

# City of Kingsville, Texas

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## AGENDA CITY COMMISSION

TUESDAY, SEPTEMBER 7, 2021

SPECIAL 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)

Special Meeting – August 16, 2021

Special Meeting – August 17, 2021

APPROVED BY:



Mark McLaughlin  
City Manager

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

1. Public Hearing on a *proposed* tax rate decrease from \$.85208 to \$.84000 for Fiscal Year 2021-2022 with \$.84000 being an increase in the no new revenue rate of \$.80651; the vote on the tax rate will be on September 13, 2021, at 5pm in the Helen Kleberg Groves Community Room, City Hall, 400 W. King, Kingsville, Texas. (Finance Director).

2. Public Hearing on proposed Fiscal Year 2021-2022 budget. (Finance Director).

### 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, 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; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.”*

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

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

#### **V.**

##### **Consent Agenda**

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

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 3, Lot Pt 10, (6 acres), also known as Property ID 37466, on Young Drive, Kingsville Texas from AG (Agricultural District) to R1 (Single-Family Residential District). (Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lot W/2 of the SE/4 of 7, (SYM D), (5.0 acres), also known as property ID 42564, on E. Trant Road, Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential). (Director of Planning & Development Services).
3. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for Auto Sales, Repairs, including Motorcycles use in C2 (Retail District) at 1916 S. 6<sup>th</sup> St., Kingsville, Texas, also known as Glover Park, Block 3, Lot 16-21. (Director of Planning & Development Services).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional street maintenance work on West Sage, Corral, and West Santa Gertrudis. (Public Works Director).

##### **REGULAR AGENDA**

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

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

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

6. Consider introduction of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2021, and ending September 30, 2022, in the particulars hereinafter stated. (Finance Director).
7. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2021 and ending September 30, 2022, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).
8. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for an increase in water rates. (Finance Director).
9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, providing for an increase in sewer rates. (Finance Director).
10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Sections 9-10-53, 55, 56, and 57 to update the fees and calculation method used for the purpose of funding the City Street System. (City Engineer/City Manager).
11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).
12. Consider introduction of an ordinance ratifying classification and prescribing the number of positions in such classifications for the classified service in the Police Department by adding one new Officer Position. (Human Resource Director).
13. Consider introduction of an ordinance ratifying classification and prescribing the number of positions in such classifications for the classified service in the Fire Department by adding two new Fire Fighter Positions. (Human Resource Director).
14. Consider a resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy No. 720.01-Designation of Holidays. (Human Resources Director).
15. Consider a resolution amending the City of Kingsville Administrative Policy No. 731-Flex Leave. (Human Resources Director).
16. Consider accepting donation from Broshears family for the Animal Control Division of the Health Department. (Health Director).
17. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donation from Mr. & Mrs. Johnny L and Patricia Broshears for Minor Vet Care. (Health Director).
18. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover expenditures for setting up a COVID-19 Testing Site at the Health Department. (Finance Director).
19. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional personnel overtime costs due to employees out sick with COVID, salary payouts due to several employee departures and additional vehicle maintenance. (Finance Director).
20. Consider a resolution authorizing the City Manager to execute Amendment No.1 to the Construction Contract for Downtown Improvements between Etech Construction Inc.

and the City of Kingsville for Downtown Improvements-Kleberg Ave. (TxCDBG Contract #7219012). (City Attorney).

21. Consider a resolution authorizing the City Manager to execute an Interlocal Agreement for E9-1-1 Public Safety Answering Services between the City of Kingsville and the Coastal Bend Council of Governments. (City Manager).

## VII. Adjournment.

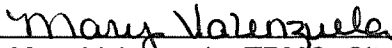
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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 Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

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

September 2, 2021 at 11:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

  
\_\_\_\_\_  
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 16, 2021**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 16, 2021 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 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  
Janine Reyes, Tourism Director  
Kyle Benson, IT Manager  
Derek Williams, IT  
Uchechukwu Echeozo, Director of Planning & Development Services  
Deborah Balli, Finance Director  
Susan Ivy, Parks Director  
Janine Reyes, Tourism Director  
Rudy Mora, Engineer  
Bill Donnell, Public Works Director  
Ricardo Torres, Police Chief  
Juan J. Adame, Fire Chief  
Diana Gonzales, Director of Human Resources  
David Solis, Risk Manager  
Charlie Sosa, Purchasing Manager  
Nicholas Daniels, Building Official  
Emilio Garcia, Health Director  
David Bodiford, Accounting Assistant  
Mike Mora, Capital Improvements Manager  
Avelino Valdez, Street Supervisor  
Cameron Whittington, Water Construction Supervisor  
Ruben Chapa, Golf Course Manager  
Joe Casillas, Water Production Supervisor  
Arturo Perez, Garage Supervisor  
Darrell Mills, Landfill Supervisor

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 4:00 p.m. with all five Commission members present.

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

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

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting – August 9, 2021**

**Motion made by Commissioner Lopez to approve the minutes of August 9, 2020 as presented, seconded by Commissioner Torres and Commissioner Hinojosa. The**

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

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

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, 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.*

Ms. Courtney Alvarez, City Attorney announced that there is a second budget workshop scheduled for Tuesday, August 17, 2021, at 4:00 P.M. There is also a third budget workshop scheduled on Monday, August 23, 2021, in conjunction with a regular meeting. If needed, staff will be posting for a fourth budget workshop for Tuesday, August 24, 2021.

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

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

No public comments were made or received.

## V.

### Consent Agenda

### Notice to the Public

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### 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. 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 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.<sup>4</sup>**

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

Mr. Mark McLaughlin, City Manager stated that the proposed budget is scheduled to be adopted on September 13, 2021. He further stated that the City of Kingsville has been awarded the GFOA Award for the sixth time. He further stated that last year's budget had more expenses than revenues, about \$2.9 million more in expenses, through four budget amendments throughout the year, and have been able to grow that to \$3.9 million. He further stated that with staff assistance, the city is in the black for an amount of \$7.1 million. New proposed tax rate of \$.84000 from \$.85208, which is still lower than the previous year. The Fiscal Year budget is \$102,901,773.27 total expenditures, all funds combined. The total proposed budget is \$55,682,570.00, more compared to fiscal year 20-21 current budget of \$55,682,570.00. the increase in the total budget is mainly due to the additional grant and federal funding of \$55,682,570.00. There is no change to the group health insurance, will remain 90/10. Mr. McLaughlin further stated that the fund balance requirements are met at 25%. The general fund has \$381,587 above the minimum requirements and the utility fund is at \$344,698 above the minimum requirements. For utility fund revenues, the proposed budget includes a 1% water rate increase and a 7% sewer rate increase as per the rate study done by Grady Reed of HDR. These increases put the city back on track. No increase to garbage fees for this fiscal year.

To decrease the number of divisions with small numbers of employees, several division consolidations were made. Downtown and Historic Preservation 1604 was moved to the Planning/Development Services in 1601. The Downtown Manager/Historical Preservation position was previously split between Tourism and General Fund. When a staffing change was made, this position's duties were split and the result in General Fund addressed the need to have more of a Senior Planner position to meet the needs of the department. The Main Street part of the position was moved to the Tourism Fund as that part of the former position was more event-focused. Recycle 1701 was moved to Sanitation Collection 1702. There was only one employee in this division and there wasn't a need to have this position in a division by itself. Information Technology 1806 was moved under Finance Administration 1801. Moving this division creates efficiency as it falls under Finance Administration and there is not a real need to have it separated. Police Community Services 2105 was moved to Police Patrol 2102. The employee assigned to this division works for division 2102 and when that happens it causes unbudgeted costs in 2102, which requires budget transfers to be done. This move solves the budgeting issues. Meter Readers 6202 was moved to Collections 6202 which falls under the supervision of 6201 and there was

not a need to have these divisions separated. Capital Improvements 8201 was moved to Engineering 8000. Division 8201 falls under the supervision of 8000 and is located in the same work area. Employees in Facilities, Public Works Administration, and Engineering are no longer split in the payroll system. The splits are handled through a transfer from General Fund to Utility Fund.

**Employee Compensation:** Diana Gonzales, Human Resources Director

Authorized and proposed Fiscal Year 21-22 positions, 33 full-time exempt non-civil services; 160 full-time non-exempt non-civil services; 83 full-time non-exempt that are Police and Fire combined; and 23 part-time non-civil services. Classification change to get employees to \$12 per hour, the number of employees is 118 for a total cost of \$307,793. The employee anniversary program will affect 106 employees for a total of \$96,230. Fiscal Year 21-22 proposed position summary is as followed, full-time position 284 employees from 275; part-time with 29 hours weekly 9 employees from 6; part-time with 19 hours weekly went from 17 down to 14 in FY 21-22; part-time with 10 hours went from 2 in FY 20-21 to 0 in FY 21-22; temporary/seasonal employees remained the same with 32 employees from FY 20-21 to FY 21-22. Changes of new full-time employees, 1 Accounting Assistant in the Finance Department; 1 full-time Customer Service Representative II in the Fire Department, which is an upgrade for the part-time position currently there now; 1 full-time Administrative Assistant I for Public Works, also an upgrade for the part-time position currently there now; 1 full-time Police Officer; 1 full-time Telecommunication Operator for the Police Department; 2 full-time Fire Fighters; and 1 full-time Water/Wastewater Operator for Water Production Department. Total change for Fiscal Year 21-22 of full-time employees is 8.

Commissioner Hinojosa commented that he does not agree with the new position of Accounting Assistant for the Finance Department.

**Compensation Plan:** Diana Gonzales, Human Resources Director

A 3% Cost of Living Adjustment (COLA) for non-exempt non-civil service positions for a total of \$285,800; as inflation is currently 4.1%. Longevity, increase from \$3 per month per year of service to \$5 per month per year of service with it being capped at 25 years. This is being proposed to get the same level as Fire which is \$5 per month. Additional certification for Telecommunications Operators and include exempt personnel ineligibility to receive certification pay. Public Works, 6 supervisors increase for retention of their skill sets compared to other departments and cities. Additional employer health plan funding for \$202,477 due to employee elections and new positions. Police and Fire Collective Bargaining Agreements require a 3% wage increase for an amount of \$88,692 and Fire Fighter a 3% wage increase for an amount of \$59,527; longevity increase from \$4.75 to \$5.00 for a total of \$1,380 and new certification pay for a total of \$726. Proposed new and upgraded positions are as followed: full-time position, Accounting Assistant at \$58,674; Firefighters (2) total of \$176,596; Police Officer \$77,898; Telecommunications Operator for \$60,349; Water/Wastewater Operator \$59,074.

Commissioner Alvarez asked if the \$77,000 for a Police Officer was for a seasoned officer, already trained. Mr. McLaughlin responded that this includes all benefits.

Part-Time positions, Help Desk for \$17,373; and Parks Maintenance Worker for \$18,981. Upgraded positions from part-time to full-time, GIS Technician for Engineering Department, \$40,646; Customer Service Representative II for Fire \$36,771; and Administrative Assistant I for Public Works \$19,464. The compensation plan also calls for an additional proposed holiday, Juneteenth National Independence Day. Increase to flex leave hours from 8 to 12 hours; new 4 hours to be added during employee's birthday month which is proposed by the City Manager. Part-time employees increase from 8 to 10 hours, new 2

hours to be added during employee's birthday month. Boot reimbursement, standardize policy that meets the American National Safety Institute from steel toe or composite toe boots depending on their job, increase 1-year boot reimbursement from \$35 to \$75 and increase 2-year boot reimbursement from \$50 to \$100.

**Proposed Tax Rate:**

Mr. McLaughlin stated that the current tax rate is \$. 85208. The proposed tax rate is \$.84000, and the no new revenue tax rate is \$.80651 with the voter-approved tax rate at \$.84961. With Legislative change, passing S.B.2, this will be the second year of the voter-approved tax rate percentage at 3.5% above the no new revenue tax rate. Our percentage is reduced by a certain portion of sales tax revenues.

**Supplemental Requests:**

Supplemental request for fiscal year 21-22 had 175 supplementals submitted with only 108 supplementals approved for a total of \$3,236,146.00.

**Proposed Budget:**

The total proposed budget with all funds combined is \$102,901,773.27 for fiscal years 21-22. Total proposed budget revenue is \$102,577,461.48. Usage of operating funds fund balance, \$896,281.14. This is the amount that budgeted revenues do not cover budgeted expenditures on all funds classified as operating. The non-operating funds surplus is \$571,969.32. This is the number of budgeted revenues that exceed budgeted expenditures on all funds classified as non-operating.

**Transfers:** Deborah Balli, Finance Director

Mrs. Balli stated that the proposed transfers to the general fund are as followed, Tourism 002, \$35,000 for administration costs; Utility 051, \$1,350,000 for administration costs, which is the same amount since fiscal year 18-19; SW Capital Projects 087 \$87,707 for the final payment on the John Deere Dozer, water truck repairs, and dozer repairs; Street fund 092, \$150,000 for street crew payroll cost reimbursements; National Trust Grant 095, \$5,000 for offset for grant cash match and to close out the grant. Proposed transfers to the Utility Fund Debt Service; utility fund 051 \$1,618,993 for fiscal year 21-22 debt service requirements to which it changes every year based on payment; and stormwater drainage 055 \$111,000 for TWDB loan payment. A proposed transfer to landfill closure fund solid waste capital projects fund 087, \$96,114.12 for the payment on the City Hall payback. The proposed transfer to the general fund capital projects fund is CO Series 2016 033, \$1,228.49 to close the fund. A proposed transfer to the street maintenance fund will be coming from CO Series 2013, Streets 067 for \$29,017.21 to close the fund. A proposed transfer to Parks Maintenance Fund from general fund 001 for \$25,000 for the annual allocation. Proposed Transfer to Economic Development Fund, General Fund 001 - \$170,000 for sales tax incentive agreements and \$100,000 for additional economic development assistance. Proposed Transfer to Vehicle Replacement PD Fund, General Fund 001 - \$10,000 for annual allocation to build up fund availability of vehicles. Proposed Transfer to Vehicle Replacement PW Fund, General Fund 001 - \$10,000 for annual allocation to build up fund availability of vehicles. Proposed Transfer to Patrick Leahy Bulletproof Vest Grant, General Fund 001 - \$9,585 for grant cash match requirements. Proposed Transfer to City Wide Wastewater Collection System Grant, CO Series 2013 Drainage 068 - \$73,668 for grant cash match requirements. Proposed Transfer to GLO Hurricane Harvey Mitigation Grant, CO Series 2013 Drainage 068 - \$366,787 for grant cash match requirements. Proposed Transfer to Economic Development Grant, GF ARP SL Fiscal Recovery Fund 121 - \$500,000 for a new economic development grant program to be determined in FY 21-22. Proposed Transfer to GF Tax Note Series 2022, General Fund 001 - \$125,280 for estimated tax note payment on approved capital outlay supplemental requests. Solid Waste Capital Projects Fund 087 - \$76,968 for estimated tax note payment on approved capital outlay supplemental request. Proposed Transfer to UF Tax Note Series 2022, Utility Fund 051 01 - \$84,120 for estimated tax note payment on approved capital outlay supplemental request.

Mr. McLaughlin commented that there was a large request for vehicles this year, city-wide. This request had a total of about \$2.5 million. The biggest request was for a compactor for the landfill.

**Debt Service:**

Mrs. Balli stated that the budget book shows all the outstanding debt issues along with an explanation of what the issues were for. The GO debt is for the general fund and revenue debt is for the utility fund. At this time the city has \$11,851,030.42 of general fund debt and \$14,529,101.07 of utility fund debt. Both total an amount of \$26,380,131.59.

**General Fund Balance:**

Mr. McLaughlin stated that the City's fund balance policy requires a minimum of 25% of budgeted expenditures. In addition, the city has always kept an additional \$300,000 above the minimum to cover any unexpected budget amendments. In the proposed budget for the general fund, these requirements have been met at 26.7076%, which is a percentage higher than the minimum.

Commissioner Hinojosa asked if the total expenditures were actual expenditures. Mr. McLaughlin responded that it is actual and encumbered.

Mr. McLaughlin further reported that the minimum requirement, 25% of expenditures is \$5,586,594 with an estimated ending fund balance on September 30, 2022, of \$5,968,181 for an above minimum requirement of \$381,587. McLaughlin went on to report on non-department general fund revenues. He stated that non-departmental revenues include rents, transfers in, sale of city property, publications, open records, interest earnings, and miscellaneous revenues which total an amount of \$231,875.21.

**City Commission:**

Mr. McLaughlin stated that the Commission's budget in personnel has a decrease in health insurance coverages. For services, the restoration project of \$44,000 and is to be completed in FY 20-21. No supplementals were requested for this department.

**City Manager's Office:**

This department has two employees, City Manager and City Secretary. Personnel changes are an increase in City Manager's contract, 3% COLA for City Secretary, \$2 per month per year of service longevity increase for City Secretary, and anniversary increase for City Secretary. As for services, there is a decrease in communication costs and an increase in property taxes on a copier lease. No supplementals were requested in this department.

**City Special:**

City Special is a division for expenditures that are not tied to a specific division. In personnel, decrease in retiree health costs and an increase in supplies. For services, decrease in postage and freight, TX DOT contract completion, election costs. There are an increase in professional services, liability insurance costs, and credit card fees costs. No supplementals were requested for this fund.

**Human Resources:** Diana Gonzales, Human Resources Director

This department has a total of four employees. Personnel changes are 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increase. There is an increase in supplies and a decrease in minor equipment due to the prior year's one-time supplemental. In services, there is an increase in communications, professional services, memberships, and medical treatment. There is a decrease in printing & publishing and an increase in operating leases. Fiscal Year 21-22 supplementals approved are communications for additional cell phones for staff for a total of \$1,200 which is a

permanent increase. A one-time increase in professional services for legal services for Police and Fire Contract negotiations for an amount of \$20,000. A permanent increase in medical treatment for additional physicals, drug screens, and psychological exams, for new hires, which amount to \$5,000. Leases, permanent increase for additional printer/copier for Risk Manager for an amount of \$726.

**Legal Department:** Courtney Alvarez, City Attorney

This department has two employees, City Attorney and Paralegal. In personnel changes, 3% COLA and \$2 per month per year of service longevity increase and anniversary increase. In services, there is an increase in communications for two MiFi devices, one for the City Attorney and the other for the Paralegal to be used in the event of working from home or a conference. There is a decrease in professional services and an increase in an operating lease. No supplementals were requested for this department.

Commissioner Alvarez commented that she didn't see a position for an Assistant City Attorney?

Ms. Alvarez responded that this is correct. In the city's compensation plan ordinance, there are various positions listed which are the positions that are authorized by the City Commission but not budgeted for. If at some point during the fiscal year there was a need for one of those positions to be filled, the Commission would not have to go back and modify two ordinances but would only have to modify the budget.

Commissioner Alvarez commented that she thought she saw that the position was budgeted for \$76,000.

Mayor Fugate asked about J. Dean Craig, Attorney assisting with Municipal Court cases.

Ms. Alvarez stated that there is a contract attorney that assists with Municipal Court which is possible that that is what that funding is for. She further stated that it all goes into professional services as he is an independent contractor and not a city employee.

Commissioner Hinojosa asked that if the need for an Assistant City Attorney is required the city would get into a contract with one and have it approved?

Ms. Alvarez responded that yes unless the City Manager came to the Commission for the position to be budgeted and opened to be filled. Otherwise, it's only contractor labor.

Commissioner Hinojosa stated that he saw ISO and further asked what it stands for.

Mr. McLaughlin responded that ISO technically stands for in support of.

**Planning & Development Services:** Uche Echeozo, Planning & Development Services Director

This department has 7 positions with one additional new position of Senior Planner/Historic Preservation Manager, which is advertised not filled. The proposed budget for this department is \$258,650. Personnel changes in Division 1604 were consolidated into this division bringing the Downtown Manager/Historical Preservation position that now becomes the Senior Planner II/Historic Preservation. Other changes include a 3% COLA increase and a \$2 per month per year of service longevity increase and anniversary increase. Supplies have an increase due to consolidation. Services have an increase in most line items due to the consolidation. Grant cash match decreased due to changes in grant applications that will be submitted. There is also an increase in operating leases due to consolidation. In personnel, the Downtown/Historic Preservation position in Division



1604 was split between Planning 1601 and Tourism Fund. For Planning, this position will become a new Planner II/Historic Preservation. The general fund will no longer receive 50% reimbursement as this will no longer be a shared position with Tourism taking over the Main Street duties of the former position. The transfer amount no longer reimbursed to the general fund for the last fiscal year was \$42,340. There is a permanent approved supplemental for copier overages for an amount of \$1,500 and a one-time approved supplemental in professional services for review/production of Master Plan for an amount of \$25,000.

**Building Services:**

Personnel changes, 3% COLA increase with \$2 per month per year of service longevity increase. There is also an anniversary increase and comp plan increase for Customer Service Representative II. There is an increase in supplies for uniforms for new boot reimbursement. Increase in services for communications. Supplementals approved permanent additional cell phone for office staff for \$500.

**Code Compliance:**

Personnel changes, 3% COLA increase with \$2 per month per year of service longevity increase as well as anniversary increases. Comp plan increase for two Equipment Operators. There is an increase in supplies for uniform new boot reimbursement and an increase in motor gas & oil. In services, increase in communications, professional services GPS, training & travel, memberships, and catering. Decrease in postage & freight, special events clean up, printing & publishing, and laundry. In repairs, there is an increase in vehicle and equipment maintenance. Supplementals approved for Division 1603, one-time increase for \$1750 for training for Zoning Inspector. Permanent increase in equipment maintenance for trucks & trailers, blades for mowers for an amount of \$1,350. A one-time increase in minor equipment for a Canon Camera for \$250.

Commissioner Torres asked that for the training for the Zoning Inspector, is that for one inspector or everyone within the department?

Mr. Echeozo replied that it would be for all three inspectors.

**Solid Waste:** Bill Donnell, Public Works Director

Revenues are about the same as last year's numbers for this division. Personnel changes, Recycling Division 1701 was consolidated into this division adding one position. There is a 3% COLA for employees and a \$2 per month per year of service longevity increase. This division also has some anniversary increases as well as compensation plan increases for Equipment Operators II & III, Foreman, Recycling Technician, and additional certification for one employee. In supplies, there is an increase in uniforms for new boot reimbursement and medical supplies due to consolidation with a decrease in chemicals and moto gas & oil. In services, there is an increase in communications, professional services, software maintenance, printing & publishing, and utilities. These increases are due to the consolidation. The division has a decrease in postage & freight, special events clean up, printing & publishing, and laundry. In repairs, there is an increase in vehicle and equipment maintenance. No supplementals were approved for this division.

**Landfill:**

Personnel changes include a 3% COLA increase with a \$2 per month per year of service longevity increase. There are also some anniversary increases and compensation plan increases for Equipment Operators II and Foreman. There is a salary increase for the supervisor and additional certification pay for one employee. In supplies, there is an increase in uniforms for new boot reimbursement and motor gas & oil. There is a decrease in services from communications, equipment rental, and utilities. There is an increase in

repairs for vehicle and equipment maintenance. In leases, there is a small increase of \$53 in the Final Dozer Capital Lease payment. Supplementals approved for fiscal year 21-22 are as followed: personnel there is a permanent increase for Supervisor of \$2,844; vehicle maintenance has a one-time increase of \$13,850 for water truck repairs; equipment maintenance has a one-time increase of \$5,549 for Skit Steer Under Carrier & Sprocket replacement.

Mr. McLaughlin commented that as per the TCEQ requirement a water truck is necessary for dust control and brush burning that is done at the landfill.

Commissioner Torres asked if maintenance checks are done frequently on vehicles? Mr. Donnell responded that frequent maintenance checks are done on these vehicles. Commissioner Torres further asked if any of this cost is within this budget? Mr. Donnell responded that the general maintenance comes from the 411 accounts.

**Finance:** Deborah Balli, Finance Director

Sources of revenues in this division include Ad Valorem Taxes, Sales Taxes, Mixed Drink Taxes, Franchise Taxes, and Municipal Court.

**Finance Administration:**

Personnel changes include Division 1806 IT was consolidated with this Division to create budget efficiencies as it falls under the supervision of the Finance Administration. There is a 3% COLA increase with a \$2 per month per year of service longevity increase as well as anniversary increases. There is a salary increase for the Administrative Assistant due to additional assigned duties. Mrs. Balli explained that the additional assigned duties for the Administrative Assistant are, currently the Human Resources Department checks in all visitors in City Hall. The new change will be that visitors that are here for Human Resources or the Engineering Department will be directed by posted signs. All other visitors will be checking in with the Administrative Assistant located on the 3<sup>rd</sup> floor. Mrs. Balli continued with the Divisions' budget. There is an increase for the Payroll Specialist as there are additional steps that payroll is having to take, which is creating additional duties. In this Division, there is a new position for an Accounting Assistant and a new position for a part-time Help Desk that was approved. In supplies, there is an increase in supplies, Computers & Associated Equipment due to supplementals approved. In services there is an increase in software maintenance due to supplementals approved and subscriptions; there is a decrease in communications, professional services, printing & publishing, and training & travel. Approved supplementals for Division 1801 for fiscal year 21-22 are as followed: Approved salary increase for Payroll Specialist for \$3,266; approved salary increases for Administrative Assistant for \$1,184; new Accounting Assistant position for \$58,674; and new part-time Help Desk position for \$17,373. Approved supplementals for IT are as followed: Computer & Associated Equipment cabling & networking refresh for Fire for \$19,500; Computer & Associated Equipment ID software & equipment for Human Resources for \$3,000; Software Maintenance Firewall License & Support Increase for \$9,700; and Software Maintenance Human Resources System for Applicant Tracking for \$10,500.

**Municipal Court:**

Personnel changes include a 3% COLA with a \$2 per month per year of services longevity increase as well as some anniversary increases. There is also additional certification pay for the Municipal Court Supervisor. There is a decrease in supplies, professional services, and printing & publishing. No supplementals are approved for this division.

**Facilities Maintenance:** Charlie Sosa, Purchasing Manager

Personnel changes include employees are recorded in Utility Fund Division 8020. General fund submits 50% of personnel costs through a transfer to Utility Fund. There is an increase in supplies in uniforms due to the new boot reimbursement and a decrease in janitorial supplies and motor gas & oil. In services, there is an increase in communications, utilities, and laundry. As for repairs, there is a decrease in vehicle maintenance. Maintenance, there is a decrease in building maintenance, grounds, and permanent fixtures due to the prior year's one-time supplemental of \$10,500 for the concrete pad as the new Recycle Center. In Capital expenditures, there is a decrease in building due to prior year one-time supplementals of \$68,000 for building system replacements at the Fire Department and roof replacement at the Dr. Pepper Building. Supplementals approved for fiscal year 21-22, Laundry services for six employees for \$1,242 and in Building for a small conference room conversion for Police for \$5,000.

Mayor Fugate convened the meeting to a 25-minute break at 5:45 p.m. Mayor Fugate reconvened the meeting at 6:05 p.m.

**Police Department:** Ricardo Torres, Chief of Police

Kingsville Police Department has six divisions, Administration, Patrol, Communications, Criminal Investigations, Community Service, and Warrant Enforcement. The large budget and activity years are due to years where there were capital leases for Police Vehicles and the total capital lease had to be recorded in both revenues and expenditures. New vehicles have not been delivered due to the shortage of computer chips for the vehicles.

**Police Department - Administration Division:**

Personnel changes for this division include a 3% COLA increase with a \$2 per month per year of service longevity increase, as well as anniversary increases. Included are also new certifications for the Police Chief. In supplies, there is an increase for motor gas & oil, Minor Equipment, Computers & Associated Equipment. Supplementals approved for this division listed under Minor Equipment are three new office chairs for a total of \$800.

**Police Department - Patrol Division:**

Personnel changes for this division include a 3% COLA increase with a \$2 per month per year of service longevity increase and include anniversary increases. The position of a new police officer has been approved for the new fiscal year. In supplies, there is an increase in motor gas & oil and a decrease in lease due to capital leases budgeted last year and they are budgeted in the Tax Note Fund for FY 21-22. There is a decrease in the Capital line item due to last year's recordation of the capital lease. Chief Torres stated that supplemental approval for this division is a new police officer position for \$77,898, as there is growth to the Southwest of the City. The thought is to subdivide the city into four quadrants rather than three areas as it is currently. Chief Torres stated that for this, it would require two dispatchers for each sector. To fill one sector 24/7 would come to about 4.7 personnel.

**Police Department - Communications Division:**

Chief Torres commented that it has been a difficult time as this division is five personnel short. Out of fourteen dispatchers, he has asked for additional funds for the Communications Supervisor as she is working and willing to work additional hours to make things work in this division. Chief Torres continued with the Communications Division budget. Personnel changes for this division include a 3% COLA increase as well as a \$2 per month per year of service longevity increase. There are some anniversary increases included as well. Compensation plan increases for Telecommunicators and Lead Telecommunicators and a salary increase for Supervisor. There is additional certification pay in this division. The Division has a new telecommunicator position that was approved. In supplies, there is an increase in Minor Equipment and for services, there is an increase

in communications with a decrease in professional services. Supplementals approved are in personnel, Communications Supervisor salary increase for \$1,792 and new Telecommunicator position for \$60,349.

Commissioner Lopez and Commissioner Torres asked that if what is being asked is for one new position but has five unfilled positions? Chief Torres responded yes, and they are trying to fill in all the positions as they are all needed, but the problem is that they cannot hire enough people to fill those positions.

Commissioner Lopez asked if an exit interview has ever been done for those employees resigning as to why they are leaving their position. Chief Torres responded that the job is very stressful.

Mrs. Gonzales, Human Resources Director responded that some list on their exit interview that the job is very stressful. She further stated that in the compensation plan an increase was done in hopes to attract more individuals to apply and can pass a background check.

Commissioner Lopez commented that the city has increased the pay in the past, but it seems that now we have fewer employees for this position.

Chief Torres commented that this is not only a problem in Kingsville but also region-wide.

Mr. McLaughlin commented that the new compensation plan moves the telecommunicators from Class 8 up to Class 10, which will give about \$1.50 more per hour.

#### **Police Department - Criminal Investigations:**

Personnel changes for this division include a 3% COLA and \$2 per month per year of service longevity increase as well as some anniversary increases. The compensation plan has an increase for the Evidence Clerk. In supplies, there is a decrease in supplies, uniforms, minor equipment, computers & associated equipment with an increase in professional services due to approved supplemental and utilities. In repairs, there is an increase in equipment maintenance and a decrease in vehicle maintenance. Capital outlay increase in vehicle due to approved supplemental for the License Plate Reader System. Supplementals approved are in professional services for towing fees \$2,000 and in Vehicle for License Plate Reader System for \$10,665. Chief Torres commented that by state statute the police department must pay for tows. He further stated that his staff received training last week on the new LPR system which will be deployed on August 24, 2021. He further commented that he hopes that this will assist with monetary seizures.

Mayor Fugate commented that for years, when the Department of Public Safety made an arrest, they would give the individual an opportunity to call someone to pick up their car, instead of towing it. He further asked if this is something that the Kingsville Police Department does as well.

Chief Torres responded that on occasion if someone can be called quickly, they will do that, but the Kingsville Police Department is responsible for the vehicle until they turn it over, which is why they end up being towed.

Commissioner Torres asked if the offender gets charged the towing fee? Chief Torre's response was no.

#### **Police Department - Community Services:**

Personnel changes, employees were moved to Patrol Division 2102. Supplies have an increase in motor gas & oil and services has a decrease in utilities.

**Police Department – Warrants Enforcement Division:**

Personnel changes include an increase in certifications and an increase in supplies for motor gas & oil. Services have an increase in communications. Repairs have a decrease in vehicle maintenance. This division had no approve supplementals. Chief Torres commented that with the pandemic the jail is not taking city prisoners.

Commissioner Hinojosa asked if the city is still paying for the beds at the jail? Chief Torres responded that the city pays for seven beds at the jail as per contract which is all full.

**Fire Department:** Juan J. Adame, Fire Chief

The estimated decrease in revenues for Fiscal Year 20-21 is mainly due to the ambulance billing collection which was budgeted at \$620,000 and is estimated at \$444,000 and the capital lease of \$77,515 for the command vehicle was done through a tax note rather than a capital lease. Chief Adame commented that the command vehicle is on hold due to the shortage of computer chips. Personnel changes include 3% COLA with a \$2 per month per year of service longevity increase as well as anniversary increases. Other changes include two new Firefighter positions that were approved and upgrade the part-time Customer Service Representative to full-time. Supplies have an increase in uniforms and chemicals with a decrease in supplies and motor gas & oil. Services have an increase in professional services and credit card fees and a decrease in communications, training & travel, and utilities. Repairs have an increase in vehicle maintenance and Capital Outlay has a decrease in the prior year, the fire command vehicle was purchased using a tax note instead of a capital lease. Supplementals approved are the two firefighters for \$176,596, part-time customer service to full-time for \$36,771, uniforms set of NFPA approved PPE for \$2,800, six hazmat suits for \$3,500, PPE for two new firefighters for \$8,802, foam concentrate for \$2,500, and consultant for ISO Review for \$39,000. Chief Adame explained the ISO Review and stated that this is where the consultants come in and rate a city for public protection inspection. This inspection is a detailed inspection by grading the Fire Department, water distribution, dispatch, and how we interact with the community. This is a detailed inspection and at this time Kingsville is classified as a Class 5 City which is about the middle of the grading.

**Volunteer Fire Department:**

Personnel changes, increase in the unemployment rate. Supplies have a decrease in supplies. Services have an increase in memberships and a decrease in communications. Chief Adame commented that the Volunteer Fire Department is holding their own and the City Fire Department is grateful to have them in place.

Commissioner Torres asked that the PPE for Volunteer Fire Department, it is not needed? Chief Adame responded that he only outfits so many members per year and assigns them to those members that are active, therefore he is okay with what he has.

Commissioner Lopez commented that she is glad to see that there are two new firefighter positions for the upcoming fiscal year. She further commented that the city will eventually need a third Fire Station.

**Public Works:** Bill Donnell, Public Works Director

Personnel changes include 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increases. Increased part-time Administrative Assistant I to full-time and new certification for Director. In supplies, there is an increase in uniforms due to the new boot reimbursement and a decrease in motor gas & oil. In services, there is an increase in printing & publishing and a decrease in communications and professional services. Leases have an increase for copier leases. Supplementals approved are in

personnel to increase part-time Administrative Assistant I to full-time and in operating lease is the increase in copier lease.

Commissioner Lopez asked if currently there is only one full-time employee. Mr. Donnell responded yes. Commissioner Lopez further commented that in the past there were two full-time employees.

**Service Center:**

No personnel changes as there are no employees in this division. There is a decrease in supplies and services, there is an increase in communications with a decrease in utilities. No approved supplementals for the Service Center.

**Garage:**

Personnel changes include a 3% COLA and a \$2 per month per year of service longevity increase. There are some anniversary increases as well as compensation plan increases for Maintenance Techs, Lead Maintenance Tech, and Welder/Fabricator. There is an increase for the Supervisor and new certification for Supervisor. In supplies, there is an increase in uniforms due to new boot reimbursement and a decrease in minor equipment. In services, there is a decrease in communications, and in leases, there is an increase in copier leases. Capital Outlay has an increase due to approved supplemental. Supplementals approved for this division are a personnel salary increase for Supervisor \$7,705, Minor Equipment one-time 9,000 lb. jack for \$3,800, and Machinery & Equipment one-time 123 A/C Recovery Machine for \$6,000.

**Street:**

Personnel changes include 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increases. The compensation plan has an increase for Maintenance Workers and a salary increase for the Supervisor. Supplies have an increase in uniforms due to new boot reimbursement. Services have an increase in equipment rental, which is for the long-reach trackhoe to be used to clean Caesar ditch and any other equipment that may be needed while paving roads. There is a decrease in communications and utilities. Repairs have an increase in vehicle maintenance. Maintenance has a decrease in Street & Bridge, Signs & Signals, and drainage. Leases have an increase in street sweeper capital lease payment and Capital Outlay has a decrease in machinery and equipment due to the prior year's one-time supplemental. Supplementals approved for fiscal year 21-22, salary increase for Supervisor for \$4,379. Mr. Donnell commented that his list of proposed streets for the next fiscal year will be discussed with the Street Maintenance Fund 092. He also stated that the repair for equipment continues to increase every year as the street sweeper cost, at a minimum, \$25,000 every year in maintenance.

Commissioner Hinojosa asked what the life span was for a street sweeper. Mr. Donnell responded that it's about five years, as they have a lot of moving parts to it.

**Health Department:** Emilio Garcia, Health Director

Personnel changes include 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increases. Compensation plan increases for Animal Care Attendants, Customer Service Representative I, and Kennel Attendants. There is also new certification for Health Director. In supplies, there is an increase for motor gas & oil, and medical supplies-veterinary and a decrease in supplies, minor equipment, and animal care. In services, there is an increase in postage & freight, printing & publishing, and laundry with a decrease in communications, professional services, GPS, training & travel, utilities, and other services. Repairs have a decrease in equipment maintenance. Maintenance has a decrease in building maintenance. Supplementals approved for the upcoming fiscal year, medical supplies-veterinary flea & tick, parvo/distemper medications for \$6,445.

Commissioner Torres asked if the Health Department pays of a veterinarian. Mr. Garcia responded that the veterinarian gets paid for the services, so if the Health Department takes them an animal, then he gets paid for services.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:46 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

**AUGUST 17, 2021**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, AUGUST 17, 2021 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 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  
Uchechukwu Echeozo, Director of Planning & Development Services  
Deborah Balli, Finance Director  
Susan Ivy, Parks Director  
Rudy Mora, Engineer  
Bill Donnell, Public Works Director  
Ricardo Torres, Police Chief  
Juan J. Adame, Fire Chief  
Diana Gonzales, Director of Human Resources  
David Solis, Risk Manager  
Charlie Sosa, Purchasing Manager  
David Bodiford, Accounting Assistant  
Janine Reyes, Tourism Director  
Jennifer Bernal, Parks Manager  
Cameron Whittington, Water Construction Supervisor  
Mike Mora, Capital Improvements Manager  
Ruben Chapa, Golf Course Manager  
Arturo Perez, Garage Supervisor  
Emilio Garcia, Health Director  
Darrell Mills, Landfill Supervisor

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 4:00 p.m. with all five Commission members present.

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

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

**MINUTES OF PREVIOUS MEETING(S)**

None.

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

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, 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."*

Ms. Courtney Alvarez, City Attorney announced that there is a budget workshop scheduled for Monday, August 23, 2021 at 4:00 p.m. with the regular meeting to begin at 5:00 p.m. There is also a special meeting scheduled for September 7, 2021 at 5:00 p.m. where the public hearings and introduction of ordinances for both the tax rate and the budget will be heard. The tax rate and budget are being proposed to be adopted at the regular meeting scheduled for September 13, 2021.

Commissioner Hinojosa commented that during the budget workshop on Monday, August 16, 2021, he commented that he was against the new position for an Accounting Assistant. He further commented that after looking at it, it was only for one position and he is for the grant writer, but the duties will be split, the administrative assistant will do the Grant Works between the utility and general fund.

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

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)*

None.

##### **REGULAR AGENDA**

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

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

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

**Parks & Recreation:** Susan Ivy, Parks & Recreation Director

Mrs. Ivy explained how the Parks & Recreation revenues have decreased this past year. This is all due to the pandemic and the need to close the pool and no hall rentals.

Commissioner Hinojosa asked if the park's donation of \$42,000, is that an annual donation or is it a one-time donation? He further stated that the donation is for this year and asked if this was the donation from Falfurrias?

Mrs. Ivy responded no. A lot of their larger donations come from the Brookshire Foundation and members of our community. She further commented that they did receive about \$20,000 in donations as well as received donations from the league sponsors.

**Parks Administration:**

Personnel changes include 3% COLA and \$2 per month per year of service of longevity increase as well as anniversary increases. Compensation plan increase for Maintenance Workers. New certification for Parks Manager. In supplies, there is an increase in uniforms due to new boot reimbursements and a decrease in minor equipment. In services, there is a decrease in communications, professional services, and utilities. No supplementals were approved for the new fiscal year.

**Golf Course Maintenance:** Ruben Chapa, Golf Course Manager

Personnel changes include 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increases. Compensation plan increase for Equipment Operator, Foreman & Maintenance Workers. New certification for Equipment Operator. In supplies, there is an increase in uniforms due to new boot reimbursement, chemicals, fertilizer, motor gas & oil, and a decrease in irrigation supplies, pro shop supplies, and minor equipment. In services, there is an increase in communications, printing & publishing, and credit card fees and a decrease in professional services, equipment rent, state fees, utilities, and laundry. Repairs have a decrease in equipment maintenance. Maintenance has an increase in grounds & permanent fixtures. Leases have a decrease in Jacobsen Mower capital lease payment. Capital has a decrease due to the prior year's backhoe lease purchased through a tax note. There are no supplementals approved.

Commissioner Torres asked for the revenue amount for this past year. Mrs. Balli responded that the revenue amounts are \$369,750.00. Mrs. Ivy also responded that it is \$304,000 year-to-date, which is a cumulation of fees that are charged at the Golf Course.

Commissioner Hinojosa commented that this is probably due to the green fees which are at \$25,000.

Mr. McLaughlin commented that the green fees are doing well. He further stated that the projected amount is about \$345,000 at the end of this fiscal year with it budgeted at \$369,000 in revenues for next year.

Commissioner Hinojosa asked that on the year-to-date activities, is that up until April? Mr. McLaughlin responded that this is through a week ago.

Mayor Fugate convened the meeting to a 20-minute break at 5:25 p.m. Mayor Fugate reconvened the meeting at 5:43 p.m.

**Park Maintenance Fund :**

Personnel changes include a 3% COLA and \$2 per month per year of service longevity increase as well as anniversary increases. Compensation plan increase for Equipment Operators, Foreman & Maintenance Workers. New part-time Park Maintenance position approved. Supplies have an increase in uniforms due to the new boot reimbursement, and motor gas & oil, and a decrease in supplies for weed control chemicals, pesticide chemicals, medical supplies, and safety-first aid. Services have a decrease in communications, equipment rent, medical treatment, and advertising. Repairs have a decrease in equipment maintenance. Maintenance has a decrease in grounds and permanent fixtures, and various park accounts, which is due to some project rollovers from last year that were carried over from the previous year. Supplementals approved part-time maintenance worker position.

**Golf Course Pro Shop:**

Personnel changes include a 3% COLA increase and \$2 per month per year of service longevity increase as well as anniversary increases. Compensation plan increases for Pro Shop Attendants and the health plan has an increase due to staffing change of Golf Course Manager position. This division only records the personnel costs of the Golf Course Manager and Pro Shop employees.

**Parks Recreational Programs:**

Personnel changes include a 3% COLA increase and \$2 per month per year of service longevity increase as well as anniversary increases. Supplies have a decrease in uniforms and pool chemicals. Services have an increase in credit card discount fees. No supplementals are approved for this division.

Commissioner Torres asked that with regards to Park Recreational Programs it shows the expected annual of \$13,696.46 and only proposing the \$9,200?

Mrs. Ivy responded that the \$9,200 is their core budget that has been used for many years. She further stated that they get a lot of money that comes from donations every year, and this is where it is placed. This is where they pay for supplies and all that is needed to run their programs.

Commissioner Torres asked if that line item was being decreased? Mrs. Ivy responded that it is not being decreased, it's just going back to that amount to begin the new fiscal year, then amend it as donations are received.

**Softball League:**

Mrs. Ivy commented that last year was the first year that they went all the way through with the league. The year before registrations were done and tried to get the league started. But due to COVID-19 refunds for those registrations were made. Most of the money was refunded as some expenses had occurred such as equipment purchases and insurance. The amount that was refunded was 75% and gave all those people a discount this year of the 25% that didn't get back giving them a reduced fee for this year. This year the league registered 455 individuals.

Supplies have an increase in supplies and concession stands with a decrease in uniforms. Services have an increase in advertising. No supplementals approved.

**General Fund Transfers Out:** Deborah Balli, Finance Director

Transfer to Golf Course Maintenance Fund 026 for \$11,092. General Fund is required to send over 3% of budgeted Golf Course revenues for specific capital maintenance projects. Budget revenues are \$369,750 x 3% for a total of \$11,092.50. Transfer to Utility Fund 051 for 217,419.00. General Fund and Utility Fund share personnel costs for Facilities Division 1805, Public Works 3000, Engineering 8000, and the new accounting assistant in Finance. To keep from splitting employees in the Payroll System, Division 1805 employees are recorded in Utility Fund, Division 8000 employees are recorded in General Fund, Division 8000 employees are recorded in Utility Fund; 50% of 8000 Engineering Personnel costs in Utility Fund \$510,894 x 50% is \$255,447; 50% of 8020 Facilities Personnel Costs in utility fund \$152,744 x 50% is \$76,372.; Offset 50% of 3000 Public Works Personnel costs in general fund \$170,124 x 50% is \$85,062; and offset 50% of new Accounting Assistance in general fund \$58,676 x 50% is \$29,338. Transfer to Park Maintenance Fund 093 of \$25,000. This is an annual allocation to ensure that the general fund sets aside this specific amount for Park Maintenance-related projects. Transfer to Economic Development Fund 098 of \$270,000. The prior fiscal year of \$100,000 and this fiscal year, the general fund has transferred over this amount to assist the EDC with their efforts; \$10,000 for Retail Coach; \$5,000 Zac Tax Sales Tax Database; \$25,000 Business Development Staff; \$5,000 Economic Development Website; \$15,000 Housing and Retail Developer Recruiter; \$20,000 Housing Impact Studies; \$7,000 Community Marketing; \$5,000 Professional Development; and \$8,000 Economic Study. Estimated payments on the tax incentive agreements are \$170,000. Transfer to Public Works vehicle replacement fund 105 for \$10,000. This is an annual amount set aside to build up funding for vehicle replacements. Transfer to Police Department vehicle replacement fund 106 for \$10,000. This is also an annual amount set aside to build up funding for vehicle replacements. Transfer to Patrick Leahy Bulletproof Grant Fund 108 for \$9,585. This is a required grant cash match. Transfer to Tax Note Series 2022 fund 126 for \$125,280. This is for the estimated tax note payment for the following capital outlay purchases; Ford F250 Regular Cab for Code Compliance; three Chevy Tahoes for the Police Department; Pneumatic Roller for the Street Department; Excavator for the Street Department; and Bobcat Skid Steer for the Street Department.

**Building Security Fund 025:** Deborah Balli, Finance Director

This fund is used to purchase items related to building security for the Municipal Court. Revenues are generated from convictions and are part of the consolidated court fees. Fiscal year 21-22 estimated beginning fund balance is \$19,892. Budgeted revenues are \$14,500 and budgeted expenditures are \$0 for a fiscal year estimated ending fund balance of \$34,392. Mrs. Balli commented that if something comes along that is needed and staff isn't aware of a budget amendment can be done as there is a fund balance available. She further stated that the proposed revenue budget for fiscal years 21-22 is \$14,500.

**Golf Course Capital Maintenance Fund 026:** Ruben Chapa, Golf Course Manager

This fund is used to account for 3% of budgeted revenues at the Golf Course to be used on golf course capital maintenance. The fiscal year estimated beginning fund balance is \$11,834 with budgeted revenues of \$11,092. Budgeted expenditures are \$20,000 and the fiscal year estimated an ending fund balance of \$2,927. In fiscal year 19-20, there was a major greens maintenance project undertaken and the county contributed \$346,890 in funding. Expenditures for fiscal 21-22 were budgeted for \$20,000 as a placeholder. A specific project has not been identified at this time.

Mr. McLaughlin commented that this will be for the fairways. He further commented that he met with Golf Course Manager and Mrs. Ivy and looked at the current year's budget and early in the year they fund-balanced transferred \$120,000 from one of the Certificates of Obligation 033 and moved it into the Golf Course to make changes at the Golf Course.

**Solid Waste Capital Projects Fund 087:** Bill Donnell, Public Works Director

This fund is used to account for solid waste capital projects through transfers from the general fund. Fiscal year 21-22 estimated beginning fund balance is \$548,063. Budgeted revenues are \$574,200 with budgeted expenditures of \$793,030. Fiscal year estimated ending fund balance of \$330,232. Fiscal year estimated actuals budgeted is \$1,503,705 with activity of \$575,300. Fiscal year 20-21 budgeted revenues included \$930,000 for a capital lease for the garbage trucks which were then purchased through a tax note. Expenditures for fiscal years 21-22 were budgeted at \$793,030 versus \$1,425,450 for the last fiscal year. Annual budgets for rollouts and dumpsters replacement for \$71,900, vehicle maintenance \$77,000, alley and street maintenance for \$50,000, and the capital lease for the garbage trucks and articulated dump truck \$296,550. In the Capital lease, there was a decrease of \$930,000 due to the capital lease for the garbage trucks budgeted in fiscal year 20-21. Fiscal year 21-22 approved supplementals are a one-time dozer undercarriage rebuild for \$21,643 and a one-time excavator undercarriage rebuild for \$15,154. Transfer to general fund 001 is \$87,707 which includes John Deere Dozer final capital lease payment of \$68,308; dozer tractor & sprocket repair for \$5,549 and water truck repair for \$13,850. Transfer to Landfill Closure fund 090 of \$96,114.12. City Hall's payback payment continues through fiscal year 41-42. Transfer to tax note fund 126 for \$76,962 estimated payment on Wheeled Trash Compactor.

Mr. McLaughlin commented that the 2013 BoMag cost about \$40,000 to \$50,000 per motor per wheel for when the BoMag breaks down.

Commissioner Alvarez stated that for the supplemental requests, the machinery and equipment that were approved, are these the same items that total \$2,403,789.00? Mr. McLaughlin responded yes; this is what was requested but not approved.

Commissioner Torres asked there is a negative amount of \$217,830.12 and asked what this amount was negative.

Mr. Donnell commented that the importance of the compactor is second to our employees. When the compact is being used, it gets 1,200lbs per square yard, without it goes down to about 700lbs per square yard so we lose airspace almost at 50%. This shows how important this piece of equipment is to the life of the landfill.

Mrs. Balli explained that with regards to Commissioner Torre's question, the revenues that are being budgeted for next year are \$575,200 and budgeting expenditures of \$793,030 which gives you the negative amount of \$217,000. Balli further stated that there is a fund balance of \$548,063. This is how the fund balance goes from \$500,000 to \$300,000 as more expenditures are being budgeted rather than over revenues. She further stated that part of the fund balance is being used for this fund.

Commissioner Torres further asked if this was not a negative amount? Mr. McLaughlin responded that it is a negative if you compare revenues versus expenditures which we already have the money in the bank.

**Landfill Closures Fund 090:** Deborah Balli

This fund accounts for the funds needed when the landfill will incur closure and post-closure costs. Revenues are generated from a fee established to pay for these costs. For fiscal year 21-22 the estimated beginning fund balance of \$1,788,672 with budgeted revenues of \$369,164 and budgeted expenditures of \$200,000. Fiscal year estimated ending fund balance of \$1,957,836, and the fund will continue to grow. Mrs. Balli stated that by the time the landfill closes there will be enough money to cover the post-closure cost when that time comes. She further stated that the amount that is needed in the fund balance is calculated

by engineers and auditors which is based on how many years are left in the landfill and based on projections on what we think we need to have and how fast we need to get there.

Commissioner Hinojosa asked why the city has to have this fund. Is it a TCEQ requirement?

Ms. Alvarez responded that it is a TCEQ requirement as it is very expensive to close a landfill and even after it is closed you have to have your post-closure expenses and compliance requirements.

Mrs. Balli stated that there are some revenues generated from fees that are established to help pay for some of these costs. Revenue snapshot shows them between \$300,000 and what is proposed for next year's budget is \$273,000. Expenditures are budgeted for \$200,000 which is for a TCEQ Permit requirement.

Mr. Donnell explained the TCEQ Permit requirement by stating that this is for the second phase of the drainage project at the southwest end of the landfill where drainage is sent over where there is existing trash. It will need to be lined and create a swell through there so that drainage can flow through without penetrating the trash. This is calculated at 16,600 square feet at \$132,800. He further stated that there is a vent that needs to be installed for a cost of \$4,500 and then they would need to straighten the access road.

**General Fund Capital Projects Fund 091:**

This fund accounts for capital projects approved for each budget. The fiscal year estimated beginning fund balance is \$1,265. Budgeted revenues are \$1,228 with \$0 budgeted for expenditures. The fiscal year's estimated ending fund balance is \$2,494. If there is a need for this money, it can be moved back into the general fund as there are no requirements or restrictions on this money. The budgeted revenue comes from a transfer from CO Series 2016 Fund 033 as a way to close out that fund which is where the \$1,228 came from. There were no expenditures budgeted for this fund for fiscal years 21-22.

**Street Maintenance Fund 092:** Mark McLaughlin, City Manager

This fund accounts for the street maintenance fees collected from property owners. Expenditures for this fund are handled within this fund. Fiscal year 21-22 has a fee increase proposed. This fund was created in 2016 where property owners paid \$5 per month with commercial accounts being billed according to square footage and traffic count. This street user fee brings in about \$802,000 for street repairs for a year. For fiscal year 21-22 the estimated beginning fund balance is \$410,922 less budget amendment, which will be coming forward on August 23<sup>rd</sup>, to move \$140,000 to finish West Sage Road and the second course for Santa Gertrudis from the University to Highway 141 and also to chip seal 6<sup>th</sup> Street from Corral to Business 77. This will leave the funding balance at the end of this year with \$290,000. Budgeted revenues for the new fiscal year are \$1,075,373, with the increase to the Street User Fee, and budgeted expenditures at \$1,046,356. Fiscal year estimated ending fund balance of \$430,939 less budget amendment coming for \$140,000.

A street priority list was given to the Commission showing every street in the city. It shows how each street listed has been scored from a score of 100 being great to 0 being bad. This priority list is for fiscal year 21-22. The Street Priority list is published at the end of the minutes as "Exhibit A".

Mr. McLaughlin stated that there is a proposed fee increase included in the fiscal year 21-22 budget that includes; residential fees increase from \$5 to \$6 per month; Non-residential Tier 1A now divided into 3 tiers, Tier 1A at \$500 which includes 13 properties; Tier 1B at \$250 which include 13 properties; and Tier 1C at \$150 which include 4 properties. The current trip adjustment factor is a 90% discount and is proposed to go to 85%. Expenditures

for street work are budgeted at \$896,356. Budget transfers out occur annually for \$150,000 for reimbursement of payroll costs for the Street Construction Crew.

Commissioner Torres asked that for Santiago Lane, located inside Dick Kleberg Park, can Kleberg County assist with the cost of repairs for this street as it was used for the COVID-19 Vaccination clinic? Mr. McLaughlin commented that it is the city's to maintain as per the interlocal agreement where the city is responsible for the park and the park's maintenance which includes the road. Commissioner Torres further asked if any of the federal funding or state funds from COVID can be used for these repairs. Mr. McLaughlin responded no as streets don't qualify as infrastructure.

**Park Maintenance Fund 093:** Mrs. Susan Ivy, Parks & Recreation Manager

This fund accounts for specific park maintenance projects. The general fund annually sends over \$25,000 for this specific purpose. Fiscal year 21-22 estimated a beginning fund balance of \$43,785. Budget revenues are \$25,000 with expenditures of \$54,174. The estimated ending fund balance is \$14,611. The expenditures of \$54,174 comes from the following: minor equipment \$2,000; one-time concrete work on men's restroom \$5,000; one-time electricity pole replacement \$4,000; one-time plumbing upgrade pool restrooms \$5,000; one-time posts & cables for all parks \$12,674; permanent engineered wood fiber for playgrounds \$10,000, which is required to be kept at a certain height; permanent pool & skate park repairs \$5,000; and red dirt for ball fields \$10,500.

**Vehicle Replacement Fire Fund 097:** Juan J. Adame, Fire Chief

This fund is used to accumulate funds for future vehicle purchases for the Fire Department. Fiscal year 21-22 estimated beginning fund balance is \$170,628. Budgeted revenues and budgeted expenditures are \$0. The fiscal year's estimated ending fund balance is \$170,628. Chief Adame commented that this will allow the city to look at vehicles and see if there are any issues with the equipment. It will also allow us to look at what grants are available. Chief Adame stated that in fiscal year 18-19, revenues came partially through the Ambulance Supplemental Grant Program. He further stated that he was supposed to be able to apply again in fiscal year 19-20, but there was some change to the program.

**Economic Development Fund 098:** Mark McLaughlin, City Manager

This fund accounts for the revenues and expenditures related to economic development. Fiscal year 21-22 estimated beginning fund balance is \$33,063. This fund relates to how we have to fund all the different programs in the EDC that transfer out to the general fund and also pays incentive agreements. Budgeted revenues are \$376,000 with budgeted expenditures of \$360,000. The fiscal year's estimated ending fund balance is \$49,063. There are no major changes other than in services where there is an increase in Estimated Tax Incentive Payments. There is a decrease in allocation to the insurance fund. Funds are not having to send in their share of an additional contribution due to the health insurance fund balance.

**Vehicle Replacement Police Fund 105:** Mark McLaughlin, City Manager

This fund is used to accumulate funds for future vehicle replacements for the Police Department which are received through general fund transfers. For fiscal years 21-22, the estimated beginning fund balance is \$10,000. Budgeted revenues are \$10,000 with budgeted expenditures at \$0. The fiscal year's estimated ending fund balance is \$20,000. This fund was started last year with Police and Public Works. Fire Department already had this fund going. This is a way to start building funds for future vehicle purchases. In this fund, it has revenues of \$10,000 for next year. This fund has only existed for 2 years and has an estimated fund balance of \$20,000. The general fund will continue to make an annual transfer of \$10,000. It will continue to build up until there is enough funding to purchase vehicles. Mr. McLaughlin commented that he has the tax note proposed for the

three police vehicles and as the year goes on, he will address it with the Police Chief and see if there is a way to get the motorcycles back in.

**Vehicle Replacement Public Works Fund 106:**

This fund is used to accumulate funds for future vehicle replacements for the Public Works Departments. Fiscal year 21-22 estimated beginning fund balance of \$10,000. The fiscal year's estimated ending fund balance is \$25,261. Revenues for next year \$10,000. This fund has only existed for 2 years and has an estimated fund balance of \$25,261. The general fund will continue to make an annual transfer of \$10,000. These funds will continue to build up until there is enough funding to purchase vehicles.

**Tax Note Series 2021 Fund 115:** Deborah Balli, Finance Director

This fund was used to account for tax note proceeds used to purchase the fiscal year 2021 capital outlay of police vehicles, fire command vehicles, garbage trucks, and gold course backhoe. This fund still has a fund balance due to the status of the garbage trucks. Once all purchases have been completed, this fund will be closed. Fiscal year 21-2 estimated beginning fund balance is \$466,301. Budget revenues and expenditures are \$0. The fiscal year's estimated ending fund balance is \$466,301.

**Property Tax Reserve Fund 120:** Mark McLaughlin, City Manager

This fund is used to accumulate funds to be used to address future budget shortfalls. Funds are transferred from the general fund based on a calculation that is part of the tax rate. The fiscal year estimated beginning fund balance is \$351,435. Budgeted revenues are \$79,885, which is done from previous years as the proposed rate is \$.84 and this fund adds the difference between a baseline of \$.83 and the adopted rate. Budgeted expenditures are \$0. The estimated ending fund balance is \$431,320.

**ARP State & Local Fiscal Recovery Fund 121:**

This is a new fund for the City. The State was to request funding on August 6, 2021, with TDEM. This is a stimulus package that allows for certain types of projects and the City of Kingsville is on track to receive a share of this package. The fiscal year 21-22 budget was based on the initial allocation of half the total amount of \$5.52 million, but we found an updated amount on the TDEM website of \$6.2 million which includes an additional \$752,000 allocated. The amount of money that was entered into the budget is a holding place until specific projects or programs are identified. Fiscal year 21-22 estimated beginning fund balance is \$0. Budgeted revenues are \$2,776,000 with budgeted expenditure is \$544,505. Estimated ending fund balance is \$2,231,495. Mr. McLaughlin stated that the city has three years to spend the ARP money.

Commissioner Alvarez asked if the ARP money has restrictions on how it can be used.

Mr. McLaughlin responded yes, there are certain things that money can be spent on, loss revenue, loss of wages for COVID related reasons, COVID related cost, and infrastructure which is defined as only water, wastewater, and broadband. He further stated that there is a lot of economic incentives that deal with business development, loans, and grants. He further stated that staff has already been thinking about how to put this money to use. Revenues of \$2,776,000 which is 50% of the initial \$5.52 million are budgeted as a holding place. It is anticipated to use these funds for an Economic Development program and or a broadband infrastructure program depending on priorities set by the Commission. Mr. McLaughlin further stated that some of the proposed ideas, which pass the criteria for use of ARP money.



Commissioner Hinojosa asked if this money was to be directly deposited into the city's bank account with no pass-thru through anybody else?

Mr. McLaughlin responded that it will go through TDEM which is the Texas Division of Emergency Management.

Commissioner Hinojosa further asked if the money would go straight to the city's bank account. Mr. McLaughlin responded yes.

Mr. McLaughlin continued with his presentation. He stated that some of the expenditures of the ARP money include a new computer for Building Official & Planning Department for Software which qualifies as an expenditure through ARP money; \$500,000 Economic Development Grant Program which is the same as the current fund of 202 for the Façade Grant Program. Fund 202 will be going away and with the new Economic Development Grant Program will come new guidelines and applications that will require Commission's approval. Also proposed is \$114,224 for back pay hazardous duty pay for city employees from January through March 2021. The hazardous duty pay is not included in the total of \$544,505, as it was just thought of after the slides were made. Mr. McLaughlin further stated that there are two more fundings that he is not aware of the cost at this time. One is the funding to match with the County for a jobs creation program with Coastal Bend Collect for jet engine mechanics. This will assist Naval Air Station-Kingsville in keeping engine mechanics employed with our base and keep the jets up. The cost for this program is to be determined, although Rolls Royce has already designated some of the engines for the program. There is also funding, which is to be determined, for the engineering study and potential loan match for Wastewater Treatment Plant upgrades, which is the Garver Study.

Mayor Fugate commented that the program with Coastal Bend College is critical.

**Economic Development Grant Program Fund 123:**

This fund has been created to record and manage the economic development grant program that is proposed using ARP funding once priorities have been established by the City Commission. The fiscal year estimated beginning fund balance is \$0. Budgeted revenues are \$500,000 with budgeted expenditures of \$500,000. Fiscal year estimated ending fund balance of \$0.

**General Fund Tax Note Series 2022 Fund 126:** Deborah Balli, Finance Director

This fund is used to account for the tax note proceeds used to acquire the fiscal year 21-22 capital outlay purchases from the general fund of the three police vehicles, Bobcat Skid Steer, Excavator, Pneumatic Roller, Wheeled Trash Compactor, and Ford F250 Regular Cab truck for Code Compliance. The estimated beginning fund balance is \$0, as it is a new fund. Budgeted revenues are \$1,477,722 with budgeted expenditures of \$1,477,722 leaving an estimated ending fund balance of \$0. Revenue of \$1,477,722 includes note proceeds of \$1,275,480; transfer from the general fund of \$125,280 for estimated note payments from all items listed mentioned except for the Wheeled Trash Compactor. Transfer from Solid Waste Capital Projects of \$76,962 for the estimated note payment on the Wheeled Trash Compactor. The expenditures are the estimated costs of the approved capital outlay supplementals. Vehicle estimated cost of \$25,639 for the F250 Regular Cab Truck; Machinery/Equipment estimated cost of \$485,382 for the Caterpillar Wheeled Compactor for the landfill; Vehicle estimated cost of \$193,199 for the three police vehicles to replace the three 2008 vehicles, which are the oldest in the inventory; Machinery/Equipment estimated cost of \$571,260 for the Skid Steer, Excavator and Pneumatic Roller for the Street Department; and principle and interest estimated note payments of \$202,242. Mrs. Balli stated that all amounts are only an estimate.

**CO Series 2016 Fund 033:**

This fund is used to account for the transactions of the CO Series 2016. This fund will be closed in fiscal year 21-22. Fiscal year 21-22 estimated beginning fund balance \$1,128. Budgeted revenue is \$100 with budgeted expenditures of \$1,228. Fiscal year ending fund balance \$0.

**CO Series 2013 (Streets) Fund 067:**

This fund is for Streets. Fiscal year 21-22 estimated beginning fund balance \$29,017. Budgeted revenues \$0. Budgeted expenditures \$29,017 which will transfer to fund 092 Street Maintenance Fund to close out the fund. Fiscal year estimated ending fund balance \$0.

**General Obligation (G.O.) Debt Service Fund 011:**

This fund is used to account for the payment of the general fund debt service. Revenues are generated from the I&S portion of the Ad Valorem Taxes. Fiscal year 21-22 estimated beginning fund balance \$400,044. Budgeted revenues \$1,667,096 and budgeted expenditures \$1,602,249. Fiscal year estimated ending fund balance \$464,891. Fiscal year 19-20 activity was substantially higher than budgeted due to a bond refunding that occurred mid-year, which was not known when the budget was adopted. Market conditions became favorable for this refunding. The additional revenues were the bond proceeds of the refund. Expenditures for the debt service payments for the outstanding tax-supported bond issues for the general fund and include 2013 CO Series; 2016 CO Series; 2020 Limited Tax Refunding Series; 2021 Limited Tax Refunding Series; 2021 Tax Note Series; and Paying Agent Fees which incur when we did the actual payments.

**Tourism Fund 002:** Janine Reyes, Tourism Director

Revenues are received from Hotel Motel Occupancy Taxes and expenditures are spent based on State guidelines. Fiscal year 21-22 estimated beginning fund balance \$440,385. Budgeted revenues \$638,650 with budgeted expenditures \$698,898. Fiscal year estimated ending fund balance \$380,137. For the fiscal year the estimated actuals at \$552,836. Personnel changes in this fund include a 3% COLA and \$2 per month per year of service longevity increase as well as some anniversary increases. Special Events/Downtown upgraded to exempt Class 8 and part-time Maintenance Worker, which was not utilized, changed to part-time Customer Services Representative II. Supplies have an increase in supplies, uniforms, merchandise cost of goods sold. Services have an increase in professional services, special events & festivals, printing & publishing, training & travel, and memberships & dues. Services have a decrease in communications, contractual services, utilities, advertising, and museums. Maintenance has an increase in sign wayfinding, grounds & permanent fixtures with a decrease in an operating lease. Leases have a decrease in operating lease. Capital outlay has an increase in building. Supplemental approved, Maintenance in Sign Wayfinding one-time additional signs for \$20,492; Maintenance grounds & permanent fixtures one-time AC Repairs \$11,000; Maintenance grounds & permanent fixtures one-time garage door & dormers \$29,282; and capital outlay, building, one-time parking lot for Visitor Center \$150,000. Ms. Reyes commented that the one-time AC Repairs and the one-time garage door & dormers are for the Train Depot. Transfers to fund 001 of \$35,000, an annual allocation which takes care of administration services by divisions such as City Manager, Finance, Human Resources, IT, Facilities, etc.

Commissioner Alvarez asked if the revenues are projected at \$638,000 with expenditures of \$698,000, how can this be? Ms. Reyes responded that this is the capital outlay where they will be using part of the fund balance which will cover upgrades to the parking lot and fix the depot as well as keep the department going for the year.

Commissioner Torres asked if the expenditures include the new position? Ms. Reyes responded yes.

**JK Northway EDA Fund 203:** Mark McLaughlin

This fund has had no activity this year but should pick up this next year. Mr. McLaughlin further stated that he has reminded the County Judge that for any of the EDA Grant expenditures, the city is in at \$557,000 balance of committed funds, the city will need to see what those expenses are and have them approved by the City Commission.

Commissioner Hinojosa commented that he hopes that the City Commission does not approve them until the State approves those expenditures.

**PD State Seizure Fund 005:** Ricardo Torres, Police Chief

This fund is used to account for revenues and expenditures resulting from State seizure awards. Fiscal year 21-22 estimated beginning fund balance is \$883,319. Budgeted revenues are \$1,200 with estimated expenditures of \$356,343. Fiscal year ending fund balance of \$528,176. Chief Torres stated that due to the grants received they have to pay for licensing which totals to about \$150,000. He also stated that they recently received 55 body cameras to replace the current body cameras which was a lengthy process with the Department of Justice to get those. Changes in this fund include an increase in supplies for minor equipment, and computers & association equipment. Services have an increase in professional services and subscriptions. Capital has a decrease in building due to prior year supplemental for weight equipment.

Mayor Fugate asked if anything was pending with the District Attorney's Office Chief Torres responded no, but they have had a seizure of \$280,000 and are waiting to be awarded.

Commissioner Alvarez asked for the status of the canopy.

Mr. McLaughlin responded that the initial estimates came in at \$275,000 which will be all general fund, so therefore it is being postponed.

Commissioner Alvarez then asked if the seizure money could be used for this?

Chief Torres responded yes, but they are so low on funds at this time that they are being very frugal. He further stated that this is something that is needed as one vehicle costs about \$63,000, fully equipped.

Mr. McLaughlin stated that as the fund balance grows through the year in the general fund a budget amendment will be brought for approval, not for all vehicles, but for some, try to do a bit at a time.

Commissioner Torres asked with regards to subscriptions, does this refer to licenses?

Chief Torres responded that it includes licenses and software subscriptions.

**PD Federal Seizure Fund 028:**

This fund is used to account for revenues and expenditures resulting from federal seizure awards. Fiscal year 21-22 estimated beginning fund balance is \$111,266. Budgeted revenues are \$75 with budgeted expenditures of \$30,000, which comes from impressed funds used for undercover operations. The fiscal year's estimated ending fund balance is \$81,341.

Commissioner Hinojosa asked if yearly audits are performed on the federal seizure fund?

Chief Torres responded that occasionally they are done, but not enough where it has been an issue for the Police Department.

**Municipal Court Technology Fund 031:** Deborah Balli, Finance Director

This fund is used to provide for the technology needs of the Municipal Court. Revenues are generated from consolidated court fees. Fiscal years 21-22 estimated a beginning fund balance of \$40,779. Budget revenues are \$13,000 with expenditures are \$8,900. Fiscal year estimated ending fund balance of \$44,879. Expenditures of \$8,900 for professional services for notification calls and copier lease for Municipal Court.

Mr. McLaughlin commented that this fund had a larger expense this year but hasn't done it, therefore we will be carrying over a sizable fund balance that wasn't spent this year.

**Law Enforcement Off Stand Fire Fund 010:** Juan J. Adame, Fire Chief

This is a small fund awarded to the Fire Department. The fund is used to record the allocation from Law Enforcement Officer Standards and Education. A fund must be used to ensure the continuing education of personnel or to provide necessary training as determined by the agency head. The fiscal year estimated beginning fund balance is \$0. Budgeted revenues are \$2,656 with budgeted expenditures of \$2,656 leaving the fiscal year estimated fund balance \$0. Chief Adame stated that a determination of how it will be spent will be made.

Mr. McLaughlin asked if this could be used for the basic TCOLE license for the Fire Marshall. Chief Adame responded yes.

**Stonegarden Fund 016:** Ricardo Torres, Police Chief

This fund is used to account for the Operation Stonegarden grant. This is a year-to-year grant that is in conjunction with Kleberg County. The amount received can range from \$90,000 to \$170,000 in overtime funds. Torres further stated that there is an extra \$62,000 for vehicles. For the last three years, they have been able to fund an additional four units. One unit is on order at this time along with the other police units, but due to a shortage of computer chips, the delivery of units is delayed. Chief Torres further stated that he also has fund 009 which brings in about \$3,200 from the Comptroller's Office for training such as the Police I Academy. Chief Torres stated that the police department currently has an application for Operation Border Star where they have applied for \$78,000. This grant has not been awarded yet.

The fiscal year estimated beginning fund balance is \$0. Budgeted revenues are \$90,000 with budgeted expenditures at \$90,000 leaving an estimated ending fund balance of \$0. Revenues of \$90,000 from grant funding award. Expenditures of \$90,000 for overtime and associated benefits of \$28,000 and vehicle for \$62,000.

**Texas Parks & Wildlife Grant Fund 094:** Susan Ivy, Parks & Recreation Director

This fund is used to account for the Texas Parks & Wildlife Grant for improvements to Dick Kleberg Park and includes playgrounds, interpretive signage/kiosks, sensory garden, and wheelchair maze, picnic tables and shelters, exercise equipment, ballfield renovations, multipurpose field renovations, and grant signage. The fiscal year estimated beginning fund balance is \$0. Budgeted revenues are \$265,968 with budgeted expenditures of \$265,968 leaving an estimated ending fund balance of \$0. Mrs. Ivy stated that she is hoping to close out this grant next year. The deadline for closure is the end of June 2022. She further stated that they have completed 74% of the projects in the grant. Most of this money went in for the shade structure over the playground at Dick Kleberg Park for a cost of \$149,000 of the \$448,000 grant. The renovation of the ball fields is almost complete for a budget of

\$176,000. Irrigation at the multi-purpose soccer/football field will be put in as well as the purchase of picnic tables. There is also a circle of exercise equipment that will be purchased which will be placed in the playground area. There will be shelters around the trail installed and some permanent signage that is required at the end of the grant. Those projects will be completed by March or April of 2022.

Commissioner Torres asked what is the D. Lopez history of baseball?

Mrs. Ivy responded that D. Lopez is for Donovan Lopez who wrote a book about the King Ranch Baseball Team that was in Kingsville many years ago. He is contributing photos and history to the Kiosk that will be located near the baseball fields.

**Nat'l Trust for Historic Preservation Grant Fund 095:** Deborah Balli Finance Director  
In fiscal year 18-19, the city received a CLG grant for \$20,000 that had a \$20,000 cash match requirement for the design guidelines of the local historic district. In fiscal year 18-19, the National Trust for Historic preservation granted the city \$5,000 to be applied to the \$20,000 cash match of the CLG grant. Both grants have been completed and this transfer needs to be done to close out this fund. Fiscal year 21-22 estimated beginning fund balance is \$5,000. Budgeted revenues are \$0 with budgeted expenditures at \$5,000 which will transfer to the general fund to close this fund. The fiscal year ending fund balance will be \$0.

With this being the last fund presented for this workshop, Mr. McLaughlin mentioned the upcoming funds for the next budget workshop scheduled for August 23, 2021.

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

There being no further business to come before the City Commission, the meeting was adjourned at 6:40 P.M.

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Sam R. Fugate, Mayor

#### **ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**



The Kingsville Chamber of Commerce welcomed Peyton's Café and Catering with a ribbon cutting on Friday and also held their grand opening on Monday. They are located in Sundial Plaza, 1036 S. 14th St. Dine in, carry out or use their drive-through-call ahead only option. For to go or drive through orders, call (361) 221-2410. (Courtesy Photo)

## Health department inspection scores remain high

By TERRY FITZWATER  
PUBLISHER

The City of Kingsville Health Department recently released the inspection scores of area business establishments conducted during the weeks of July 26 through Aug. 6, and the grades continued to remain high. Scores of the 17 establishments inspected ranged from a perfect score of 100 to a low of 88, which is still a "B+" on the inspection score rating system.

Scores of 90-100 are considered "A", while scores from 80 to 89 are considered "B". Scores below 60 are failures.

Five area businesses recorded perfect 100's in the latest inspection report. The businesses receiving a perfect 100 were: Greg's Short Stop, Valero Corner Store, Walgreens, Kwik Pantry on Corral and The Party Barn.

The Vibe just missed a 100 rating by one point, checking in with a 99.

Chili's was also near

the top with a 98, followed by El Pastel Bakery, Murphy USA and Church's Fried Chicken with 97's. Five other businesses received scores in the 90's led by Dollar General on West King Street (95), Dollar General on South 14th and Family Dollar (94), The Fisherman's Market (93) and Sunny Mini Mart #2 (91).

Two businesses received scores in the high 80's, Chop Stix with an 89 and Dollar General on South 14th with an 88.

## Pan American School giving full tuition to two students

By LAURA NEWMAN  
REPORTER

Presbyterian Pan American School is seeking two economically disadvantaged students to join the school on a Pathways Scholar Program.

The students chosen will receive a full tuition scholarship for three to four years.

The scholarship will be awarded to two students who come from an economically challenged background and who are in need of a nurturing environment.

President and Head of School Dr. Gordon A. Govens shared his enthusiasm and story as to why this program means so much to him.

"I was that kid," Govens said. Govens grew up in the intercity of Philadelphia where he was always surrounded by danger and was poor.

Govens said he was a "latchkey kid" and would often times be alone after school until 8 or 9 p.m. because his mom and his stepdad had to work.

However, his entire trajectory of life changed when one of his fifth-grade teachers told him she saw something in him. He said his teacher helped him get into a better school in Downtown Philadelphia—the same one Will Smith went to.

He said when he went there, he was able to experience different kids and cultures. He wanted

to aspire to be something better.

He wants to be able to transform other student's lives in a certain way and change their trajectory through the Pathways

family—that is well deserved," Govens said.

Govens said the goal is to mentor students throughout the pathways program, help them get into college, and mentor them throughout college.

He said the ultimate goal would be to see these students come back to Kingsville after college and play a leadership role here.

Through the Pathways Scholar Program, Govens said students can expect to gain public speaking skills, confidence and embrace the Bible.

Govens said he has put in for a grant to allow these students to take missions into the community and help the students form themselves through service.

The grant will help to fund gas, lodging and other expenses. Govens said one place he would like to take students is into local assisted living homes to share worship services with them.

Govens said he and his wife Reverend Ruth-Aimée Belonni-Rosario Govens try to create a nurturing environment for these students.

They do not have any children so they treat all of them as if they are theirs and the children view them as their parents away from home.

They also said running the school together had a bigger impact on the community than they expected.

"We didn't know we would have the kind of impact on the community that we did as a married couple," Govens said.

Govens said they hand out their personal cell phone numbers to each student's parents and communicate with them often.

Children on the pathways program will have a unique experience, because they will be closer to their family than the majority of the other students.

Those who qualify for this program and are interested in receiving free tuition for three to four years should contact Presbyterian Pan American School at (361) 592-4307.



### NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.84000 per \$100 valuation has been proposed by the governing body of CITY OF KINGSVILLE.

|                         |                     |
|-------------------------|---------------------|
| PROPOSED TAX RATE       | \$0.84000 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 September 7, 2021 AT 5:00 pm AT Helen Kleberg Groves Community Room located inside City Hall, 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 Tax Assessor/Collector 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: Mayor Sam Fugate, Commissioner Hector Hinojosa, Commissioner Norma Alvarez, Commissioner Edna Lopez, Commissioner Ann Marie Torres

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 homesteaded by CITY OF KINGSVILLE last year to the taxes proposed to be imposed on the average residence homesteaded by CITY OF KINGSVILLE this year.

|                                     | 2020        | 2021        | Change                            |
|-------------------------------------|-------------|-------------|-----------------------------------|
| Total tax rate (per \$100 of value) | \$0.85208   | \$0.84000   | decrease of \$-0.01208, or -1.42% |
| Average homestead taxable value     | \$90,548    | \$97,003    | increase of \$6,455, or 7.13%     |
| Tax on average homestead            | \$771.54    | \$814.83    | increase of \$43.29, or 5.61%     |
| Total tax levy on all properties    | \$7,700,711 | \$8,151,500 | increase of \$450,789, or 5.84%   |

For assistance with tax calculations, please contact the tax assessor for CITY OF KINGSVILLE at 361-595-8542 or vvvaldez@co.kleberg.tx.us, or visit co.kleberg.tx.us for more information.

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or call 574-642-2023

### PUBLIC NOTICE

The City Commission will meet on Monday September 13, 2021 at 5:00 P.M. The following items are set for public hearing and discussion and / or action:

Request to condemn the unsafe structures located at:

123 N 2ND  
1247 E KLEBERG  
301 E RICHARD  
527 E ALICE  
401 W MESQUITE  
802 E MESQUITE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room.

If you have any questions about the items on agenda, please contact the Building Department at (361) 595-8019 or (361) 595-8020.



# **PUBLIC HEARING #2**

# CLASSIFIEDS

Thursday, August 19, 2021  
www.kingsvillerecord.com

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## 2 PUBLIC NOTICES

## 2 PUBLIC NOTICES

## 2 PUBLIC NOTICES

## 2 PUBLIC NOTICES

## 2 PUBLIC NOTICES

## 2 PUBLIC NOTICES

### NOTICE OF PUBLIC HEARING ON BUDGET

Notice is hereby given that a Public Hearing on the proposed City of Kingsville Budget for Fiscal Year 2021-2022 will be held on Tuesday, September 7, 2021, at 5:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 West King Avenue, Kingsville, Texas.

Using the proposed tax rate, which is the rate the budget is based on, this budget will raise more total property taxes than last year's budget by \$390,798 or 5.04%, and of that amount \$78,276 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 14, 2021, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

**ORDINANCE NO. 2021-44**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS AMENDING 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 5, LOTS 15-28; PENNY, BLOCK 2, LOTS 22-42; RONNING 2, BLOCK 3, LOTS 1-5; 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 15th & 17th Sts.)  
INTRODUCED on this the 26 day of July 2021

PASSED AND APPROVED on this 9th day of August 2021  
EFFECTIVE DATE: August 30, 2021

**ORDINANCE NO. 2021-45**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND GRANT FUNDING FROM THE ED RACHAL FOUNDATION GRANT FOR POLICE DEPARTMENT EQUIPMENT. INTRODUCED on this the 26 day of July 2021  
PASSED AND APPROVED on this 9th day of August 2021  
EFFECTIVE DATE: August 30, 2021

**ORDINANCE NO. 2021-46**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS AMENDING CODE OF ORDINANCES CHAPTER 10-ADMINISTRATION; PROVIDING FOR REVISION OF ARTICLE 1-CITY COMMISSION, SECTION 10-A-GENDA, TO PROVIDE FOR ELECTRON-

IC SUBMISSION OF COMMENTS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION. INTRODUCED on this the 26 day of July 2021  
PASSED AND APPROVED on this 9th day of August 2021  
EFFECTIVE DATE: August 30, 2021

### SHERIFF'S SALE

State of Texas  
County of Kleberg  
By virtue of a Writ of Execution issued out of the 79th Judicial District Court, Jim Wells County, Texas, on the 3rd day of May, 2021, and Writ of Venditioni Exponas issued on the 30th day of July, 2021 by the Clerk thereof in the case of First Community Bank vs. William M. Cherry, William M. Cherry and Amanda S. Cherry Cause No. 07-05-45890-CV, and to me, as Sheriff of Kleberg County, Texas, directed and delivered, I will proceed to sell for cash, at 2:00 o'clock p.m., on the 7th day of September, 2021, at the West entrance of the Kleberg County Courthouse, Kleberg County, Texas, the real property of William M. Cherry described as follows: Being a 6 acre tract (more or less) out of Farm Lots (6) & Ten (10), Section Three (3), Kleberg Town and Improvement Company's Subdivision, as per Envelope 18, Plat Cabinet I, Kleberg County Plat Records, Kleberg County, Texas, as further described in the Warranty Deed from Roscoe Dale Walker to William Cherry recorded at File No. 286185, and in Vol. 447, Page 501, Official Records, Kleberg County, Texas (the "Property"). Levied on the 28th day of May, 2021 at 11:15 o'clock a.m., as the property of William M. Cherry, to satisfy a Judgment amounting to \$90,361.18 in favor of First Community Bank, plus all costs of suit, interest accruing after July 28, 2007, and subject to any and all liens, mortgages and encumbrances, dated at

Kingsville, Texas this 3rd day of August, 2021.  
Richard Kirkpatrick, Sheriff  
Kleberg County, Texas  
By: Joseph K. Connor  
By: Joseph Connor, Deputy  
Kleberg County Sheriff's Office  
1500 E. King Ave.  
Kingsville, TX 78363  
(361) 516-0845

**INVITATION TO OFFERORS**  
Project: Various Improvement Projects, George West Independent School District, George West, Texas  
Deadline for receipt of the sealed bid proposal: August 19, 2021 at 3:00 P.M. CST.  
Construction manager at risk: Rusty Van Fleet Construction, Inc., P.O. Box 5101, Kingsville, TX 78364, Phone: (361) 516-1034 / (M) (361) 877-6595 / (F) (361) 516-1035, Email: K.vanfleet@sbcglobal.net  
Sealed bid proposals for the above project will be received by Rusty Van Fleet, President of Rusty Van Fleet Construction Inc., located at P.O. Box 5101, Kingsville, TX 78364.

All sealed bid proposals must be on a lump sum basis including General Contract. Sealed bid proposals received after the required time will not be accepted.  
Contract documents may be examined at: Rusty Van Fleet Construction, Inc., Phone: (361) 516-1034  
The CMAR reserves the right to hold all proposals for 30 days from date of receipt without action, to reject any and all proposals, to waive irregularities, and to require statements or evidence of offerors qualifications, including financial statements.

**NOTICE TO CREDITORS**  
Notice is hereby given that original Letters Testamentary for the Estate of JOHN J. DELIMATA, Deceased, were issued on August 5, 2021 under Cause No. PR05317 in the County Court of Kleberg County, Texas to LUCY ZYCHER.  
All having claims against this Estate which is currently being

administered are required to present them within the time and in the manner prescribed by law.

Claims may be presented to the Estate of JOHN J. DELIMATA, Deceased in care of the below-named attorney.  
Dated: 8/16/21  
R. Lee Murphy, Jr.  
Attorney at Law  
P.O. Box 1538  
Kingsville, Texas 78364  
Telephone: (361) 592-9361

### NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of SANDRA LEE REXROAT, Deceased, were issued on July 27, 2021 under Cause No. PR05316 in the County Court of Kleberg County, Texas to AMY O'NEILL.  
All having claims against this Estate which is currently being administered are required to present them within the time and in the manner prescribed by law.

Claims may be presented to the Estate of SANDRA LEE REXROAT, Deceased in care of the below-named attorney.  
Dated: 8/16/21  
R. Lee Murphy, Jr.  
Attorney at Law  
P.O. Box 1538  
Kingsville, Texas 78364  
Telephone: (361) 592-9361

### NOTICE OF PUBLIC SALE

Self-Storage Cube contains of the following customers containing household and other goods will be sold for cash by CubeSmart, 1600 East General Cavazos Blvd., Kingsville, TX 78363 to satisfy a Lien on September 3, 2021 at approximately 9:30 AM at www.storageasures.com.

Tammy Smith, Georgina Gonzales, Jose Lee Canales III, Cody J. Blaglow

**ORDINANCE NO. 2021-47**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS

AS AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR MEDICAL SUPPLIES.  
INTRODUCED on this the 9th day of August 2021  
PASSED AND APPROVED on this 16th day of August 2021  
EFFECTIVE DATE: September 5, 2021

**ORDINANCE NO. 2021-48**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS 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 PART-TIME; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION. INTRODUCED on this the 9th day of August 2021  
PASSED AND APPROVED on this 16th day of August 2021  
EFFECTIVE DATE: September 5, 2021

**ORDINANCE NO. 2021-49**  
AN ORDINANCE OF THE CITY OF KINGSVILLE, TEXAS AMENDING THE CODE OF ORDINANCES CHAPTER 10-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. INTRODUCED on this the 9th day of August 2021  
PASSED AND APPROVED on this 16th day of August 2021  
EFFECTIVE DATE: September 5, 2021



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# **CONSENT AGENDA**

# **AGENDA ITEM #1**



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## MEMO

**Date:** August 18, 2021

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

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

**Subject:** **Ralph Garcia, authorized agent; Eden Hernandez, applicant, and owner, requesting a re-zone of K T & I CO, BLOCK 3, LOT PT 10, 6 ACRES also known as Property ID 37466, (Young Drive), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).**

The Planning and Zoning Commission meeting held as scheduled this evening, August 18, 2021 with 4 members in attendance.

Members deliberated over the issue of granting approval for a re-zone of **K T & I CO, BLOCK 3, LOT PT 10, 6 ACRES also known as Property ID 37466**, from AG to R1. Letters were sent out to neighbors and the City received no objections to the request. Commissioners, after deliberations, voted unanimously to approve the recommendation for a re-zone of the property. A recorded vote of all members present was taken and Commissioners Idotha Battle, Larry Garcia, Brian Coufal and the Chairman – Steve Zamora all voted ‘YES’

The meeting was adjourned by 6.15p.m.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", is located below the "Thank you." text.

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

Action Item

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



---

## MEMO

**Date:** August 11, 2021

**To:** Planning and Zoning Commission Members

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

**Subject:** **Ralph Garcia, authorized agent; Eden Hernandez, applicant and owner, requesting the rezone of KT & I CO, BLOCK 3, LOT PT 10, 6 ACRES also known as PROP. ID 37466, (Young Drive), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).**

The applicant approached the department because they wanted to re-zone the existing property (PROP. ID 37466) from the current zoning which is AG (Agricultural) to R1 (Single Family Residential). Although the general area presents with agricultural land use, there are residential homes in all the properties around the subject lot. This rezoning request would regularize the actual use of land within the immediate environment.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage housing development on the property.

Thank you.

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

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

Proceed  
Whe  
7/22

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 2460 N. Young Dr. Nearest Intersection Corral St. & Young Dr.

(Proposed) Subdivision Name \_\_\_\_\_ Lot 10 Block 3

Legal Description: KT & 1 CO

Existing Zoning Designation Ag Future Land Use Plan Designation Single Family Home

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Ralph Garcia (956) Phone 609-9032 FAX \_\_\_\_\_

Email Address (for project correspondence only): ralph@camelotrgv.com

Mailing Address 3202 S. Sugar Rd City Edinburg State TX Zip 78539

Property Owner Eden Hernandez Phone (361) 228-4465 FAX \_\_\_\_\_

Email Address (for project correspondence only): edenhernandez1026@gmail.com

Mailing Address 6617 Weber Rd. Apt. 601 City Corpus Christi State TX Zip 78413

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 |

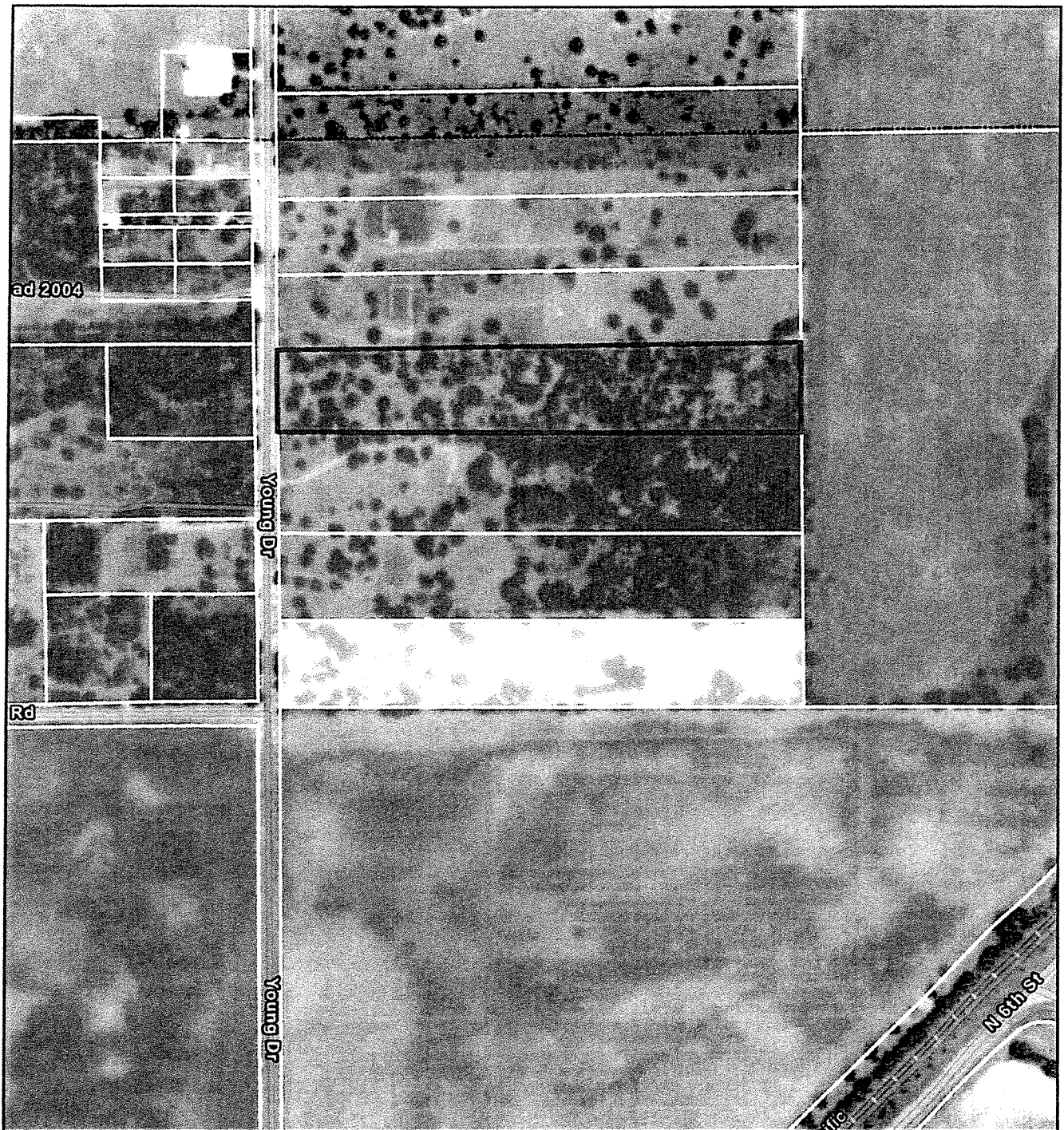
Please provide a basic description of the proposed project:

Ag. zone to Single Family Zone

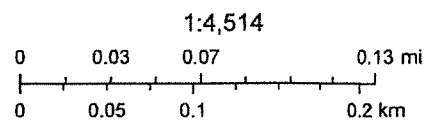
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature Eden Hernandez Date: 7/21/21  
Property Owner's Signature Eden Hernandez Date: 7/21/21  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# Young Drive



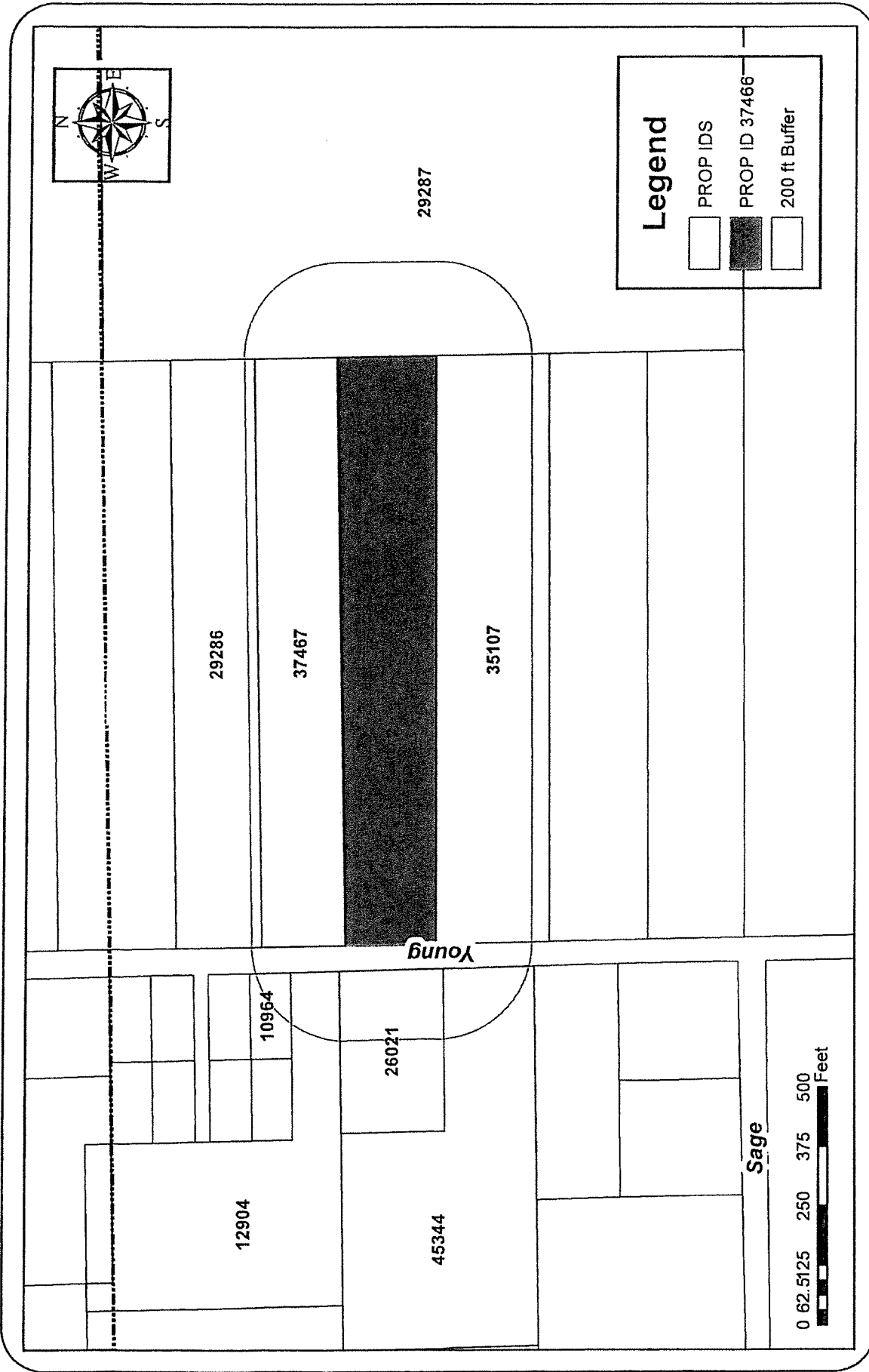
July 21, 2021 .



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



# 200 ft Buffer Map of PROP ID 37466



Document Path: C:\Users\resendez\Desktop\GIS\Maps\2021\_Buffer.mxd

|                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>CITY OF KINGSVILLE</b><br/> <b>PLANNING DEPARTMENT</b><br/>         410 West King<br/>         Kingsville, Texas 78363<br/>         Office: 361-595-8055</p> | <p><b>DISCLAIMER</b><br/>         THIS MAP IS FOR VISUAL PURPOSES ONLY.<br/>         THE INFORMATION ON THIS SHEET MAY<br/>         CONTAIN ERRORS. THE CITY OF KINGSVILLE IS NOT<br/>         RESPONSIBLE IF THE INFORMATION CONTAINED<br/>         HEREIN IS USED FOR ANY DESIGN,<br/>         CONSTRUCTION, PLANNING, BUILDING,<br/>         OR ANY OTHER PURPOSE.</p> |
| <p>Drawn By:<br/>         Planning Department<br/>         Last Update: 8/2/2021<br/>         Note:</p>                                                            | <p>Page<br/>         1 / 1</p>                                                                                                                                                                                                                                                                                                                                            |

DANIEL A CARRALES  
710 W HENRIETTA  
KINGSVILLE, TX 78363  
#12904

JAMES EDWARD CARRALES  
10225 WHITE BONNET ST  
SAN ANTONIO, TX 78240-2044  
#26021

DIANA ELIZONDO  
1905 RETTYE DR  
KINGSVILLE, TX 78363-6961  
#35107

CYNTHIA L LOPEZ  
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#29287

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%OCTAVIO C AMBRIZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#10964

JAMES DALE SILHAVY  
2510 N YOUNG DRIVE  
KINGSVILLE, TX 78363  
#37467

# Kleberg CAD

## Property Search > 37466 LUNA JOSEPH DONALD for Year 2021

Tax Year: 2021

### Property

#### Account

|                           |                 |                    |                                         |
|---------------------------|-----------------|--------------------|-----------------------------------------|
| Property ID:              | 37466           | Legal Description: | K T & I CO, BLOCK 3, LOT PT 10, ACRES ( |
| Geographic ID:            | 290000310002192 | Zoning:            |                                         |
| Type:                     | Real            | Agent Code:        |                                         |
| Property Use Code:        |                 |                    |                                         |
| Property Use Description: |                 |                    |                                         |

#### Location

|                  |                |         |    |
|------------------|----------------|---------|----|
| Address:         | YOUNG DR<br>TX | Mapsc:  |    |
| Neighborhood:    |                | Map ID: | A1 |
| Neighborhood CD: |                |         |    |

#### Owner

|                  |                                                                      |              |                 |
|------------------|----------------------------------------------------------------------|--------------|-----------------|
| Name:            | LUNA JOSEPH DONALD                                                   | Owner ID:    | 68302           |
| Mailing Address: | EDEN HERNANDEZ<br>6617 WEBER RD APT 6101<br>CORPUS CHRISTI, TX 78413 | % Ownership: | 100.0000000000% |

Exemptions:

### Values

|                                       |   |          |                       |
|---------------------------------------|---|----------|-----------------------|
| (+) Improvement Homesite Value:       | + | \$0      |                       |
| (+) Improvement Non-Homesite Value:   | + | \$0      |                       |
| (+) Land Homesite Value:              | + | \$0      |                       |
| (+) Land Non-Homesite Value:          | + | \$60,030 | Ag / Timber Use Value |
| (+) Agricultural Market Valuation:    | + | \$0      | \$0                   |
| (+) Timber Market Valuation:          | + | \$0      | \$0                   |
| -----                                 |   |          |                       |
| (=) Market Value:                     | = | \$60,030 |                       |
| (-) Ag or Timber Use Value Reduction: | - | \$0      |                       |
| -----                                 |   |          |                       |
| (=) Appraised Value:                  | = | \$60,030 |                       |
| (-) HS Cap:                           | - | \$0      |                       |
| -----                                 |   |          |                       |

### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 18, 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:

**Ralph Garcia, authorized agent; Eden Hernandez, owner and applicant; requesting the rezone of KT & I CO, BLOCK 3, LOT PT 10, 6 ACRES, also known as Property ID 37466, (Young Drive), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).**

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.

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## Commissioner Salinas host free cuts to senior citizens

By LAURA NEWMAN  
REPORTER

Commissioner Marcus Salinas hosted free haircuts to the senior citizens on Monday at the Kleberg County Human Services Building.

Barbers and owner of UpperCuts Barbershop donated their time to help give free haircuts. Salinas said he wanted to give back to the community. Salinas visits senior housing often and while talking with Rosa from Casa Ricardo at a food drive, she mentioned that sometimes the seniors needed help with haircuts.

Salinas reached out to a beautician friend and set up free haircuts at the Casa Ricardo. He said the turn out was good so he wanted to do it again but on a larger scale.

He said he thought the Human Services building would be a good location due to the size of the building and the amount of seniors that come in and out of there.



### Giving back to the community

Pictured from left to right: Lemmy Gonzalez, Keno Soliz, Erick Gonzalez, Adrian Gonzalez (Owner of UpperCuts), Justin Watson, Jesus Mantaloo, Marcus Salinas UpperCuts Barbershop, located at 1724 S. Brahna Blvd Suite 102, donated their time to hand out free haircuts to senior citizens on Monday. (Photo by Laura Newman)

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*Thank you*

The dedication of the Maggie Salinas Pavilion became a reality on Saturday July 17, 2021 thanks to the efforts and teamwork that involved many people for this community event.

The pavilion was named in honor of Maggie Salinas' contributions of 60 years of community service for the betterment of citizens of Kingsville and Kleberg County.

First of all, thank you County Commissioner Chuck Schultz for sharing the thought about honoring Maggie to me. Thank you, Kingsville City Manager Mark McLaughlin, for agreeing that it was a good idea to name the pavilion in Maggie's honor when we met in March. Thank you, Kingsville City Commission, Mayor Sam R. Fugate, Mayor Pro Tem Hector Hinojosa, Norma N. Alvarez, Edna S. Lopez, Ann Marie Torres for unanimously approving the resolution on April 26, 2021 to name the pavilion after Maggie. Thank you to all the people who spoke at the dedication: City Commission: Mayor Sam R. Fugate, Mayor Pro Tem Hector M. Hinojosa, Norma N. Alvarez, Edna S. Lopez, Ann Marie Torres; Kleberg County Judge Rudy Madrid; Kleberg County Sheriff Richard Kirkpatrick, Pct. 2 Kleberg County Commissioner Chuck Schultz; Also, Johnny Macareno with the Kleberg Hispanic Chamber, Dr. Manuel Flores; Dr. Shannon Baker with Texas A&M University-Kingsville; Pete De La Garza, and Terry Mills. Thank you, Father Jose Naul Ordanez, for the blessing.

