

City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, AUGUST 16, 2021

SPECIAL MEETING

CITY HALL

HELEN KLEBERG GROVES COMMUNITY ROOM

400 WEST KING AVENUE

4:00 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.

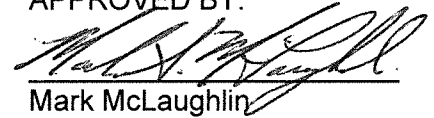
OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – August 9, 2021

APPROVED BY:



Mark McLaughlin
City Manager

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

None.

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend grant funds from the Assistance to Firefighters Grant Program for medical supplies. (Fire Chief).
2. Motion to approve final passage 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).
3. Motion to approve final passage 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).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Review and discuss proposed fiscal year 2021-2022 budget for departments of the City of Kingsville. (City Manager).

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 Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must

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

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall, City of Kingsville, 400 West King Avenue, 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 12, 2021 at 10:30 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

Mary Valenzuela
Mary Valenzuela, TRMC, 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)

AUGUST 9, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 9, 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
Janine Reyes, Tourism Director
Alicia Tijerina, Interim Downtown Manager
Juan J. Adame, Fire Chief
Joseph Ramirez, Engineers Assistant

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - July 12, 2021

Motion made by Commissioner Lopez to approve the minutes of July 12, 2021, as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

Regular Meeting - July 26, 2021

Motion made by Commissioner Lopez to approve the minutes of July 26, 2021, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR". Hinojosa "ABSTAINED".

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

1. None.

III. Reports from Commission & Staff.²

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

Mr. Mark McLaughlin, City Manager reported that the Commission has received the proposed budget notebooks for Fiscal Year 2021-2022. He further reported that on August 10th all water tanks will be inspected. This will not cause any water disruption to anyone in the community.

Ms. Courtney Alvarez, City Attorney reported that the next regularly scheduled meeting is on Monday, August 23rd. The deadline for staff to submit their agenda items for this meeting is Wednesday, August 11th. She further reported dates for upcoming budget workshops, August 16th and August 17th, scheduled to begin at 4:00 p.m. Staff will be posting for a special meeting for August 24th, if it is needed. There will be a public hearing scheduled for September 7th for the proposed tax rate. The approval of the new budget and tax rate will be set for a meeting on September 13th.

Commissioner Alvarez asked if with Mayor Fugate signing an emergency order due to the health and safety of the citizens, can the mayor's order supersede a Governor's order and mandate mask for all schools in Kingsville?

Commissioner Hinojosa commented that a governor should not dictate what a city can or cannot do in its community.

Ms. Alvarez commented that with regards to Commissioner Alvarez's question, she would need to research that.

IV. Public Comment on Agenda Items.³

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

No public comments were made or received.

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

- 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 15th & 17th 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.⁴

4. Discussion regarding the Coastal Bend Food Bank and its community outreach programs. (Mayor Fugate).

Mr. Robert Morales representative of the Coastal Bend Food Bank gave a brief presentation on the new build of the Coastal Bend Food Bank. He stated that the Food Bank assists the Coastal Bend area this past year by giving 13 million pounds of food distributed with 36,000 pounds distributed in Kleberg County. For this year, the Food Bank has already distributed 900,000 pounds of food thus far. Mr. Morales stated that the Food Bank not only distributes food to the communities but also offers education on nutrition and diabetes.

Mr. McLaughlin asked where the new Food Bank would be located. Mr. Morales responded that the new building will be located near the West Oso School District area.

5. Consider approval of certification of 2020 excess debt collections and certification of 2021 anticipated collection rate. (Finance Director).

Motion made by Commissioner Hinojosa to approve the certification of 2020 excess debt collections and certification of 2021 anticipated collection rate, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

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).

Motion made by Commissioner Hinojosa to approve the acceptance of 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, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

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).

Motion made by Commissioner Hinojosa, "I move that the proposed property tax rate be \$0.84000 and that one public hearing be set for September 7, 2021 at 5:00 p.m. at City Hall Community Room, 400 W. King Avenue, Kingsville, TX with additional funds to be used for city infrastructure upgrades, employee wages & benefits, and technology, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

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).

Chief Adame stated that this grant was awarded in August 2020 and at that time they were not able to make purchases because of the lack of manufacture inventory. Since then, the supply chain has come back online and are now ready to make purchases and increase their inventory. He further stated that they need to continue to keep their inventory stocked to ensure that they meet the challenges of this pandemic. The Fire Department is requesting approval to amend the fiscal year 2020-2021 budget for \$18,697.35 to expend this amount to purchase medical supplies. Chief Adame did state that the grant requires a cash match for \$1,869.73. Chief Adame further commented that his personnel has been using Personal Protective Equipment for every call they tend to.

Introduction item only.

9. Consider historical photo project for the Municipal Building in downtown. (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that the City of Kingsville has a continued interest and effort in beautifying Main Street Kingsville. As part of that effort, Mr. McLaughlin recommended a photo project be installed at the Municipal Building along 6th 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 committee recommended gathering photos from King Ranch and Naval Air Station-Kingsville to showcase our city's history. In addition to photo placement, city staff recommends utilizing existing wiring from the ceiling to install lights to showcase the photos at night. The estimated financial impact is \$3,500 for lighting and \$4,500 for

image cost. The total of \$8,000 will be paid from the City Manager's account, which has already been earmarked.

Motion made by Commissioner Lopez to approve the historical photo project for the Municipal Building in downtown, seconded by Commissioner Hinojosa.

Mayor Fugate requested that a final version of the rendition be emailed to the Commission.

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

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).

Mrs. Alicia Tijerina, Interim Downtown Manager stated that this item is for a request of waiver of fees for the Douglass Youth Center Community Fair and H.M. King High School Homecoming Parade. The waiver for the Douglass Youth Center Community Fair would cover barricades, street closure event permit fee, trash, and recycling containers for an amount of \$156.00. It would also cover the waiver of fees for \$1,188 for barricades and parade permits.

Motion made by Commissioner Lopez to approve the city's participation in the Douglass Youth Center Community Fair/festival and the HM King High School Homecoming Parade, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

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).

Ms. Janine Reyes, Tourism Director stated that due to the transition of the Main Street Manager position from the Planning Department to the Tourism Department, the following changes to the Main Street Board ordinance are being recommended. Staff is recommending changing Section 3-3-125, Compensation from Director of Planning to Director of Tourism. Also, Section 3-3-127, Meetings from the City's Planning and Development Services to the City's Tourism Department.

Commissioner Lopez asked if the city was not going to be filling the position of Main Street Director.

Mr. McLaughlin responded that the city needs a Planner in the Planning Department to assist the Planning Director and Building Inspector. The plan is to take the Downtown Manager portion of the position and keep it under the supervision of the Planning Director. Mr. McLaughlin further commented that he will be hiring a Downtown Manager and keep it in the Planning Department.

Commissioner Torres asked if that budget would go under the Tourism Department?

Ms. Reyes responded that the Tourism Department funds 50% of the position to Planning, so now it will remain in the Tourism Department. It will be used to combine the Special Events Coordinator and Downtown Manager role that manages the main street designation and not the planning portion of the position. She further stated that there is a request for another part-time position to assist with the Main Street Board and any other duties that come with that position.

Introduction item only.

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).

Mrs. Susan Ivy, Parks & Recreation Director stated that the Kingsville Parks & Recreation would like to expand the exception to allow for alcohol sales in limited areas of the parks upon the Parks Director's approval, instead of just at the JK Northway and Fairgrounds with approval. 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 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.

Commissioner Hinojosa requested that the City Manager, instead of the Parks & Recreation Director, approve all applications submitted for sales of alcohol in limited areas of the parks.

Commissioner Torres asked if the ordinance would require proof of liability and liquor liability insurance. Ms. Alvarez responded yes.

Introduction item only.

13. Consider a resolution appointing a new alternate representative to the Coastal Bend Council of Governments. (City Manager/City Attorney).

Mr. McLaughlin stated that as per Commissioner Lopez's request, she would like to be removed as the alternate member to the Coastal Bend Council of Governments. Commissioner Hinojosa has agreed to be appointed as an alternate.

Motion made by Commissioner Alvarez and Commissioner Lopez to approve the resolution appointing a new alternate representative to the Coastal Bend Council of Governments, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:43 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Fire Department**

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

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:

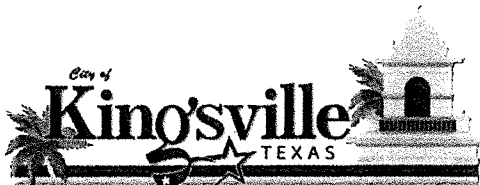
The COVID 19 pandemic brought many new challenges to the Fire Department and how we respond to emergencies involving communicable diseases. Among those challenges, we identified the need to maintain a higher level of reserve equipment, especially now with the emergence of the COVID Delta variant. This 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
Fund 107 – ASSISTANCE TO FIREFIGHTERS GRANT FUND					
<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	
Fund 001 – GENERAL FUND					
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 9th 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 #2

CITY OF KINGSVILLE



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



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 implementaton 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 9th 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 #3

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

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

...

§ 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/~~faciltiy~~.
2. The purpose for which the building/~~faciltiy~~ is to be used.
3. The number of persons expected to attend the function for which the building/~~faciltiy~~ 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~~ City Manager deems that the public interest shall be served by the issuance of a permit for such purposes, ~~such then the~~ City 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~~ City 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.

...

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: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #4