b>          THIS MAP IS FOR VISUAL PURPOSES ONLY.          THE INFORMATION ON THIS SHEET MAY          CONTAIN INACCURACIES OR ERRORS.          THE CITY OF KINGSVILLE IS NOT          RESPONSIBLE FOR ANY ERRORS CONTAINED          HEREIN. IT IS USED FOR ANY DESIGN,          CONSTRUCTION, PLANNING, BUILDING,          OR ANY OTHER PURPOSE.</p>
	<p>Drawn By:          Planning Department          Last Update: 7/6/2021          Note:</p>



## **AGENDA ITEM #2**

**City of Kingsville  
Police Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin/City Manager

FROM: Ricardo Torres, Chief of Police

DATE: July 7, 2021 (Original Request for grant application sent April 29, 2021)

SUBJECT: Request for resolution to Accept and Expend \$25,000 Donation from the Ed Rachal Foundation for equipment.

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**Summary:**

The Kingsville Police Department is requesting a budget amendment to accept and expend \$25,000.00 awarded by the Ed Rachal Foundation for equipment.

**Background:**

The Kingsville Police Department responds to incidents throughout the Coastal Bend as a member of the Coastal Bend COG and because of the existing Memorandum of Understanding to aid other cities and counties in our Coastal Bend Council of Governments. During several of these incidents where our neighbor entities requested assistance with both manpower and equipment, we were able to send both to quash an incident.

**Financial Impact:**

Critical gear replacement for our tactical team operations will be purchased with this funding. Our current gear is well over seventeen years old. Kingsville SWAT members will be able to enter facilities to halt or secure terrorism related threats and other threats or hazards within our region with multipurpose equipment.

The FM54 by AVON fire hardened Air Purifying Respirator will provide our Operators maximum level of protection to the face, eyes and respiratory tract from Chemical, Biological, Radiological, Nuclear and Environmental (CBRNE), Riot Agents, Toxic Industrial Chemicals (TICs) and Toxic Industrial Materials (TIMs) while maintaining extreme user flexibility as mission profiles change. This essential equipment also comes with a full range of filters to meet a variety of mission profiles along with full range of removable vision outserts to provide additional ballistic protection and comfortable operation. The flexibility also spills over to an optional low-profile voice projection unit with internal microphone that will be purchased because of the need for communications between operators and command in an incident response.

The budget for the equipment is listed below:



**City of Kingsville  
Police Department**

- 14 AVON-70501-697-7\* FM54 Twinport Specialist Responder Kit MED \$820.00 per unit for a total cost of \$11,480.00.
- 13 AVON-602651\* Gen 2 VPU/Mic \$546.87 per unit for a total cost of \$7,109.31.
- 5 AVON ctc50 Riot Agent Filter (pack of 4) \$162.75 per unit for a total cost of \$813.75.
- 3 AVON 50 Series APR DCM Cleaning Kit \$79.31 per unit for a total cost of \$237.93

SWAT is outfitted currently with Colt and Bushmaster AR-15's. We currently do not have any lighting systems on the weapons for responses to mass casualty, CBRNE, barricaded subjects etc. In order to insure that our tactical operators are able to readily identify a target prior to sending a bullet downrange is critical. Especially during this time of scrutiny on police operations and the litigious atmosphere in our nation. Since we do respond on a regional level it will also safeguard other governmental entities from that litigation and insure that we do not injure the innocent.

The budget for the equipment is listed below:

- 14 SR-M640DF-BK-PRO Surefire Scout Light Pro Dual Fuel Black \$259.59 per unit for a total cost of \$3,634.25.
- 14 SF-UE-SR07 Replacement rear cap inc SR07 Switch \$117.57 per unit for a total cost of \$1,645.98.

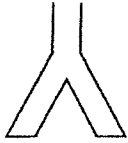
Subtotal	\$24,921.23
Freight	\$60.00
Total	\$24,981.23

This grant does not have a cash match.

**Recommendation:**

We request a budget amendment for acceptance and expense of the \$25,000.00 grant award from the Ed Rachal Foundation.





# ED RACHAL FOUNDATION

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June 30, 2021

Ricardo Torres  
City of Kingsville Police Department  
P.O. Box 1458  
Kingsville, Texas 78363

Dear Ricardo Torres:

I am happy to inform you that the Board of Directors of the Ed Rachal Foundation approved a grant to City of Kingsville Police Department for \$25,000.00. Please execute and return the enclosed Grant Agreement. The grant funds will be forwarded upon our receipt of the completed Original Grant Agreement.

If you have any questions please email myself at [bbillings@edrachal.org](mailto:bbillings@edrachal.org).

Sincerely,

Bettie Billings, Assistant Comptroller  
Enclosure

## GRANT AGREEMENT

Grant Number 2020-139

Organization City of Kingsville Police Department

Address P.O. Box 1458

Amount of Grant \$ 25,000.00 Date of Payment 06/30/21

Project Name Air Purifying Respirator Project

The following terms are agreed upon as conditions for this grant:

1. The tax-exempt status verified in the proposal is still valid; any changes in the organization that could lead to a change in this status will be reported to the Ed Rachal Foundation immediately.
2. The organization has considered the impact of this grant on its operations and determined that this grant will not affect the organization's public charity status.
3. The organization will keep and maintain records of expenditures adequate to readily verify the use of the grant funds. A report detailing the expenditure of grant funds will be completed and returned to the Ed Rachal Foundation. Please reference the grant number assigned to this award in your report.
4. Grant funds will be used solely for the purposes described in the Grant Application. The organization agrees to repay to the Ed Rachal Foundation any portion of the funds not expended for the purposes outlined in the Grant Application, unless permission to redirect the unused grant funds is authorized by the Ed Rachal Foundation.
5. The grant amount reflected above is the TOTAL extent to which the Ed Rachal Foundation is financially obligated at this time. Should these funds be used for a continuing program, any additional funds must be authorized pursuant to a separate Grant Application.
6. The organization will cooperate fully with the Ed Rachal Foundation's independent auditors in the completion of the Ed Rachal Foundation's annual audit.
7. All funds will be expended within the State of Texas and to the benefit of the residents of Texas. No portion of the funds provided will be used for lobbying or political purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Title

# GRANT REPORT

GRANT NUMBER 2020-139 GRANT AMOUNT \$ 25,000.00

ORGANIZATION NAME: City of Kingsville Police Department

PROJECT NAME: Air Purifying Respirator Project

*As per item #3 of the grant agreement: The organization will keep and maintain records of expenditures adequate to readily verify the use of the grant funds. A report detailing the expenditure of grant funds will be completed and returned to the Ed Rachal Foundation.*

To date the grant funds awarded have been spent as described below:

Remaining amount of grant funds \$ \_\_\_\_\_. These remaining funds are expected to be spent by this date \_\_\_\_\_.

Signed by Authorized Person \_\_\_\_\_ Date: \_\_\_\_\_

ED RACHAL FOUNDATION 555 N. CARANCAHUA, SUITE 700, CORPUS CHRISTI, TX 78401



GT Distributors - Austin  
P.O. Box 16080  
Austin TX 78761  
(512) 451-8298 Ext. 0000

Quote	QTE0128069
Date	7/6/2021
Page:	1

**Bill To:**

Kingsville, City of (TX)  
Attn: Accounts Payable  
P. O. Box 1458  
Kingsville TX 78364

**Ship To:**

Kingsville City of  
1700 East King Ave.  
Attn: Chief R. Torres  
Kingsville TX 78363

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Reg Ship Date	Master No.
210706 AVON	001607	DE		NET 15	0/0/0000	2,230,620
Quantity	Item Number	Description	UOM	Unit Price	Ext. Price	
14	AVON-70501-697-7*	FM54 Twinport Specialist Responder Kit MED	EA	\$820.00	\$11,480.00	
13	AVON-602651*	Avon Gen 2 VPU/Mic	Each	\$546.87	\$7,109.31	
5	AVON-72606-3*	Avon CTCF50 Riot Agent Filter (pack of 4)	EA	\$162.75	\$813.75	
3	AVON-600844*	Avon 50 Series APR DCM Cleaning Kit	Each	\$79.31	\$237.93	
14	SF-M640DF-BK-PRO*	Surefire Scout Light PRO Dual Fuel Black	EA	\$259.59	\$3,634.26	
14	SF-UE-SR07*	Replacement rear cap inc SR07 switch	Each	\$117.57	\$1,645.98	

All returns must be authorized by GT Distributors. Interest charges on past due invoices at the maximum rate allowed by law.

Your salesperson is Doug Epler. Thank you!  
danielgonzalez@kingsvillepd.us

Subtotal	\$24,921.23
Misc	\$0.00
Tax	\$0.00
Freight	\$60.00
Total	\$24,981.23

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND GRANT FUNDING FROM THE ED RACHAL FOUNDATION GRANT FOR POLICE DEPARTMENT EQUIPMENT.**

**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
<b>Fund 124 – Ed Rachal Foundation Grant</b>					
<u>Revenues-4</u>					
0000	Non-Dept	Ed Rachal Grant	72037	\$25,000.00	
<u>Expenditures-5</u>					
2102	Patrol	Minor Equipment	21700	\$25,000.00	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend grant funding from the Ed Rachal Foundation for Police Department equipment. The 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 26th day of July, 2021.

**PASSED AND APPROVED** on this the 9th day of August, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #3**

**ORDINANCE # 2021 \_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III- ADMINISTRATION; PROVIDING FOR REVISION OF ARTICLE 1-CITY COMMISSION, SECTION 10-AGENDA, TO PROVIDE FOR ELECTRONIC SUBMISSION OF COMMENTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City Commission of the City of Kingsville needs to amend its Code of Ordinances from time to time for statutory compliance and to address issues that arise; and

**WHEREAS**, there is an interest in allowing public comments and public hearing comments to be submitted electronically for reading at a meeting during the appropriate time instead of requiring such comments to be made strictly in person;

**WHEREAS**, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public and to comply with State Law.

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

I.

**THAT** Article 1: City Commission of Chapter III- Administration, of the Code of Ordinances of the City of Kingsville, Texas shall be amended to read as follows:

**Article 1 – City Commission**

**GENERAL PROVISIONS**

...

**RULES BEFORE THE CITY COMMISSION**

**§ 3-1-10. - Agenda.**

(A) The City Manager shall be responsible for preparation of an agenda for each City Commission meeting.

(B) The agenda shall conform to all applicable laws of the state and the following special regulations:

(1) The City Manager, City Attorney, any department head with consent of the City Manager, any member of the City Commission or the City Commission itself may place an item on the agenda; however, unless the City Manager is directed in open session to place an item on the agenda, each agenda item shall reflect the person by name or title who requested that such item be placed on the agenda.

(2) Any resident who wishes to address the City Commission on any matter may do so by notifying the City Secretary in accordance with the Texas Open Meetings Law. Any such address during the Public Comment portion of the agenda shall not exceed three minutes without permission of a majority of the Commission.

(3) Any non-resident wishing to address the Commission shall notify the City Secretary and specify his interests in the matter being considered. The City Secretary shall present such requests to the City Manager for approval before placing the name on the agenda. Any such address during the Public Comment portion of the agenda shall not exceed three minutes without permission of a majority of the Commission.

(4) Prior to considering any item on the agenda which requires deliberation, discussion, action, or consideration by the Commission, a Public Comments section will be on the agenda prior to the agenda items listed to permit persons to comment on the items set out on the agenda. Such comments shall not exceed three minutes without permission of a majority of the Commission. If a member of the public addresses the Commission through a translator, they will be given twice the amount of time as a member of the public who does not require the assistance of a translator. The provisions of this subsection shall have no application in the case of a public hearing required by law where comments shall not exceed five minutes.

(Ord. 96002, passed 1-22-96)

(5) Public testimony for Public Hearing input and for Public Comment at public meetings of the City Commission and its boards shall be provided in written format and presented to the City Secretary and/or designee at least 60 minutes prior to the start of each meeting of the City Commission or the applicable board. 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. Comments made by electronic submission must still abide by the applicable time limitation and other rules of this article. The written public testimony shall be provided to members of the City Commission or applicable board 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.

(5) After an item has been considered by the City Commission and fails to be approved, the item shall not be considered on an agenda again until 180 days have passed.

...

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**, as required by the Open Meetings Act, it is officially found and determined that the meeting at which this Ordinance is passed was open to the public and that the public notice of the time, place and purpose was given.

V.

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

**INTRODUCED** on this the 26th day of July, 2021.

**PASSED AND APPROVED** on this the 9th day of August, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

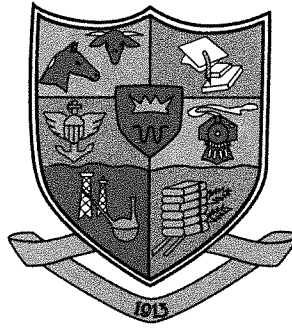
# **REGULAR AGENDA**

## **AGENDA ITEM #4**

# **AGENDA ITEM #5**



**MARIA V. VALADEZ, TAC**  
*Kleberg County Tax Assessor-Collector*



P.O. BOX 1457

Phone 361-595-8541  
Phone 361-595-8542  
Fax 361-595-8546

**COUNTY of KLEBERG**  
KINGSVILLE, TEXAS

**July 29, 2021**

**City of Kingsville**  
**Deborah Balli, Finance Director**  
**P O Box 1458**  
**Kingsville TX 78364-1458**

**Dear Ms. Balli:**

**Pursuant to Section 26.04(b) of the Texas Property Tax Code, I Maria Victoria Valadez, TAC, do hereby submit the certification of 2020 excess debt collections and the certification of 2021 anticipated collection rate.**

**I hereby request the foregoing certifications be accepted and incorporated in the minutes of the next regular scheduled City Commissioners' Court Meeting.**

**Respectfully,**

**Maria Victoria Valadez, TAC**  
**Kleberg County Tax Assessor-Collector**

**Enc.**

**CERTIFICATION OF 2020 EXCESS  
DEBT COLLECTIONS**

**CITY OF KINGSVILLE  
INTEREST & SINKING FUND**

“I, Maria Victoria Valadez, Collector for the City of Kingsville solemnly swear, that the amount of excess debt service funds collected in 2020 for the City of Kingsville, Interest & Sinking Fund has been determined to be \$-0-.”

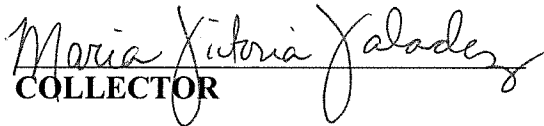
  
**COLLECTOR**

July 29, 2021  
**DATE**

**CERTIFICATION OF 2020 ANTICIPATED  
COLLECTION RATE**

**CITY OF KINGSVILLE  
INTEREST & SINKING FUND**

“I, Maria Victoria Valadez, Collector for the City of Kingsville solemnly swear, that the anticipated collection rate for 2021 for the City of Kingsville, Interest & Sinking Fund has been estimated to be 100%.”

  
**COLLECTOR**

July 29, 2021  
**DATE**

# **AGENDA ITEM #6**

**KLEBERG COUNTY APPRAISAL DISTRICT**  
P.O. BOX 1027 \* 502 E. KLEBERG \* KINGSVILLE, TEXAS 78364  
PHONE: (361) 595-5775 \* FAX: (361) 595-7984

July 26, 2021

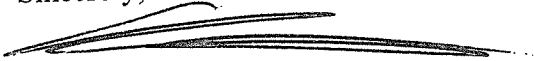
City of Kingsville  
Mark McLaughlin, City Manager  
P.O. Box 1458  
Kingsville, Texas 78364

Dear Mr. McLaughlin:

Enclosed you will find 2021 certified estimated total information for your taxing entity, a copy of the 2021 certified outstanding protests property list, a copy of the 2021 omitted property list and a CD of your taxing entity's 2021 certified estimated appraisal rolls.

If you have any questions, please feel free to call me at 361-595-5775.

Sincerely,



Ernestina Flores, R.P.A.  
Chief Appraiser

Cc: Sam Fugate, Mayor  
Deborah Balli, Finance Director  
Kleberg County Appraisal District Board of Directors

# 2021 FINAL CERTIFIED ESTIMATED VALUE INFORMATION

AS OF 7-26-21

## TAXING UNIT CITY OF KINGSVILLE

GROSS VALUES	2021 FINAL CERTIFIED ESTIMATED VALUES NOT UNDER ARB REVIEW	2020 FINAL VALUES	DIFFERENCE
REAL:	962,485,950	889,415,464	73,070,486
PERSONAL:	94,366,980	86,717,700	7,649,280
MINERAL:	32,551,053	30,688,477	1,862,576
TOTAL GROSS VALUE:	1,089,403,983	1,006,821,641	82,582,342
TOTAL EXEMPTIONS:	182,962,626	125,595,358	57,367,268
HOMESTEAD CAP ADJ:	15,183,408	11,394,573	3,788,835
LOSS TO AGRICULTURAL: VALUATION	11,422,207	10,300,727	1,121,480
NET TAXABLE VALUE:	879,835,742	859,530,983 (INC)	20,304,759
	CERTIFIED ESTIMATED VALUES UNDER ARB REVIEW		
STILL UNDER ARB REVIEW (+) NET TAXABLE VALUE	90,581,962	53,727,593	36,854,369
	TOTAL CERTIFIED ESTIMATED VALUES		
ESTIMATED ADJUSTED (=) NET TAXABLE VALUE	970,417,704 (-)	913,258,576 (=) (INC)	57,159,128

## **AGENDA ITEM #7**

**City of Kingsville  
Finance Department**

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TO: Mayor and City Commissioners  
CC: Mark McLaughlin, City Manager  
FROM: Deborah Balli, Finance Director  
DATE: August 3, 2021  
SUBJECT: Proposed Tax Rate

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**Summary:**

Every year the tax calculation is prepared by the Kleberg County Tax Office using the State's provided tax calculation worksheet and is based on the current year's certified taxable values.

The tax calculation ended up with the following rates:

- No-New Revenue Tax Rate (NNR) - \$.80651 (This rate will provide the same amount as last year's adopted rate)
- Voter Approved Tax Rate (VAT) - \$.84961 (This rate is 3.5% between the NNR and the VAT adjusted for a percentage of sales taxes used to reduce the tax rate)
- Proposed Tax Rate - \$.84960 (Right under the VAT which does not cause an election)

**Financial Impact:**

The proposed tax rate will result in the following proposed Property Tax Revenue budgets for FY 21-22:

- Fund 001 – General Fund - \$6,319,416
- Fund 120 – Property Tax Reserve Fund - \$158,364 (revenues created over the base tax rate of \$.83000)
- Fund 001 – Debt Service - \$1,601,996 (amount needed to pay debt service for FY 21-22)

**Recommendation:**

Staff recommends the proposed tax rate of \$.84960.





# NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.84960 per \$100 valuation has been proposed by the governing body of CITY OF KINGSVILLE.

PROPOSED TAX RATE	\$0.84960 per \$100
NO-NEW-REVENUE TAX RATE	\$0.80651 per \$100
VOTER-APPROVAL TAX RATE	\$0.84961 per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for CITY OF KINGSVILLE from the same properties in both the 2020 tax year and the 2021 tax year.

The voter-approval rate is the highest tax rate that CITY OF KINGSVILLE may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that CITY OF KINGSVILLE is proposing to increase property taxes for the 2021 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON August 23, 2021 AT 5:00 pm AT City Hall Community Room, 400 W King Avenue Kingsville, TX 78363.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, CITY OF KINGSVILLE is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the of CITY OF KINGSVILLE at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED  
AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

**FOR the proposal:**

**AGAINST the proposal:**

**PRESENT** and not voting:

**ABSENT:**

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by CITY OF KINGSVILLE last year to the taxes proposed to be imposed on the average residence homestead by CITY OF KINGSVILLE this year.

	2020	2021	Change
<b>Total tax rate (per \$100 of value)</b>	\$0.85208	\$0.84960	decrease of \$-0.00248, or -0.29%
<b>Average homestead</b>	\$0	\$0	increase of \$0, or 0.00%

**taxable value**

<b>Tax on average homestead</b>	\$0	\$0.00	increase of \$0.00, or 0.00%
<b>Total tax levy on all properties</b>	\$7,760,711	\$8,244,669	increase of \$483,958, or 6.24%

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**For assistance with tax calculations, please contact the tax assessor for CITY OF KINGSVILLE at or .**

## 2021 Tax Rate Calculation Worksheet

Date: 07/30/2021 06:40 PM

### Taxing Units Other Than School Districts or Water Districts

#### CITY OF KINGSVILLE

**361-595-8009**

Taxing Unit Name

Phone (area code and number)

**400 W King Avenue, Kingsville, TX 78363**

**www.cityofkingsville.com**

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

**GENERAL INFORMATION:** Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the No-New-Revenue (NNR) tax rate and Voter-Approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School Districts without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

#### **SECTION 1: No-New-Revenue Tax Rate**

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

<b>No-New-Revenue Tax Rate Worksheet</b>	<b>Amount/Rate</b>
<b>1. 2020 total taxable value.</b> Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). <sup>1</sup>	\$899,677,238
<b>2. 2020 tax ceilings.</b> Counties, cities and junior college districts. Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>2</sup>	\$0
<b>3. Preliminary 2020 adjusted taxable value.</b> Subtract Line 2 from Line 1.	\$899,677,238
<b>4. 2020 total adopted tax rate.</b>	\$0.85208/\$100
<b>5. 2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value.</b> <b>A. Original 2020 ARB values:</b>	\$0

B. 2020 values resulting from final court decisions:	\$0
C. 2020 value loss. Subtract B from A. <sup>3</sup>	\$0
<b>6. 2020 taxable value subject to an appeal under Chapter 42, as of July 25.</b>	
A. 2020 ARB certified value:	\$8,765,420
B. 2020 disputed value:	\$0
C. 2020 undisputed value. Subtract B from A. <sup>4</sup>	\$8,765,420
<b>7. 2020 Chapter 42 related adjusted values</b> Add Line 5C and Line 6C.	\$8,765,420
<b>8. 2020 taxable value, adjusted for actual and potential court-ordered adjustments.</b> Add Line 3 and Line 7.	\$908,442,658
<b>9. 2020 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2020.</b> Enter the 2020 value of property in deannexed territory. <sup>5</sup>	\$0
<b>10. 2020 taxable value lost because property first qualified for an exemption in 2021.</b> If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2021 does not create a new exemption or reduce taxable value.	
A. <b>Absolute exemptions.</b> Use 2020 market value:	\$3,500
B. <b>Partial exemptions.</b> 2021 exemption amount or 2021 percentage exemption times 2020 value:	\$834,421
C. <b>Value loss.</b> Add A and B. <sup>5</sup>	\$837,921
<b>11. 2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021.</b> Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020.	
A. <b>2020 market value:</b>	\$269,469
B. <b>2021 productivity or special appraised value:</b>	\$10,160
C. <b>Value loss.</b> Subtract B from A. <sup>7</sup>	\$259,309
<b>12. Total adjustments for lost value.</b> Add lines 9, 10C and 11C.	\$1,097,230
<b>13. 2020 captured value of property in a TIF.</b> Enter the total value of 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2020 taxes were deposited into the tax increment fund. <sup>8</sup> If the taxing unit has no captured appraised value in line 18D, enter 0.	\$0
<b>14. 2020 total value.</b> Subtract Line 12 and Line 13 from Line 8.	\$907,345,428
<b>15. Adjusted 2020 total levy.</b> Multiply Line 4 by Line 14 and divide by \$100.	\$7,731,308
<b>16. Taxes refunded for years preceding tax year 2020.</b> Enter the amount of taxes refunded	\$20,053

by the taxing unit for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. <sup>8</sup>	
<b>17. Adjusted 2020 levy with refunds and TIF adjustment.</b> Add Lines 15 and 16. <sup>10</sup>	\$7,751,361
<b>18. Total 2021 taxable value on the 2021 certified appraisal roll today.</b> This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. <sup>11</sup>  <b>A. Certified values:</b>  <b>B. Counties:</b> Include railroad rolling stock values certified by the Comptroller's office:  <b>C. Pollution control and energy storage system exemption:</b> Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:  <b>D. Tax increment financing:</b> Deduct the 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2021 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. <sup>12</sup>  <b>E. Total 2021 value.</b> Add A and B, then subtract C and D.	\$879,835,742  \$0  \$0  \$0  \$879,835,742
<b>19. Total value of properties under protest or not included on certified appraisal roll.</b> <sup>13</sup>  <b>A. 2021 taxable value of properties under protest.</b> The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. <sup>14</sup>  <b>B. 2021 value of properties not under protest or included on certified appraisal roll.</b> The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. <sup>15</sup>  <b>C. Total value under protest or not certified:</b> Add A and B.	\$90,581,962  \$0  \$90,581,962
<b>20. 2021 tax ceilings.</b> Counties, cities and junior colleges enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step. <sup>16</sup>	\$0
<b>21. 2021 total taxable value.</b> Add Lines 18E and 19C. Subtract Line 20. <sup>17</sup>	\$970,417,704

<b>22. Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020.</b> Include both real and personal property. Enter the 2021 value of property in territory annexed. <sup>18</sup>	\$0
<b>23. Total 2021 taxable value of new improvements and new personal property located in new improvements.</b> New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2020, and be located in a new improvement. New improvements <b>do</b> include property on which a tax abatement agreement has expired for 2021. <sup>19</sup>	\$9,318,630
<b>24. Total adjustments to the 2021 taxable value.</b> Add Lines 22 and 23.	\$9,318,630
<b>25. Adjusted 2021 taxable value.</b> Subtract Line 24 from Line 21.	\$961,099,074
<b>26. 2021 NNR tax rate.</b> Divide Line 17 by Line 25 and multiply by \$100. <sup>20</sup>	\$0.80651/\$100
<b>27. COUNTIES ONLY.</b> Add together the NNR tax rates for each type of tax the county levies. The total is the 2021 county NNR tax rate. <sup>21</sup>	

<sup>1</sup>Tex. Tax Code Section 26.012(14)

<sup>2</sup>Tex. Tax Code Section 26.012(14)

<sup>3</sup>Tex. Tax Code Section 26.012(13)

<sup>4</sup>Tex. Tax Code Section 26.012(13)

<sup>5</sup>Tex. Tax Code Section 26.012(15)

<sup>6</sup>Tex. Tax Code Section 26.012(15)

<sup>7</sup>Tex. Tax Code Section 26.012(13)

<sup>8</sup>Tex. Tax Code Section 26.012(13)

<sup>9</sup>Tex. Tax Code Section 26.03(c)

<sup>10</sup>Tex. Tax Code Section 26.012(13)

<sup>11</sup>Tex. Tax Code Section 26.012,26.04(c-2)

<sup>12</sup>Tex. Tax Code Section 26.03(c)

<sup>13</sup>Tex. Tax Code Section 26.01(c) and (d)

<sup>14</sup>Tex. Tax Code Section 26.01(c)

<sup>15</sup>Tex. Tax Code Section 26.01(d)

<sup>16</sup>Tex. Tax Code Section 26.012(6)(b)

<sup>17</sup>Tex. Tax Code Section 26.012(6)

<sup>18</sup>Tex. Tax Code Section 26.012(17)

<sup>19</sup>Tex. Tax Code Section 26.012(17)

<sup>20</sup>Tex. Tax Code Section 26.04(c)

<sup>21</sup>Tex. Tax Code Section 26.04(d)

<sup>22</sup>Reserved for expansion

**SECTION 2: Voter-Approval Tax Rate**

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The Voter-Approval tax rate for a county is the sum of the Voter-Approval tax rates calculated for each type of tax the county levies. In most cases the Voter-Approval tax rate exceeds the No-New-Revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

<b>Voter-Approval Tax Rate Worksheet</b>	<b>Amount/Rate</b>
<b>28. 2020 M&amp;O tax rate.</b> Enter the 2020 M&O tax rate.	\$0.70027/\$100
<b>29. 2020 taxable value, adjusted for actual and potential court-ordered adjustments.</b> Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$908,442,658
<b>30. Total 2020 M&amp;O levy.</b> Multiply Line 28 by Line 29 and divide by \$100.	\$6,361,551
<b>31. Adjusted 2020 levy for calculating NNR M&amp;O rate.</b>  <b>A. M&amp;O taxes refunded for years preceding tax year 2020</b> Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020.	\$15,963
<b>B. 2020 taxes in TIF</b> Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 18D, enter 0.	\$0
<b>C. 2020 transferred function.</b> If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	\$0
<b>D. 2020 M&amp;O levy adjustments.</b> Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	\$15,963
<b>E. Add Line 30 to 31D.</b>	\$6,377,514
<b>32. Adjusted 2021 taxable value.</b> Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$961,099,074
<b>33. 2021 NNR M&amp;O rate (unadjusted).</b> Divide Line 31E by Line 32 and multiply by \$100.	\$0.66356/\$100
<b>34. Rate adjustment for state criminal justice mandate.<sup>23</sup></b> <b>A. 2021 state criminal justice mandate:</b> Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	\$0

<p><b>B. 2020 state criminal justice mandate:</b> Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.</p>	\$0
<p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100.</p>	\$0/\$100
<p><b>D.</b> Enter the rate calculated in C. If not applicable, enter 0.</p>	\$0/\$100
<p><b>35. Rate adjustment for indigent health care expenditures.<sup>24</sup></b></p> <p><b>A. 2021 indigent health care expenditures:</b> Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state assistance received for the same purpose.</p>	\$0
<p><b>B. 2020 indigent health care expenditures:</b> Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose.</p>	\$0
<p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100.</p>	\$0/\$100
<p><b>D.</b> Enter the rate calculated in C. If not applicable, enter 0.</p>	\$0/\$100
<p><b>36. Rate adjustment for county indigent defense compensation.<sup>25</sup></b></p> <p><b>A. 2021 indigent defense compensation expenditures:</b> Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state grants received by the county for the same purpose.</p>	\$0
<p><b>B. 2020 indigent defense compensation expenditures:</b> Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.</p>	\$0
<p><b>C.</b> Subtract B from A and divide by Line 32 and multiply by \$100.</p>	\$0/\$100
<p><b>D.</b> Multiply B by 0.05 and divide by Line 32 and multiply by \$100.</p>	\$0/\$100
<p><b>E.</b> Enter the lessor of C and D. If not applicable, enter 0.</p>	\$0/\$100
<p><b>37. Rate adjustment for county hospital expenditures.<sup>26</sup></b></p> <p><b>A. 2021 eligible county hospital expenditures:</b> Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2020 and ending on June 30, 2021.</p>	\$0
<p><b>B. 2020 eligible county hospital expenditures:</b> Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020.</p>	\$0



C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$0/\$100
D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100.	\$0/\$100
E. Enter the lessor of C and D, if applicable. If not applicable, enter 0.	\$0/\$100
<p><b>38. Rate adjustment for defunding municipality.</b> This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code 26.0444 for more information.</p> <p><b>A. Amount appropriated for public safety in 2020.</b> Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year</p> <p><b>B. Expenditures for public safety in 2020.</b> Enter the amount of money spent by the municipality for public safety during the preceding fiscal year.</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100.</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	<p>\$0</p> <p>\$0</p> <p>\$0/\$100</p> <p>\$0/\$100</p>
<b>39. Adjusted 2021 NNR M&amp;O rate.</b> Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$0.66356/\$100
<p><b>40. Adjustment for 2020 sales tax specifically to reduce property values.</b> Cities, counties and hospital districts that collected and spent additional sales tax on M&amp;O expenses in 2020 should complete this line. These entities will deduct the sales tax gain rate for 2021 in Section 3. Other taxing units, enter zero.</p> <p><b>A.</b> Enter the amount of additional sales tax collected and spent on M&amp;O expenses in 2020, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent.</p> <p><b>B.</b> Divide Line 40A by Line 32 and multiply by \$100.</p> <p>C. Add Line 40B to Line 39.</p>	<p>\$1,705,301</p> <p>\$0.17743</p> <p>\$0.84099</p>
<p><b>41. 2021 voter-approval M&amp;O rate.</b> Enter the rate as calculated by the appropriate scenario below.</p> <p><b>Special Taxing Unit.</b> If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08.</p> <p>- or -</p> <p><b>Other Taxing Unit.</b> If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.</p>	\$0.87042/\$100
<b>D41. Disaster Line 41 (D41): 2021 voter-approval M&amp;O rate for taxing unit affected by disaster declaration.</b> If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located	\$0/\$100

<p>in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of</p> <ol style="list-style-type: none"> <li>1. the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or</li> <li>2. the third tax year after the tax year in which the disaster occurred.</li> </ol> <p>If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08.<sup>27</sup> If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).</p>	
<p><b>42. Total 2021 debt to be paid with property taxes and additional sales tax revenue.</b> Debt means the interest and principal that will be paid on debts that:</p> <ol style="list-style-type: none"> <li>(1) are paid by property taxes,</li> <li>(2) are secured by property taxes,</li> <li>(3) are scheduled for payment over a period longer than one year and</li> <li>(4) are not classified in the taxing unit's budget as M&amp;O expenses</li> </ol> <p>A. <b>Debt</b> also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.<sup>28</sup> Enter debt amount.</p> <p>B. Subtract <b>unencumbered fund amount</b> used to reduce total debt.</p> <p>C. Subtract <b>certified amount spent from sales tax to reduce debt</b> (enter zero if none)</p> <p>D. Subtract <b>amount paid</b> from other resources.</p> <p>E. <b>Adjusted debt.</b> Subtract B, C, and D from A.</p>	<p>\$1,601,996</p> <p>\$0</p> <p>\$0</p> <p>\$0</p> <p>\$1,601,996</p>
<b>43. Certified 2020 excess debt collections.</b> Enter the amount certified by the collector. <sup>28</sup>	\$0
<b>44. Adjusted 2021 debt.</b> Subtract Line 43 from Line 42E.	\$1,601,996
<p><b>45. 2021 anticipated collection rate.</b></p> <p>A. Enter the 2021 anticipated collection rate certified by the collector:<sup>29</sup></p> <p>B. Enter the 2020 actual collection rate</p> <p>C. Enter the 2019 actual collection rate</p> <p>D. Enter the 2018 actual collection rate</p> <p>E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.<sup>31</sup></p>	<p>100.00%</p> <p>95.52%</p> <p>100.14%</p> <p>100.59%</p> <p>100.00%</p>
<b>46. 2021 debt adjusted for collections.</b> Divide Line 44 by Line 45E	\$1,601,996
<b>47. 2021 total taxable value.</b> Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$970,417,704

<b>48. 2021 debt tax rate.</b> Divide Line 46 by Line 47 and multiply by \$100.	\$0.16508/\$100
<b>49. 2021 voter-approval tax rate.</b> Add Lines 41 and 48.	\$1.03550/\$100
<b>D49. Disaster Line 49 (D49): 2021 voter-approval tax rate for taxing unit affected by disaster declaration.</b> Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$0.00000/\$100
<b>50. COUNTIES ONLY.</b> Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2021 county voter-approval tax rate.	

<sup>23</sup>Tex. Tax Code Section 26.044

<sup>24</sup>Tex. Tax Code Section 26.0442

<sup>25</sup>Tex. Tax Code Section 26.0442

<sup>26</sup>Tex. Tax Code Section 26.0443

<sup>27</sup>Tex. Tax Code Section 26.04(c-1)

<sup>28</sup>Tex. Tax Code Section 26.012(10) and 26.04(b)

<sup>29</sup>Tex. Tax Code Section 26.04(b)

<sup>30</sup>Tex. Tax Code Section 26.04(b)

### SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Additional Sales and Use Tax Worksheet	Amount/Rate
<b>51. Taxable Sales.</b> For taxing units that adopted the sales tax in November 2020 or May 2021, enter the Comptroller's estimate of taxable sales for the previous four quarters. <sup>20</sup> Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2020, enter 0.	\$0
<b>52. Estimated sales tax revenue.</b> Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. <sup>33</sup>  <b>Taxing units that adopted the sales tax in November 2020 or in May 2021.</b> Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. <sup>34</sup>  - or - <b>Taxing units that adopted the sales tax before November 2020.</b> Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$1,803,892
<b>53. 2021 total taxable value.</b> Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$970,417,704
<b>54. Sales tax adjustment rate.</b> Divide Line 52 by Line 53 and multiply by \$100.	\$0.18589/\$100
<b>55. 2021 NNR tax rate, unadjusted for sales tax.</b> <sup>35</sup> Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$0.80651/\$100
<b>56. 2021 NNR tax rate, adjusted for sales tax.</b> <b>Taxing units that adopted the sales tax in November 2020 or in May 2021.</b> Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2020.	\$0.80651/\$100
<b>57. 2021 voter-approval tax rate, unadjusted for sales tax.</b> <sup>36</sup> Enter the rate from Line 49, Line D49 (disaster), or Line 50 (counties), as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$1.03550/\$100
<b>58. 2021 voter-approval tax rate, adjusted for sales tax.</b> Subtract Line 54 from Line 57.	\$0.84961/\$100

<sup>31</sup>Reserved for expansion

<sup>34</sup>Tex. Tax Code Section 26.041(d)

<sup>32</sup>Tex. Tax Code Section 26.041(d)

<sup>35</sup>Tex. Tax Code Section 26.04(c)

<sup>33</sup>Tex. Tax Code Section 26.041(i)

<sup>36</sup>Tex. Tax Code Section 26.04(c)

**SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control**

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

<b>Voter-Approval Protection for Pollution Control Worksheet</b>	<b>Amount/Rate</b>
<b>59. Certified expenses from the Texas Commission on Environmental Quality (TCEQ).</b> Enter the amount certified in the determination letter from TCEQ. <sup>37</sup> The taxing unit shall provide its tax assessor-collector with a copy of the letter. <sup>38</sup>	\$0
<b>60. 2021 total taxable value.</b> Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$970,417,704
<b>61. Additional rate for pollution control.</b> Divide Line 59 by Line 60 and multiply by \$100.	\$0/\$100
<b>62. 2021 voter-approval tax rate, adjusted for pollution control.</b> Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$0.84961/\$100

<sup>37</sup>Tex. Tax Code Section 26.045(d)

<sup>38</sup>Tex. Tax Code Section 26.045(i)

**SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate**

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years.<sup>39</sup> In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

The difference between the adopted tax rate and voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020; and<sup>40</sup>
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);<sup>41</sup> or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.<sup>42</sup>

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.<sup>43</sup>

<b>Unused Increment Rate Worksheet</b>	<b>Amount/Rate</b>
<b>63. 2020 unused increment rate.</b> Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0
<b>64. 2019 unused increment rate.</b> Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero	\$0
<b>65. 2018 unused increment rate.</b> Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	\$0
<b>66. 2021 unused increment rate.</b> Add Lines 63, 64 and 65.	\$0/\$100
<b>67. 2021 voter-approval tax rate, adjusted for unused increment rate.</b> <sup>23</sup> Add Line 66 to one of the following lines (as applicable): Line 49, Line D49(disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$0.84961/\$100

<sup>39</sup>Tex. Tax Code Section 26.013(a)

<sup>40</sup>Tex. Tax Code Section 26.013(c)

<sup>41</sup>Tex. Tax Code Section 26.063(a)(1)

**SECTION 6: De Minimis Rate**

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.<sup>42</sup>

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.<sup>43</sup>

<b>De Minimis Rate Worksheet</b>	<b>Amount/Rate</b>
<b>68. Adjusted 2021 NNR M&amp;O tax rate.</b> Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i>	\$0.66356/\$100
<b>69. 2021 total taxable value.</b> Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$970,417,704
<b>70. Rate necessary to impose \$500,000 in taxes.</b> Divide \$500,000 by Line 69 and multiply by \$100.	\$0.05152
<b>71. 2021 debt rate.</b> Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$0.16508/\$100
<b>72. De minimis rate.</b> <sup>23</sup> Add Lines 68, 70 and 71.	\$0.88016/\$100

<sup>42</sup>Tex. Tax Code Section 26.012(8-a)

<sup>43</sup>Tex. Tax Code Section 26.063(a)(1)

<sup>44</sup>Tex. Tax Code Section 26.04(c)

## SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.<sup>46</sup>

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.

**NOTE: This section will not apply to any taxing units in 2021.** It is added to implement Senate Bill 1438 (87th Regular Session) and does not apply to a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a declared disaster in 2020, as provided for in the recently repealed Tax Code Sections 26.04(c-1) and 26.041(c-1).

In future tax years, this section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.

In future tax years, this section will also apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Emergency Revenue Rate Worksheet	Amount/Rate
<b>73. 2020 adopted tax rate.</b> Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	N/A
<b>74. Adjusted 2020 voter-approval tax rate.</b> Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line.  If a disaster occurred in 2020 and the taxing unit calculated its 2020 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2020 worksheet due to a disaster, enter the 2020 voter-approval tax rate as calculated using a multiplier of 1.035 from Line 49.  <b>- or -</b> If a disaster occurred prior to 2020 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2020, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2020 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. <sup>48</sup> Enter the final adjusted 2020 voter-approval tax rate from the worksheet.  <b>- or -</b> If the taxing unit adopted a tax rate above the 2020 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	N/A
<b>75. Increase in 2020 tax rate due to disaster.</b> Subtract Line 74 from Line 73.	N/A
<b>76. Adjusted 2020 taxable value.</b> Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	N/A
<b>77. Emergency revenue.</b> Multiply Line 75 by Line 76 and divide by \$100.	N/A



<b>78. Adjusted 2021 taxable value.</b> Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	N/A
<b>79. Emergency revenue rate.</b> Divide Line 77 by Line 78 and multiply by \$100. <sup>49</sup>	N/A
<b>80. 2021 voter-approval tax rate, adjusted for emergency revenue.</b> Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49(disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	N/A

### SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

#### No-New-Revenue tax rate

As applicable, enter the 2021 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax). \$0.80651/\$100

Indicate the line number used: 26

#### Voter-Approval tax rate

As applicable, enter the 2021 voter-approval tax rate from: Line 49, Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue). \$0.84961/\$100

Indicate the line number used: 58

#### De minimis rate

If applicable, enter the de minimis rate from Line 72. \$0.88016/\$100

### SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in Tax Code.<sup>50</sup>

**print here** Maria Victoria Valadez, TAC

Printed Name of Taxing Unit Representative

**sign here** \_\_\_\_\_

Taxing Unit Representative

\_\_\_\_\_  
Date

**§26.05(b) of Property Tax Code  
Steps Required for Adoption of Tax Rate**

Entity Name: CITY OF KINGSVILLE

Date: 07/30/2021 06:38 PM

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**Language Required in the Motion Setting This Year's Tax Rate:**

This year's proposed tax rate exceeds the no-new-revenue tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote and 60% of the governing body must vote in favor of the adoption of the tax rate. A motion to adopt the ordinance, resolution, or order must be made in the following form:

**I move that the property tax rate be increased by the adoption of a tax rate of 0.84960, which is effectively a 5.34 percent increase in the tax rate.**

**Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:**

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.16 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-15.75.**

**Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:**

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

**CITY OF KINGSVILLE ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.16 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-15.75.**

**CITY OF KINGSVILLE**  
**Fiscal Year 2021-2022**  
**Budget Cover Page**  
**September 13, 2021**

This budget will raise more revenue from property taxes than last year's budget by an amount of \$483,958, which is a 6.24 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$79,171.

The members of the governing body voted on the budget as follows:  
**FOR:**

**AGAINST:**

**PRESENT** and not voting:

**ABSENT:**

**Property Tax Rate Comparison**

	<b>2021-2022</b>	<b>2020-2021</b>
Property Tax Rate:	\$0.84960/100	\$0.85208/100
No-New-Revenue Tax Rate:	\$0.80651/100	\$0/100
No-New-Revenue Maintenance & Operations Tax Rate:	\$0.66356/100	\$0/100
Voter-Approval Tax Rate:	\$0.84961/100	\$0/100
Debt Rate:	\$0.16508/100	\$0.15181/100

Total debt obligation for CITY OF KINGSVILLE secured by property taxes: \$0

# 2021 Governing Body Summary #1A\*

## Benchmark 2021 Tax Rates

### CITY OF KINGSVILLE

Date: 07/30/2021 06:20 PM

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY**	ADDITIONAL TAX LEVY
No-New-Revenue Tax Rate	\$0.80651	\$7,826,516	
One Percent \$100 Tax Increase***	\$0.81457	\$7,904,731	\$78,215
One Cent per \$100 Tax Increase***	\$0.816510	\$7,923,558	\$97,042
De Minimis Rate	\$0.88016	\$8,541,228	\$714,712
VAR NOT adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$418,250
VAR adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$418,250
Last Year's Tax Rate	\$0.85208	\$8,268,735	\$442,219
Proposed Tax Rate	\$0.84960	\$8,244,669	\$418,153

\*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

\*\*Tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

\*\*\*Tax increase compared to no-new-revenue tax rate.

# 2021 Governing Body Summary #1B\*

## Comparison of This Year's Tax Levy with Last Year's Tax Levy (Includes Frozen Levy) CITY OF KINGSVILLE

Date: 07/30/2021 06:21 PM

Last Year's Tax Levy\*\*: \$7,760,711  
Last Year's Frozen Homestead Amount: \$0  
This Year's Frozen Homestead Amount: \$0

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY***	TAX LEVY INCREASE****
Last Year's Tax Rate	\$0.85208	\$8,268,735	\$508,024
No-New-Revenue Tax Rate	\$0.80651	\$7,826,516	\$65,805
De Minimis Tax Rate*****	\$0.88016	\$8,541,228	\$780,517
VAR NOT Adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$484,055
VAR Adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$484,055
Proposed Tax Rate	\$0.84960	\$8,244,669	\$483,958

\*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

\*\*Last year's tax levy is calculated using Texas Property Tax Code's definition of "last year's levy".

\*\*\*This year's tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

\*\*\*\*Tax levy increase is the difference between this year's tax levy and last year's tax levy.

# 2021 Governing Body Summary #1B\*

## Comparison of This Year's Tax Levy with Last Year's Tax Levy (Does Not Include Frozen Levy) CITY OF KINGSVILLE

Date: 07/30/2021

Last Year's Tax Levy\*\*: \$7,760,711

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY***	TAX LEVY INCREASE****
Last Year's Tax Rate	\$0.85208	\$8,268,735	\$508,024
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De Minimis Rate	\$0.88016	\$8,541,228	\$780,517
VAR NOT Adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$484,055
VAR Adjusted for Unused Increment Rate	\$0.84961	\$8,244,766	\$484,055
Proposed Tax Rate	\$0.84960	\$8,244,669	\$483,958

\*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

\*\*Last year's tax levy is calculated using Texas Property Tax Code's definition of "last year's levy".

\*\*\*This year's tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet.

\*\*\*\*Tax levy increase is the difference between this year's tax levy and last year's tax levy.

**2021 Governing Body Summary #2A\***  
**Tax Increase Compared to No-New-Revenue Tax Rate**  
**CITY OF KINGSVILLE**

Date: 07/30/2021 06:21 PM

INCREASE IN CENTS PER \$100	TAX RATE PER \$100	TAX LEVY**	ADDITIONAL TAX LEVY***
0.00	\$0.80651	\$7,826,516	\$0
0.50	\$0.81151	\$7,875,037	\$48,521
1.00	\$0.81651	\$7,923,558	\$97,042
1.50	\$0.82151	\$7,972,078	\$145,562
2.00	\$0.82651	\$8,020,599	\$194,083
2.50	\$0.83151	\$8,069,120	\$242,604
3.00	\$0.83651	\$8,117,641	\$291,125
3.50	\$0.84151	\$8,166,162	\$339,646
4.00	\$0.84651	\$8,214,683	\$388,167
4.50	\$0.85151	\$8,263,204	\$436,688
5.00	\$0.85651	\$8,311,725	\$485,209
5.50	\$0.86151	\$8,360,246	\$533,730
6.00	\$0.86651	\$8,408,766	\$582,250
6.50	\$0.87151	\$8,457,287	\$630,771
7.00	\$0.87651	\$8,505,808	\$679,292
7.50	\$0.88151	\$8,554,329	\$727,813
8.00	\$0.88651	\$8,602,850	\$776,334
8.50	\$0.89151	\$8,651,371	\$824,855
9.00	\$0.89651	\$8,699,892	\$873,376
9.50	\$0.90151	\$8,748,413	\$921,897
10.00	\$0.90651	\$8,796,934	\$970,418
10.50	\$0.91151	\$8,845,454	\$1,018,938
11.00	\$0.91651	\$8,893,975	\$1,067,459
11.50	\$0.92151	\$8,942,496	\$1,115,980
12.00	\$0.92651	\$8,991,017	\$1,164,501
12.50	\$0.93151	\$9,039,538	\$1,213,022
13.00	\$0.93651	\$9,088,059	\$1,261,543
13.50	\$0.94151	\$9,136,580	\$1,310,064
14.00	\$0.94651	\$9,185,101	\$1,358,585
14.50	\$0.95151	\$9,233,621	\$1,407,105
15.00	\$0.95651	\$9,282,142	\$1,455,626
15.50	\$0.96151	\$9,330,663	\$1,504,147
16.00	\$0.96651	\$9,379,184	\$1,552,668
16.50	\$0.97151	\$9,427,705	\$1,601,189
17.00	\$0.97651	\$9,476,226	\$1,649,710
17.50	\$0.98151	\$9,524,747	\$1,698,231
18.00	\$0.98651	\$9,573,268	\$1,746,752
18.50	\$0.99151	\$9,621,789	\$1,795,273
19.00	\$0.99651	\$9,670,309	\$1,843,793
19.50	\$1.00151	\$9,718,830	\$1,892,314
20.00	\$1.00651	\$9,767,351	\$1,940,835

\*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

\*\*Tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

\*\*\*Tax increase compared to no-new-revenue tax rate.

**2021 Governing Body Summary #2B\***  
**Tax Increase Compared to Last Year's Tax Rate**  
**CITY OF KINGSVILLE**

Date: 07/30/2021 06:21 PM  
Last Year's Tax Levy: \$7,760,711

INCREASE IN CENTS PER \$100	TAX RATE PER \$100	TAX LEVY**	ADDITIONAL TAX LEVY***
0.00	\$0.85208	\$8,268,735	\$508,024
0.50	\$0.85708	\$8,317,256	\$556,545
1.00	\$0.86208	\$8,365,777	\$605,066
1.50	\$0.86708	\$8,414,298	\$653,587
2.00	\$0.87208	\$8,462,819	\$702,108
2.50	\$0.87708	\$8,511,340	\$750,629
3.00	\$0.88208	\$8,559,860	\$799,149
3.50	\$0.88708	\$8,608,381	\$847,670
4.00	\$0.89208	\$8,656,902	\$896,191
4.50	\$0.89708	\$8,705,423	\$944,712
5.00	\$0.90208	\$8,753,944	\$993,233
5.50	\$0.90708	\$8,802,465	\$1,041,754
6.00	\$0.91208	\$8,850,986	\$1,090,275
6.50	\$0.91708	\$8,899,507	\$1,138,796
7.00	\$0.92208	\$8,948,028	\$1,187,317
7.50	\$0.92708	\$8,996,548	\$1,235,837
8.00	\$0.93208	\$9,045,069	\$1,284,358
8.50	\$0.93708	\$9,093,590	\$1,332,879
9.00	\$0.94208	\$9,142,111	\$1,381,400
9.50	\$0.94708	\$9,190,632	\$1,429,921
10.00	\$0.95208	\$9,239,153	\$1,478,442
10.50	\$0.95708	\$9,287,674	\$1,526,963
11.00	\$0.96208	\$9,336,195	\$1,575,484
11.50	\$0.96708	\$9,384,716	\$1,624,005
12.00	\$0.97208	\$9,433,236	\$1,672,525
12.50	\$0.97708	\$9,481,757	\$1,721,046
13.00	\$0.98208	\$9,530,278	\$1,769,567
13.50	\$0.98708	\$9,578,799	\$1,818,088
14.00	\$0.99208	\$9,627,320	\$1,866,609
14.50	\$0.99708	\$9,675,841	\$1,915,130
15.00	\$1.00208	\$9,724,362	\$1,963,651
15.50	\$1.00708	\$9,772,883	\$2,012,172
16.00	\$1.01208	\$9,821,403	\$2,060,692
16.50	\$1.01708	\$9,869,924	\$2,109,213
17.00	\$1.02208	\$9,918,445	\$2,157,734
17.50	\$1.02708	\$9,966,966	\$2,206,255
18.00	\$1.03208	\$10,015,487	\$2,254,776
18.50	\$1.03708	\$10,064,008	\$2,303,297
19.00	\$1.04208	\$10,112,529	\$2,351,818
19.50	\$1.04708	\$10,161,050	\$2,400,339
20.00	\$1.05208	\$10,209,571	\$2,448,860

\*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

\*\*Tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

\*\*\*Tax increase compared to last year's tax levy.



**Section 26.05(b) of Property Tax Code**  
**Worksheet for Determination of Steps Required for Adoption of Tax Rate**  
**CITY OF KINGSVILLE**

<b>M&amp;O Tax Increase in Current Year</b>	
1. Last year's taxable value, adjusted for court-ordered reductions. Enter Line 8 of the No-New-Revenue Tax Rate Worksheet.	\$908,442,658
2. Last year's M&O tax rate. Enter Line 28 of the Voter-Approval Tax Rate Worksheet.	\$0.70027/\$100
3. M&O taxes refunded for years preceding tax year 2020. Enter Line 31A of the Voter-Approval Tax Rate Worksheet.	\$15,963
4. Last year's M&O taxes paid into TIF. Enter Line 31B of the Voter-Approval Tax Rate Worksheet.	\$0
5. Last year's M&O tax levy. Multiply line 1 times line 2 and divide by 100. To the result, add line 3 and subtract line 4.	\$6,377,514
6. This year's total taxable value. Enter line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$970,417,704
7. This year's proposed M&O tax rate Enter the proposed M&O tax rate approved by the Governing Body.	\$0.68452/\$100
8. This year's M&O tax levy. Multiply line 6 times line 7 and divide by 100.	\$6,642,703
9. M&O Tax Increase (Decrease). Subtract line 5 from line 8.	\$265,189
<b>Comparison of Total Tax Rates</b>	
10. No-New-Revenue Total Tax Rate.	\$0.80651/\$100
11. This year's proposed total tax rate.	\$0.84960/\$100
12. This year's rate minus no-new-revenue rate. Subtract line 10 from line 11.	\$0.04309
13. Percentage change in total tax rate. Divide Line 12 by line 10.	5.34%
<b>Comparison of M&amp;O Tax Rates</b>	
14. No-New-Revenue M&O Tax Rate. Enter line 39 of the Voter-Approval Tax Rate Worksheet.	\$0.66356/\$100
15. This year's proposed M&O tax rate.	\$0.68452/\$100
16. This year's rate minus No-New-Revenue rate. Subtract line 14 from line 15.	\$0.02096
17. Percentage change in M&O tax rate. Divide line 16 by line 14.	3.16%
<b>Raised M&amp;O Taxes on a \$100,000 Home</b>	
18. This year's taxable value on a \$100,000 home.	\$100,000
19. Last year's M&O tax rate.	\$0.70027/\$100
20. This year's proposed M&O tax rate.	\$0.68452/\$100
21. This year's raised M&O taxes. Subtract line 19 from line 20 and multiply result by line 18.	\$-15.75

## **AGENDA ITEM #8**

## City of Kingsville Fire Department

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief

DATE: August 2, 2021

SUBJECT: Budget Amendment to accept grant funds from the Assistance to Firefighters Grant

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### **Summary:**

The Kingsville Fire Department is requesting approval to amend the fiscal year 2020-2021 budget to accept and expend grant funds from the assistance to firefighters grant program for medical supplies

### **Background:**

The COVID 19 pandemic brought many new challenges to the Fire Department and how we respond to emergencies involving communicable diseases. Among those challenges, we identified the need to maintain a higher level of reserve equipment, especially now with the emergence of the COVID Delta variant. This grant was awarded in August 2020 at that time we were not able to make many purchases because of the lack of manufacture inventory. Since that time the supply chain has come online, and we have been able to make purchases and increase our inventory. We need to continue to keep our inventory up to ensure that we meet the challenges of this pandemic.

### **Financial Impact:**

Kingsville Fire Department is requesting approval to amend the fiscal year 2020-2021 budget in the amount of \$18,697.35 to expend this amount to purchase medical supplies. This grant also requires a cash match in the amount of \$1869.73.

### **Recommendation:**

Staff recommends approval of the budget transfer in order to continue purchase of medical supplies.



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR MEDICAL 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
<b>Fund 107 – ASSISTANCE TO FIREFIGHTERS GRANT FUND</b>					
<u>Revenues - 4</u>					
0000	Non-Depart	Federal Grant Revenues	72005	(\$18,697.35)	
0000	Non-Depart	Transfer From GF 001	75001	(\$1,869.73)	
<u>Expenditures – 5</u>					
2200	Fire	Medical Supplies	22400	\$20,567.08	
<b>Fund 001 – GENERAL FUND</b>					
6900	Transfers	Transfer to Fund 107	80107	\$1,869.73	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend the grant funds from the Assistance to Firefighters Grant. The cash match funding will come from the General Fund 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 8th day of August, 2021.

**PASSED AND APPROVED** on this the \_\_\_\_th day of August, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #9**



**Date:** July 29, 2021

**To:** City Commission via City Manager Mark McLaughlin

**CC:** Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

**From:** Janine Reyes, Director of Tourism Services

**Summary:** The City of Kingsville has a continued interest and effort in beautifying Main Street Kingsville. As part of that effort City Manager Mark McLaughlin recommended a photo project be installed at the Municipal Building along 6<sup>th</sup> Street in select indentations that are located where the building once had windows. A committee was formed to assess the financial impact and design of the project.

The exterior wall of the Municipal Building along 6<sup>th</sup> Street has eight indentations. One is significantly smaller than the remaining seven. City staff recommends creating a graphic for the first, smaller indentation and enlarging historic pictures for the remaining seven spaces. The committee also recommended gathering photos from our partners at King Ranch and NAS-Kingsville to showcase our city's history.

The seven spaces for historic photos will showcase five downtown Kingsville photos sourced from South Texas Archives, one King Ranch photo and one NASK photo. In addition to the photo placement, city staff recommends utilizing existing wiring from the ceiling to install lights to showcase the photos at night. Staff has received quotes from Macareno Signs for the images and from MIA electric for the lights. The project will be funded from the City Manager's General Ledger Account, 001-5-1030-21700.

The financial impact is estimated as follows:

Lighting Costs (MIA Electric): \$3,500

Image Costs (Macareno Signs): \$4,500

**Recommendation:** Staff recommends completing the project in order to beautify downtown and present our city's robust history.



File Name: City of Kingsville\_Municiple Building Mural.fs

Directory Name: G:\MacSignsShare\Sign Jobs\A-d\CITY OF KINGSVILLE

Number of Colors: 3

Badge

• Brown

Number of Fonts: 1

Condensed ART Extra Condensed Regular

Current Date: 8/4/2021

Current Time: 10:00:08 AM

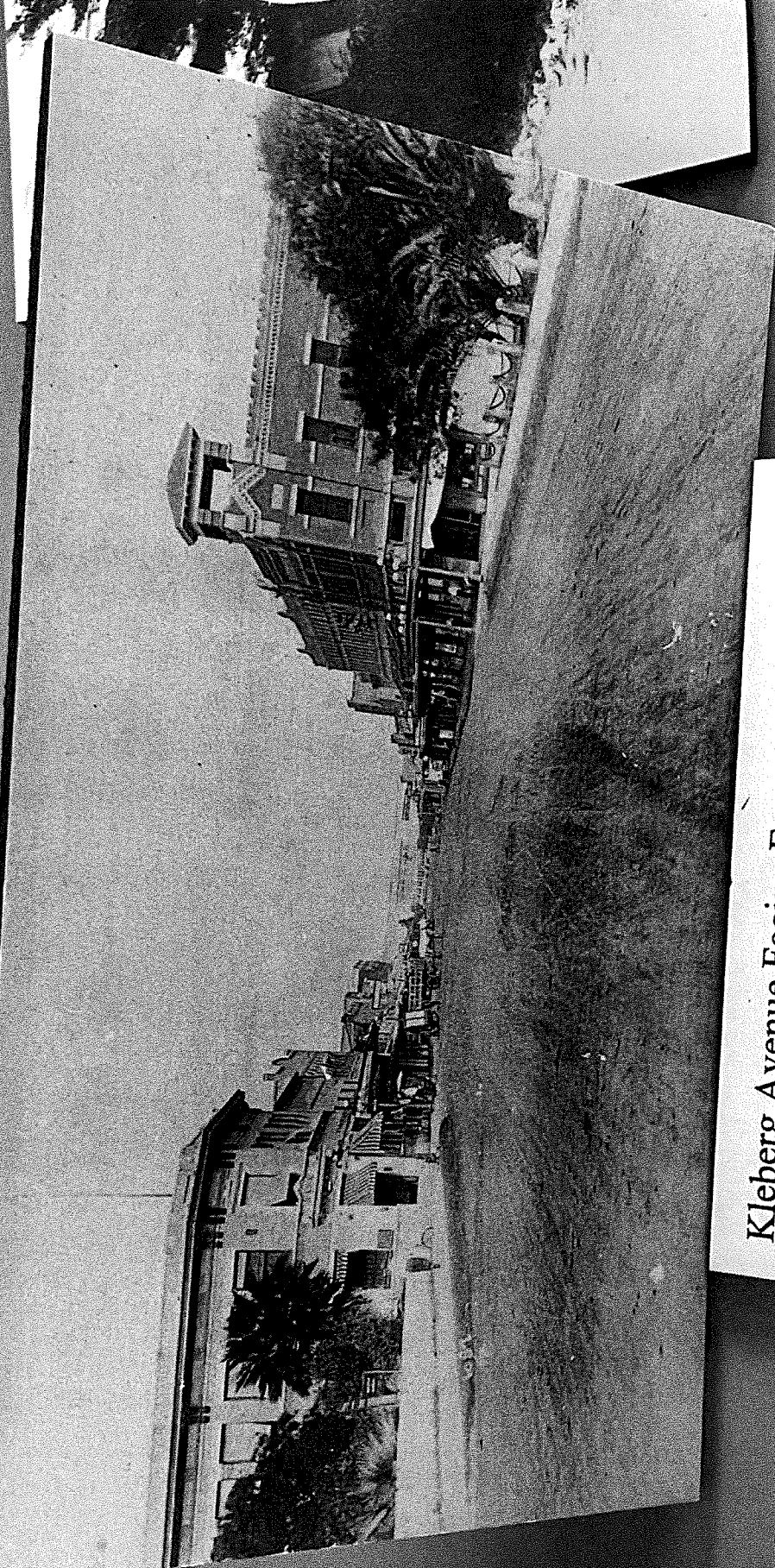
# FILE SAVED INFO

Sign Dimension: 48.000in x 20.005in

Number of Characters: 26







Kleberg Avenue Facing East  
1910 Kleberg Bank on left and Ragland's  
Mercantile on right. The Commercial Club met  
upstairs. Its goal was to bring the city's  
population to 5,000.



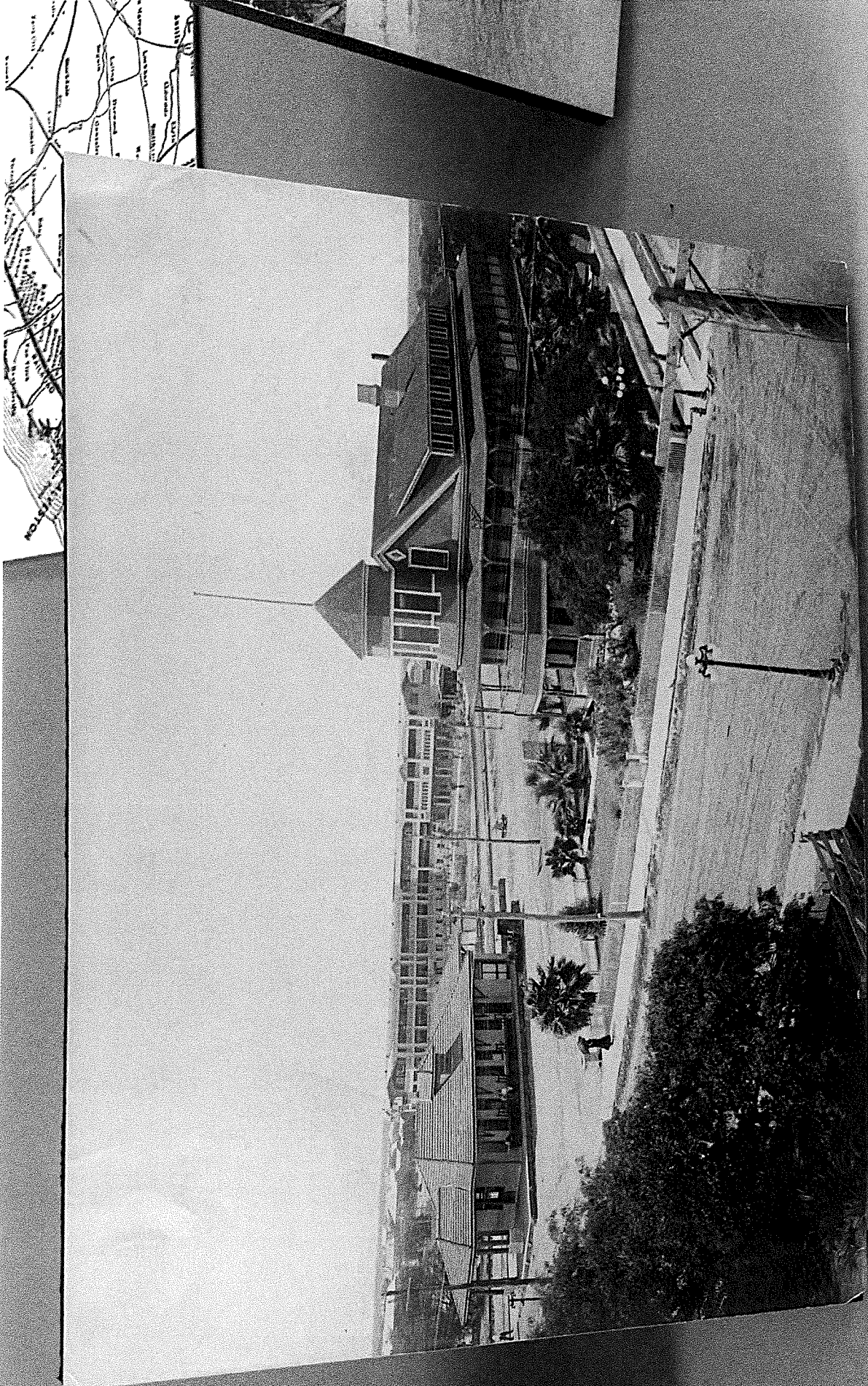
GETHER

PRO



Kleberg Avenue Facing West  
Henrietta M. King School built in 1909 at the  
end





**Unpaved Kleberg Avenue showing depot,  
built in 1904, Kings Inn Hotel in 1905 and  
Casa Ricardo Hotel in 1913. The Town is  
moving along.**

## **AGENDA ITEM #10**

# CITY OF KINGSVILLE

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P. O. BOX 1458 - KINGSVILLE, TEXAS 78364



**Date:** July 28, 2021

**To:** City Commission via City Manager Mark McLaughlin

**CC:** Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

**From:** Alicia Tijerina, Interim Downtown Manager

**Subject:** Request for City Support for Event & Parade

**Summary:**

The City Commission has a tradition of granting support for certain community parades and events that are held each year downtown. Instead of bringing these forward as individual agenda items, it is requested that the City Commission waive the street closing fees and support costs for the attached listing of parades and events for the remainder of this fiscal year.

**Background:**

For any event requiring temporary closure of one or more streets, City ordinances require a fee to be paid for the requisite street closure(s) and require that City be reimbursed any actual costs and expenses incurred by them in support of the event. Ordinances also allow the City Commission to waive these requirements. Event organizers are still required to comply with all City ordinances and state laws with regards to health and safety issues. And are still required to submit a request for a permit for the required street closure(s).

**Financial Impact:**

The total parade/event costs to the City for the remainder of FY 2020-2021 is \$1,344 of which \$100 are street closing fees.

**Recommendation:**

Staff recommends street closing fees be waived and the services provided by the City in support of these parades and events. It is customary to provide these services as in-kind sponsorship due to their contribution to citizens' quality of life.

## **Downtown Parades and Events FY 2020-2021 requiring street closings**

Douglass Youth Center Community Fair/Fest, Friday, August 20, 2021, 8:00am – 8:30pm, 2<sup>nd</sup> Street & Ragland, 2<sup>nd</sup> & Warren and 2<sup>nd</sup> Street

HM King High School Homecoming Parade, Wednesday, September 8, 2021, 5:30pm – 8:00pm, Kleberg Avenue 6<sup>th</sup> to 11<sup>th</sup> Streets & Yoakum Avenue 6<sup>th</sup> to 11<sup>th</sup> Streets

### **Parade Costs to the City FY 2020-2021**

#### **COMMUNITY PARADE (1)**

##### **HM King High School Homecoming Parade, Sept. 8, 2021**

###### **Public Works**

Barricades: Build-up & Tear-down \$17/hr. (16 men/4 hrs) = \$1,088

Parade permit = \$100

Cost of \$1,188

**Total parade costs \$1,188**

#### **COMMUNITY EVENT (1)**

##### **Douglass Youth Center Community Fair/Fest, Aug. 20, 2021**

###### **Public Works**

Barricades: Build-up & Tear-down \$12/hr. (4 men/2 hrs) = \$96

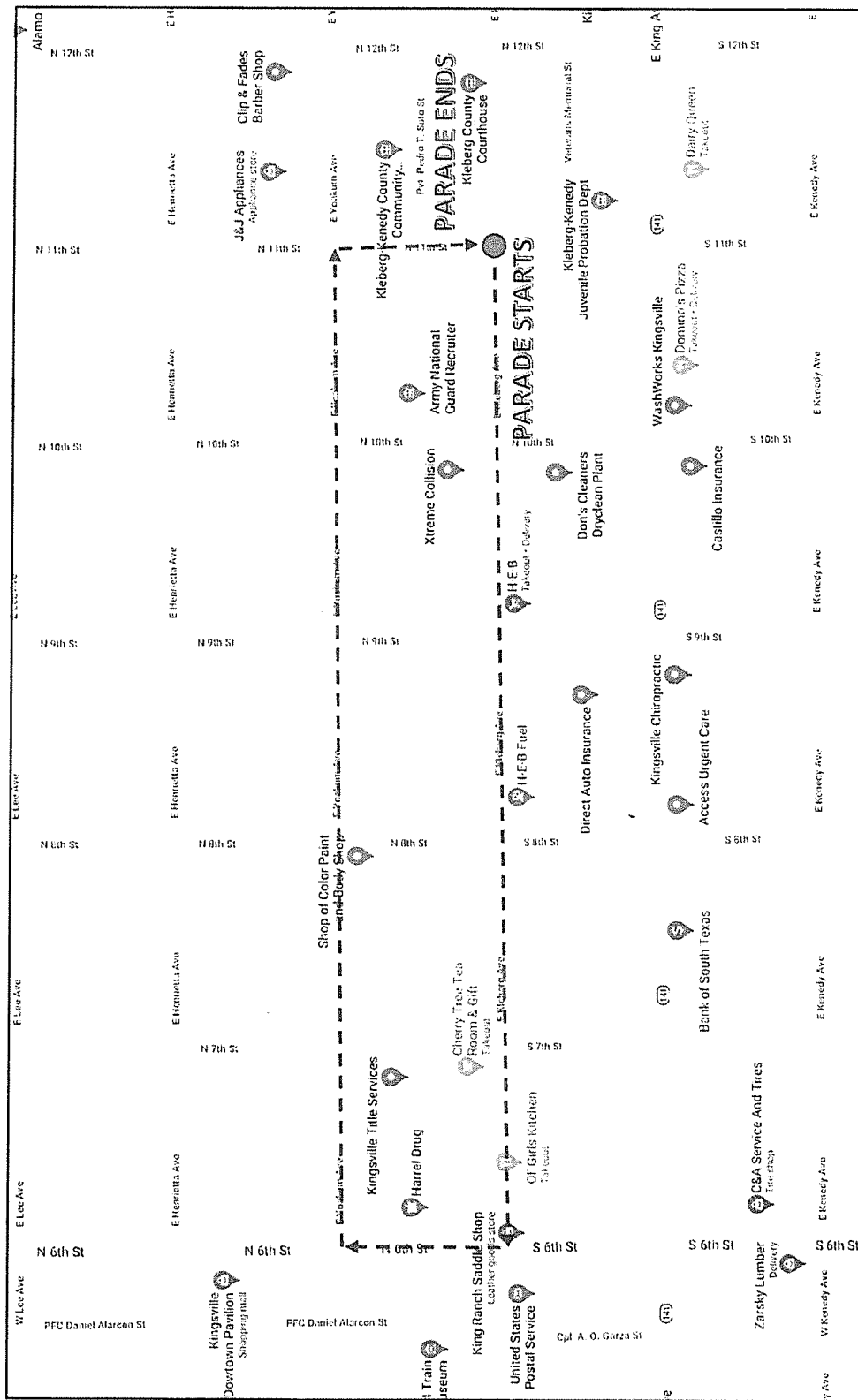
Street Closing Event permit = \$0

Trash & Recycling: Delivery/Pickup/Dumping \$6 each x 10 containers = \$60

Kingsville Police Department – no cost. Department will probably be participating

Cost of \$156

**Total Event costs \$156**









# **AGENDA ITEM #11**

# CITY OF KINGSVILLE

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P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

**Date:** July 28, 2021

**To:** City Commission via City Manager Mark McLaughlin

**CC:** Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

**From:** Alicia Tijerina, Interim Downtown Manager

**Summary: Summary:** The Main Street Advisory Board was created in 2017 by City of Kingsville City Commissioners. The board meets monthly to develop and make recommendations to the City Manager regarding the Main Street District.