Special thanks to Susan Ivy, Director of Parks and Recreation, for coordinating the successful dedication event and reception.

Thank you to the following individuals for their contributions:

- Johnny Macareno for donating the attractive signs on the pavilion
- Janelle Kleberg for the beautiful floral arrangements and the dozen yellow roses presented to Maggie at the dedication
- Roy Cantu for bringing El Mariachi Tres Equis to the reception which provided the entertainment
- Brian Coufal with First Community Bank
- Shorty's BBQ, Alicia and Shorty Tijerina who prepared the meal; sides by Rochelle Uguet
- Wilva West and Rose Munoz for helping with the table décor
- Yvonne Cantu
- Elda Dawson
- Sally Lara
- Chris Rios
- Briselda Mendoza
- Maggie Salinas's daughters, Sarita and Magdalena Salinas for the dessert table
- Ofelia Villarreal and son Dr. Joseph R. Villarreal
- Gilberto Uresti, USA Home Health Care
- Terry Fitzwater Publisher/Editor Kingsville Record
- Benny Guerra Photography

Also, thanks to the City of Kingsville recreation staff, who with help from the maintenance staff, did most of the set up and tear down at both the pavilion and reception. The staff also served the meal and cleaned up too. Also thank you and with much gratitude to the City of Kingsville for the plaque and also providing the meal and refreshments and everything else they did for this successful memorable event.

- Gloria Bigger-Cantu



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

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO, BLOCK 3, LOT PT 10 (6 ACRES), ALSO KNOWN AS PROPERTY ID 37466, ON YOUNG DRIVE, KINGSVILLE, TEXAS, FROM AG (AGRICULTURAL DISTRICT) TO R1 (SINGLE FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Ralph Garcia, authorized agent for owner/applicant Eden Hernandez, 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, August 18, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, August 23, 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 4-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of KT&I CO, Block 3, Lot Pt 10, (6 acres), also known as Property ID 37466, on Young Drive, Kingsville, Texas, from AG-Agricultural District to R1-Single Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 23rd day of August, 2021.

**PASSED AND APPROVED** on this the 7th day of September, 2021.

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

**THE CITY OF KINGSVILLE**

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

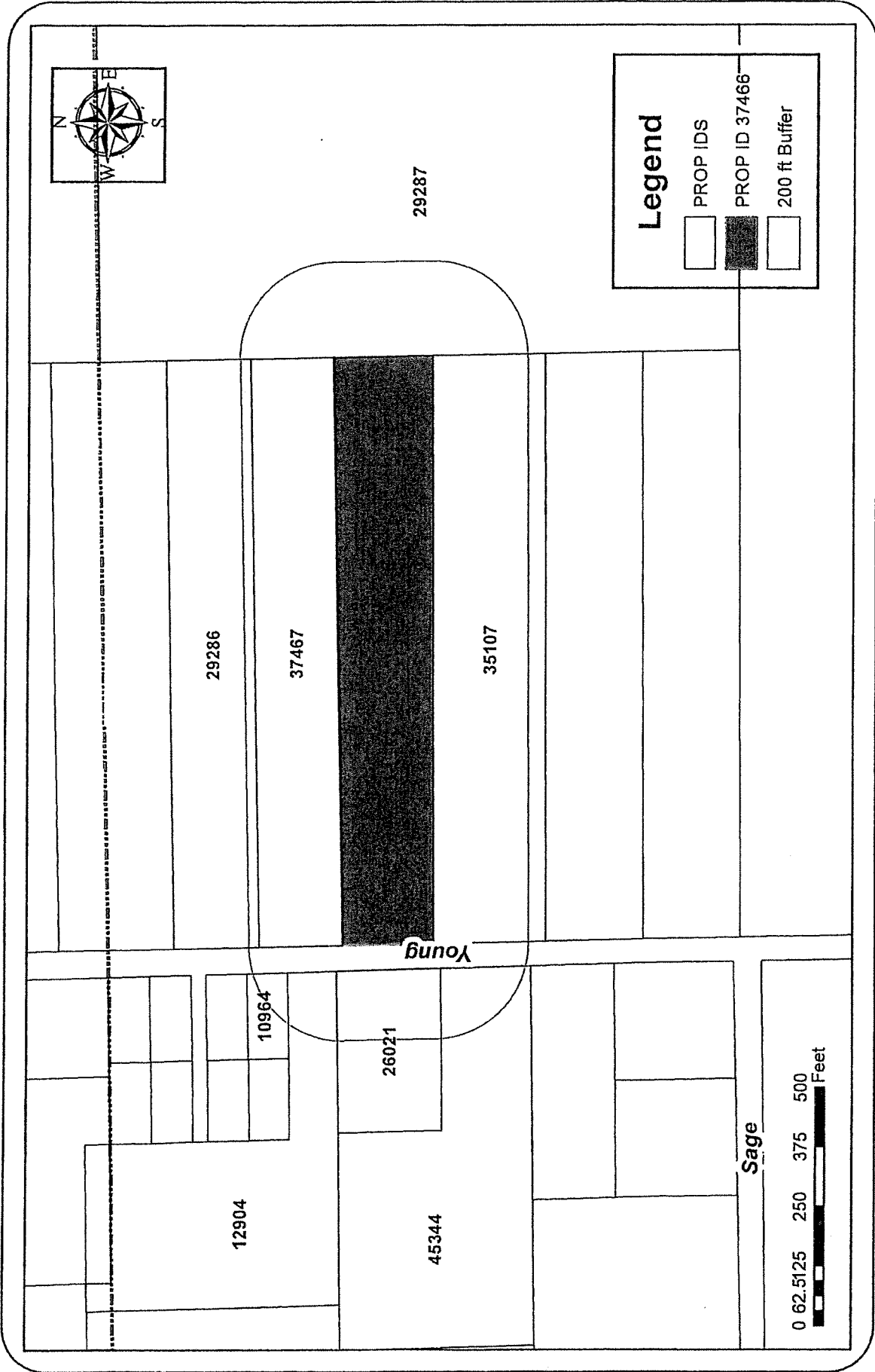
**ATTEST:**

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

**APPROVED:**

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

# 200 ft Buffer Map of PROP ID 37466



Document Path: C:\Users\resendez\Desktop\GIS\Maps\2021\_Buffer.mxd

|                              |                                                                                    |                                                                                                                                                                                                                                                                                   |                                                                                                                                        |
|------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Page</b><br/>1 / 1</p> | <p>Drawn By:<br/>Planning Department</p> <p>Last Update: 8/2/2021</p> <p>Note:</p> | <p><b>DISCLAIMER</b></p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, OR ANY OTHER PURPOSE.</p> | <p><b>CITY OF KINGSVILLE</b><br/><b>PLANNING DEPARTMENT</b><br/>410 West King<br/>Kingsville, Texas 78363<br/>Office: 361-595-8055</p> |
|------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|



## **AGENDA ITEM #2**



---

## MEMO

**Date:** August 18, 2021

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

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

**Subject:** **Javier and Leticia Cantu, owners and applicants, requesting a re-zone of K T & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), 5.0 ACRES also known as Property ID 42564, (E. Trant Road), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).**

The Planning and Zoning Commission meeting held as scheduled this evening, August 18, 2021, with 4 members in attendance.

Members deliberated over the issue of granting approval for a re-zone of **K T & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), 5.0 ACRES also known as Property ID 42564**, from AG to R1. Letters were sent out to neighbors and the City received no objections to the request. Commissioners, after deliberations, voted unanimously to approve the recommendation for a re-zone of the property A recorded vote of all members present was taken and Commissioners Idotha Battle, Larry Garcia, Brian Coufal and the Chairman – Steve Zamora all voted ‘YES’

The meeting was adjourned by 6.15p.m.

Thank you.

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

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

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



Action  
Item

## MEMO

**Date:** August 11, 2021

**To:** Planning and Zoning Commission Members

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

**Subject:** **Javier and Leticia Cantu, owners and applicants, requesting the rezone of KT & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), 5.0 ACRES also known as PROP. ID 42564, (E. Trant Rd.), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).**

The applicants approached the department because they wanted to re-zone the existing property (PROP. ID 42564) from the current zoning which is AG (Agricultural) to R1 (Single Family Residential). Although the general area presents with agricultural land use, this request would enable the owners carry out residential development on their property thereby increasing the housing stock in Kingsville.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage housing development on the property.

Thank you.

**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 1882 E. Trant Nearest Intersection \_\_\_\_\_

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

Legal Description: K T & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), ACRES 5.0

Existing Zoning Designation A9 Future Land Use Plan Designation R1

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

Applicant/Authorized Agent Javier Cantu Phone 361-355-1660 FAX \_\_\_\_\_

Email Address (for project correspondence only): cantufam05@att.net

Mailing Address 1615 E. Fordyce City Kingsville State TX Zip 78363

Property Owner Javier and Leticia Cantu Phone 361-355-1660 FAX \_\_\_\_\_

Email Address (for project correspondence only): cantufam05@att.net

Mailing Address 1615 E. Fordyce City Kingsville State TX Zip 78363

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

|                                                         |          |                                                       |            |
|---------------------------------------------------------|----------|-------------------------------------------------------|------------|
| <input type="checkbox"/> Annexation Request             | No Fee   | <input type="checkbox"/> Preliminary Plat             | Fee Varies |
| <input type="checkbox"/> Administrative Appeal (ZBA)    | \$250.00 | <input type="checkbox"/> Final Plat                   | Fee Varies |
| <input type="checkbox"/> Comp. Plan Amendment Request   | \$250.00 | <input type="checkbox"/> Minor Plat                   | \$100.00   |
| <input checked="" type="checkbox"/> X 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:

Request to rezone property to R1- Single Family

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

Applicant's Signature [Signature] Date: \_\_\_\_\_

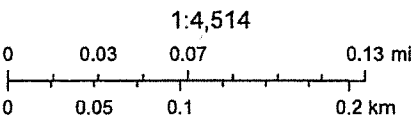
Property Owner's Signature [Signature] Date: \_\_\_\_\_

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

1882 E Trant

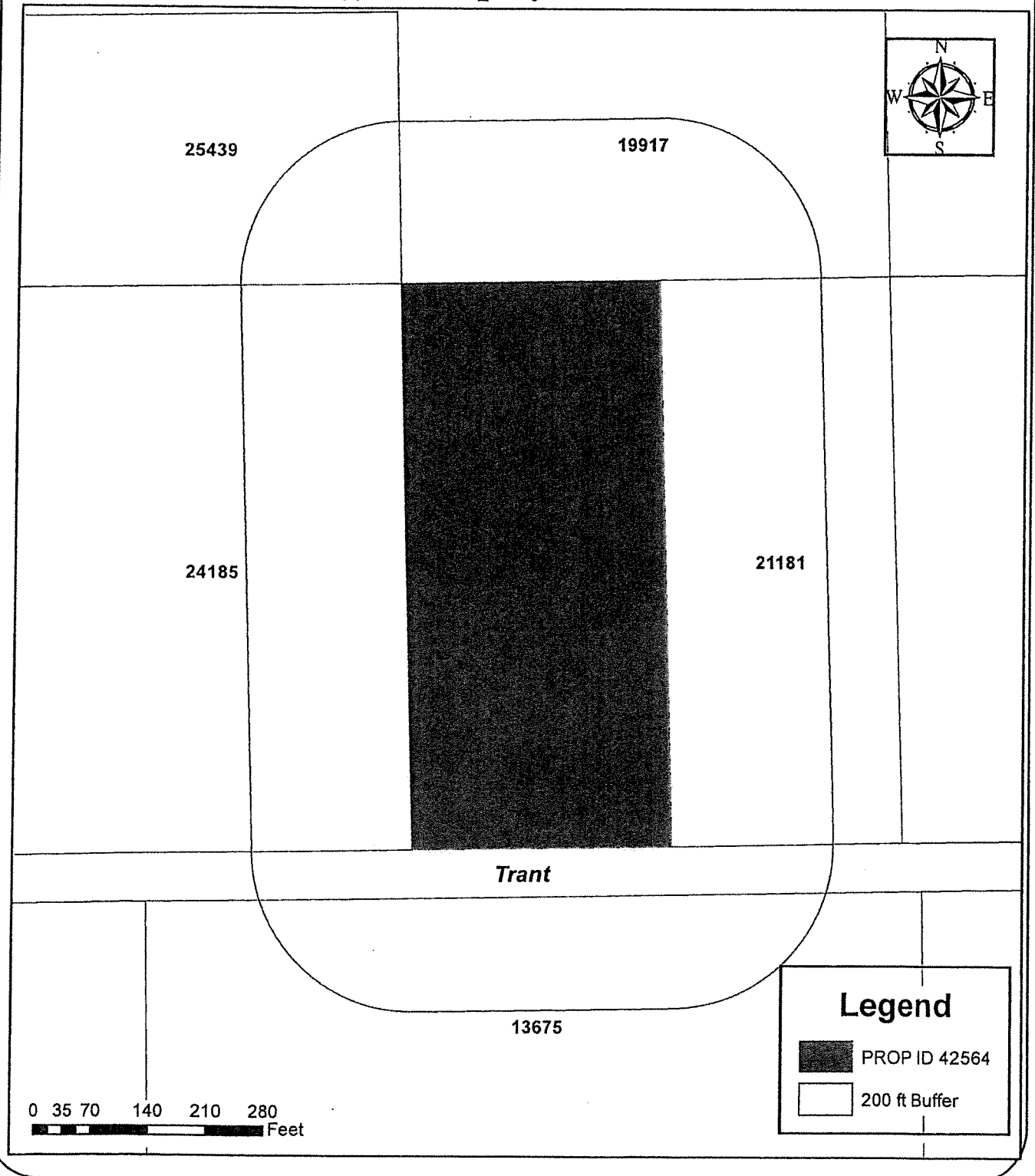


July 7, 2021




Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# 200 ft Buffer Map of PROP ID 42564



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\2021\_Buffer.mxd

|             |                                  |                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                           |
|-------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Page<br>1/1 | Drawn By:<br>Planning Department | <small>DISCLAIMER<br/>THIS MAP IS FOR VISUAL PURPOSES ONLY.<br/>THE INFORMATION ON THIS SHEET MAY<br/>CONTAIN INACCURACIES OR ERRORS.<br/>THE CITY OF KINGSVILLE IS NOT<br/>RESPONSIBLE IF THE INFORMATION CONTAINED<br/>HEREIN IS USED FOR ANY DESIGN,<br/>CONSTRUCTION, PLANNING, BUILDING,<br/>OR ANY OTHER PURPOSE.</small> | <br><b>CITY OF KINGSVILLE</b><br><b>PLANNING DEPARTMENT</b><br><b>410 West King</b><br><b>Kingsville, Texas 78363</b><br><b>Office: 361-595-8055</b> |
|             | Last Update: 8/2/2021            |                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                           |
|             | Note:                            |                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                           |

ELSIE F SCHUNERT EST  
MELISSA M SULAK (IND EXEC)  
1619 SCHUBERT DR  
KINGSVILLE, TX 78363  
#25439, 24185  
OJC FARMS LTD  
378 E FM 1118  
KINGSVILLE, TX 78363-2617  
#13675

JOAN M UNDERBRINK EST  
SHELLEY MOSSER (IND EXEC)  
257 SERENE HOLLOW  
BUDA, TX 78610  
#19917

SERGIO A LUNA  
4602 MT VERNON  
CORPUS CHRISTI, TX 78411  
#21181

## Kleberg CAD

### Property Search > 42564 CANTU JAVIER for Year 2021

Tax Year: 2021

#### Property

##### Account

Property ID: 42564 Legal Description: K T & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), ACRES 5.0

Geographic ID: 290002207105192 Zoning:

Type: Real Agent Code:

Property Use Code:

Property Use Description:

##### Location

Address: TRANT RD TX Mapsco:

Neighborhood: Map ID: B2

Neighborhood CD:

##### Owner

Name: CANTU JAVIER Owner ID: 60424

Mailing Address: ETUX LETICIA JOHNSON % Ownership: 100.0000000000%

1615 E FORDYCE

KINGSVILLE, TX 78363

Exemptions:

#### Values

|                                       |   |          |                       |
|---------------------------------------|---|----------|-----------------------|
| (+) Improvement Homesite Value:       | + | \$0      |                       |
| (+) Improvement Non-Homesite Value:   | + | \$0      |                       |
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| (+) Land Non-Homesite Value:          | + | \$0      | Ag / Timber Use Value |
| (+) Agricultural Market Valuation:    | + | \$32,460 | \$2,190               |
| (+) Timber Market Valuation:          | + | \$0      | \$0                   |
| <hr/>                                 |   |          |                       |
| (=) Market Value:                     | = | \$32,460 |                       |
| (-) Ag or Timber Use Value Reduction: | - | \$30,270 |                       |
| <hr/>                                 |   |          |                       |
| (=) Appraised Value:                  | = | \$2,190  |                       |
| (-) HS Cap:                           | - | \$0      |                       |
| <hr/>                                 |   |          |                       |
| (=) Assessed Value:                   | = | \$2,190  |                       |

#### Taxing Jurisdiction

Owner: CANTU JAVIER

% Ownership: 100.0000000000%

Total Value: \$32,460

| Entity | Description                       | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|--------|-----------------------------------|----------|-----------------|---------------|---------------|
| CAD    | KLEBERG COUNTY APPRAISAL DISTRICT | 0.000000 | \$2,190         | \$2,190       | \$0.00        |
| CKI    | CITY OF KINGSVILLE                | 0.852080 | \$2,190         | \$2,190       | \$18.66       |



|                 |                             |          |         |         |         |
|-----------------|-----------------------------|----------|---------|---------|---------|
| GKL             | KLEBERG COUNTY              | 0.785460 | \$2,190 | \$2,190 | \$17.20 |
| SKI             | KINGSVILLE I.S.D.           | 1.518900 | \$2,190 | \$2,190 | \$33.27 |
| WST             | SOUTH TEXAS WATER AUTHORITY | 0.086911 | \$2,190 | \$2,190 | \$1.90  |
| Total Tax Rate: |                             | 3.243351 |         |         |         |

Taxes w/Current Exemptions: \$71.03

Taxes w/o Exemptions: \$71.03

**Improvement / Building**

No improvements exist for this property.

**Land**

| # | Type  | Description        | Acres  | Sqft      | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|-------|--------------------|--------|-----------|-----------|-----------|--------------|-------------|
| 1 | DLCP1 | DRY LAND CROP LAND | 5.0000 | 217800.00 | 0.00      | 0.00      | \$32,460     | \$2,190     |

**Roll Value History**

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|------|--------------|-------------|--------------|-----------|--------|----------|
| 2021 | \$0          | \$32,460    | 2,190        | 2,190     | \$0    | \$2,190  |
| 2020 | \$0          | \$31,270    | 2,190        | 2,190     | \$0    | \$2,190  |
| 2019 | \$0          | \$39,030    | 2,130        | 2,130     | \$0    | \$2,130  |
| 2018 | \$0          | \$33,050    | 2,140        | 2,140     | \$0    | \$2,140  |
| 2017 | \$0          | \$36,180    | 2,140        | 2,140     | \$0    | \$2,140  |
| 2016 | \$0          | \$30,980    | 1,930        | 1,930     | \$0    | \$1,930  |
| 2015 | \$0          | \$29,440    | 1,930        | 1,930     | \$0    | \$1,930  |

**Questions Please Call (361) 595-5775**

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By LAURA NEWMAN  
REPORTER

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Barbers and owner of UpperCuts Barbershop donated their time to help give free haircuts.

Salinas said he wanted to give back to the community. Salinas visits senior housing often and while talking with Rosa from Casa Ricardo at a food drive, she mentioned that sometimes the seniors needed help with haircuts.

Salinas reached out to a beautician friend and set up free haircuts at the Casa Ricardo. He said the turn out was good so he wanted to do it again but on a larger scale.

He said he thought the Human Services building would be a good location due to the size of the building and the amount of seniors that come in and out of there.



### Giving back to the community

*Pictured from left to right: Lenny Gonzalez, Keno Soliz, Erick Gonzalez, Adrian Gonzalez (Owner of UpperCuts), Justin Watson, Jesus Montalvo, Marcus Salinas UpperCuts Barbershop, located at 1724 S. Brahma Blvd Suite 102, donated their time to hand out free haircuts to senior citizens on Monday. (Photo by Laura Newman)*

#### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 18, 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:

Javier and Leticia Cantu, owners and applicants, requesting the rezone of KT & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), 5.0 Acres, also known as Property ID 42564, (E. Trant Rd.), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).

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, August 23, 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:

Javier and Leticia Cantu, owner and applicant, requesting the rezone of KT & I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), 5.0 Acres, also known as Property ID 42564, (E. Trant Rd.), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).

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Ralph Garcia, authorized agent; Eden Hernandez, owner and applicant; requesting the rezone of KT & I CO, BLOCK 3, LOT PT 10, 6 ACRES, also known as Property ID 37466, (Young Drive), Kingsville, Texas from AG (Agricultural) to R1 (Single-Family Residential).

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.

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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.

# Thank you

The dedication of the Maggie Salinas Pavilion became a reality on Saturday July 17, 2021 thanks to the efforts and teamwork that involved many people for this community event.

The pavilion was named in honor of Maggie Salinas' contributions of 60 years of community service for the betterment of citizens of Kingsville and Kleberg County.

First of all, thank you County Commissioner Chuck Schultz for sharing the thought about honoring Maggie to me. Thank you, Kingsville City Manager Mark McLaughlin, for agreeing that it was a good idea to name the pavilion in Maggie's honor when we met in March. Thank you, Kingsville City Commission, Mayor Sam R. Fugate, Mayor Pro Tem Hector Hinojosa, Norma N. Alvarez, Edna S. Lopez, Ann Marie Torres for unanimously approving the resolution on April 26, 2021 to name the pavilion after Maggie. Thank you to all the people who spoke at the dedication: City Commission: Mayor Sam R. Fugate, Mayor Pro Tem Hector M. Hinojosa, Norma N. Alvarez, Edna S. Lopez, Ann Marie Torres; Kleberg County Judge Rudy Madrid, Kleberg County Sheriff Richard Kirkpatrick, Pct. 2 Kleberg County Commissioner Chuck Schultz; Also, Johnny Macareno with the Kleberg Hispanic Chamber. Dr. Manuel Flores, Dr. Shannon Baker with Texas A&M University-Kingsville: Pete De La Garza, and Terry Mills. Thank you, Father Jose Naul Ordonez, for the blessing.

Special thanks to Susan Ivy, Director of Parks and Recreation, for coordinating the successful dedication event and reception.

Thank you to the following individuals for their contributions:

- Johnny Macareno for donating the attractive signs on the pavilion
- Janell Kleberg for the beautiful floral arrangements and the dozen yellow roses presented to Maggie at the dedication
- Roy Cantu for bringing El Mariachi Tres Equits to the reception which provided the entertainment
- Brian Coufal with First Community Bank
- Shorty's BBQ, Alicia and Shorty Tijerina who prepared the meal; sides by Rochelle Uguez
- Wilva West and Rose Munoz for helping with the table décor
- Yvonne Cantu
- Elda Dawson
- Sally Lara
- Chris Rios
- Briseida Mendoza
- Maggie Salinas's daughters, Sarita and Magdalena Salinas for the dessert table
- Ofelia Villarreal and son Dr. Joseph R. Villarreal
- Gilberto Uresfi, USA Home Health Care
- Terry Fitzwater Publisher/Editor Kingsville Record
- Benny Guerra Photography

Also, thanks to the City of Kingsville recreation staff, who with help from the maintenance staff, did most of the set up and tear down at both the pavilion and reception. The staff also served the meal and cleaned up too. Also thank you and with much gratitude to the City of Kingsville for the plaque and also providing the meal and refreshments and everything else they did for this successful memorable event.

- Gloria Bigger-Cantu



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

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO, BLOCK 22, LOT W/2 OF THE SE/4 OF 7, (SYM D), (5 ACRES), ALSO KNOWN AS PROPERTY ID 42564, ON E. TRANT ROAD, KINGSVILLE, TEXAS, FROM AG (AGRICULTURAL DISTRICT) TO R1 (SINGLE FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of owners/applicants Javier and Leticia Cantu, 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, August 18, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, August 23, 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 4-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of KT&I Co., Block 22, Lot W/2 of the SE/4 of 7, (SYM D), (5.0 acres), also known as property ID 42564, on E. Trant Road, Kingsville, Texas, from AG-Agricultural District to R1-Single Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 23rd day of August, 2021.

**PASSED AND APPROVED** on this the 7th day of September, 2021.

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

**THE CITY OF KINGSVILLE**

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

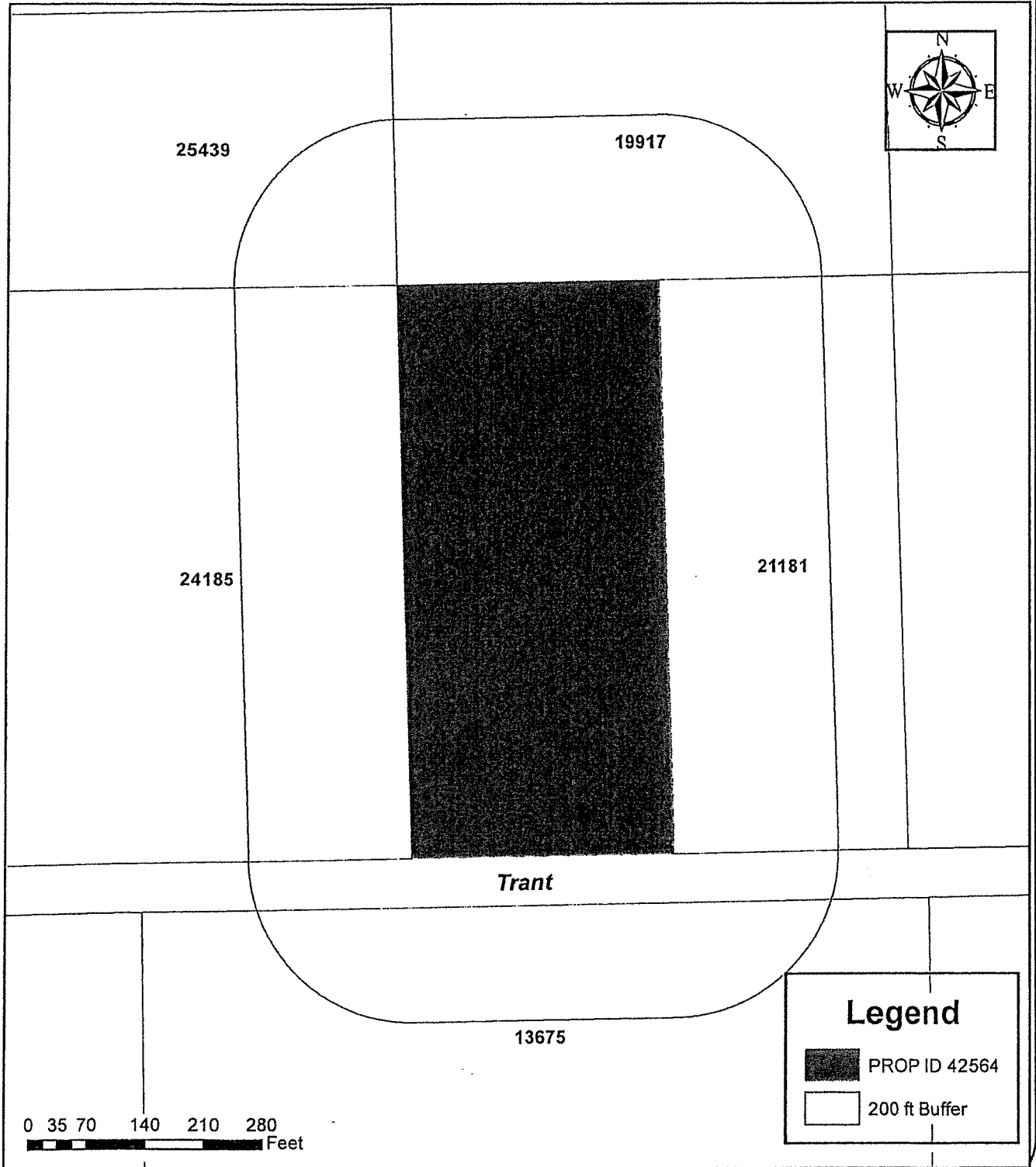
**ATTEST:**

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

**APPROVED:**

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

# 200 ft Buffer Map of PROP ID 42564



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|               |                                  |                                                                                                                                                                                                                                                                                                |                                                                                                                                           |
|---------------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Page<br>1 / 1 | Drawn By:<br>Planning Department | <p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p> | <p><b>CITY OF KINGSVILLE</b><br/><b>PLANNING DEPARTMENT</b></p> <p>410 West King<br/>Kingsville, Texas 78363<br/>Office: 361-595-8055</p> |
|               | Last Update: 8/2/2021            |                                                                                                                                                                                                                                                                                                |                                                                                                                                           |
|               | Note:                            |                                                                                                                                                                                                                                                                                                |                                                                                                                                           |

# **AGENDA ITEM #3**



---

## MEMO

**Date:** August 18, 2021

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

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

**Subject:** **Joel Huerta, authorized agent and applicant; Jacob Garza, owner; requesting a Special Use Permit for Auto sales, repairs including motorcycles use at GLOVER PARK, BLOCK 3, LOTS 16-21, also known as 1916 S. 6<sup>th</sup> Street, Kingsville, Texas.**

The Planning and Zoning Commission meeting held as scheduled this evening, August 18, 2021, with 4 members in attendance.

Members deliberated over the issue of granting approval for a Special Use Permit to enable the applicant to carry out the business of auto accessories sales, car detailing and general mechanic repairs. They specified they would not do motorcycles. Letters were sent out to neighbors and the City received a couple of comments. One Mr. Fuentes was worried if the business would turn into a junkyard while the other respondent had issues with the potential for the business to deal with motorcycles. However, the business is said not to include motorcycles. Commissioners, after deliberations, voted to approve the recommendation for a Special Use Permit. A recorded vote of all members present was taken and Commissioners Brian Coufal, Larry Garcia, Idotha Battle and the Chairman – Steve Zamora all voted 'YES'.

The meeting was adjourned by about 6.15p.m.

Thank you.

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

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



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



---

## MEMO

**Date:** August 11, 2021

**To:** Planning and Zoning Commission Members

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

**Subject:** Joel Huerta, authorized agent and applicant; Jacob Garza, owner; requesting a Special Use Permit for Auto sales, repairs including motorcycles at GLOVER PARK, Block 3, LOT 16-21, also known as 1916 S. 6<sup>th</sup> St., Kingsville, Texas.

The applicant approached the department because they wanted to carry out the business of auto accessories sales, car detailing and general mechanic repairs including motorcycles. A look at the current zoning of the property revealed a C2 (Retail) zoning which does not permit such development except under a Special Use Permit regime.

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

Thank you.

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

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1916 S 6<sup>th</sup> Nearest Intersection Aisle - 6<sup>th</sup>  
(Proposed) Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: Glover park, Block 3, Lot 16-21  
Existing Zoning Designation C2 Future Land Use Plan Designation \_\_\_\_\_

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Joel Huerta Phone 361-231-1588 FAX \_\_\_\_\_  
Email Address (for project correspondence only): jehuerta09@gmail.com  
Mailing Address 1916 S. 6<sup>th</sup> City Kingsville State TX Zip 78363  
Property Owner Jacob Garza Phone 361-522-0584 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 type="checkbox"/> Re-zoning Request _____              | \$250.00 | <input type="checkbox"/> Re-plat _____                      | \$250.00   |
| <input checked="" type="checkbox"/> SUP Request/Renewal _____ | \$250.00 | <input type="checkbox"/> Vacating Plat _____                | \$50.00    |
| <input type="checkbox"/> Zoning Variance Request (ZBA) _____  | \$250.00 | <input type="checkbox"/> Development Plat _____             | \$100.00   |
| <input type="checkbox"/> PUD Request _____                    | \$250.00 | <input type="checkbox"/> Subdivision Variance Request _____ | \$25.00 ea |

Please provide a basic description of the proposed project:

General Mechanical repair, car detailing  
Auto Accessories Sales

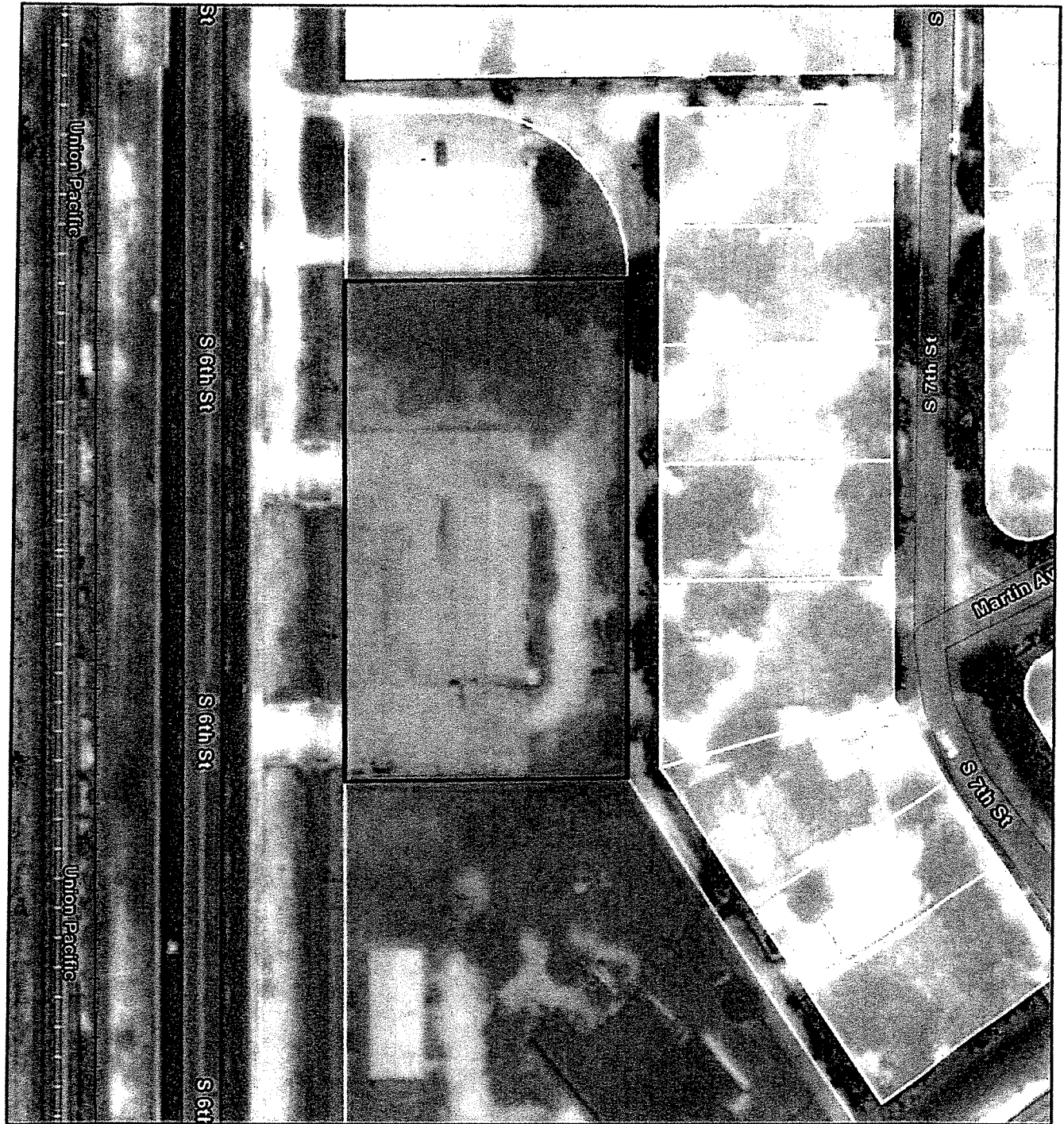
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature [Signature] Date: 7-26-21  
Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

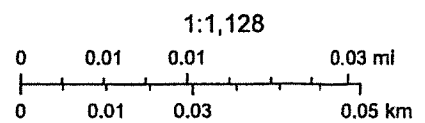
## Land Use Chart

| Land Use Description                                                            | R1 | R2 | R2A | R3 | R4 | MH | C1 | C2 | C3 | C4 | I1 | I2 | Ag |
|---------------------------------------------------------------------------------|----|----|-----|----|----|----|----|----|----|----|----|----|----|
| Provisioning and recreational sporting goods sales including boats and vehicles |    |    |     |    |    |    |    | S  | P  | P  |    |    |    |
| Shooting galleries and pistol [ranges] (indoor)                                 |    |    |     |    |    |    |    | S  | P  | P  |    |    |    |
| Souvenir, curio                                                                 |    |    |     |    |    |    |    | S  | P  |    |    |    |    |
| <i>Automobile Related Uses</i>                                                  |    |    |     |    |    |    |    |    |    |    |    |    |    |
| Car wash                                                                        |    |    |     |    |    |    | P  | S  | P  | P  | P  |    |    |
| Auto sales, repairs including motorcycles                                       |    |    |     |    |    |    |    | S  | P  | P  | P  |    |    |
| Auto paint and body shop                                                        |    |    |     |    |    |    |    | S  | P  | P  | P  |    |    |
| Drag strip, race track                                                          |    |    |     |    |    |    |    |    |    |    | S  | S  |    |
| Gasoline service station                                                        |    |    |     |    |    |    |    | P  | P  | P  | P  |    |    |
| Gasoline sales                                                                  |    |    |     |    |    |    | S  | P  | P  | P  | P  |    |    |
| Commercial parking structure auto only                                          |    |    |     |    |    |    |    | S  | P  | P  | P  |    |    |
| Truck storage                                                                   |    |    |     |    |    |    |    | S  | S  | P  | P  | P  |    |
| Used auto parts, sales, indoors                                                 |    |    |     |    |    |    |    | S  | P  | P  | P  | P  |    |

# 1916 S 6th St

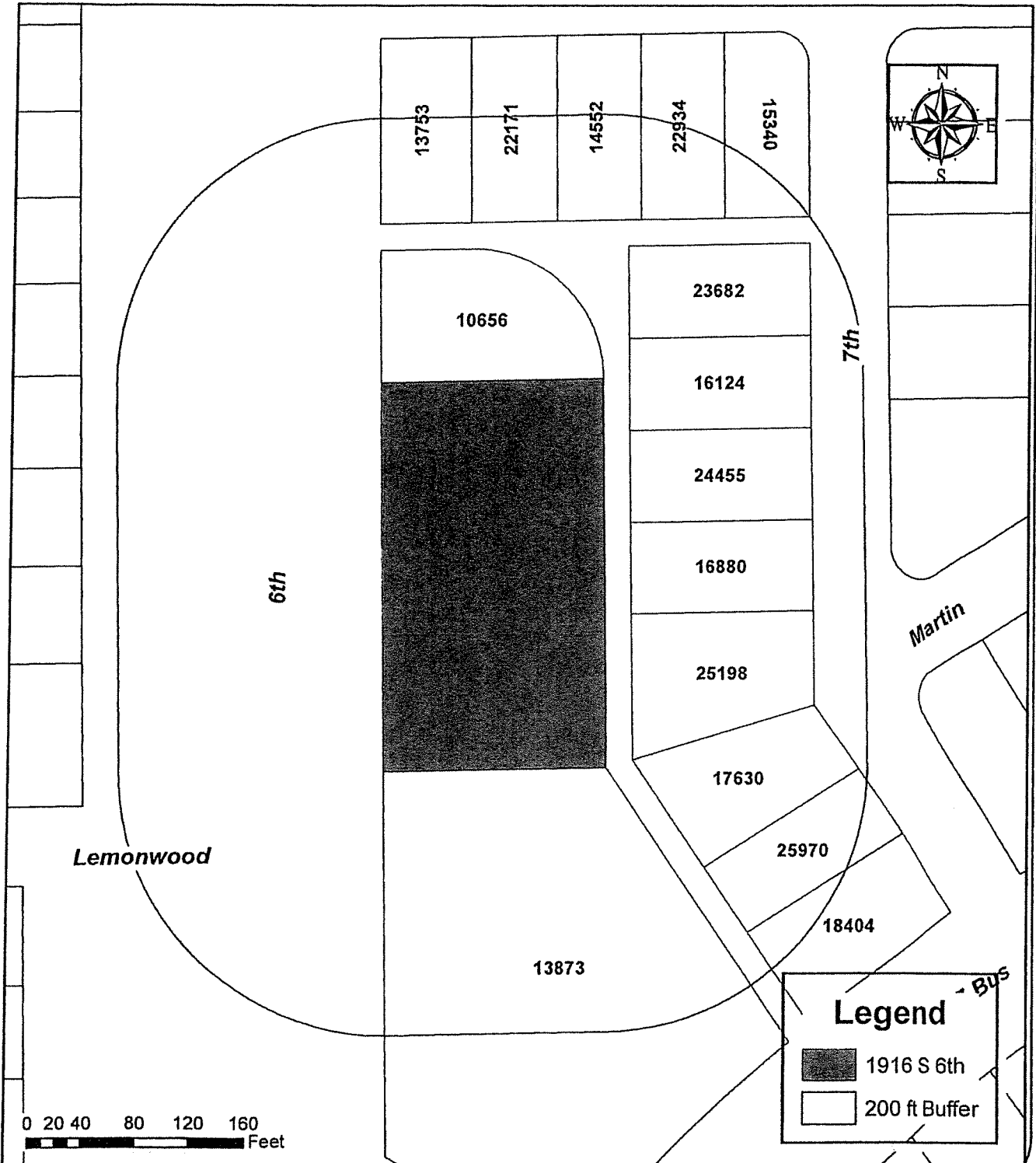


July 26, 2021



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# 200 ft Buffer Map of 1916 S 6th



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\2021\_Buffer.mxd

|               |                                  |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                 |
|---------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Page<br>1 / 1 | Drawn By:<br>Planning Department | <p><b>DISCLAIMER</b><br/>THIS MAP IS FOR VISUAL PURPOSES ONLY.<br/>THE INFORMATION ON THIS SHEET MAY<br/>CONTAIN INACCURACIES OR ERRORS.<br/>THE CITY OF KINGSVILLE IS NOT<br/>RESPONSIBLE IF THE INFORMATION CONTAINED<br/>HEREIN IS USED FOR ANY DESIGN,<br/>CONSTRUCTION, PLANNING, BUILDING,<br/>OR ANY OTHER PURPOSE.</p> | <p><b>CITY OF KINGSVILLE<br/>PLANNING DEPARTMENT</b><br/>410 West King<br/>Kingsville, Texas 78363<br/>Office: 361-595-8055</p> |
|               | Last Update: 8/2/2021            |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                 |
|               | Note:                            |                                                                                                                                                                                                                                                                                                                                |                                                                                                                                 |

LUCERO REYES SOLIZ  
ISRAEL SOLIZ  
201 CAROL AVE  
KINGSVILLE, TX 78363-7003  
#13753

ADELAIDA F MIRELES  
207 CAROL AVE  
KINGSVILLE, TX 78363-7003  
#22934

S T FUENTES LLC  
700 E CORRAL AVE  
KINGSVILLE, TX 78363  
#16124

JOHN LESLIE RAY  
1913 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363-7001  
#25198

SAMUEL ADAMS EULENFELD  
ETUX ANGELA MARIE VILLARREAL  
1919 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363  
#18404

INEZ DUCOTE  
203 CAROL AVE  
KINGSVILLE, TX 78363-7003  
#22171

ROBERT LEE MURPHY JR  
ETUX CASEY D  
1903 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363  
#15340

LEEROY SAUCEDA  
1909 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363  
#24455

RAYMOND PATRICK BORJON  
ETUX SANDRA F BORGON  
1915 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363-7001  
#17630

GRACE COMMUNITY CHURCH  
1247 E HENRIETTA AVE  
KINGSVILLE, TX 78363  
#13873

MARCOS A MARTINEZ  
ETUX EVA M  
419 E FM 1118  
KINGSVILLE, TX 78363  
#14552

ANDRES RAMIREZ  
ETUX CHRISTINA  
1905 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363  
#23682

OSCAR GOODWYN  
ETUX ROSA  
1911 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363  
#16880

HOWARD CHARLES REESE EST  
ETUX PATSY ANN  
1917 S 7<sup>TH</sup> ST  
KINGSVILLE, TX 78363-7001  
#25970

G M P  
S

AMPRIZ ST  
A BRIZ  
KINGAV  
78363-7003

## Kleberg CAD

### Property Search > 11437 GARZA JACOB THOMAS for Year 2021

Tax Year: 2021

#### Property

##### Account

|                           |                 |                    |                                                   |
|---------------------------|-----------------|--------------------|---------------------------------------------------|
| Property ID:              | 11437           | Legal Description: | GLOVER PARK, BLOCK 3, LOT 16-21, (TEXAS ADDITION) |
| Geographic ID:            | 134100316000192 | Zoning:            | C2                                                |
| Type:                     | Real            | Agent Code:        |                                                   |
| Property Use Code:        |                 |                    |                                                   |
| Property Use Description: |                 |                    |                                                   |

##### Location

|                  |               |         |    |
|------------------|---------------|---------|----|
| Address:         | 1916 S 6TH ST | Mapsc0: |    |
| Neighborhood:    |               | Map ID: | A3 |
| Neighborhood CD: |               |         |    |

##### Owner

|                  |                                        |              |                 |
|------------------|----------------------------------------|--------------|-----------------|
| Name:            | GARZA JACOB THOMAS                     | Owner ID:    | 67478           |
| Mailing Address: | 1020 WHITEWING<br>KINGSVILLE, TX 78363 | % Ownership: | 100.0000000000% |

Exemptions:

#### Values

|                                       |   |           |                       |
|---------------------------------------|---|-----------|-----------------------|
| (+) Improvement Homesite Value:       | + | \$0       |                       |
| (+) Improvement Non-Homesite Value:   | + | \$107,640 |                       |
| (+) Land Homesite Value:              | + | \$0       |                       |
| (+) Land Non-Homesite Value:          | + | \$45,820  | Ag / Timber Use Value |
| (+) Agricultural Market Valuation:    | + | \$0       | \$0                   |
| (+) Timber Market Valuation:          | + | \$0       | \$0                   |
| -----                                 |   |           |                       |
| (=) Market Value:                     | = | \$153,460 |                       |
| (-) Ag or Timber Use Value Reduction: | - | \$0       |                       |
| -----                                 |   |           |                       |
| (=) Appraised Value:                  | = | \$153,460 |                       |
| (-) HS Cap:                           | - | \$0       |                       |
| -----                                 |   |           |                       |
| (=) Appraised Value:                  | = | \$153,460 |                       |

|                 |                             |          |           |           |
|-----------------|-----------------------------|----------|-----------|-----------|
| SKI             | KINGSVILLE I.S.D.           | 1.518900 | \$153,460 | \$153,460 |
| WST             | SOUTH TEXAS WATER AUTHORITY | 0.086911 | \$153,460 | \$153,460 |
| Total Tax Rate: |                             | 3.243351 |           |           |

Taxes w/Current Exemptions:

Taxes w/o Exemptions:

**Improvement / Building**

Improvement #1: COMMERCIAL State Code: F1 Living Area: 4400.0 sqft Value: \$107,640

| Type | Description                | Class CD | Exterior Wall | Year Built | SQFT    |
|------|----------------------------|----------|---------------|------------|---------|
| MA   | MAIN AREA                  | RS3A     |               | 1985       | 1120.0  |
| CON  | CONCRETE SLAB COMMERCIAL * |          |               | 1985       | 17763.0 |
| MA   | MAIN AREA                  | SG3A     |               | 1985       | 3280.0  |

**Land**

| # | Type | Description | Acres  | Sqft     | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|------|-------------|--------|----------|-----------|-----------|--------------|-------------|
| 1 | F1   | F1          | 0.9757 | 42500.00 | 250.00    | 170.00    | \$38,250     | \$0         |
| 2 | F1   | F1          | 0.1932 | 8415.00  | 49.50     | 170.00    | \$7,570      | \$0         |

**Roll Value History**

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed  |
|------|--------------|-------------|--------------|-----------|--------|-----------|
| 2021 | \$107,640    | \$45,820    | 0            | 153,460   | \$0    | \$153,460 |
| 2020 | \$67,060     | \$45,820    | 0            | 112,880   | \$0    | \$112,880 |
| 2019 | \$67,620     | \$45,820    | 0            | 113,440   | \$0    | \$113,440 |
| 2018 | \$75,180     | \$45,820    | 0            | 121,000   | \$0    | \$121,000 |
| 2017 | \$75,180     | \$45,820    | 0            | 121,000   | \$0    | \$121,000 |
| 2016 | \$66,360     | \$45,820    | 0            | 112,180   | \$0    | \$112,180 |
| 2015 | \$66,360     | \$45,820    | 0            | 112,180   | \$0    | \$112,180 |
| 2014 | \$66,360     | \$45,820    | 0            | 112,180   | \$0    | \$112,180 |
| 2013 | \$70,280     | \$45,820    | 0            | 116,100   | \$0    | \$116,100 |
| 2012 | \$70,280     | \$45,820    | 0            | 116,100   | \$0    | \$116,100 |
| 2011 | \$70,280     | \$45,820    | 0            | 116,100   | \$0    | \$116,100 |
| 2010 | \$70,280     | \$44,930    | 0            | 115,210   | \$0    | \$115,210 |
| 2009 | \$70,280     | \$44,930    | 0            | 115,210   | \$0    | \$115,210 |
| 2008 | \$80,820     | \$44,930    | 0            | 125,750   | \$0    | \$125,750 |
| 2007 | \$70,280     | \$44,930    | 0            | 115,210   | \$0    | \$115,210 |

**Questions Please Call (361) 595-5775**



### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 18, 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:

**Joel Huerta, authorized agent and applicant; Jacob Garza, owner; requesting a Special Use Permit for Auto sales, repairs including motorcycles use at GLOVER PARK, BLOCK 3, LOT 16-21, also known as 1916 S. 6<sup>th</sup> St., Kingsville, Texas.**

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, August 23, 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:

**Joel Huerta, authorized agent and applicant, Jacob Garza, owner; requesting a Special Use Permit for Auto paint and body shop use at GLOVER PARK, BLOCK 3, LOT 16-21, also known as 1916 S. 6<sup>th</sup> St., Kingsville, Texas.**

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

## Kingsville Blotter

(Editor's note: Information in this column was obtained from Kingsville Police Department records. Everyone charged with a crime is presumed innocent until proven guilty in court.)

Thursday, June 24

1:46 p.m.  
• Warrant - local felony; warrant - out of county-felony, Budget Inn, 716 S. 14th St.

2:28 p.m.  
• Suicide attempt, 1226 N. 5th St.

3:23 p.m.  
• Assault - Village Park Mobile Home Park, 130 W. Corral

4:54 p.m.  
• Fraud - fraud, illegal use credit cards, theft - theft other, Rolling W. Trailer Park, 1715 W. Johnston Ave.

6:16 p.m.  
• Warrant - out of county-felony, 600 E. Ragland Ave.

6:58 p.m.

• Controlled substance - cocaine, possession; controlled substance - marijuana, possession, Flores Brothers Park, 800 E. Santa Gertrudis/FM 2045 St

7:21 p.m.

• Public intoxication, SKM, 1311 E. General Cavazos Blvd.

9:03 p.m.

• Controlled substance - marijuana, possession, 400 E. Nettie Ave.

9:04 p.m.

• Controlled substance - marijuana, possession, Autozone, 325 S. 14th St.

10:12 p.m.

• Controlled substance - other controlled substances, 201 S. 14th St.

10:26 p.m.

• Traffic (Criminal violations) - criminal traffic violation, Lackey St. and W. Corral

10:49 p.m.

• Warrant - out of

county-felony, N. 6th St. and E. Santa Gertrudis/FM 2045

Friday, June 25

12:31 a.m.

• DUI

• alcohol, DWI, N. 14th St. & E. Alice Ave.

2:49 a.m.

• Traffic accident - hit/run, private property damage, accident - minor, The Legends at Kingsville, 1331 W. Santa Gertrudis Ave.

3:14 p.m.

• Non UCR reportable - non UCR reportable, suspicious activity, 1268 E. Kennedy Ave.

3:59 p.m.

• Traffic accident - traffic accident, injury, accident-major, 721 E. Warren Ave.

5:25 p.m.



• Public intoxication, Stars Drive-In, 2111 Brahma Blvd.

5:50 p.m.

• Traffic accident, vehicle damage, accident-minor, 504 E. Kleberg Ave.

8:10 p.m.

• Traffic problem - traffic offense, reckless driver, 900 W. Johnston Ave.

8:43 p.m.

• Theft - shoplifting, Hibbett Sports, 2229 Brahma Blvd.

9:36 p.m.

• Theft - shoplifting, Hibbett Sports, 2229 Brahma Blvd.

Saturday, June 26

2:26 a.m.

• DUI - alcohol, 200 E. Henrietta Ave.

10:14 a.m.

• Harassment, H.M.

King High School, 2210 Brahma Blvd.

11:10 a.m.

• Stolen vehicle - vehicle, theft, auto, 328 W. Nettie Ave.

11:55 a.m.

• Theft - larceny, from vehicle, Big House BBQ, 129 S. Hwy 77

12:15 p.m.

• Trespassing - trespassing, private property, criminal trespass, Dick Kleberg Park, 900 E. Escondido/FM 2090

12:15 p.m.

• Assault - simple assault, Dick Kleberg Park, 900 E. Escondido/FM 2090

5:06 p.m.

• Property - found property, Econolodge, 221 S. Hwy 77

Sunday, June 27

9:33 a.m.

• Theft - larceny, from vehicle, burglary vehicle, 418 S. 6th St.

10:24 a.m.

• Traffic problem - traffic offense, traffic stop, S. 17th St. & E. Kennedy Ave.

1:34 p.m.

• Controlled substance - marijuana, possession, 213 W. Santa Gertrudis Ave.

5:29 p.m.

• Assault - simple assault, Courts of Las Palomas, 600 E. General Cavazos Blvd.

8:09 p.m.

• Trespassing - trespassing, private property, criminal trespass, 1226 E. Santa Gertrudis/FM 2045

9:26 p.m.

• Traffic (criminal violation) - criminal traffic violation, traffic stop, Kwik Pantry (Corral/Armstrong), 730 W. Corral

11:19 p.m.

• Suspicious - suspicious activity, 319 S. 26th St.

## Bishop Blotter

(Editor's note: Information in this column was obtained from the Bishop Police Department. Everyone charged with a crime is presumed innocent until proven guilty in court.)

The Bishop Police Department summary of calls for service from June 18-24. There were 29 traffic stops for traffic enforcement during this time.

Friday, June 25

3:38 a.m.  
• EMS/Medical - in city limits, clear, Date/2nd

3:48 a.m.

• EMS/Medical - in city limits, EMS-patient refused transport

6:53 a.m.

• Routine/patrol request, clear, 100 block E. Joyce St.

7:02 a.m.

• Routine/patrol request, clear, 100 block Badger Ln.

7:59 a.m.

• Routine/patrol request, clear, E. 4th St.

8:03 a.m.

• Abandoned vehicle, clear, Badger Lane

11:32 p.m.

• Routine/patrol request, information only, 200 block W. 4th

Saturday, June 26

12:00 a.m.

• Suspicious person, clear, 600 block E. 6th St.

2:07 a.m.

• Loud complaint - music/noise, referred to other LE agency, 300 block N. Frances

9:42 a.m.

• Vehicle impound-private tow, information only, 200 block U.S. Hwy 77

10:42 a.m.

• Animal control request, 400 block E. 10th St.

10:57 a.m.

• EMS/Medical - in city limits/EMS-patient refused transport, 600 block E. Joyce

11:09 a.m.

• EMS/Medical - in city limits/EMS-patient refused transport, 500 block E. 4th St.

11:56 a.m.

• Burglary - not in progress, report, 900 block E. Oregon St.

12:01 p.m.

• EMS/Medical - in city limits/EMS-patient transport to hospital, 500 E. 4th St.

1:39 p.m.

• Public works - after hours call out, 500 block E. Second St.

7:18 p.m.

• Accident - minor, no injuries involved, report, Bus. Hwy 77

7:25 p.m.

• Accident - minor, no injuries involved/EMS-patient refused transport

7:25 p.m.

• Accident - minor, no injuries involved, clear, Bus. Hwy 77

7:28 p.m.

• EMS/Medical - outside city limits, referred to other LE agency, 900 block Hercules Dr.

7:57 p.m.

• Loud complaint - music/noise, unable to locate, 400 block E. Main St.

Sunday, June 27

• Accident - minor damage/injuries, EMS-patient refused transport, FM 665/CR 61

12:26 a.m.

• Accident - minor damage/injuries, clear, FM 665/CR 61

12:27 a.m.

• Accident - minor damage/injuries, clear, FM 665/CR 61

3:43 a.m.

• Disturbance - not in progress, clear, 400 block N. U.S. Hwy 77

6:35 a.m.

• Routine/patrol request, warning, 100 block E. Joyce St.

11:00 a.m.

• Burglary - not in progress, report, 900

block E. Oregon St.

11:44 a.m.

• Welfare concern - other, referred to other LE agency, Hwy 77 SB

at CR 4

11:57 a.m.

• Welfare concern - other, referred to other LE agency, Hwy 77 SB

at CR 4

12:18 p.m.

• Welfare concern - other, made secure, Hwy 77 SB

12:24 p.m.

• Welfare concern - other/EMS-patient refused transport, Hwy 77 SB

12:59 p.m.

• Reckless driving/referred to other LE agency, Hwy 77 NB entering Robstown

3:47 p.m.

• EMS/Medical - outside city limits EMS-patient transport to hospital, 3400 block FM 665 at CR 22A

4:51 p.m.

• Welfare concern - other, unable to locate, 1000 block U.S. Hwy 77

7:00 p.m.

• Identity theft, report, 500 block E. 9th St.

9:08 p.m.

• Routine/patrol request, information only, 100 block W. 6th St.

Monday, June 28

6:36 a.m.

• Suspicious person, referred to other LE agency, FM 665

9:50 a.m.

• Fire - illegal burning, clear, FM 3354/Bishop Airport

9:56 a.m.

• Fire - illegal burning, clear, FM 3354/Bishop Airport

10:36 a.m.

• Animal control request, 700 block W. 3rd St.

1:20 p.m.

• Animal control request, 100 block W. Joyce

2:18 p.m.

• Children left alone - welfare concern, information only, 400 block E. 1st St.

3:13 p.m.

• Accident - minor, no injuries involved, clear, E. 4th St.

3:22 p.m.

• Accident - minor, no injuries involved, EMS-patient refused transport, E. 4th St.

3:24 p.m.

• Accident - minor, no injuries involved, clear, E. 4th St.

4:01 p.m.

• Accident - minor, no injuries involved, clear, U.S. Hwy 77

4:05 p.m.

• Accident - minor, no injuries involved, U.S. Hwy 77

4:09 p.m.

• Accident - minor, no injuries involved, EMS-patient refused transport, U.S. Hwy 77

4:35 p.m.

• Accident - minor, no injuries involved, clear, U.S. Hwy 77

5:14 p.m.

• Theft - not in progress, no report, 500 block E. 5th St.

7:35 p.m.

• Animal control request, 500 block E. 5th St.

8:22 p.m.

• Reckless driving, clear, FM 70/Bus. 77

8:36 p.m.

• Hazard - debris, unable to locate, NB or SB U.S. Hwy 77/Between Bishop/Kingsville

Tuesday, June 29

1:35 a.m.

• Runaway juvenile, clear, 700 block Golden Dr.

8:10 a.m.

• Animal control request, 600 block Alamo St.

9:17 a.m.

• Stalled vehicle - hazard, clear, 300 block E. Henderson

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## PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 18, 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:

Joel Huerta, authorized agent and applicant, Jacob Garza, owner; requesting a Special Use Permit for Auto sales, repairs including motorcycles use at GLOVER PARK, BLOCK 3, LOT 16-21, also known as 1916 S. 6th St., Kingsville, Texas. 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, August 23, 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:

Joel Huerta, authorized agent and applicant, Jacob Garza, owner; requesting a Special Use Permit for Auto paint and body shop use at GLOVER PARK, BLOCK 3, LOT 16-21, also known as 1916 S. 6th St., Kingsville, Texas. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

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

**AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR AUTO SALES, REPAIRS INCLUDING MOTORCYCLES USE IN C2 (RETAIL DISTRICT) AT 1916 S. 6<sup>TH</sup> ST., KINGSVILLE, TEXAS, ALSO KNOWN AS GLOVER PARK, BLOCK 3, LOT 16-21; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application by Joel Huerta, authorized agent and applicant for owner Jacob Garza for amendment to the zoning map of the City of Kingsville;

**WHEREAS**, the property is currently zoned C2-Retail District and it is desired for the area to be used for Auto Sales, Repairs including Motorcycles use, while its prior use was an automotive repair shop;

**WHEREAS**, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in C2 a special use permit is required to have an Auto Sales, Repairs including Motorcycles use as listed on the SUP application; and

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

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 18, 2021, during a meeting of the Planning Commission, and on Monday, August 23, 2021, a public hearing was held during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning and Zoning Commission voted 4-0 to APPROVE, with no abstentions, the requested special use permit; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for Auto Sales, Repairs including Motorcycles use on the

premises known as 1916 S. 6<sup>th</sup> St., Kingsville, Texas, also known as Glover Park, Block 3, Lot 16-21, as more specifically describe on site plan attached as Exhibit A.

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

1. **ALLOWED USE:** The only uses authorized by this Special Permit other than the permitted "C2" Retail District use is for Auto Sales, Repairs including Motorcycles use.

2. **STATE LICENSE:** The premises or operator will be licensed or registered by the State of Texas, if needed, to have such a business.

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

4. **SPECIAL CONDITION:** The applicant shall obtain all required background checks, business licenses and have and cooperate with all annual fire safety, health, and sanitation inspections, or other inspections required for this type of use by the City of Kingsville or any State or Federal requirement, in order to maintain compliance with federal, state and city regulations for the facility.

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

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

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

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

**SECTION 7.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

**INTRODUCED** on this the 23rd day of August, 2021.

**PASSED AND APPROVED** on this the 7th day of September, 2021.

Effective Date: \_\_\_\_\_, 2021

**THE CITY OF KINGSVILLE**

---

Sam R. Fugate, Mayor

**ATTEST:**

---

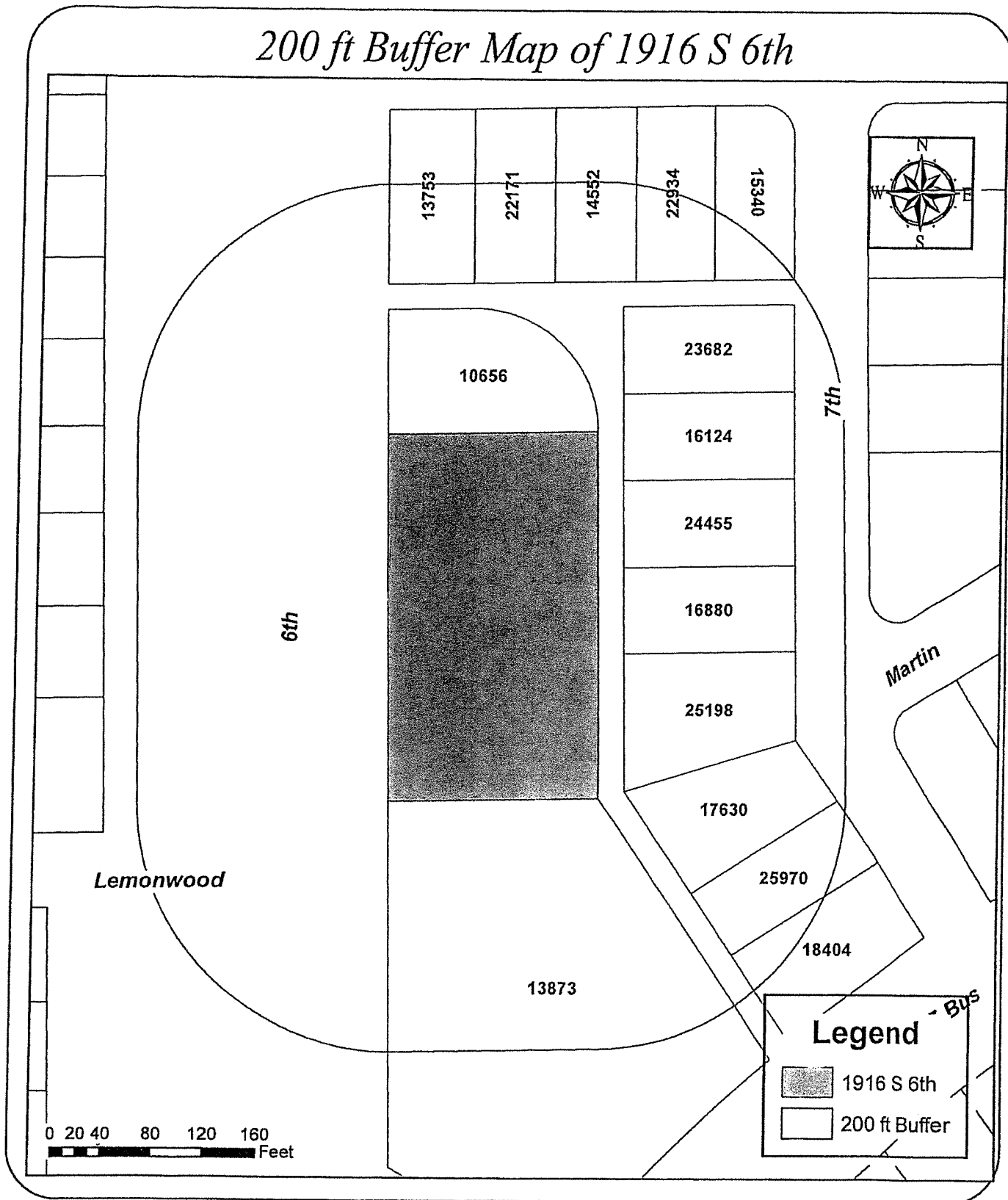
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

---

Courtney Alvarez, City Attorney

# 200 ft Buffer Map of 1916 S 6th



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\2021\_Buffer.mxd

|               |                                  |                                                                                                                                                                                                                                                                                                                 |                                                                                                                             |
|---------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Page<br>1 / 1 | Drawn By:<br>Planning Department | <b>DISCLAIMER</b><br>THIS MAP IS FOR VISUAL PURPOSES ONLY.<br>THE INFORMATION ON THIS SHEET MAY<br>CONTAIN INACCURACIES OR ERRORS.<br>THE CITY OF KINGSVILLE IS NOT<br>RESPONSIBLE IF THE INFORMATION CONTAINED<br>HEREIN IS USED FOR ANY DESIGN,<br>CONSTRUCTION, PLANNING, BUILDING,<br>OR ANY OTHER PURPOSE. | <b>CITY OF KINGSVILLE</b><br><b>PLANNING DEPARTMENT</b><br>410 West King<br>Kingsville, Texas 78363<br>Office: 361-595-8055 |
|               | Last Update: 8/2/2021            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                             |
|               | Note:                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                             |

# **AGENDA ITEM #4**

**City of Kingsville**  
**Public Works, Street Division**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: William Donnell, Director of Public Works

DATE: August 11, 2021

SUBJECT: Street Maintenance Fund 092 Budget Amendment

**Summary:**

This item authorizes funding for the completion of street construction and maintenance for West Sage Road, North 6<sup>th</sup> Street and West Santa Gertrudis projects.

**Background:**

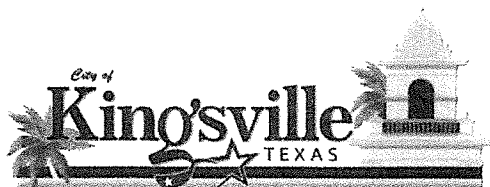
Thirty-two hundred feet of West Sage Road is in the process of being fully reconstructed. Base material is in place with a sealcoat and hotmix overlay ready to be applied. Thirty-six hundred feet of North 6<sup>th</sup> Street from Corral to Bus-77 was repaired with hotmix patches during the spring and is ready for a sealcoat to preserve the existing asphalt surface. Twenty-seven hundred feet of West Santa Gertrudis from Seale Street to Hwy-141 is prepared for a sealcoat to preserve the existing asphalt. These projects are in the process and ready but require additional funds to get them completed.

**Financial Impact:**

This will impact unappropriated Street Maintenance Fund 092 balance by \$140,000.00. This fund has an available balance of \$402,000 to cover the request.

**Recommendation:**

Staff is recommending approval of funds to complete these street maintenance projects this fiscal year.





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

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER ADDITIONAL STREET MAINTENANCE WORK ON WEST SAGE, CORRAL AND WEST SANTA GERTRUDIS.**

**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 092 – STREET MAINTENANCE FUND</b> |           |                 |                |                 |                 |
| <u>Expenditures – 5</u>                   |           |                 |                |                 |                 |
| 3050                                      | Street    | Street & Bridge | 52100          | \$140,000       |                 |

[To amend the City of Kingsville FY 20-21 Budget to cover additional street maintenance work on West Sage, Corral and West Santa Gertrudis. The funding will come from the Street Maintenance 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 23<sup>rd</sup> day of August, 2021.

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

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **REGULAR AGENDA**

# **AGENDA ITEM #5**

# **AGENDA ITEM #6**

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

**AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2021 AND ENDING SEPTEMBER 30, 2022 IN THE PARTICULARS HEREINAFTER STATED.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS,** that the budget for FY 2021-2022 is adopted as follows:

**Section One:** The official budget for the City of Kingsville for the fiscal year beginning October 01, 2021 and ending September 30, 2022 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

**Section Two:** The budget contains a complete financial statement of the City and shows (1) the outstanding obligations of the City of Kingsville, Texas, (2) the cash on hand to the credit of each fund, (3) the funds received from all sources during the preceding year, (4) the funds available from all sources during the ensuing year, (5) the estimated revenue available to cover the proposed budget, and, (6) the estimated tax rate required to cover the proposed budget. The budget shows each of the projects for which expenditures are set up and the estimated amount of money appropriated for each project.

**Section Three:** The sum of \$103,196,539.96 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Consolidated Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,359,367 and interest is \$237,632.

**Section Four:** The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2021 and ending September 30, 2022. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2021-2022, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

**Section Five:** The City Commission is authorized to levy taxes in accordance with this budget. The City Commission may authorize the expenditure of City funds only in strict compliance with the budget, except in an emergency. The City Commission may authorize an emergency expenditure as an amendment to the original budget only in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent care and attention. If the City Commission amends the original official budget to meet an emergency, the City Commission shall file a copy of its ordinance amending the budget with the City Secretary, and the City Secretary shall attach it to the original budget. The

City Manager shall provide for the filing of true copy of the approved budget in the office of the County Clerk of Kleberg County. The City Commission reserves the right to make changes in the official budget for municipal purposes.

**Section Six:** All Ordinances of parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

**Section Seven:** 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.

**Section Eight:** This Ordinance shall NOT be codified but will become effective on and after adoption and publication as required by law.

**Section Nine:** This Ordinance was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code, and Chapter 102 of the Texas Local Government Code.

**INTRODUCED** on this the 7<sup>th</sup> day of September, 2021.

**PASSED** on this the 13<sup>th</sup> day of September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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

# **AGENDA ITEM #7**



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

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2021 AND ENDING SEPTEMBER 30, 2022, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2021-2022 be established and adopted as follows:

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

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2021 starting October 01, 2021 and ending September 30, 2022, the sum of \$.84000 based on 100% of the fair market value.

Section Three: Said levy shall be distributed in the following manner:

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.67492 on each one hundred dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue Certificates of Obligations, of the City of Kingsville, the sum of \$.16508 on each one hundred dollars (\$100) assessed valuation of such property.

Section Four: That said taxes shall be due and payable at the time and in the manner provided by ordinances of the City of Kingsville and laws of the State of Texas, relating to the payment of taxes and providing for penalties and interest on delinquent taxes.

Section Five: There is hereby fixed, levied on each and every item of taxable property a lien for the purpose of securing the certain payment of the taxes assessed against said item of property and said lien shall continue to exist against any item of property against which a tax is assessed hereunder until such tax together with all penalties and interest shall be paid.

Section Six: This ordinance shall be in full force and effective ten days from and after the date of the second publication in a local newspaper as provided by law and the City Charter of the City of Kingsville.

Section Seven: The tax rate established and adopted by this ordinance and a copy of this ordinance shall be filed in the office of the Tax Assessor Collector.

Section Eight: That no discounts or split payments are allowed for the 2021 tax year.

Section Nine: That an exemption of \$8,400.00 be granted for any person of age sixty-five (65) or over.

Section Ten: The Kleberg County Tax Assessor-Collector is hereby authorized to assess and collect the taxes of the City of Kingsville employing the above tax rate.

**INTRODUCED** on this the 7<sup>th</sup> day of September, 2021.

**PASSED** on this the 13<sup>th</sup> day of September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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

# **AGENDA ITEM #8**

**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 30, 2021

SUBJECT: Increase in Water and Sewer Rates

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**Summary:**

The budget submitted for approval contains rate increases for water and sewer. These increases are included to keep pace with the recommendations contained in the City's rate study for utility fees conducted by Grady Reed with HDR in 2018. The water rate increase is 1% and the sewer rate increase is 7%. The revenues generated from these rate increases will be placed into the Utility Fund Capital Projects Fund 054 for future capital water and wastewater projects.

**Financial Impact:**

The approval of these rate increases will allow future capital water and wastewater projects to be completed and allow the Utility Fund 051 fund balance to take care of other needs of the Utility System.

**Recommendation:**

Staff recommends the approval of the water and sewer rate increases.



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

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 3, WATER, PROVIDING FOR AN INCREASE IN WATER RATES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

**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:** 1% Increase

I.

**THAT** Section 5-3-51 of Article 3: Water of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 5-3-51 MINIMUM MONTHLY CHARGE; RATE SCHEDULE.**

(A) The following monthly rates shall be charged inside-city customers for the use of city water, provided that minimum monthly charges shall be made and bills rendered accordingly, under the standard water rates schedule as follows:

| <i>Minimum Monthly Bill Water Service</i> |                                  |                                  |                          |                          |                |
|-------------------------------------------|----------------------------------|----------------------------------|--------------------------|--------------------------|----------------|
| <i>Meter Allowance Size</i>               | <i>Single-Family Residential</i> | <i>Multi-Family Residential*</i> | <i>Commercial**</i>      | <i>Irrigation</i>        | <i>Gallons</i> |
| 5/8 - 3/4 inch                            | <del>12.80</del> 12.67           | \$0.00                           | \$0.00                   | \$0.00                   | 0              |
| 5/8 - 3/4 inch                            | —                                | <del>24.22</del> 23.98           | <del>25.19</del> 24.94   | <del>28.89</del> 28.60   | 3,000          |
| 1 inch                                    | <del>26.19</del> 25.93           | <del>29.46</del> 29.17           | <del>31.85</del> 31.53   | <del>39.31</del> 38.92   | 5,000          |
| 1¼ inch                                   | <del>31.87</del> 31.55           | <del>35.23</del> 34.88           | <del>38.49</del> 38.11   | <del>46.07</del> 45.61   | 7,000          |
| 1½ inch                                   | <del>39.07</del> 38.68           | <del>43.47</del> 43.04           | <del>48.47</del> 47.99   | <del>58.93</del> 58.35   | 10,000         |
| 2 inch                                    | <del>56.95</del> 56.39           | <del>59.95</del> 59.36           | <del>68.40</del> 67.72   | <del>84.71</del> 83.87   | 16,000         |
| 3 inch                                    | <del>56.95</del> 56.39           | <del>112.18</del> 111.07         | <del>120.96</del> 119.76 | <del>166.33</del> 164.68 | 35,000         |
| 4 inch                                    |                                  |                                  |                          |                          |                |

| <b>Minimum Monthly Bill Water Service</b> |                                  |                                  |                      |                         |                |
|-------------------------------------------|----------------------------------|----------------------------------|----------------------|-------------------------|----------------|
| <b>Meter Allowance Size</b>               | <b>Single-Family Residential</b> | <b>Multi-Family Residential*</b> | <b>Commercial**</b>  | <b>Irrigation</b>       | <b>Gallons</b> |
|                                           | <u>56.95</u> 56.39               | <u>180.90</u><br>179.11          | <u>186.52</u> 184.67 | <u>273.71</u><br>271.00 | 60,000         |
| 6 inch                                    | <u>56.95</u> 56.39               | <u>359.56</u><br>356.00          | <u>356.31</u> 352.78 | <u>552.89</u><br>547.42 | 125,000        |
| 8 inch                                    | <u>56.95</u> 56.39               | <u>359.56</u><br>356.00          | <u>679.38</u> 672.65 | <u>552.89</u><br>547.42 | 200,000        |

\* Includes apartments of 3-4 units.  
\*\* Includes hotels, motels, and apartments over 4 units.

(B) The following monthly rates shall be charged outside-city customers for the use of city water, provided that minimum monthly charges shall be made and bills rendered accordingly, under the standard water rates schedule as follows:

| <b>Minimum Monthly Bill Water Service</b> |                                  |                                  |                      |                         |                |
|-------------------------------------------|----------------------------------|----------------------------------|----------------------|-------------------------|----------------|
| <b>Meter Allowance Size</b>               | <b>Single-Family Residential</b> | <b>Multi-Family Residential*</b> | <b>Commercial**</b>  | <b>Irrigation</b>       | <b>Gallons</b> |
| 5/8 - 3/4 inch                            | <u>14.70</u> 14.55               | \$0.00                           | \$0.00               | \$0.00                  | 0              |
| 5/8 - 3/4 inch                            | —                                | <u>27.87</u> 27.59               | <u>28.97</u> 28.68   | <u>33.20</u> 32.87      | 3,000          |
| 1 inch                                    | <u>30.14</u> 29.84               | <u>33.90</u> 33.56               | <u>36.60</u> 36.24   | <u>41.60</u> 41.19      | 5,000          |
| 1¼ inch                                   | <u>32.58</u> 32.26               | <u>40.51</u> 40.11               | <u>44.26</u> 43.82   | <u>52.41</u> 51.89      | 7,000          |
| 1½ inch                                   | <u>44.89</u> 44.45               | <u>49.98</u> 49.49               | <u>55.71</u> 55.16   | <u>67.77</u> 67.10      | 10,000         |
| 2 inch                                    | <u>65.52</u> 64.87               | <u>68.95</u> 68.27               | <u>78.66</u> 77.88   | <u>97.39</u> 96.43      | 16,000         |
| 3 inch                                    | <u>65.52</u> 64.87               | <u>129.01</u><br>127.73          | <u>139.10</u> 137.72 | <u>191.26</u><br>189.37 | 35,000         |
| 4 inch                                    | <u>65.52</u> 64.87               | <u>208.01</u><br>205.95          | <u>214.50</u> 212.38 | <u>314.75</u><br>311.63 | 60,000         |
| 6 inch                                    | <u>65.52</u> 64.87               | <u>413.47</u><br>409.38          | <u>409.74</u> 405.68 | <u>635.82</u><br>629.52 | 125,000        |

| <b>Minimum Monthly Bill Water Service</b>                |                                      |                                        |                                        |                                        |                |
|----------------------------------------------------------|--------------------------------------|----------------------------------------|----------------------------------------|----------------------------------------|----------------|
| <b>Meter Allowance Size</b>                              | <b>Single-Family Residential</b>     | <b>Multi-Family Residential*</b>       | <b>Commercial**</b>                    | <b>Irrigation</b>                      | <b>Gallons</b> |
| 8 inch                                                   | <b><u>65.52</u></b> <del>64.87</del> | <b><u>413.47</u></b> <del>409.38</del> | <b><u>781.27</u></b> <del>773.53</del> | <b><u>635.82</u></b> <del>629.52</del> | 200,000        |
| * Includes apartments of 3-4 units.                      |                                      |                                        |                                        |                                        |                |
| ** Includes hotels, motels, and apartments over 4 units. |                                      |                                        |                                        |                                        |                |

(C) For all water furnished in excess of the minimum allowance, the charge per 1,000 gallons of water delivered per month shall be shown as follows:

|                            | In-side City                         | Outside City                         |
|----------------------------|--------------------------------------|--------------------------------------|
| Single-family residential: |                                      |                                      |
| 0 - 5,000 gallons          | <b><u>\$2.68</u></b> <del>2.65</del> | <b><u>\$3.08</u></b> <del>3.05</del> |
| 5,001 - 10,000 gallons     | <b><u>2.82</u></b> <del>2.79</del>   | <b><u>3.25</u></b> <del>3.22</del>   |
| 10,001 - 15,000 gallons    | <b><u>2.94</u></b> <del>2.91</del>   | <b><u>3.41</u></b> <del>3.38</del>   |
| 15,001 - 20,000 gallons    | <b><u>3.07</u></b> <del>3.04</del>   | <b><u>3.56</u></b> <del>3.52</del>   |
| 20,001 - 30,000 gallons    | <b><u>3.21</u></b> <del>3.18</del>   | <b><u>3.69</u></b> <del>3.65</del>   |
| 30,000 + gallons           | <b><u>4.14</u></b> <del>4.10</del>   | <b><u>4.78</u></b> <del>4.73</del>   |
| Multi-family:              | <b><u>2.84</u></b> <del>2.81</del>   | <b><u>3.28</u></b> <del>3.25</del>   |
|                            |                                      |                                      |
| Commercial:                | <b><u>3.41</u></b> <del>3.38</del>   | <b><u>3.91</u></b> <del>3.87</del>   |
|                            |                                      |                                      |
| Irrigation                 | <b><u>4.28</u></b> <del>4.24</del>   | <b><u>4.92</u></b> <del>4.87</del>   |

(D) These rates shall be applied to all water that passes through the meter regardless of whether the water is used or not.

(E) Industrial rates by special contract with the city.

(F) Naval Air Station Kingsville water rate, as determined by the most current water rate study, is set at **\$1.79** ~~4.77~~/1,000 gallons.

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 7<sup>th</sup> day of September, 2021.

**PASSED AND APPROVED** on this the 13<sup>th</sup> day of September, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



# **AGENDA ITEM #9**

**City of Kingsville  
Finance Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: August 30, 2021

SUBJECT: Increase in Water and Sewer Rates

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**Summary:**

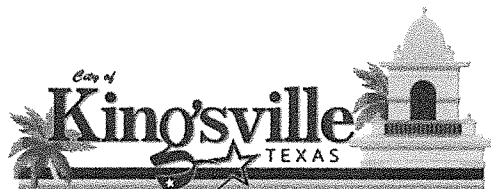
The budget submitted for approval contains rate increases for water and sewer. These increases are included to keep pace with the recommendations contained in the City's rate study for utility fees conducted by Grady Reed with HDR in 2018. The water rate increase is 1% and the sewer rate increase is 7%. The revenues generated from these rate increases will be placed into the Utility Fund Capital Projects Fund 054 for future capital water and wastewater projects.

**Financial Impact:**

The approval of these rate increases will allow future capital water and wastewater projects to be completed and allow the Utility Fund 051 fund balance to take care of other needs of the Utility System.

**Recommendation:**

Staff recommends the approval of the water and sewer rate increases.



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

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 2, SEWERS, PROVIDING FOR AN INCREASE IN SEWER RATES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**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:** 7% increase

I.

**THAT** Section 5-2-2 of Article 2: Sewers of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 5-2-2 USER CLASSIFICATIONS; SCHEDULE OF CHARGES.**

(A) *Single-family residential*. Minimum monthly charge of \$15.55 ~~14.53~~ with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$4.45 ~~4.16~~ per 1,000 gallons will be levied to a maximum of 15,000 gallons after which no further charge shall be levied.

(B) *Duplex*. Minimum monthly charge of \$19.08 ~~17.83~~ with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$4.45 ~~4.16~~ per 1,000 gallons will be levied.

(C) *Multi-family residential (includes apartments of 3-4 units)*. Minimum monthly charge of \$29.16 ~~27.25~~ with an allowance for 3,000 gallons. For consumption in excess of 3,000 gallons, a charge of \$4.45 ~~4.16~~ per 1,000 gallons shall be levied.

(D) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any other categories)*. Minimum monthly charge \$35.87 ~~33.52~~ with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$4.69 ~~4.38~~ per 1,000 gallons will be levied.

(E) *Irrigation*. No customer using city water services solely for irrigation purposes shall be assessed a sewer charge.

(F) *Industrial plants*. By special contract with the city.

(G) *Billing charge*. All sewer customers who are not billed for water services shall be assessed a monthly billing charge of \$2.59 ~~2.42~~ in addition to their sewer charges.

(H) (1) *Outside city limits.* All parts of this section shall apply to customers located outside the city limits and who receive city sewer service except the rates to such customers shall be as follows:

(2) *Single-family residential.* Minimum monthly charge of ~~\$17.89~~ 16.72 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$5.11~~ 4.78 per 1,000 gallons of water consumed to a maximum of 15,000 gallons after which no further charge shall be levied.

(3) *Duplex.* Minimum monthly charge of ~~\$21.95~~ 20.54 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$5.11~~ 4.78 per 1,000 gallons of water consumed.

(4) *Multi-family residential (includes apartments of 3-4 units).* Minimum monthly charge of ~~\$33.52~~ 31.33 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of ~~\$5.11~~ 4.78 per 1,000 gallons of water consumed.

(5) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any of the above categories).* Minimum monthly charge of ~~\$41.24~~ 38.54 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of ~~\$5.39~~ 5.04 per 1, 000 gallons of water consumed.

## 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 7<sup>th</sup> day of September, 2021.

**PASSED AND APPROVED** on this the 13<sup>th</sup> day of September, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #10**

**City of Kingsville  
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: September 7, 2021

SUBJECT: An Ordinance Amending The City of Kingsville Code of Ordinances Sections 9-10-53, 55, 56 and 57 to Update The Fees and Calculation Method Used For The Purpose of Funding The City Streets System

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**Purpose:**

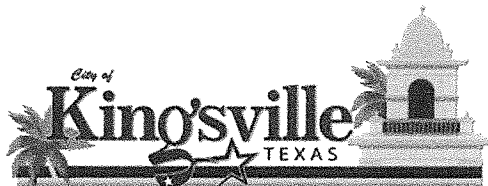
The purpose of increasing the Street Maintenance Fees(**SMF**) is to provide funding for the repair of streets in the City. Not approving this increase would impede and limit completion of additional projects and permit the continued deterioration of the streets, resulting in increasingly more expensive repairs.

**Summary:**

Article 10, Section 9-10 of our Code of Ordinances(see Background pg. 2: below) defines the factors and calculations used to determine how the Street Maintenance Fee is determined and assigned.

Factors involved include the following:

- Property Type – Residential benefitted property(single-family, attached multifamily & detached dwelling units) and Nonresidential benefitted property(businesses)
- Square Footage(**SF**) – Designated as “living area” in square feet, per Kleberg County Appraisal District.
- Equivalent Residential Unit Square Footage(**ERU**) – Unit of measurement for the median size of a residence unit equal to 2,425 sf. For Residential benefitted property the **ERU** = 1. For Nonresidential benefitted property the **ERU**= **SF** / 2,425 sf.
- Trip Factor(**TF**) – Trip Generation Rates based on the types of land uses recognized by the City of Kingsville for purposed of implementing the Street Maintenance Fee.
- Trip Adjustment Percentage(**TA%**) – This is a discount(currently 90%) applied to the **TF** to arrive at the Adjusted Trip Factor(**ATF**). Note, this discount does not apply to Residential benefitted property.



**City of Kingsville  
Engineering Dept.**

- Point Value(**PV**) – This value is calculated and assigned according to point ranges set up in 11 tiers and contained in the Point Value Tier Table found in Section 9-10-57 to determine the Street Maintenance Fee assigned to the Nonresidential benefitted property. The **PV** is calculated in the following formula:

$$PV = (SF / 2,425 \text{ sf}) \times (TF \times AT\%)$$

The current 11 tiers determine the monthly fee which range from \$10 to \$150(see example below).

To achieve the additional revenue target, the following proposed changes to the Street Maintenance Fees are needed:

- Increase the **ERU** fee from \$5.00 to \$6.00
- Reduce the Trip Adjustment Percentage from 90% to 85%
- Create two new tiers in the Point Value Tier Table and reconfigure the tier values to raise the maximum monthly fees for the top three tiers from \$150 to \$150, \$250 & \$500, respectively. The new top three tier PV ranges and fees would be:

| Current Top PV Range | Current Fee |
|----------------------|-------------|
|                      |             |
|                      |             |
| 40 and over*         | \$150*      |
| (11 Tiers)           |             |
| Under 2              | \$10        |

\* Current top tier range and maximum fee

New Tier→  
New Tier→  
Reranged Tier→

| Proposed Top PV Ranges | Proposed Fee |
|------------------------|--------------|
| 80 and over            | \$500        |
| 60 to 79.99            | \$250        |
| 40 to 59.99            | \$150        |
| (13 Tiers)             |              |
| Under 2                | \$10         |

**Background:**

Kingsville, TX Code of Ordinances, Article 10 – Streets and Sidewalks, Sec. 9-10 was established to provide a funding source for maintaining our street system city-wide. Highlights of Sec. 9-10 include:

- Sec. 9-10-50: The Street Maintenance Fee (**SMF**) was passed on November 23, 2015 and became effective on December 16, 2015.





**City of Kingsville  
Engineering Dept.**

- Sec. 9-10-51: The fee is collected from owners or occupants of benefitted property for this purpose. A Street Preventative Maintenance Program (**SPMP**) was created to prioritize street maintenance funded by the **SMF**.
- Sec. 9-10-56: Residents pay a flat fee of \$5/month.
- Sec. 9-10-57: Non-Residents (business owners) pay a rate based on a **PV** formula(see Summary pg. 2: above).
- Sec. 9-10-62: A Street Maintenance Fee Board of Appeals was established and is comprised of five members, Finance Director, Public Works Director/City Engineer, Planning Director and two citizens appointed by the City Manager.
- Sec. 9-10-64: Exemptions - This article does not apply to a city, county, state, federal agency or department, hospital district, publicly funded independent school district or charter school, public institution of higher education, church, registered 501(c) organizations, or regional transit authority. This article does not apply to vacant property that generates no motor vehicle trips. The director may adopt any reasonable method to determine whether a property is vacant and generates no motor vehicle trips.
- Sec. 9-10-66: The City Commission will periodically review the street maintenance fees and rates.

**Financial Impact:**

Approval of the recommended changes outlined above will raise the yearly Street Maintenance Fee revenues from the current estimated \$820,779.00 to \$1,064,134.80, providing approximately \$243,355.80 of additional revenue.

**Recommendation:**

Staff recommends:

1. Increase the Equivalent Residential Unit(**ERU**) fee from \$5.00 to \$6.00
2. Reduce the Trip Adjustment Percentage from 90% to 85%
3. Create two new tiers in the Point Value Tier Table and reconfigure the tier values to raise the maximum monthly fees for the top three tiers from \$150 to \$150, \$250 & \$500, respectively.



**City of Kingsville  
Engineering Dept.**

**Attachments:**

- ❖ Ordinance 2021-\_\_



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

AN ORDINANCE AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTIONS 9-10-53, 55, 56 AND 57 TO UPDATE THE FEES AND CALCULATION METHOD USED FOR THE PURPOSE OF FUNDING THE CITY STREETS SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Kingsville, Texas ("City Commission") has determined that in order to protect the citizenry from the deterioration of the quality and safety of the street system that they rely upon and use on a regular basis, it is necessary and in the best interest of the public health and safety to establish a street maintenance fee in order to provide a properly maintained road system; and

**WHEREAS**, on November 23, 2015, the City Commission approved the Street Maintenance Fee ordinances (9-10-50 through 9-10-66) and since then staff has worked with an outside consultant to update the comprehensive street maintenance and improvement plan and has determined the ordinance is in need of update as reflected herein, and the Commission finds the proposed fees are non-discriminatory, reasonable, and equitable; and

**WHEREAS**, in setting the schedule of Street Maintenance Fees, the fees are based on an inventory of parcels within the city limits.

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

**SECTION 1:** The City Commission has previously established a Street Maintenance Fees and proposes to amend that ordinance as set forth herein. Street Maintenance Fees shall be levied against all benefitted properties within the city limits unless exempt under Chapter IX, Article 10, Section 64.

**SECTION 2:** The Code of Ordinances of the City of Kingsville, Texas is hereby amended by amending 9-10-53, 55, 9-10-56, and 9-10-57 of Chapter IX, Article 10 "Street Maintenance Fee" to read as follows:

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*STREET MAINTENANCE FEES*

...

**Sec. 9-10-53 TRIP FACTORS.**

The director shall assign to each benefitted property a trip factor according to the property's use. The director shall assume for each nonresidential benefitted property the number of trips per day as set by the Institute of Transportation Engineers (ITE Trip Generation Manual, 10<sup>th</sup> Ed. Vol. 1-3).

The director conducted a survey of nonresidential benefitted property to more specifically identify land use, in order to assign a more appropriate trip factor to the land use categories shown in the Trip Factor Index (Exhibit "A"), kept on file with the city.

The Trip Factor Index will be maintained by the director or his designee and may be revised from time to time in accordance with this article.

For purposes of this article, a property's use does not depend on the property's zoning. If a property fits more than one (1) category of use, the director shall assign a land use.

...

#### **Sec. 9-10-55 FEE CALCULATION.**

(a) The street maintenance fee shall be calculated based on the following factors:

ERU = Equivalent Residential Unit = 2,425 SF.

For each dwelling unit of a residential benefitted property, ERU=1.

For each nonresidential benefitted property, ERU = SF/2,425 SF on a per meter basis.

TF= Trip Factor adjusted for 85% ~~90%~~ discount.

(b) Collection of the fee for residential property shall be charged on the basis of a set fee per lot, unit, tract or parcel that is a Kingsville water and/or wastewater utilities customer within the city limits of the City of Kingsville.

(c) Collection of the fee for nonresidential property that is a Kingsville water and/or wastewater utilities customer within the city limits of the City of Kingsville shall be charged on the basis of using the trip generation rate published by the Institute of Transportation Engineers and based on land uses allowed. The trip generation is the number of trips anticipated to and from property per 1,000 square foot of building. For each nonresidential customer, the ERU for the building area on the property will be multiplied by the appropriate discounted trip factor to arrive at a point value. This value will be compared to a tier of point ranges which will determine what the nonresidential benefitted property customer will pay each month.

#### **Sec. 9-10-56 RESIDENTIAL BENEFITTED PROPERTY.**

The director shall determine the fee for residential benefitted property on the basis of factors that include the trip generation rate published by the Institute of Transportation Engineers for residential use of the property.

The fee for residential benefitted property shall be on the basis of a set fee per dwelling unit.

For a residential benefitted property, each month a customer shall pay an amount equal to the following:

(Single-family) Monthly Bill = ~~\$5.00~~ \$6.00

~~(Multi-family of 2-4 living units) Monthly Bill = (\$5.00) + (.85 x \$5 x number of each living units after 1<sup>st</sup>)~~

(Multi-family of more than 1 living unit ~~4 living units~~ or for mobile home lots) Monthly Bill = ~~\$5.00~~ \$6.00 x (total number of living units or mobile home lots) x (0.85 which is estimated occupancy)

#### **Sec. 9-10-57 NONRESIDENTIAL BENEFITTED PROPERTY.**

The director shall determine the fee for nonresidential benefitted property on the basis of factors that include the trip generation rate published by the Institute of Transportation Engineers for the land uses allowed.

For each nonresidential customer, the ERU for the building area on the property will be multiplied by the appropriate discounted trip factor to arrive at a point value. This value will be compared to a tier of point ranges which will determine what the nonresidential benefitted property customer will pay each month.

For a nonresidential benefitted property, a point value shall be determined as follows:

$$\del{\$5.00} \text{ } \$6.00 \times (\text{SF}/2,425 \text{ SF}) \times (\text{TF}) = \text{Point Value}$$

The director shall determine the square footage for a nonresidential benefitted property based upon building square footage of property as recorded by the Kleberg County Appraisal District. If appraisal district records are unavailable, the director may determine the size of a nonresidential benefitted property from the best available information.

The point tier system is as follows:

| <b>Total Point Value</b>        | <b>=</b> | <b>Price Per Month</b> |
|---------------------------------|----------|------------------------|
| 80 and over                     |          | \$500                  |
| 60 to 79.99                     |          | \$250                  |
| 40 to 59.99 <del>and over</del> |          | \$150                  |
| 20 to 39.99                     |          | \$125                  |
| 14 to 19.99                     |          | \$100                  |
| 12 to 13.99                     |          | \$ 70                  |
| 10 to 11.99                     |          | \$ 50                  |
| 6 to 9.99                       |          | \$ 40                  |
| 5 to 5.99                       |          | \$ 30                  |
| 4 to 4.99                       |          | \$ 25                  |
| 3 to 3.99                       |          | \$ 20                  |
| 2 to 2.99                       |          | \$ 15                  |
| Under 2                         |          | \$ 10                  |

...

**SECTION 3:** It is found and determined by the City Commission that the fees established by this Ordinance are non-discriminatory, reasonable, and equitable, and that the fees are based upon an inventory of improved parcels within the city limits.

**SECTION 4:** It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its passage and approval.

**INTROUCED** on this the 7<sup>th</sup> day of September, 2021.

**PASSED AND APPROVED** by the City Commission on this the 13<sup>th</sup> day of September, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #11**

**City of Kingsville**  
**Human Resource Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: September 1, 2021

SUBJECT: Ordinance – City of Kingsville Classification & Compensation Plan FY 2021-2022

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**Summary:** In preparation for the beginning of each new fiscal year, the City of Kingsville Classification & Compensation Plan is brought before the City Commission. The plan incorporates classification and title changes included in the City Manager's budget. Below are the proposed changes for FY 2021-2022.

**Non-Exempt & Exempt Non-Civil Service Schedule**

- Continuation of Anniversary Program
- Cost of Living Adjustment (COLA) = 3%
- Longevity – Increase from \$3 to \$5 per month per year of service
- Wage Schedule restructure to start position at minimum \$12 per hour
  - o Class 1 will not be utilized and positions moved to Class 2
- Additional Reclassifications

| Title                            | Previous Class | New Proposed Class |
|----------------------------------|----------------|--------------------|
| Customer Service Rep I           | Class 2        | Class 3            |
| Evidence Clerk                   | Class 2        | Class 3            |
| Animal Care Attendant            | Class 3        | Class 4            |
| Customer Service Rep II          | Class 3        | Class 4            |
| Equipment Operator I             | Class 3        | Class 4            |
| Pump Operator                    | Class 3        | Class 4            |
| Equipment Operator II            | Class 6        | Class 9            |
| Telecommunications Operator      | Class 8        | Class 10           |
| Equipment Operator III           | Class 9        | Class 11           |
| Maintenance Technician           | Class 9        | Class 12           |
| Welder/Fabricator                | Class 9        | Class 12           |
| Lead Maintenance Technician      | Class 11       | Class 14           |
| Lead Telecommunications Operator | Class 11       | Class 14           |





# City of Kingsville Human Resource Department

|                          |                |                |
|--------------------------|----------------|----------------|
| Foreman                  | Class 13       | Class 14       |
| Building Inspector       | Class 15       | Class 11       |
| City Secretary           | Exempt Class 6 | Exempt Class 5 |
| Public Works Supervisors | Exempt Class 7 | Exempt Class 6 |
| Garage                   |                |                |
| Solid Waste              |                |                |
| Street                   |                |                |
| Wastewater               |                |                |
| Water                    |                |                |
| Water Production         |                |                |

- New & Upgraded
  - 1 Part-time Help Desk
  - 1 Part-time Maintenance Worker (29 Hours per week) Parks
  - 1 Part-time Customer Service Rep I in Tourism offset by removal of PT Maint. Worker
  - 1 Police Officer
  - 1 Telecommunications Operator
  - 1 Accounting Assistant
  - 1 Water Operator
  - 1 Customer Service Rep II in Fire from Part-time to Full-time
  - 1 Administrative Assistant I in Public Works from Part-time to Full-time
  - 1 GIS Technician in Engineering from Part-time to Full-time
  - 3 Part-time Maintenance Worker – Facilities changed from 19 to 29 hrs per week
  - 3 Kennel Attendants at 10 hrs per week changed to 2 Kennel Attendants at 19 hrs
  - Special Events/Downtown Manager Exempt Class 8
  - Senior Planner/Historic Preservation Officer Exempt Class 7
- \*Note: this is a split of duties of previous Downtown/Historic Preservation Manager
- Certification – Inclusion of Exempt personnel in eligibility
  - New
    - TCFP – Fire Inspector, Instructor, Investigator, Officer, Firefighter
    - TCOLE – Police Officer, Advanced & Master Telecommunicators
    - CGFO, CMC, SCP, TRMC, SPHR, CPA
- Rename
  - (1) Customer Service Rep I - Permit Technician
  - (1) Code Compliance Inspector - Building Inspector
  - Golf Course Manager - Golf Course Superintendent



**City of Kingsville**  
**Human Resource Department**

- |                                 |   |                        |
|---------------------------------|---|------------------------|
| ○ Street Equipment Operator II  | - | Equipment Operator II  |
| ○ Street Equipment Operator III | - | Equipment Operator III |
| ○ Street Foreman                | - | Foreman                |

**Background:** Each fiscal year the City Commission authorizes a classification and pay structure for City employees. The goal for FY21-22 was to increase minimum hiring rate to \$12 per hour for full-time and part-time positions and continue to work on adjusting positions rates closer to market to recruit and retain employees.

**Financial Impact:** The approximate total financial impact is \$ 1,230,919 and incorporated in the City Manager's proposed budget. The impact breakdown is listed below:

- |                                   |            |
|-----------------------------------|------------|
| - Anniversary Program             | \$ 82,483  |
| - Cost of Living Adjustment       | \$ 285,800 |
| - Longevity                       | \$ 44,605  |
| - \$12 Minimum & Reclasses        | \$ 307,793 |
| - New Positions                   | \$ 449,964 |
| - Public Works Supervisors Adjust | \$ 31,187  |
| - Certification                   | \$ 29,087  |

**Recommendation:** To approve the FY 2021-2022 City of Kingsville Classification & Compensation Plan to correspond to the City Manager's proposed budget.



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

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

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

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

I.

**THAT** Section 3-7-1 of Article 7: Personnel Policies of Chapter III. Administration of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 3-7-1 ADOPTION OF THE JOB CLASSIFICATION AND COMPENSATION PLAN.**

The City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2021 ~~2020~~ is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof who have completed the designated probationary period and any extensions thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. All employees (executive, exempt and non-exempt) serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Non-Exempt Non-Civil Service employees of the City of Kingsville are placed in a step according to the City of Kingsville Fiscal Year 2021-2022 ~~2020-2021~~ Non-Exempt Chart.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position not to exceed Step 5 unless approved by City Commission.

Non-Exempt employees promoted, transferred or temporarily assigned to a position in a higher classification range shall commence at a step of the higher Class. Each promoted, transferred or temporarily assigned employee shall then proceed to the next step after one (1) year in their current position and shall proceed to each step thereafter on the 3<sup>rd</sup>, 6<sup>th</sup>, 10<sup>th</sup>, and 15<sup>th</sup> year or until the employee reaches the sixth step of the compensation schedule.

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at a step of pay in the lower Class. Employees shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

All Exempt Class employees of the City of Kingsville shall be placed in a step program to receive a scheduled salary increase on the anniversary date of their 1<sup>st</sup>, 3<sup>rd</sup>, 6<sup>th</sup>, 10<sup>th</sup>, 15<sup>th</sup>, 20<sup>th</sup> and 25<sup>th</sup> year of service in the Exempt Class position. Percentage increases shall correspond to the Exempt Class Step Program included in the Classification and Compensation Plan for Fiscal Year 2021-2022 ~~2020-2021~~.

Executive Level 1 & 2 positions shall receive a cost of living adjustment when Non-Exempt Non-Civil Service employees receive a cost of living adjustment unless superseded by an employment

agreement. The City Commission shall evaluate the performance of and recommend salaries for Executive Level 1 & 2 positions each July to prepare for the up-coming fiscal year.

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 7th day of September, 2021.

**PASSED AND APPROVED** on this the 13th day of September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# SCENARIOS FOR FY 2021-2022 Non-Exempt Wage Schedule

Possible COLA = 3% increase

103% Updated 08 30 2021

| Step 7 & 8 available to employees in these steps as of October 1, 2016 |  |
|------------------------------------------------------------------------|--|
|                                                                        |  |
|                                                                        |  |

| Class                                                        | Step 1   | Step 2                   | Step 3                      | Step 4                            | Step 5   | Step 6   |            |  |
|--------------------------------------------------------------|----------|--------------------------|-----------------------------|-----------------------------------|----------|----------|------------|--|
| <b>C01</b>                                                   | \$ 10.56 | \$ 10.89                 | \$ 11.21                    | \$ 11.54                          | \$ 11.88 | \$ 12.25 | \$ 12.61   |  |
| Rounded                                                      | \$ 10.88 | \$ 11.20                 | \$ 11.54                    | \$ 11.89                          | \$ 12.24 | \$ 12.61 | \$ 12.99   |  |
| Custodian                                                    |          |                          |                             | Plant Helper                      |          |          |            |  |
| Golf Pro Shop Attendant                                      |          |                          |                             | Recycling Technician              |          |          |            |  |
| Kennel Attendant                                             |          |                          |                             | Utility Worker                    |          |          |            |  |
| Maintenance Worker                                           |          |                          |                             |                                   |          |          |            |  |
| <b>C02</b>                                                   | \$ 10.99 | \$ 11.32                 | \$ 11.65                    | \$ 12.01                          | \$ 12.36 | \$ 12.73 |            |  |
| Rounded                                                      | \$ 11.31 | \$ 11.65                 | \$ 12.00                    | \$ 12.36                          | \$ 12.73 | \$ 13.11 |            |  |
| Customer Service Representative I                            |          | Custodian                |                             | Plant Helper                      |          |          | (From C01) |  |
| Evidence Clerk                                               |          | Golf Pro Shop Attendant  |                             | Recycling Technician              |          |          | (From C01) |  |
|                                                              |          | Kennel Attendant         |                             | Utility Worker                    |          |          | (From C01) |  |
|                                                              |          | Maintenance Worker       |                             |                                   |          |          | (From C01) |  |
| <b>C03</b>                                                   | \$ 11.43 | \$ 11.77                 | \$ 12.13                    | \$ 12.48                          | \$ 12.85 | \$ 13.24 |            |  |
| Rounded                                                      | \$ 11.76 | \$ 12.12                 | \$ 12.48                    | \$ 12.86                          | \$ 13.24 | \$ 13.64 |            |  |
| Animal Care Attendant                                        |          | Equipment Service Worker |                             | Customer Service Representative I |          |          | (From C02) |  |
| Customer Service Representative II                           |          | Pump Operator            |                             | Evidence Clerk                    |          |          | (From C02) |  |
| Equipment Operator I                                         |          |                          |                             |                                   |          |          |            |  |
| <b>C04</b>                                                   | \$ 11.89 | \$ 12.24                 | \$ 12.61                    | \$ 12.99                          | \$ 13.38 | \$ 13.78 |            |  |
| Rounded                                                      | \$ 12.23 | \$ 12.60                 | \$ 12.98                    | \$ 13.37                          | \$ 13.77 | \$ 14.18 |            |  |
| Animal Care Attendant                                        |          |                          | Equipment Service Worker    |                                   |          |          | (From C03) |  |
| Customer Service Representative II                           |          |                          | Pump Operator               |                                   |          |          | (From C03) |  |
| Equipment Operator I                                         |          |                          |                             |                                   |          |          | (From C03) |  |
| Rename 1 Customer Service Rep II to Permit Technician (1602) |          |                          |                             |                                   |          |          |            |  |
| <b>C05</b>                                                   | \$ 12.36 | \$ 12.73                 | \$ 13.11                    | \$ 13.50                          | \$ 13.90 | \$ 14.33 |            |  |
| Rounded                                                      | \$ 12.72 | \$ 13.11                 | \$ 13.50                    | \$ 13.90                          | \$ 14.32 | \$ 14.75 |            |  |
| Animal Services Specialist                                   |          |                          | Services Technician         |                                   |          |          |            |  |
| Inventory Clerk                                              |          |                          |                             |                                   |          |          |            |  |
| <b>C06</b>                                                   | \$ 12.84 | \$ 13.24                 | \$ 13.63                    | \$ 14.05                          | \$ 14.46 | \$ 14.89 | \$ 15.80   |  |
| Rounded                                                      | \$ 13.23 | \$ 13.63                 | \$ 14.04                    | \$ 14.46                          | \$ 14.89 | \$ 15.34 | \$ 16.26   |  |
| Customer Billing Specialist                                  |          |                          | GIS Technician              |                                   |          |          |            |  |
| Deputy Clerk                                                 |          |                          | Meter Reader Technician     |                                   |          |          |            |  |
| Engineering Technician                                       |          |                          | Street Equipment Operator I |                                   |          |          |            |  |
| Equipment Operator II (Move to C09)                          |          |                          |                             |                                   |          |          |            |  |
| <b>C07</b>                                                   | \$ 13.37 | \$ 13.77                 | \$ 14.19                    | \$ 14.61                          | \$ 15.05 | \$ 15.50 |            |  |
| Rounded                                                      | \$ 13.76 | \$ 14.18                 | \$ 14.60                    | \$ 15.04                          | \$ 15.49 | \$ 15.95 |            |  |
| Administrative Assistant I                                   |          |                          |                             |                                   |          |          |            |  |
| <b>C08</b>                                                   | \$ 13.90 | \$ 14.32                 | \$ 14.74                    | \$ 15.19                          | \$ 15.64 | \$ 16.11 |            |  |
| Rounded                                                      | \$ 14.31 | \$ 14.74                 | \$ 15.18                    | \$ 15.64                          | \$ 16.11 | \$ 16.59 |            |  |
| Telecommunications Operator (Move to Class 10)               |          |                          |                             |                                   |          |          |            |  |

**SCENARIOS FOR  
FY 2021-2022 Non-Exempt Wage Schedule**

|         |                                                          |          |          |                                      |          |          |                                        | Step 7 & 8 available to<br>employees in these steps as of<br>October 1, 2016 |          |
|---------|----------------------------------------------------------|----------|----------|--------------------------------------|----------|----------|----------------------------------------|------------------------------------------------------------------------------|----------|
| C09     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              | Step 8   |
|         | \$ 14.45                                                 | \$ 14.89 | \$ 15.33 | \$ 15.80                             | \$ 16.27 | \$ 16.76 |                                        |                                                                              | \$ 17.78 |
| Rounded | \$ 14.89                                                 | \$ 15.33 | \$ 15.79 | \$ 16.27                             | \$ 16.75 | \$ 17.26 |                                        |                                                                              | \$ 18.29 |
|         | A/P Specialist                                           |          |          | Maintenance Technician (Move to C12) |          |          |                                        |                                                                              |          |
|         | Accounting Assistant                                     |          |          | Street Equipment Operator II         |          |          |                                        |                                                                              |          |
|         | Administrative Assistant II                              |          |          | Water/Wastewater Operator            |          |          |                                        |                                                                              |          |
|         | Equipment Operator III (Move to C11)                     |          |          | Welder/Fabricator (Move to C12)      |          |          |                                        |                                                                              |          |
|         | Help Desk Technician                                     |          |          |                                      |          |          | Equipment Operator II (From C06)       |                                                                              |          |
| C10     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 15.03                                                 | \$ 15.49 | \$ 15.95 | \$ 16.43                             | \$ 16.92 | \$ 17.42 |                                        |                                                                              |          |
| Rounded | \$ 15.48                                                 | \$ 15.95 | \$ 16.42 | \$ 16.92                             | \$ 17.42 | \$ 17.95 |                                        |                                                                              |          |
|         | Administrative Coordinator                               |          |          | Lab Technician                       |          |          |                                        |                                                                              |          |
|         | Human Resource Specialist                                |          |          | Payroll Specialist                   |          |          | Telecommunications Operator (From C08) |                                                                              |          |
| C11     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 15.63                                                 | \$ 16.11 | \$ 16.58 | \$ 17.08                             | \$ 17.60 | \$ 18.13 |                                        |                                                                              |          |
| Rounded | \$ 16.10                                                 | \$ 16.58 | \$ 17.08 | \$ 17.59                             | \$ 18.12 | \$ 18.66 |                                        |                                                                              |          |
|         | Code Compliance Inspector                                |          |          | Paralegal                            |          |          |                                        |                                                                              |          |
|         | Lead Maintenance Technician (Move to C14)                |          |          | Street Equipment Operator III        |          |          | Equipment Operator III (From C09)      |                                                                              |          |
|         | Lead Telecommunications Operator (Move to C14)           |          |          | Building Inspector (From Class 15)   |          |          |                                        |                                                                              |          |
|         | Rename 1 Code Compliance Inspector to Building Inspector |          |          |                                      |          |          |                                        |                                                                              |          |
| C12     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 16.26                                                 | \$ 16.75 | \$ 17.25 | \$ 17.76                             | \$ 18.30 | \$ 18.85 |                                        |                                                                              |          |
| Rounded | \$ 16.74                                                 | \$ 17.25 | \$ 17.76 | \$ 18.30                             | \$ 18.85 | \$ 19.41 |                                        |                                                                              |          |
|         | Maintenance Technician (From C09)                        |          |          |                                      |          |          |                                        |                                                                              |          |
|         | Welder/Fabricator (From C09)                             |          |          |                                      |          |          |                                        |                                                                              |          |
| C13     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 16.92                                                 | \$ 17.41 | \$ 17.94 | \$ 18.48                             | \$ 19.03 | \$ 19.61 |                                        |                                                                              |          |
| Rounded | \$ 17.41                                                 | \$ 17.94 | \$ 18.47 | \$ 19.03                             | \$ 19.60 | \$ 20.19 |                                        |                                                                              |          |
|         | Foreman (Move to C14)                                    |          |          |                                      |          |          |                                        |                                                                              |          |
| C14     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 17.59                                                 | \$ 18.12 | \$ 18.66 | \$ 19.21                             | \$ 19.79 | \$ 20.38 |                                        |                                                                              |          |
| Rounded | \$ 18.11                                                 | \$ 18.65 | \$ 19.21 | \$ 19.79                             | \$ 20.38 | \$ 21.00 |                                        |                                                                              |          |
|         | Special Events Coordinator                               |          |          | Lead Maintenance Technician          |          |          |                                        |                                                                              |          |
|         | Street Foreman                                           |          |          | Lead Telecommunications Operator     |          |          |                                        |                                                                              |          |
|         |                                                          |          |          | Foreman (From C13)                   |          |          |                                        |                                                                              |          |
| C15     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 18.29                                                 | \$ 18.84 | \$ 19.40 | \$ 19.99                             | \$ 20.58 | \$ 21.20 |                                        |                                                                              |          |
| Rounded | \$ 18.84                                                 | \$ 19.40 | \$ 19.98 | \$ 20.58                             | \$ 21.20 | \$ 21.84 |                                        |                                                                              |          |
|         | Building Inspector (Move to Class 11)                    |          |          |                                      |          |          |                                        |                                                                              |          |
|         | Crime Scene Specialist                                   |          |          |                                      |          |          |                                        |                                                                              |          |
|         | Health Inspector I                                       |          |          |                                      |          |          |                                        |                                                                              |          |
| C16     | Step 1                                                   | Step 2   | Step 3   | Step 4                               | Step 5   | Step 6   |                                        |                                                                              |          |
|         | \$ 19.02                                                 | \$ 19.60 | \$ 20.18 | \$ 20.79                             | \$ 21.41 | \$ 22.05 |                                        |                                                                              |          |
| Rounded | \$ 19.59                                                 | \$ 20.18 | \$ 20.78 | \$ 21.40                             | \$ 22.05 | \$ 22.71 |                                        |                                                                              |          |
|         | Engineer's Assistant                                     |          |          |                                      |          |          |                                        |                                                                              |          |

# SCENARIOS FOR FY 2021-2022 Non-Exempt Wage Schedule

| C17                 | Step 1   | Step 2   | Step 3   | Step 4   | Step 5   | Step 6   |
|---------------------|----------|----------|----------|----------|----------|----------|
|                     | \$ 19.78 | \$ 20.37 | \$ 20.98 | \$ 21.62 | \$ 22.27 | \$ 22.93 |
| Rounded             | \$ 20.37 | \$ 20.98 | \$ 21.61 | \$ 22.26 | \$ 22.93 | \$ 23.62 |
| Health Inspector II |          |          |          |          |          |          |

| OTHER<br>POSITIONS | Min     |
|--------------------|---------|
|                    | \$ 7.50 |
|                    | \$ 9.00 |

Seasonal/Temporary Employees

H191:J196

Example of positions include: Pool Manager/Attendants/Instructors/Lifeguards, Recreational Assistants, etc.

Step increases are calculated from Step placement at time of hire. Employees progress to the next Step upon completion of 1 year, 3 year, 6th year, 10th year and 15th year or until reach Step 6. Steps 7 & Step 8 are limited to employees in those steps as of October 1, 2016.

The hourly chart shall be relevant to all non-exempt, non-civil service employees maintaining a position in the same CLASS, unless otherwise approved by the City Manager.

## CERTIFICATION PAY - NON-EXEMPT AND EXEMPT EMPLOYEES (EXCLUDES CIVIL SERVICE PERSONNEL)

\* Rounding may be required for payroll purposes.

| Per Pay<br>Period | Agency                                                                                                                                                                                                                                                                                                                                                                               | Level/Class                                                                                                         |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| \$ 11.54          | TCFP - Fire Inspector<br>TCFP - Fire Instructor                                                                                                                                                                                                                                                                                                                                      |                                                                                                                     |
| \$ 13.85          | DSHS-Animal Control<br>EPA - Refrigerant Recovery and Recycling<br>FMCSA - Brake Inspectors<br>TCFP - Fire Investigator<br>TCFP - Fire Officer<br>TCEQ<br>TCEQ<br>TCEQ - Backflow Prevention Assembly Tester<br>TCEQ - Landscape Irrigator<br>TCEQ - Landscape Technician<br>TCEQ - Underground Storage Tank<br>TMCEC - MC Deputy<br>TXDPS - Hazardous Material Endorsement<br>TXDPS | Basic<br>Authorized EPA Section 609 Approved<br>Authorized FMCSA 49CRF 396.25<br><br>1<br>D<br><br><br><br>I<br>CDL |
| \$ 16.00          | TDLR -Code Enforcement Officer<br>TMCEC - MC Deputy<br>PARALEGAL                                                                                                                                                                                                                                                                                                                     | Basic<br>II                                                                                                         |
| \$ 18.47          | TCEQ<br>TDA - Pesticide Applicator                                                                                                                                                                                                                                                                                                                                                   | C<br>License                                                                                                        |
| \$ 25.39          | TCEQ<br>TCEQ<br>TCOLE - Telecommunications                                                                                                                                                                                                                                                                                                                                           | II<br>B<br>License                                                                                                  |

**SCENARIOS FOR  
FY 2021-2022 Non-Exempt Wage Schedule**

|          |                            |                          |
|----------|----------------------------|--------------------------|
| \$ 39.24 | TCEQ                       | III                      |
|          | TCEQ                       | A                        |
|          | TCOLE - Telecommunications | Advanced - Certification |
|          | GFOA                       | CGFO                     |
|          | IIMC                       | CMC                      |
|          | SHRM                       | SCP                      |
| \$ 46.15 | TCOLE - Telecommunications | Master - Certification   |
|          | TCOLE - Police             | Master - Certification   |
|          | TCFP - Firefighter         | Master - Certification   |
|          | CPA                        |                          |
|          | TMCC                       | TRMC                     |
|          | HRCI                       | SPHR                     |

**LONGEVITY PROGRAM** - - \$3 \$ 5 per month per year of service - maximum 25 years



# City of Kingsville Classification Compensation Plan

## FY 2021-2022 EXEMPT Wage Schedule - DRAFT

Updated schedule including 3% COLA

|                                                           |                                          | Minimum    | Midpoint   | Maximum    |
|-----------------------------------------------------------|------------------------------------------|------------|------------|------------|
| <b>EXECUTIVE OFFICER - 1</b>                              |                                          | \$ 129,150 | \$ 155,800 | \$ 182,450 |
| City Manager                                              |                                          | \$ 133,025 | \$ 160,474 | \$ 187,924 |
| <b>EXECUTIVE OFFICER - 2</b>                              |                                          | \$ 98,400  | \$ 130,175 | \$ 161,950 |
| City Attorney                                             |                                          | \$ 101,352 | \$ 134,081 | \$ 166,809 |
| Municipal Court Judge                                     |                                          |            |            |            |
| <b>EXEMPT CLASS - 1</b>                                   |                                          | \$ 79,645  | \$ 96,540  | \$ 113,434 |
| City Engineer                                             | Fire Chief                               | \$ 82,035  | \$ 99,437  | \$ 116,837 |
| Finance Director                                          | Police Chief                             |            |            |            |
| <b>EXEMPT CLASS - 2</b>                                   |                                          | \$ 76,318  | \$ 91,943  | \$ 108,033 |
| Assistant City Attorney                                   | Public Works Director                    | \$ 78,608  | \$ 94,702  | \$ 111,274 |
| Economic Development Director                             | Planning & Development Services Director |            |            |            |
| <b>EXEMPT CLASS - 3</b>                                   |                                          | \$ 65,524  | \$ 79,423  | \$ 93,322  |
| Human Resources Director                                  | Tourism Services Director                | \$ 67,490  | \$ 81,806  | \$ 96,122  |
| Parks and Recreation Director                             |                                          |            |            |            |
| <b>EXEMPT CLASS - 4</b>                                   |                                          | \$ 62,404  | \$ 75,642  | \$ 88,879  |
| Health Director                                           |                                          | \$ 64,277  | \$ 77,912  | \$ 91,546  |
| <b>EXEMPT CLASS - 5</b>                                   |                                          | \$ 56,603  | \$ 68,609  | \$ 80,615  |
| Risk Manager                                              | Public Information Officer               | \$ 58,301  | \$ 70,668  | \$ 83,034  |
| Information Technology Manager                            | <u>City Secretary</u>                    |            |            |            |
| <b>EXEMPT CLASS - 6</b>                                   |                                          | \$ 48,895  | \$ 59,267  | \$ 69,639  |
| Accounting Manager                                        | <del>Golf Course Manager</del>           | \$ 50,362  | \$ 61,045  | \$ 71,729  |
| Building Official                                         | Parks Manager                            |            |            |            |
| Capital Improvements Manager                              | Purchasing & Facilities Manager          |            |            |            |
| <del>City Secretary</del>                                 | <u>Public Works Supervisors</u>          |            |            |            |
|                                                           | <u>Golf Course Superintendent</u>        |            |            |            |
| <b>EXEMPT CLASS - 7</b>                                   |                                          | \$ 44,349  | \$ 53,756  | \$ 63,164  |
| Collection's Supervisor                                   | <del>Garage Supervisor</del>             | \$ 45,680  | \$ 55,369  | \$ 65,059  |
| Communication's Supervisor                                | Municipal Court Supervisor               |            |            |            |
| <del>Community Appearance Supervisor</del>                | <del>Solid Waste Supervisor</del>        |            |            |            |
| <del>Downtown &amp; Historic Preservation Manager</del>   | Staff Accountant                         |            |            |            |
| <del>Facilities Supervisor</del>                          | Street Supervisor                        |            |            |            |
| <u>Senior Planner/Historic Preservation Officer (HPO)</u> |                                          |            |            |            |
| <b>EXEMPT CLASS - 8</b>                                   |                                          | \$ 36,000  | \$ 44,500  | \$ 53,000  |
| <u>Special Events/Downtown Manager</u>                    |                                          |            |            |            |

### EXEMPT CLASS STEP PROGRAM - ANNIVERSARY INCREASES BASED ON CURRENT POSITION

|          |    |           |    |           |    |
|----------|----|-----------|----|-----------|----|
| 1ST YEAR | 3% | 6TH YEAR  | 3% | 15TH YEAR | 3% |
| 3RD YEAR | 3% | 10TH YEAR | 3% | 20TH YEAR | 3% |
|          |    |           |    | 25TH YEAR | 3% |

### LONGEVITY PROGRAM

\$3 5 per month per year of service

## **AGENDA ITEM #12**

**City of Kingsville  
Human Resource Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 11, 2021

SUBJECT: Police Department – Number of Classified Positions

---

**Summary:** Increase the number of Police Department positions in the classified service from 49 to 50 eligible positions. As the City continues to grow, staffing requirements to provide the same level of services must also increase to meet demand.

| CLASSIFICATION  | NUMBER OF AUTHORIZED POSITIONS |
|-----------------|--------------------------------|
| Police Chief    | 1                              |
| Commander       | 2                              |
| Captain         | 6                              |
| Lieutenant      | 5                              |
| Police Officers | <del>35</del> 36               |

**Background:** Previous changes to number of Police Officers occurred as follow:

2010 addition of 1 position due to grant funding

2011 addition of 1 position dedicated to warrants

2014 deletion of 1 position due to grant requirements ending

In Texas Local Government Code § 143.021 *Classification; Examination Requirement*

- a) The commission shall provide for the classification of all fire fighters and police officers. The municipality's governing body shall establish the classifications by ordinance. The governing body by ordinance shall prescribe the number of positions in each classification.

**Financial Impact:** The annual financial impact is approximately \$ 77,898 including benefits. This is incorporated in the FY 2021-2022 budget proposed for the City of Kingsville.

**Recommendation:** Update the ordinance to increase the number of classified positions in the Police Department to correspond with the FY 2021-2022 proposed budget.



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

**AN ORDINANCE RATIFYING CLASSIFICATIONS AND PRESCRIBING THE NUMBER OF POSITIONS IN SUCH CLASSIFICATIONS FOR THE CLASSIFIED SERVICE IN THE POLICE DEPARTMENT BY ADDING ONE NEW OFFICER POSITION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION INSTRUCTIONS, AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the City desires to add one new Police Officer position to the Kingsville Police Department in Fiscal Year 2021-2022, increasing the number of positions from 35 to 36;

**WHEREAS**, the expenses related to this additional position are incorporated in the proposed FY 2021-2022 budget for the City of Kingsville.

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

**I.**

**THAT** one position of Police Officer is hereby beginning in Fiscal Year 2021-2022.

**II.**

**THAT** in accordance with section 143.021, Texas Local Government Code, the City Commission ratifies the following previously established classifications and hereby prescribes the number of positions in each classification by Ordinance duly passed, to wit:

| <u>CLASSIFICATION</u> | <u>NUMBER OF POSITIONS</u> |
|-----------------------|----------------------------|
| Police Chief          | 1                          |
| Commander             | 2                          |
| Captain               | 6                          |
| Lieutenant            | 5                          |
| Police Officers       | 36                         |

**Notes:**

Increased Police Officer positions by one (1) in October 2010 due to a three (3) year grant with a grant requirement to maintain the position for one (1) year after the grant.

Increased Police Officer positions by (1) in October 2011 dedicated to warrants.

Decrease Police Officer positions by (1) in October 2014 due to end of grant requirement.

Increase Police Officer positions by (1) in October 2021.

**III.**

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

**IV.**

**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.

**V.**

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

**INTRODUCED** on this the 7th day of September, 2021.

**PASSED AND APPROVED** on this the 13th day of September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #13**

**City of Kingsville  
Human Resource Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 11, 2021

SUBJECT: Fire Department – Number of Classified Positions

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**Summary:** Increase the number of Fire Department Fire Fighter positions in the classified service from 19 to 21 eligible positions. As the City continues to grow, staffing requirements to provide the same level of services must also increase to meet demand.

| CLASSIFICATION | NUMBER OF AUTHORIZED POSITIONS |
|----------------|--------------------------------|
| Fire Chief     | 1                              |
| Captains       | 3                              |
| Lieutenants    | 3                              |
| Engineers      | 6                              |
| Fire Fighters  | <del>19</del> <u>21</u>        |
| Fire Marshal   | 1                              |

**Background:** The last increase to Fire Department classified service personnel occurred in FY2017-2018 when the number of firefighters increased by one.

Texas Local Government Code § 143.021 *Classification; Examination Requirement*

- (a) The commission shall provide for the classification of all fire fighters and police officers. The municipality's governing body shall establish the classifications by ordinance. The governing body by ordinance shall prescribe the number of positions in each classification.

**Financial Impact:** The annual financial impact is approximately \$ 176,596 including benefits. This amount is incorporated in the FY 2021-2022 budget proposed for the City of Kingsville.

**Recommendation:** Update the ordinance to increase the number of classified positions in the Fire Department to correspond with the FY 2021-2022 proposed budget.



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

**AN ORDINANCE RATIFYING CLASSIFICATIONS AND PRESCRIBING THE NUMBER OF POSITIONS IN SUCH CLASSIFICATIONS FOR THE CLASSIFIED SERVICE IN THE FIRE DEPARTMENT BY ADDING TWO NEW FIRE FIGHTER POSITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION INSTRUCTIONS, AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the City desires to add two (2) new Fire Fighter positions to the Kingsville Fire Department in Fiscal Year 2021-2022, increasing the number of those positions from 19 to 21;

**WHEREAS**, the expenses related to these positions are incorporated in the proposed FY 2021-2022 budget for the City of Kingsville.

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

**I.**

**THAT** two (2) positions of Fire Fighter are hereby added to the Kingsville Fire Department beginning in Fiscal Year 2021-2022.

**II.**

**THAT** in accordance with section 143.021, Texas Local Government Code, the City Commission ratifies the following previously established classifications and hereby prescribes the number of positions in each classification by Ordinance duly passed, to wit:

| <u>CLASSIFICATION</u> | <u>NUMBER OF POSITIONS</u> |
|-----------------------|----------------------------|
| Fire Chief            | 1                          |
| Captain               | 3                          |
| Lieutenant            | 3                          |
| Engineer              | 6                          |
| Firefighter           | 21                         |
| Fire Marshal          | 1                          |

Notes: Previously increased by one (1) in October 2017.

**III.**



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

**IV.**

**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.

**V.**

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

**INTRODUCED** on this the 7th day of September, 2021.

**PASSED AND APPROVED** on this the 13th day of September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #14**

**City of Kingsville  
Human Resource Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 11, 2021

SUBJECT: Amend Policy 720.01 Designation of Holidays

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**Summary:** Policy 720.01 Designation of Holidays is recommended for amendment to add Juneteenth National Independence Day to list of City approved holidays and to clarify the days City observes as holidays when two holidays occur on Friday/Saturday or Sunday/Monday combination.

It is recommended when holidays occur in the following combination then the observed City holidays would be as follows:

| <u>Holiday Combination</u> | <u>Observed City Holidays</u> |
|----------------------------|-------------------------------|
| Friday/Saturday            | Preceding Thursday and Friday |
| Sunday/Monday              | Preceding Friday and Monday   |

**Background:** On June 17, 2021, a bill was signed into law making June 19<sup>th</sup> a national holiday (Juneteenth National Independence Day). Staff views the new national holiday as a positive occurrence and is proposing to add this Federal holiday to list of authorized City holiday.

Policy 720.01 was last amended on September 10, 2018, by adding three (3) additional holidays (President's Day, Columbus Day, and New Year's Eve) to bring the City's holiday calendar closer to that of other public entities.

Currently when a holiday occurs on a Saturday, the preceding Friday is the observed holiday and when the holiday occurs on a Sunday then the following Monday is the observed holiday. There is no written process to follow when holidays occur on a Friday/Saturday or Sunday/Monday combination as the 2021 New Year's Eve and 2022 New Year's Day is the first occurrence.

Below is a current list of City approved holidays:

| <u>Description of Holiday</u> | <u>Date of Holiday</u>            |
|-------------------------------|-----------------------------------|
| New Year's Day                | January 1 <sup>st</sup> each year |
| Martin Luther King, Jr. Day   | Third Monday in January each year |
| President's Day               | Third Monday in February          |



## City of Kingsville Human Resource Department

|                                                                  |                                                         |
|------------------------------------------------------------------|---------------------------------------------------------|
| Good Friday                                                      | Friday before Easter each year                          |
| Memorial Day                                                     | Last Monday in May each year                            |
| Independence Day                                                 | July 4 <sup>th</sup> each year                          |
| Labor Day                                                        | First Monday in September each year                     |
| Columbus Day                                                     | Second Monday in October                                |
| Veteran's Day                                                    | November 11 <sup>th</sup> each year                     |
| Thanksgiving Day and<br>Day after Thanksgiving                   | Fourth Thursday in November and<br>Friday following     |
| Christmas Day                                                    | December 25 <sup>th</sup> each year                     |
| Day before OR Day after Christmas<br>(City Manager's discretion) | December 24 <sup>th</sup> OR 26 <sup>th</sup> each year |
| New Year's Eve                                                   | December 31 <sup>st</sup> each year                     |

**Financial Impact:** Minimal costs as the day is already incorporated in the hours budgeted per employee per department.

**Recommendation:** To consider revision to Policy 720.01 Designation of Holidays.



## POLICY NO. 720.01 DESIGNATION OF HOLIDAYS

Certain days are official holidays for the City as declared by the City Commission. These "official City Holidays" are:

| Description of Holiday                                           | Date of Holiday                                         |
|------------------------------------------------------------------|---------------------------------------------------------|
| New Year's Day                                                   | January 1 <sup>st</sup> each year                       |
| Martin Luther King, Jr., Day                                     | Third Monday in January each year                       |
| President's Day                                                  | Third Monday in February each year                      |
| Good Friday                                                      | Friday before Easter each year                          |
| Memorial Day                                                     | Last Monday in May each year                            |
| <u>Juneteenth</u>                                                | <u>June 19<sup>th</sup> each year</u>                   |
| Independence Day                                                 | July 4 <sup>th</sup> each year                          |
| Labor Day                                                        | First Monday in September each year                     |
| Columbus Day                                                     | Second Monday in October each year                      |
| Veteran's Day                                                    | November 11 <sup>th</sup> each year                     |
| Thanksgiving Day and<br>Day after Thanksgiving                   | Fourth Thursday in November and<br>Friday following     |
| Christmas Day                                                    | December 25 <sup>th</sup> each year                     |
| Day before or Day after Christmas<br>(City Manager's discretion) | December 24 <sup>th</sup> or 26 <sup>th</sup> each year |
| New Year's Eve                                                   | December 31 <sup>st</sup> each year                     |

When an official City holiday falls on a Saturday, the preceding Friday will be considered the official holiday. When an official City holiday falls on a Sunday, the following Monday will be considered the official holiday. When two official City holidays fall on a Friday and Saturday or on a Sunday and Monday, then the holidays will be observed as follows:

| <u>Holiday Combination</u> | <u>Observed City Holidays</u>          |
|----------------------------|----------------------------------------|
| <u>Friday/Saturday</u>     | <u>Preceding Thursday &amp; Friday</u> |
| <u>Sunday/Monday</u>       | <u>Preceding Friday &amp; Monday</u>   |

For each of the official City holidays, it will be the policy of the City to permit as many Employees as possible to be given the day off from work. The welfare of the City's residents, however, dictate that certain Employees will be required to work in order to maintain operations of essential City functions.

Employees desiring to observe religious holidays that do not coincide with the official City holidays may be granted time off without pay for their observance. Such Employees may use accrued paid holiday or vacation leave time in such circumstances.

*Approved: August 28, 2006*

*Amended: September 7, 2021*

**RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION AMENDING THE CITY OF KINGSVILLE ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL, POLICY NO. 720.01-DESIGNATION OF HOLIDAYS**

**WHEREAS**, the City Commission previously adopted an amendment to administrative policy on September 10, 2018 with an effective date of October 1, 2018 and it is now being proposed that Policy 720.01 – Designation of Holidays be amended to add one (1) additional holiday (Juneteenth National Independence Day); and

**WHEREAS**, the requested changes does not significantly impact the city financially; and

**WHEREAS**, the policy change provides an additional holiday to bring the City's holidays calendar closer to that of other public entities;

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

**I.**

**THAT** Policy No. 720.01-Designation of Holidays, attached as Exhibit A, is hereby approved;

**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 this the 7th day of September, 2021.

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

ATTEST:

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

Approved As to Form:

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

## POLICY NO. 720.01 DESIGNATION OF HOLIDAYS

Certain days are official holidays for the City as declared by the City Commission. These "official City Holidays" are:

| Description of Holiday                                           | Date of Holiday                                         |
|------------------------------------------------------------------|---------------------------------------------------------|
| New Year's Day                                                   | January 1 <sup>st</sup> each year                       |
| Martin Luther King, Jr., Day                                     | Third Monday in January each year                       |
| President's Day                                                  | Third Monday in February each year                      |
| Good Friday                                                      | Friday before Easter each year                          |
| Memorial Day                                                     | Last Monday in May each year                            |
| Juneteenth                                                       | June 19 <sup>th</sup> each year                         |
| Independence Day                                                 | July 4 <sup>th</sup> each year                          |
| Labor Day                                                        | First Monday in September each year                     |
| Columbus Day                                                     | Second Monday in October each year                      |
| Veteran's Day                                                    | November 11 <sup>th</sup> each year                     |
| Thanksgiving Day and<br>Day after Thanksgiving                   | Fourth Thursday in November and<br>Friday following     |
| Christmas Day                                                    | December 25 <sup>th</sup> each year                     |
| Day before or Day after Christmas<br>(City Manager's discretion) | December 24 <sup>th</sup> or 26 <sup>th</sup> each year |
| New Year's Eve                                                   | December 31 <sup>st</sup> each year                     |

When an official City holiday falls on a Saturday, the preceding Friday will be considered the official holiday. When an official City holiday falls on a Sunday, the following Monday will be considered the official holiday. When two official City holidays fall on a Friday and Saturday or on a Sunday and Monday, then the holidays will be observed as follows:

| <u>Holiday Combination</u> | <u>Observed City Holidays</u> |
|----------------------------|-------------------------------|
| Friday/Saturday            | Preceding Thursday & Friday   |
| Sunday/Monday              | Preceding Friday & Monday     |

For each of the official City holidays, it will be the policy of the City to permit as many Employees as possible to be given the day off from work. The welfare of the City's residents, however, dictate that certain Employees will be required to work in order to maintain operations of essential City functions.



Employees desiring to observe religious holidays that do not coincide with the official City holidays may be granted time off without pay for their observance. Such Employees may use accrued paid holiday or vacation leave time in such circumstances.

*Approved: August 28, 2006*

*Amended: September 7, 2021*

# **AGENDA ITEM #15**

**City of Kingsville**  
**Human Resource Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 24, 2021

SUBJECT: Proposed Change to Policy # 731 Flex Leave

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**Summary:**

To enhance City of Kingsville leave benefits, it is proposed to increase Flex Leave hours from 8 to 12 hours per year for full-time employees and from 8 hours to 10 hours per year for regular part-time employees. In addition, the Flex Leave policy will revert eligibility requirements to non-civil service regular full-time and part-time employees only.

**Background:**

On June 28, 2021, City Commission approved amendment to allow a one-time additional leave accrual to Flex Leave as an alternative to allow all employees time off to celebrate a new federal holiday of Juneteenth National Independence Day. This provided the City the opportunity to provide leave as the federal holiday had passed and did not provide enough notice to allow entities to make policy changes to add an extra holiday.

As a proposal to increase holidays is being addressed with amendment to Policy 720.01 – Designation of Holidays, the Flex Leave policy is proposed to revert to previous eligibility requirements. Eligible employees are non-civil service full-time and regular part-time employees.

In addition, to enhance non-civil service employee benefits, it is proposed to increase flex leave hours by 4 hours for full-time positions and by 2 hours for part-time positions. These additional hours would be granted during the employee's birthday month.

**Financial Impact:**

Minimal to no additional cost as this would be a scheduling issue for supervisors to ascertain sufficient staffing is available to conduct the duties of the respective departments.

**Recommendation:**

Amend Policy 731 Flex Leave to allow additional flex leave hours to non-civil service full-time and regular part-time employees.



**RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION AMENDING THE CITY OF KINGSVILLE ADMINISTRATIVE POLICY NO. 731 -FLEX LEAVE.**

**WHEREAS**, the City Commission previously adopted an administrative policy handbook for employees and adopted Policy No. 731-Flex Leave via Resolution #2016-80 on November 14, 2016 and that policy is now being proposed for amendment; and

**WHEREAS**, flex leave provides employees with the ability to use paid time off to meet personal needs, while recognizing the employer's need to manage employee time off; and

**WHEREAS**, the flex leave is not able to be cashed out upon separation of employment nor is it available to civil service employees or temporary or seasonal workers; and

**WHEREAS**, the proposal would add four-hours of flex leave time for full-time non-civil service employees and add two-hours of flex leave time for part-time non-civil service employees during the employee's birth month starting with the upcoming fiscal year on October 1, 2021;

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

I.

**THAT** Policy No. 731-Flex Leave Policy, attached as Exhibit A, is hereby approved;

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 7<sup>th</sup> day of September, 2021.

---

Sam R. Fugate, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **POLICY NO. 731      FLEX LEAVE**

Flex Leave provides employees with the ability to use paid time off to meet personal needs, while recognizing the employer's need to manage employee time off.

All non-exempt and exempt full-time non-civil service employees shall earn twelve (12) ~~eight (8)~~ hours and regular part-time non-civil service employees shall earn ten (10) ~~eight (8)~~ hours of Flex Leave the first payroll of December of each year. Temporary and seasonal employees are ineligible for Flex Leave.

- Flex Leave may be taken in increments of one hour, or fraction thereof, upon proper approval.
- Employees are required to provide supervisors with reasonable advance notice and obtain approval prior to leave. This allows for the employee and supervisor to prepare for employee's scheduled time off and assure all staffing needs are met.
- No cash payments for unused Flex Leave shall be authorized at any time nor upon separation of employment.
- Flex Leave is not transferable between Employees.
- Flex Leave shall not be used to extend an employee's separation date. The last day worked shall be the official separation date.
- Employees shall take Flex Leave concurrently with any FMLA leave for which they are eligible in appropriate circumstances.
- Employees on Flex Leave are subject to recall in emergency situations as deemed appropriate by the Employee's supervisor.

*Proposed Amendment 09/07/2021*

# **AGENDA ITEM #16**

## City of Kingsville-Health Department Animal Control & Care Center

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**TO:** Mayor and City Commissioners  
**CC:** Mark McLaughlin, City Manager  
**FROM:** Emilio H. Garcia, Health Director  
**DATE:** August 25, 2021  
**SUBJECT:** Accept Monetary Donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears

---

**Summary:**

The City of Kingsville-Health Department/Animal Control & Care Center is requesting approval to accept a monetary donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears in the amount of \$100.00.

**Background:**

The monetary donation is from a personal account. The Broshears donation is to help our efforts to keep animals safe.

**Financial Impact:**

No negative financial impact. The monetary donation will be used in the Health Department/Animal Control & Care Center for minor vet care and medical vet supplies.

**Recommendation:**

To accept the monetary donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears in the amount of \$100.00.







JOHNNY L BROSHEARS  
PATRICIA A BROSHEARS  
201 S TAYLOR RD SITE 31  
MCALLEN, TX 78501

HOPE ♥ LOVE ♥ LIFE

636  
30-7426/3140

18 Aug 2021  
Date

Pay to the order of Kingville Animal Control \$ 100.00  
one hundred dollars 00/100 Dollars



USAA FEDERAL SAVINGS BANK  
10750 McDERMOTT FWY  
SAN ANTONIO, TEXAS 78289-0544  
(210) 456-8000 1-800-832-3724

For For the Pet's [Signature] MP  
[Redacted] [Redacted] 0636

Harland Clarke

HOPE & COURAGE

Please accept this donation  
to help your efforts to  
keep animals safe.

God Bless You  
Johnny & Patricia



Mr. Johnny L. Broshears  
201 S. Taylor Rd. Lot 31  
McAllen, TX 78501



NMR

Kingville Animal  
Control

3415 PM 1355

Kingville TX

78363

# **AGENDA ITEM #17**

## City of Kingsville-Health Department Animal Control & Care Center

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**TO:** Mayor and City Commissioners  
**CC:** Mark McLaughlin, City Manager  
**FROM:** Emilio H. Garcia, Health Director  
**DATE:** August 25, 2021  
**SUBJECT:** Accept Monetary Donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears

---

**Summary:**

The City of Kingsville-Health Department/Animal Control & Care Center is requesting approval to accept a monetary donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears in the amount of \$100.00.

**Background:**

The monetary donation is from a personal account. The Broshears donation is to help our efforts to keep animals safe.

**Financial Impact:**

No negative financial impact. The monetary donation will be used in the Health Department/Animal Control & Care Center for minor vet care and medical vet supplies.

**Recommendation:**

To accept the monetary donation from Mr. & Mrs. Johnny L. & Patricia A. Broshears in the amount of \$100.00.





JOHNNY L BROSHEARS  
PATRICIA A BROSHEARS  
201 S TAYLOR RD SITE 31  
MCALLEN, TX 78501

HOPE ♥ LOVE ♥ LIFE

636  
30-7426/3140

18 Aug 2021  
Date

Pay to the order of Kingsville Animal Control \$ 100.00  
one hundred dollars 00/100 Dollars



USAA FEDERAL SAVINGS BANK  
10750 McDERMOTT FWY  
SAN ANTONIO, TEXAS 78268-0544  
(210) 456-8000 1-800-632-3724

For For the Vet's Bless NP  
⑈ [REDACTED] ⑈ [REDACTED] ⑈ 0636

Harland Clarke

HOPE & COURAGE

Please accept this donation  
to help your efforts to  
keep animals safe.

God Bless You  
Johnny & Patricia



Mr. Johnny L. Broshears  
201 S. Taylor Rd. Lot 31  
McAllen, TX 78501



NMR

Kingsville Animal  
Control

3415 PM 1355

Kingsville TX

78363

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

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND DONATION FROM MR. & MRS. JOHNNY L AND PATRICIA BROSHEARS FOR MINOR VET CARE.**

**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 001 – General Fund</b> |           |                          |                |                 |                 |
| <u>Revenues</u>                |           |                          |                |                 |                 |
| 4400                           | Health    | Donations                | 72030          | \$100           |                 |
|                                |           |                          |                |                 |                 |
| <u>Expenditures</u>            |           |                          |                |                 |                 |
| 4400                           | Health    | Prof Svcs-Minor Vet Care | 31488          | \$100           |                 |
|                                |           | Total Amendment          |                | \$200           |                 |

[To amend the City of Kingsville FY 20-21 Budget to accept and expend donation from Mr. & Mrs. Johnny L and Patricia Broshears for minor vet care. The funding will come from the donation received for the stated purpose.]

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 7<sup>th</sup> day of September, 2021.

**PASSED AND APPROVED** on 13<sup>th</sup> day of September, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #18**

**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 31, 2021

SUBJECT: Budget Amendment for Testing Site Expenditures Incurred By the Street Department

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**Summary:**

The County established a COVID Testing Site at the City's Health Department and there was a need to lay street materials for the drive through so that cars could easily access the testing site. As this was not budgeted, these expenditures cannot be covered in the regular Street Department budget. Efforts will be made to submit these expenditures should other funding be made available. But for now, fund balance will need to be used to cover these expenditures.

**Financial Impact:**

The unappropriated fund balance of General Fund will be used to cover these unanticipated expenditures.

**Recommendation:**

Staff recommends the approval of the budget amendment expenditures incurred by the Street Department for work to setup the COVID Test Site at the City's Health Department.





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

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER EXPENDITURES FOR SETTING UP A COVID-19 TESTING SITE AT THE HEALTH DEPARTMENT.**

**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 001 – General Fund</b> |             |              |                |                 |                 |
| <u>Expenditures-5</u>          |             |              |                |                 |                 |
| 3050                           | Street Dept | COVID-19     | 21194          | \$14,704        |                 |

[To amend the City of Kingsville FY 20-21 Budget to cover expenditures incurred by the Street Department in setting up a COVID-19 testing site at the Health Department . Funding will come from the unappropriated General Fund 001 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 7th day of September 2021.

**PASSED AND APPROVED** on this the 13th day of September 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #19**

**City of Kingsville**  
**Public Works, Sanitation Division**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: William Donnell, Director of Public Works

DATE: August 31, 2021

SUBJECT: Sanitation Division 1702 Fund 001 Budget Amendment

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**Summary:**

This item authorizes additional funding for Salaries, Overtime and Vehicle Maintenance.

**Background:**

During the COVID pandemic this year the Sanitation Division had five employees out due to the virus, other employees were out at various times for family members and friends. This led to an increase in overtime for employees providing sanitation services. Also, this division had seven Equipment Operator II position turnovers this year. Furthermore, we are currently waiting for two replacement residential garbage trucks expected to be delivered later this month which will reduce the excessive amounts of delayed service due to emergency truck repairs.

**Financial Impact:**

This will impact General Fund unappropriated fund balance by \$70,000.00.

**Recommendation:**

Staff is recommending approval of additional funds to cover expenses this fiscal year.



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

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER ADDITIONAL PERSONNEL OVERTIME COSTS DUE TO EMPLOYEES OUT SICK WITH COVID, SALARY PAYOUTS DUE TO SEVERAL EMPLOYEE DEPARTURES AND ADDITIONAL VEHICLE MAINTENANCE.**

**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 001 – General Fund</b> |            |                     |                |                 |                 |
| <b>Expenditures – 5</b>        |            |                     |                |                 |                 |
| 1702                           | Sanitation | Salaries            | 11100          | \$26,000        |                 |
| 1702                           | Sanitation | Overtime            | 11200          | \$10,000        |                 |
| 1702                           | Sanitation | Vehicle Maintenance | 41100          | \$34,000        |                 |
|                                |            | Total Amendment     |                | \$70,000        |                 |

[To amend the City of Kingsville FY 20-21 Budget to cover additional personnel costs due to employees out sick with COVID, salary payouts due to several employee departures and additional vehicle maintenance. The 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 7th day of September, 2021.

**PASSED AND APPROVED** on this the 13th day of September, 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #20**

**City of Kingsville**  
**Planning and Development Services Department**

---

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** August 31, 2021

**SUBJECT:** Request for an Amendment to the Construction Contract with Etech for Grant #7219192 to Ensure Compliance with a Revised Section 3 Rule (24 CFR 75) that Applies to All Projects Receiving CDBG Funds.

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**Summary:** Texas Department of Agriculture (TDA) has issued a revised Section 3 Rule (24 CFR 75) that will apply to all projects receiving CDBG Funds. Consequently, Kingsville Main Street Contract #7219192 will have to be amended, to comply with the rules which affect the grant administrator and the construction contractor.

**Background:** The City of Kingsville entered into a contract with ETech Construction Inc. on May 10, 2021, to carry out Downtown Improvements on 7<sup>th</sup> Street. This is a Texas Community Development Block Grant (TxCDBG) project that is managed by grant administrators engaged by the City (GrantWorks). In July, TDA revised Section 3 with the directive that all construction contracts funded fully or partially by CDBG funds will be required to fulfill additional reporting and data requirements. Due to the revised Section 3 rule, the administration contract for GrantWorks was recently amended to comply with the rule. Now, the construction contract with Etech, the contractor for this project, also needs to be amended to enable them to comply with the requirements of the new rule.

**Financial Impact:** None.

**Recommendation:** Approve the amended construction contract.





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

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO.1 TO THE CONSTRUCTION CONTRACT FOR DOWNTOWN IMPROVEMENTS BETWEEN ETECH CONSTRUCTION INC. AND THE CITY OF KINGSVILLE FOR DOWNTOWN IMPROVEMENTS- KLEBERG AVE. (TXCDBG CONTRACT #7219012); REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville (City) went out for RFP#20-08 for improvements to sidewalks, steps, ADA ramps, curb extensions and street lighting in the downtown area along Kleberg Ave.in the local newspaper on March 19, 2020 and March 26, 2020, opened bids on April 7, 2020, and awarded a bid on April 27, 2020 to Etech Construction Inc. (Etech) for the 2019 Downtown Improvements; and

**WHEREAS**, the parties previously negotiated the contract for the Downtown Improvements ("project") under this agreement which is for the Base Bid and Addendum No.1, and the project is being done pursuant to Texas Community Development Block Grant Contract #7219012; and

**WHEREAS**, in 2021 the Texas Department of Agriculture, who oversees this grant, approved Section 3 requirements and now requires all contracts be amended to include language regarding this new policy, as is reflected in the attached amendment number one to the Construction Contract; and

**WHEREAS**, the City and Etech have worked to prepare Amendment No.1 to the Construction Contract for Downtown Improvements.

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute Amendment No.1 to the Construction Contract for Downtown Improvements between Etech Construction Inc. and the City of Kingsville, in accordance with Exhibit A hereto.

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  
\_\_\_\_ 7th day of \_\_\_\_ September, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# CONSTRUCTION CONTRACT FOR 2021 DOWNTOWN IMPROVEMENTS-7<sup>TH</sup> STREET

## Amendment No. 1

Related to CITY OF KINGSVILLE 2019 Program Year  
Texas Community Development Block Grant Program  
Contract Number 7219192

THIS AMENDMENT, MADE ON THE 1<sup>st</sup> DAY OF JULY, 2021 BY AND BETWEEN THE CITY OF KINGSVILLE, hereinafter referred to as the City, and Etech Construction Inc., Austin, Texas, hereinafter referred to as the Contractor.

Whereas the Texas Department of Agriculture - Office of Rural Affairs issued Policy Issuance 20-01: Federal Provisions for Section 3 Requirements effective July 1, 2021 requiring updated Terms and Conditions to be amended into existing contracts; therefore, Article 3 – The Contract is amended to replace Item 53. with the following clause:

### 53. ECONOMIC OPPORTUNITIES FOR SECTION 3 RESIDENTS AND SECTION 3 BUSINESS CONCERNS.

a. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

b. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

c. The Contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The Contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

d. The Contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the Contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75. Minimum expectations of effort to direct employment opportunities to such workers are identified in the TxCDBG Project Implementation Manual.

All other terms and conditions of the Agreement between the City and Contractor will remain in full force and effect.

IN WITNESSETH HEREOF, the City and the Contractor have executed this Amendment as of the date indicated above.

**Etech Construction Inc.**  
**PO Box 690504**  
**San Antonio, TX 78269**

**City of Kingsville**  
**PO Box 1458**  
**Kingsville, Texas 78364-1458**

**BY:**

\_\_\_\_\_  
**Jonathan Green, President**

**BY:**

\_\_\_\_\_  
**City Manager**

# **AGENDA ITEM #21**

**RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES BETWEEN THE CITY OF KINGSVILLE AND THE COASTAL BEND COUNCIL OF GOVERNMENTS.**

**WHEREAS**, the City Commission previously approved Resolution #2019-70 on August 12, 2019, Resolution #2017-45 on August 14, 2017, Resolution #2015-40 on July 27, 2015, Resolution #2013-43 on July 22, 2013, Resolution #2011-49 on August 22, 2011, and #2009-59 on October 26, 2009 for E9-1-1 Public Safety Answering Point Services with the COG, which must be renewed every two years; and

**WHEREAS**, the Commission on State Emergency Communications has a requirement that began in 2009 that a new interlocal agreement must be executed between the CBCOG and a participating local government (ie, city or county) every two years and it is time for said renewal; and

**WHEREAS**, but for the period of time during which it is in effect, the proposed agreement has not changed from the one the City Commission approved in 2015 and it includes the minimum requirements to remain compliant with existing laws governing 9-1-1 services in the region.

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

**I.**

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Kingsville and the Coastal Bend Council of Governments in accordance with Exhibit A hereto attached and made a part hereof.

**II.**

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

**III.**

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the 7<sup>th</sup> day of September, 2021.

---

Sam R. Fugate, Mayor

**ATTEST:**

---

Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

---

Courtney Alvarez, City Attorney

# **INTERLOCAL AGREEMENT FOR 9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES**

## **Article 1: Parties & Purpose**

1.1 The **Coastal Bend Council of Governments** (RPC) is a regional planning commission and political subdivision of the State of Texas organized and operating under the Texas Regional Planning Act of 1965, as amended, Chapter 391 of the Local Government Code. The RPC has developed a Strategic Plan to establish and operate 9-1-1 service (Strategic Plan) in State Planning Region 20 (Region), and the Commission on State Emergency Communications (Commission) has approved its current Strategic Plan.

1.2 **The City of Kingsville** (Local Government) is a local government that operates Public Safety Answering Points (PSAP) that assist in implementing the Strategic Plan as approved by the Commission.

1.3 The Commission, as authorized by Health & Safety Code, Chapter 771, is the oversight and funding authority for regional planning commissions implementing 9-1-1 service.

1.4 The Contract for 9-1-1 Services between the Commission and the RPC requires the RPC to execute interlocal agreements with local governments relating to the planning, development, operation, and provision of 9-1-1 service, the use of wireline and wireless 9-1-1 fees and equalization surcharge appropriated to the Commission and granted to the RPC (9-1-1 Funds) and adherence to Applicable Law.

## **Article 2: Applicable Law**

2.1 Applicable law, as defined in the prior section, includes, but is not limited to, Health and Safety Code Chapter 771; Commission Rules (Title 1, Part 12, Texas Administrative Code) and Program Policy Statements; the biennial state General Appropriations Act; Texas Government Code Chapter 783 (Uniform Grant and Contract Management, including Uniform Grant Management Standards [UGMS] Title 34, Part 1, Chapter 20, Subchapter I), Chapter 441, Subchapter J (Preservation and Management of Local Government Records Act), and Chapter 2260 (Resolution of Certain Contract Claims Against the State); and Texas Local Government Code Chapter 391 (Regional Planning Commissions).

2.2 Any new or amended policy or procedure, other than an adopted rule, shall be enforceable against the Local Government 30 days following the date of its adoption unless the RPC finds and declares that an emergency exists which requires that such policy or procedure be enforceable immediately. The RPC shall provide the Local Government written notice of all new or amended policies, procedures or interpretations of Commission rules within a reasonable time after adoption, and in any event at least 10 days prior to the time such policies or procedures are enforceable against the Local Government.

### Article 3: Deliverables

#### 3.1 The Local Government agrees to:

3.1.1 Operate and maintain the **Kingsville PD PSAP** located at **1700 East King Street, Kingsville, Texas 78363**.

3.1.2 Provide 9-1-1 public safety answering service 24 hours per day, seven days per week; and

3.1.3 Cooperate with the RPC in providing and maintaining suitable PSAP space meeting all technical requirements.

#### 3.2 Ownership, Transference & Disposition of Equipment

3.2.1. The RPC and the Local Government shall comply with Applicable Law, in regards to the ownership, transfer of ownership, and/or control of equipment acquired with 9-1-1 Funds in connection with the provision of 9-1-1 service (9-1-1 equipment).

3.2.2 The RPC shall establish ownership of all 9-1-1 equipment located within the Local Government's jurisdiction. The RPC may maintain ownership, or it may agree to transfer ownership to the Local Government according to established policy.

3.2.3 The Local Government shall ensure that sufficient controls and security exist by which to protect and safeguard the 9-1-1 equipment against loss, damage or theft.

3.2.4 Ownership and transfer-of-ownership documents shall be prepared by the RPC and signed by both parties upon establishing ownership or transference of ownership of any such 9-1-1 equipment in accordance with UGMS and the State Comptroller of Public Accounts. Sample forms are provided as Attachments A and B to this Agreement.

3.2.5 Replacement insurance on 9-1-1 equipment shall be purchased and maintained by **Coastal Bend Council of Governments** and proof of insurance shall be provided upon request.

3.2.6 The RPC and/or the Commission shall be reimbursed by the Local Government for any damage to 9-1-1 equipment other than ordinary wear and tear.

#### 3.3 Inventory



3.3.1 The RPC shall maintain a current inventory of all 9-1-1 equipment consistent with Applicable Law;

3.3.2 All 9-1-1 equipment shall be tagged with identification labels.

3.3.3 Any lost or stolen 9-1-1 equipment shall be reported to the RPC as soon as possible.

### 3.4 Security

3.4.1 The Local Government shall limit access to all 9-1-1 equipment and related data only to authorized personnel.

### 3.5 Training

3.5.1 The Local Government shall notify the RPC of any new 9-1-1 call takers and schedule for applicable training as soon as possible.

### 3.6 Operations

The Local Government shall:

3.6.1 Designate a PSAP supervisor and provide related contact information to the RPC;

3.6.2 Monitor and test the 9-1-1 equipment and report any failures or maintenance issues immediately to the appropriate maintenance vendor and/or the RPC;

3.6.3 Coordinate with the RPC and local elected officials in the planning for and implementation and operation of all 9-1-1 equipment;

3.6.4 Allow 24-hour access to the 9-1-1 equipment for repair and maintenance service, as required;

3.6.5 Assist the RPC in conducting inspections of all 9-1-1 equipment at the PSAP as identified by the RPC for quality assurance;

3.6.6 Test all Telecommunications Devices for the Deaf (TDD) for proper operation;

3.6.7 Log all TDD 9-1-1 calls and equipment testing as required by the Americans with Disabilities Act of 1990;

3.6.8 Log all trouble reports and make copies available to the RPC as required by the RPC;

3.6.9 Make no changes to 9-1-1 equipment, software or programs without prior written consent from the RPC.

#### **Article 4: Performance Monitoring**

4.1 The RPC and the Commission reserve the right to perform on-site monitoring of the PSAP(s) for compliance with Applicable Law and performance of the deliverables specified in this Agreement. The Local Government agrees to fully cooperate with all monitoring requests from the RPC and/or the Commission for such purposes.

#### **Article 5: Procurement**

5.1 The RPC and the Local Government agree to use competitive procurement practices and procedures required by Applicable Law and RPC procurement policies in connection with any procurement to be funded with 9-1-1 Funds.

5.2 The RPC shall **not** purchase or reimburse Local Government for supplies necessary for performance of the deliverables per this Agreement.

#### **Article 6: Financial**

6.1 As authorized by Applicable Law, the provisioning of 9-1-1 service throughout the Region is funded by Commission grants of appropriated 9-1-1 Funds.

#### **Article 7: Records**

7.1 The Local Government will maintain adequate fiscal records and supporting documentation of all 9-1-1 Funds reimbursed to the Local Government for 9-1-1 service consistent with Applicable Law and generally accepted accounting principles and as approved in the RPC's current approved Strategic Plan;

7.2 The RPC or its duly authorized representative shall have access to and the right to examine and audit all books, accounts, records, files, and/or other papers or property pertaining to the 9-1-1 service belonging to or in use by the Local Government, the PSAP, or by any other entity that has performed or will perform services related to this Agreement.

7.3 The Commission and State Auditor's Office shall have the same access and examination rights as the RPC.

## **Article 8: Assignment**

8.1 The Local Government may not assign its rights or subcontract its duties under this Agreement. An attempted assignment or subcontract in violation of this paragraph is void.

## **Article 9: Nondiscrimination and Equal Opportunity**

9.1 The RPC and the Local Government shall not exclude anyone from participating under this Agreement, deny anyone benefits under this Agreement, or otherwise unlawfully discriminate against anyone in carrying out this Agreement because of race, color, religion, sex, age, disability, handicap, or national origin.

## **Article 10: Dispute Resolution**

10.1 Disputes include, but are not limited to, disagreement between the parties about the meaning or application of the Strategic Plan, the Applicable Law or policy, or this Agreement.

10.2 The parties desire to resolve disputes without litigation. Accordingly, if a dispute arises, the parties agree to attempt in good faith to resolve the dispute between them. To this end, the parties agree not to sue one another, except to enforce compliance with this Article 10, until they have exhausted the procedures set out in this Article 10.

10.3 At the written request of either party, each party shall appoint one non-lawyer representative to negotiate informally and in good faith to resolve any dispute arising between the parties. The representatives appointed shall determine the location, format, frequency, and duration of the negotiations.

10.4 If the representatives cannot resolve the dispute within 30 calendar days after the first negotiation meeting, the parties agree to submit the dispute to a mutually designated legal mediator. Each party shall pay one-half the total fee and expenses for conducting the mediation.

10.5 The parties agree to continue performing their duties under this Agreement, which are unaffected by the dispute, during the negotiation and mediation process.

10.6 If mediation does not resolve the parties' dispute, the parties may pursue their legal and equitable remedies.

## **Article 11: Suspension for Unavailability of Funds**

11.1 In the event that (i) the RPC's approved budget and/or appropriations to the Commission from the Texas Legislature do not permit or otherwise appropriate funds for reimbursement to Local Government provided for in this Agreement, and (ii) such lack of permission or non-appropriation shall not have resulted from any act or failure to act on

the part of the RPC, and (iii) the RPC has exhausted all funds legally available for reimbursement to Local Government, and no other legal procedure shall exist whereby payment hereunder can be made to Local Government; and (iv) RPC has negotiated in good faith with Local Government to develop an alternative payment schedule or new agreement that will accommodate RPC's approved budget and/or appropriations for the applicable period, then RPC will not be obligated to reimburse the Local Government for the applicable budget year(s).

## **Article 12: Notice to Parties**

12.1 Notice under this Agreement must be in writing and received by the party against whom it is to operate. Notice is received by a party (1) when it is delivered to the party personally; or (2) on the date shown on the return receipt if mailed by registered or certified mail, return receipt requested, to the party's address specified in this Article and signed on behalf of the party.

12.2 The RPC's address is:

**Coastal Bend Council of Governments  
P.O. Box 9909  
Corpus Christi, TX 78469**

The Local Government's address is:

**Office of the City Manager  
City of Kingsville  
P.O. Box 1458  
Kingsville, Texas 78364**

12.3 A party may change its address by providing notice of the change in accordance with paragraph 12.1.

## **Article 13: Effective Date and Term**

13.1 This Agreement is effective as of **September 1, 2021 and shall terminate on August 31, 2023.**

13.2 In the event of default in the performance of this Agreement, the non-defaulting party may terminate this Agreement after providing written notice of the default to the defaulting party, and the failure of the defaulting party to cure said default within 30 calendar days of said notice.

13.3 If this Agreement is terminated for any reason, the RPC shall not be liable to the Local Government for any damages, claims, losses, or any other amounts arising from or related to any such termination.

#### **Article 14: Force Majeure**

14.1 The RPC may grant relief from performance of the Agreement if the Local Government is prevented from performance by act of war, order of legal authority, act of God, or other unavoidable cause not attributable to the fault or negligence of the Local Government. The burden of proof for the need of such relief shall rest upon the Local Government. To obtain release based on force majeure, the Local Government shall file a written request with the RPC.

#### **Article 15: Confidentiality**

15.1 The parties will comply with the Texas Public Information Act, Government Code, Chapter 552 as interpreted by judicial opinions and opinions of the Attorney General of the State of Texas. This Agreement and all data and other information generated or otherwise obtained in its performance may be subject to the Texas Public Information Act. The parties agree to maintain the confidentiality of information received during the performance of this Agreement.

15.2 The Local Government or its duly authorized representative will notify the RPC upon receipt of any requests for information.

#### **Article 16: Indemnification**

16.1 To the extent authorized by law, each party agrees to indemnify the other and agrees to defend its governing body members, officers and employees, against any claim, suit or administrative proceeding, and to indemnify them against any liability including all costs, expenses, and reasonable attorney's fees incurred arising out of an act or omission of the governing body, any officer, employee or agent in carrying out this Agreement.

#### **Article 17. Historically Underutilized Business Requirements**

17.1 The Local Government shall comply with requirements of Chapter 2161 of the Government Code regarding Historically Underutilized Businesses.

#### **Article 18: Miscellaneous**

18.1 For purposes of this Agreement, terms not specifically defined herein are defined in the Applicable Laws.

18.2 Each individual signing this Agreement on behalf of a party warrants that he or she is legally authorized to do so, and that the party is legally authorized to perform the obligations undertaken.

18.3 This Agreement constitutes the entire agreement between the parties and supersedes any and all oral or written agreements between the parties relating to matters

herein. An amendment to this Agreement is not effective unless in writing and signed by both parties.

18.4 All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not affect the term of this Agreement, which shall continue in full force and effect.

18.5 The following Attachments are part of this Agreement:

|              |                                                                         |
|--------------|-------------------------------------------------------------------------|
| Attachment A | Ownership Agreement                                                     |
| Attachment B | Transfer of Ownership Form                                              |
| Attachment C | Scope of Work                                                           |
| Attachment D | PSAP Operations Performance Measures and Monitoring                     |
| Attachment E | Commission Documents – Legislation, Rules and Program Policy Statements |

18.6 This Agreement is binding on, and to the benefit of, the parties' successors in interest.

18.7 This Agreement is executed in duplicate originals.

**Coastal Bend Council of Governments**

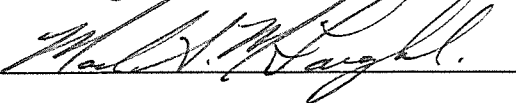
By: 

Printed Name: John P. Buckner

Title: Executive Director

Date: 8/02/2021

**City of Kingsville**

By: 

Printed Name: Mark McLaughlin

Title: City Manager

Date: 8/25/2021

## Attachment A Ownership Agreement


As stipulated in Article 3 of the Agreement, the RPC shall establish ownership of all 9-1-1 equipment located within the Local Government's jurisdiction.

The RPC hereby establishes all 9-1-1 equipment located at the <sup>Kingsville</sup>~~Mathis~~ Police Department (PSAP Name), in <sup>Kleberg</sup>~~San Patricio~~ County, to be the property of the Coastal Bend Council of Governments, hereinafter referred to as "Owner".

Following is an itemized listing of 9-1-1 equipment hereby defined as the property of Owner.

**Positron VIPER Central Premises Equipment, front and backroom**  
**Positron ePrinter**  
**Eventide Voice Recorder**  
**(any other equipment with a CBCOG numbered name tag displayed on it)**

**Coastal Bend Council of Governments**

By: 

Printed Name: John P. Buckner

Title: Executive Director

Date: 8/02/2021

**City of Kingsville**

By: 

Printed Name: MARK A. McLAUGHLIN

Title: City Manager

Date: 8/25/2021

## Attachment B

### Transfer of Ownership Form

As stipulated in Article 3 of the Agreement between \_\_\_\_\_ (RPC) and \_\_\_\_\_ (Local Government) dated \_\_\_\_\_, 20\_\_\_\_, the RPC shall document all transfers of ownership of 9-1-1 equipment between the RPC and the Local Government.

Indicate the appropriate classification:

Transfer \_\_\_\_\_ Disposition \_\_\_\_\_ Lost \_\_\_\_\_

Please provide the following information in as much detail as possible.

|                       |                   |
|-----------------------|-------------------|
| Inventory Number      | Current Assignee: |
| Description           | Location:         |
| Serial Number         | Signature:        |
| Acquisition Date      | Date:             |
| Acquisition Cost      | New Assignee:     |
| Vendor                | Location:         |
| Invoice Number        | Signature:        |
| Purchase Order Number | Date:             |
| Condition             |                   |

Continued.....



**Attachment B**  
**Transfer of Ownership Form (continued)**

Action Recommended by: \_\_\_\_\_

Title: \_\_\_\_\_

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

Comments: \_\_\_\_\_

Approved:    \_\_\_\_\_ Yes    \_\_\_\_\_ No

Proceeds, if any: \_\_\_\_\_

Approved by: \_\_\_\_\_

Title: \_\_\_\_\_  
Comptroller

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

Disposed or Lost Property shall require approval by the agency head.

Reviewed by: \_\_\_\_\_  
Executive Director (or other appropriate title of agency head)

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

## **Attachment C Scope of Work**

***[Include specific activities to be performed, including but not limited to, standards for the use of answering points and the creation of new answering points, inventory/equipment categories, coordination, insurance, technical activities, operating procedures, frequency of testing, event reporting, etc. to insure compliance with this Agreement, the CSEC/RPC contract, Regional Strategic Plan and individual local requirements.]***

**The following pages are taken, in part, from the Coastal Bend Council of Governments FY2021/FY2023 Stage 2, Section A, 9-1-1 Strategic Plan and these sections of the report address the Scope of Work:**

Network Testing Plan/Schedule and PSAP Monitoring Plan

9-1-1 Network Monitoring Checklist

Contingency Routing Plan

Equipment Maintenance Plan

[Not included in this agreement but each PSAP Manager and Dispatch room is provided ring binder that explains Best Practices for 9-1-1 System Training, Standard Operating Procedures for Contingency Plans, Network Diagrams, PSAP Monitoring Procedures, etc.]

## **Attachment D**

### **PSAP Operations Performance Measures and Monitoring**

#### Logs

The Local Government shall provide copies of logs and reports to assist with the RPC's collection of efficiency data on the operation of PSAPs including, but not limited to:

1. Trouble report logs at least once per \_\_\_\_\_;
2. List of service affecting issues once per \_\_\_\_\_;
3. Certification of TTY/TDD testing once per \_\_\_\_\_; and
4. TTY/TDD call logs.

## **Attachment E**

### **Commission Documents**

The following documents govern the funding and provisioning of 9-1-1 services by the RPC:

1. Commission Legislation: <http://www.csec.texas.gov> and <http://www.csec.texas.gov/statutes>
2. Commission Rules: <http://www.csec.texas.gov>
3. Commission Program Policy Statements:  
<http://www.csec.texas.gov/program-policy-statements/9-1-1-program>