Due to the transition of the Main Street Manager Position from the Planning Department to the Tourism Services Department, staff recommends the following changes to Ordinance 2017-23:

- Section 3-3-125 Compensation – Change from Director of Planning to Director of Tourism
- Section 3-3-127 Meetings – from the City's Planning and Development Services to the City's Tourism Department



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[www.cityofkingsville.com](http://www.cityofkingsville.com)

ORDINANCE NO. 2021-\_\_\_\_\_

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTIONS 3-3-125 & 3-3-127, PROVIDING FOR TOURISM STAFF TO BE THE MAIN STREET ADVISORY BOARD SECRETARY AND BOARD PARTICIPANT; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City Commission of the City of Kingsville believes that a thriving downtown is vital to the quality of life of its citizens and the enhancement and promotion of tourism; and

**WHEREAS**, after hiring consultants in 2016, the City Commission adopted the Kingsville Downtown Vision Plan in 2017, which included among other things the creation of a Main Street Advisory Board;

**WHEREAS**, the City Commission of the City of Kingsville approved an ordinance (ORD #2017-23) on June 26, 2017 to create a Main Street Advisory Board to help make recommendations on implementation of the Downtown Vision Plan;

**WHEREAS**, there is a need to update the departmental staff who will serve as the board secretary for the Main Street Advisory Board; and

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

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

I.

**THAT** Chapter III-Administration, Article 3- Departments, Boards & Commissions of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to amend Sections 3-3-125 and 3-3-127 as follows:

***MAIN STREET ADVISORY BOARD***

...

**§ 3-3-125 COMPENSATION.**

All board members of the Main Street Advisory Board shall receive no salary or compensation for serving on the board with the exception of the Director of Tourism Planning, who shall receive no extra compensation other than as employed by the City of Kingsville.

...

**§ 3-3-127 MEETINGS.**

- (A) Any member of the board may request an item be added to the agenda.
- (B) The board shall have the authority and duty to promulgate rules and regulations governing its official meetings.
- (C) The board shall have regular meetings at least once monthly, the date to be set out in the board's minutes. All meetings shall be open to the public and shall be governed by the Open Meetings Act.
- (D) Special meetings may be set at the will and discretion of the board whenever it deems necessary. The chairman of the board shall call the special meeting.
- (E) The ~~Administrative Assistant from the City's Planning and Development Services~~ Tourism Department staff will act as the Board Secretary and be responsible for preparing and posting the board agendas and keeping minutes of all meetings. The Board Secretary shall not have voting rights.

...

**II.**

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

**III.**

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

**IV.**

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

**INTRODUCED** on this the 9<sup>th</sup> day of August, 2021.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of August, 2021.

**EFFECTIVE DATE:** \_\_\_\_\_, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #12**

**City of Kingsville  
Parks & Recreation Department**

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Susan Ivy, Parks Director

**DATE:** July 28, 2021

**SUBJECT:** Agenda Request – Revision to Ordinance allowing alcohol sales in limited areas

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**Summary:** Kingsville Parks & Recreation would like to expand the exception to allow for alcohol sales in limited areas of the parks upon the Parks Director approval, instead of just at the JK Northway and fairgrounds with approval.

**Background:** The existing City Ordinance allows for sales in restricted areas only around J.K. Northway only with the approval of the Parks Manager. With more events expanding into the park and with the J.K. Northway no longer under the authority of the City, providing for an area (enclosed beer/wine/alcohol garden type) that alcohol can be sold and served in the City governed area of Dick Kleberg Park – not including the playground area- or other parks would be beneficial to events being held in the parks. Non-City hosted events would be required to provide liquor liability insurance, fencing for the area, and hired security to assist with control.

**Financial Impact:** The addition of this change to this ordinance will provide an extra revenue stream for events held at leased park spaces.

**Recommendation:** We ask that City Commission approve the revision to this ordinance allowing for alcohol sales at pre-approved and permitted events/locations in leased park spaces.



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER IX-GENERAL REGULATIONS, ARTICLE 8-PARKS AND RECREATION, SECTION 11-LIQUOR IN PUBLIC PARKS PROHIBITED, EXCEPTION, PROVIDING FOR REVISION TO THE SCOPE OF THE EXCEPTION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in 2014 the City and County approved interlocal agreements to transfer operations and maintenance of all of the parks within the city limits and the L.E. Ramey Golf Course from the County to the City;

**WHEREAS**, the approval of these interlocal agreements necessitated the City to enact regulations and fees for the properties covered under the interlocal agreements; and

**WHEREAS**, the City and County entered into an amended agreement for the parks in 2020 to remove the JK Northway and fairgrounds from the City's management and transferred it back to the County for management; and

**WHEREAS**, it has become apparent that a need exists to allow for the sale of alcohol (other than at the JK Northway and fairgrounds) when park space is rented or leased, so it is now recommended to revise the ordinance as noted herein; and

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

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

I.

**THAT** Chapter IX- General Regulations, Article 8-Parks and Recreation, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**ARTICLE 8 PARKS AND RECREATION**

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**§ 9-8-11 LIQUOR IN PUBLIC PARKS PROHIBITED; EXCEPTION.**

(A) Except as hereinafter provided, it shall be unlawful for any person to consume or possess any alcoholic beverage or beverages in any public park within the corporate limits of the city.



(B) In the event a person, persons, or corporation shall lease or rent park facilities managed by the City ~~the premises in Dick Kleberg Park known as the J. K. Northway Building and fairgrounds~~ for public or private use and shall desire to serve or permit alcoholic beverages to be consumed on the premises, in addition to the requirements for Special Use Permit Agreements in §9-8-8, the following rules shall apply:

(1)(a) An application shall be made to the Parks & Recreation Director ~~Manager~~ which shall contain the following:

1. The person or persons responsible for the use of the building.
2. The purpose for which the building is to be used.
3. The number of persons expected to attend the function for which the building let.
4. The type of beverages to be sold or consumed on the premises.
5. The type of security that will be provided by the applicant.
6. The hours such beverages will be sold or consumed on the premises.
7. The person whose license will be used for the sale of any alcoholic beverage.
8. The applicant shall sign a statement that all applicable state laws will be complied with before any alcoholic beverages are sold or consumed on the premises.

9. Proof of Liability and Liquor Liability Insurance naming City of Kingsville as additionally insured, security plan, and proof of staffing certification by TABC.

(b) If the Parks & Recreation Director ~~Manager~~ deems that the public interest shall be served by the issuance of a permit for such purposes, such Director ~~Manager~~ may issue a permit and such permit shall contain the rules applicable to same.

(2) In addition to the items enumerated above, the Parks & Recreation Director ~~Manager~~ may make such additional requirements as they deem necessary for the safety and well-being of the persons attending such function.

(Ord. No. 2014-64, § I, passed 9-22-2014)

**Cross reference—** Penalty, see § 1-1-99.

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## 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 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, work or ordinance hereof be given full force and effect for its purpose.

IV.

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

**INTRODUCED** on this 9th day of August, 2021.

**PASSES AND APPROVED** on this the \_\_\_\_\_ day of August, 2021.

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

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #13**

RESOLUTION #2020-90

**A RESOLUTION APPOINTING TWO REPRESENTATIVES AND TWO ALTERNATES TO THE COASTAL BEND COUNCIL OF GOVERNMENTS; REPEALING ALL CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville currently has two representatives to the Coastal Bend Council of Governments (COG) which are held by the City Manager and Commissioner Al Garcia;

**WHEREAS**, the City Election that was scheduled for May 2, 2020 but was postponed due to the COVID 19 pandemic until November 3, 2020 resulted in a change in Commission membership, the new Commission is able to select two representatives for the City at the COG;

**WHEREAS**, COG staff suggested two alternates also be named to represent the City at COG meetings;

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

I.

**THAT** Ann Marie Torres and the Mark McLaughlin be appointed to represent the City of Kingsville at the COG and that Norma N. Alvarez and Edna Lopez be alternates to represent the City at the COG when needed.

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 23<sup>rd</sup> day of November, 2020.

  
Sam Fugate, Mayor

**ATTEST:**

Mary Valenzuela  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

Courtney Alvarez  
Courtney Alvarez, City Attorney

**RESOLUTION #2021-\_\_\_\_\_**

**A RESOLUTION APPOINTING A NEW ALTERNATE REPRESENTATIVE TO THE COASTAL BEND COUNCIL OF GOVERNMENTS; REPEALING ALL CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville currently has two representatives to the Coastal Bend Council of Governments (COG) which are held by the City Manager and Commissioner Ann Marie Torres;

**WHEREAS**, COG staff suggested two alternates also be named to represent the City at COG meetings;

**WHEREAS**, the City currently has two alternate representatives to the Coastal Bend Council of Governments (COG) which are held by the Commissioner Norma Nelda Alvarez and Commissioner Edna Lopez; however, due to time constraints Commissioner Lopez is unable to attend meetings if needed and has requested to be replaced;

**WHEREAS**, Commissioner Hector Hinojosa has agreed to serve as an alternate representative for the City at COG meetings, if needed;

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

I.

**THAT** Commissioner Ann Marie Torres and the City Manager Mark McLaughlin remain the appointed representatives of the City of Kingsville at the COG and that Commissioner Norma Nelda Alvarez and Commissioner Hector Hinojosa be alternates to represent the City at the COG when needed.

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 9<sup>th</sup> day of August, 2021.

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Sam Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney