

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, JANUARY 10, 2022 REGULAR MEETING

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

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

OR

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

I. Preliminary Proceedings.

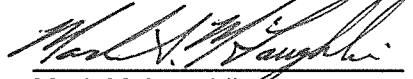
OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – December 13, 2021

APPROVED BY:


Mark McLaughlin
City Manager

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

None.

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by amending Sections 3-3-50 through 3-3-55, providing for revisions to the Board of Health Subarticle. (Health Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the change order for the emergency wastewater line repair. (Public Works Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the purchase of tasers and hardware/software for a new dispatch station. (ARPA funds). (Police Chief).
4. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 funds of the Kingsville Police Department for donation to the Kingsville Amateur Boxing Club, Inc. for drug and alcohol prevention programs. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Sanchez Addition, Lot 4, (.964 acres), also known as S. 6th at Escondido Road, Kingsville, Texas, from R1 (Single-Family Residential District) to C1 (Neighborhood Service District). (Director of Planning & Development Services).
6. Consider resolution authorizing application to and acceptance of FEMA-DR-4586 (Texas Winter Storm) for a generator at Water Well #14; authorizing the City Manager to act on the City's behalf with such program. (City Engineer).
7. Consider a resolution adopting the City of Kingsville Economic Development Grant Program and Administrative Manual; and providing for evaluation of each application for conformity with such program and criteria prior to submission to the Commission. (City Manager/Economic Development Director).

8. Consider out-of-state travel for Commission and staff to attend the NLC Conference in Washington, D.C. on March 11-17, 2022. (Commissioner Alvarez).
9. Consider a resolution requesting the Texas Department of Transportation support a change to the proposed/posted regulatory speed limit from 55mph to a maximum of 45mph on the newly constructed southbound US-77 By-Pass service/frontage roads, during and after the current construction project, and during the traffic shift from the main lanes of US-77 By-Pass to the US-77 service/frontage roads, in the area south of General Cavazos Blvd to the southern city limits of Kingsville. (Commissioner Lopez).
10. Discussion regarding creation of temporary advisory task force to make recommendations on stray animal population issues. (Commissioner Torres).
11. Executive Session: Legal Exception: Pursuant to Section 551.071, of the Texas Open Meetings Act, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding threatened litigation. (City Attorney).
12. Consider adjustment to Kingsville Housing Authority utility account. (City Manager/Finance Director).
13. Executive Session: Personnel Exception: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).

VII. Adjournment.

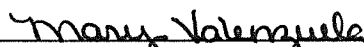
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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:

January 6, 2022 at 11:30 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: _____

By: _____
City Secretary's Office
City of Kingsville, Texas

MINUTES OF PREVIOUS MEETING(S)

DECEMBER 13, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 13, 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
Rudy Mora, Engineer
Charlie Sosa, Purchasing Manager
Ricardo Torres, Police Chief
Diana Gonzales, Director of Human Resources
Emilio Garcia, Health Director
Jessica Montalvo, Health Department
Monica Longoria, Health Department
Bill Donnell, Public Works Director
Manny Salazar, Economic Development Director
Deborah Balli, Finance Director

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.

CONVENE INTO WORKSHOP AT 4:00 P.M.:

Review and discuss proposed City of Kingsville Economic Development Grant Program and Administrative Manual. (City Manager/Economic Development Director).

Mr. Manny Salazar, Economic Development Director commented that this project has validity and as it is a new program it will have some things that will need to be amended.

Commissioner Alvarez commented that the final copy they received regarding the Administrative Manual she has numbered the pages, not to include the cover page, on page 7, Part 2 Performance Assessment Process, states that the EDG portfolio will be monitored to see how key components of the EDG plan are being accomplished. The semi-annual EDG Performance Assessment update will be presented to City Commission, while other updates may be presented throughout the year as requested by City Commission. Commissioner Alvarez asked who would be responsible and who will be doing the presentation?

Mr. Salazar responded that as it stands now, it would most likely be himself.

Commissioner Hinojosa commented that he has a concern with that and further stated that he would rather have the Finance Department do the monitoring on this project as Mr. Salazar already has enough work by being the EDC Director. He further commented that Mr. Salazar does not have the time to be doing the additional work and he prefers for the Finance Department to monitor the project.

Mr. Salazar stated that it is a good idea to use the available assets. He further stated that he is concerned as he doesn't know how robust and how much work it will take to get this project going. Mr. Salazar said that he does not oppose having some assistance in monitoring the project. He further said that the Chamber and himself come in on the front end of this project where they evaluate applications and make recommendations to the City Commission, which has final approval.

Mayor Fugate asked for clarification from Commissioner Alvarez regarding language on page 7 of the Administrative Manual.

Commissioner Alvarez commented that the Manual does not state who will be doing the assessment.

Mayor Fugate asked if the Commission is okay with listing the EDC Director and the Finance Director as the individuals who will be doing the assessment.

Commissioner Hinojosa commented that he has reviewed the manual, and it shows that there will be three, the EDC Grant Committee which consists of eight Board members, City Manager, Planning Director, EDC Director, and five at-large members that will be appointed by the City Manager with commission approval. Commissioner Hinojosa further stated that he has some individuals that he would like to be considered for this committee, Maggie Salinas, Rodney Rodriguez, Brian Coufal, and Ted Figueroa. He further stated that he is aware that the City Manager is a non-voting member.

Mr. McLaughlin responded that he would be a voting member of this committee. There are eight voting members on the committee.

Commissioner Hinojosa commented how will a tie vote be decided with an eight-member committee?

Mrs. Alvarez commented that the manual states the City Manager, Planning Director, President/CEO of the EDC/Chamber of Commerce, those three members would take a vote.

Mr. Salazar stated that there will be three permanent members of the committee, City Manager, Planning Director, and EDC Director. The five at-large members could rotate through. If there is a tie, the three permanent members are the ones who would then be the tie-breaking vote between those three.

Commissioner Hinojosa commented that he would like to see the Finance Director listed as part of the committee. Instead of having five at-large members, he would like to see four at-large members. He stated again that he would like to have the Finance Director included in this process.

Mayor Fugate asked if this would be the board that will be doing the assessments instead of the EDC Director and Finance Director?

Mr. Salazar responded that most of the staff work falls on him, which he is okay with doing that but would welcome any help he can get. He further stated that the Finance Director would do a great job in assisting with the assessment. He further stated that there are very talented

individuals within the business community which are individuals that he would like to see get appointed to the Grant Administrative Board and review applications received. Mr. Salazar further stated that they would like to use the Chambers membership, their business owners, as the pool for the Grant Administrative Board. There would be a call for nominations where they would then be presented to the City Manager and forwarded to the City Commission for approval. Mr. Salazar further stated that he would like to use the experience in the local businesses within our community.

Commissioner Torres asked if every business is a member of the Chamber of Commerce? Mr. Salazar responded no. Commissioner Torres further stated that this is a concern she has and doesn't think that the group should only pull from those that are a member of the Chamber of Commerce, as there are many other businesses within the successful community. She further stated that there are some individuals that she would like to see on this Board. Commissioner Torres further commented that she doesn't think that this should only be coming from the Chamber's membership.

Commissioner Hinojosa commented that he has concerns about it being offered to only members of the Chamber of Commerce, as they will have the first crack at it. He further commented that his understanding of this grant was that it would be for the whole city which is the reason for him wanting the city to be in charge and not the Chamber.

Commissioner Alvarez commented that she understands Commissioner Hinojosa's comments, as it wasn't stated in the documents that were provided to the Commission. She further commented that she wants to make sure who will be established on this committee.

Mayor Fugate commented that this is not the time to get into personalities, currently, the staff is trying to create the grant. The City Manager will pick five people to be on this Board and stated that he also agrees with Commissioner Hinojosa and Commissioner Torres, it should not be limited to only members of the Chamber.

Mr. Salazar stated that he feels where more people need to be involved is more in the front end of things.

Mayor Fugate commented that what he is gathering from the Commission is that this may be an end-of-the-year assessment and there is no reason why this can't be run through the Board and have them review it and make their recommendations. Once the Board has reviewed the application, then Mr. Salazar can present the recommendations made by the Board to the City Commission.

Mr. Salazar stated that the Board should accept the recommendation with the assessment and put their check of approval before being presented to the City Commission.

Mr. McLaughlin stated that page 8 of the Manual, Part II., Grant Operational Procedures, creates the Grant Administrative Board, and page 9 talks about the applicants and how to submit and how the selection criteria work, and page 10 of the Manual states how that Board does the performance assessment process. He further stated that they did not want to write every rule that they would have to follow, as every grant and application will be different, and they would need to be taken at face value and not compare them to one another. He further stated that the performance assessment process is done by the Grant Administrative Board who will determine if it is a valid project or not. Mr. McLaughlin further commented that if the Commission does not want the eight members and adds the Finance Director so that there are four fixed positions on the Board with 5 at large positions, it will give the Board a nine-member Board., which will never have a tie vote.

Commissioner Hinojosa asked that on page 9 of the Manual, it was said that we were away from the Chamber, but those applications will still be going to Mr. Salazar. He further stated that he thought it was agreed upon that those applications would be submitted to the City.

Mr. McLaughlin commented that Mr. Salazar will bring those applications to the city and further commented that he wants only one location for individuals to drop off their applications. He further stated that he wants to legitimize the Chamber of Commerce and the EDC and as packages can be picked up at the city, Chamber of Commerce, and online, once they are completed, they would need to be turned in to one location. He further stated that he has given direction to Mr. Salazar regarding accepting the application and asked that all applications be logged in then dropped off at the city.

Commissioner Hinojosa commented that as Mr. Salazar is the EDC Director and it is his understanding that this grant is to enhance economic development and doesn't say anything about small businesses, which is his main concern about this grant. He further stated that this grant has a budget of \$500,000 and it is on a first come first serve, which is the language he does not care for. He further stated that there should be a deadline for the submittal of applications which will allow for everyone to be aware of the grant. Not everyone has access to the internet or a member of the Chamber to be able to learn about the grant. He further commented that any other Board that makes recommendations, with a 3/2 vote and with this grant it is a 4/5 vote and asked why. He asked if the Commission will be rejecting one of the applications, why does it have to be a 4/5 vote?

Mayor Fugate commented that if there is a timeline set to accept the applications, there may be businesses that are not currently in Kingsville but may come in later, and if they would like to apply for this grant, with a timeline, they may not be eligible to apply. He further commented that a timeline would not work. It needs to have an open date to allow for all to apply throughout the year.

Commissioner Hinojosa commented that if they come and apply and all the money has been granted, then what happens? He commented that there could be a budget amendment made as to the city continuously is making budget amendments at the end of the year.

Mr. McLaughlin commented that the grant was set up similar to what the Tourism Department has for their Façade Grant which was never used up. He further stated that he is not aware of whether or not the entire \$500,000 of this new grant will be used until the grant is put into play.

Commissioner Torres asked if the majority of the grants that the city has have deadlines or is it on a first come first serve basis?

Mr. Salazar responded that it is up to the nature of the grant. He further stated that he is currently working on a Texas Partnership Grant which has a start date with no end date.

Commissioner Torres further asked if the up to \$500,000, if one business applies and it's up to the \$500,000... Mr. Salazar responded that the grant is capped at \$250,000. Commissioner Torres further asked if the applicant asks for \$250,000 and it is approved, the balance on the grant is \$250,000. Mr. Salazar responded yes. Commissioner Torres asked if it is possible to only issue two grants? Mr. Salazar responded yes.

Commissioner Alvarez asked if the local businesses should be considered first for this grant if they apply? Mr. Salazar responded that the intent is to support local businesses that can start a business and create jobs for Kingsville. He further stated that the intent of creating this grant was not to create an incentive package for out-of-towners.

Commissioner Torres commented that one of the criteria for this grant is to be a permanent resident of Kingsville. She further asked for Mr. Salazar to define permanent resident.

Mr. Salazar responded that to him permanent resident means where you have your homestead and where you are registered to vote.

Commissioner Torres asked if it would need to be a resident of 6 months or more. Ms. Alvarez responded that it is not defined. Commissioner Torres asked if it staff intended to define it?

Commissioner Lopez commented that when it comes to permanent resident, you would need to be careful as to how you define it.

Mr. Salazar commented that the Manual can be amended.

Commissioner Hinojosa commented that one of the criteria is that you would need to be a permanent citizen of the City of Kingsville, must be 18 years old or older, and many others that are listed. One of the criteria states that if you are a corporation from the Board of Directors authorizing the company to borrow. Commissioner Hinojosa recommends that this wording needs to be changed. He further commented that he does have a problem with the 4/5 majority vote. If the Board recommends an individual that the Commission does not agree with it would take four of the Commission members to go against that recommendation.

Mr. McLaughlin commented that this is the same rule that the Planning & Zoning Commission currently have that would overturn zoning recommendation. He further stated that the reason for this vote is to remove the politics behind it. He further stated that if you have a board of nine individuals and five of them are experts and they say that a certain project is a good project, it would take four of the Commission members to vote down a recommendation from those experts.

Mr. Salazar commented that the individuals that are selected to be on the Grant Administrative Board are individuals that the Commission can trust so that when they do a recommendation the Commission can trust that it came from experienced individuals.

Mayor Fugate commented that if there are any changes that the Commission would like to make to the Manual it needs to be directed to staff.

Commissioner Torres stated that for Part I, C4, Credit Reports, she is a bit leery about the language where it states that telephone verification of creditors is not reflected on credit reports. She then asked why telephone verifications will be done? Why not do something more solid, either an email or something is written. She further stated that she would like for the telephone verifications language to be removed and add the language by letter or email. Commissioner Torres further asked that the language of the letter of recommendation by public and community business leaders if credit reports have insufficient credit listings. She asked if it is a public entity or a community business that hasn't been in good standing or has a rating of D or F and asked if that would be sufficient?

Mr. Salazar responded that he does not know if it would be sufficient, it would be supplemental and something for the Board to consider.

Commissioner Torres asked if the wording could be changed to the letter of recommendation by public and community business letters who are C-rated and above.

Mr. Salazar commented that he understands what Commissioner Torres is saying, but he would need to give it some thought as to how to word it and format it properly.

Mr. McLaughlin commented that the intent of that wording is what if somebody wants to start a business and doesn't have a credit report. Would you automatically decline their application, which was not the intent? The intent was to have the applicant prove that they could get recommendations from those that know them stating that the applicant would succeed in their particular project, with the individual giving the recommendation having a C rating.

Commissioner Torres commented that if you have ten recommendation letters from different businesses that have great titles in them, but their ratings are an F rating and the worst business practices, how does that hold to one great letter from an A+ business.

Mr. McLaughlin commented for every application received, during the assessment, all information received would need to be taken at face value. He further commented that the intent was to leave it up to the Board to decide that if they think from their business experience that the applicant has a better than average chance of making it, then that will be what will be proposed to the Commission.

Commissioner Torres asked if the wording in Part II, A2, the Administrative Board?

Mr. McLaughlin commented that the Finance Director will be added. This will make it four fixed seats, City Manager, Finance Director, Planning, and EDC/COC President and five at large by name.

Commissioner Torres further asked that the at-large Grant Administrative Board meeting shall serve terms of two years with no limitation on the number of terms served. Her opinion is that there should be term limitations as those who are there for multiple years continue to be stagnant and continue to gear towards the same type of business.

Mr. McLaughlin commented that the city does not have any boards that have term limits.

Mr. Salazar commented that every two years they would be up for evaluation, but the same group can serve multiple terms, but it may be prudent to do a stagger if the Commission desires that.

Mayor Fugate commented that the city has had many other committees that have had members that have served 20 to 30 years and have done as well now as to when they started. What has been determined about these volunteers that serve on these committees, is that when they are done serving, they resign.

Mr. McLaughlin commented again that the city does not have any boards that have term limits.

Commissioner Torres commented that she feels that it is time to start with term limits now. If someone serves eight years and then they are out for two years when they return it could give them a fresh perspective as to what the changes are.

Commissioner Hinojosa asked what type of marketing plan does the city has for a grant? How will the citizens know that this is available to them?

Mr. Salazar commented that it will be through the newspaper, websites, Facebook, and local TV Media.

Commissioner Hinojosa asked if it was decided on what to do with the language of first come first serve or placing on deadline to apply for this grant?

Mayor Fugate commented that he doesn't see how you can put a deadline on a grant like this. As you may have individuals throughout the year that may want to open a business.

Commissioner Lopez commented that she agrees with Mayor Fugate on not placing a deadline to apply for this grant.

Commissioner Alvarez agreed that a deadline to apply is not needed.

Mayor Fugate commented that he doesn't think that first come first serve is the correct wording for this grant. If someone comes in first to apply, does not mean that they will be entitled to the grant if the Board does not give a recommendation to the Commission for approval.

Mr. McLaughlin stated that the order of application is probably a better use of the term. He further stated that as he does not know what the interest to the community will be for this grant, the money in this grant can be divided and awarded quarterly.

Mr. Salazar commented that he feels that there will be some excitement at the beginning of this grant, but as the year goes by it may slow down.

Commissioner Torres asked how the city will track the standards to be achieved on the commitment to hire City of Kingsville or Kleberg County residents including contractors and sub-contractors, commitment to fully purchasing equipment and materials in the City of Kingsville possible? She further asked who will be making sure that these standards are being followed.

Mr. McLaughlin responded that there will be monthly monitoring that will be performed by Mr. Salazar, as he will be doing more of the secretarial duties for this grant. He further stated that the Board will be updated at every meeting on the outstanding projects. The details of every application, after approval, will be in the commitment letter.

Mayor Fugate commented that the city will have city departments that will be overseeing these projects as they will be going through the permitting process.

Mr. Salazar commented that the Grant Administrative Board can create a document where if you purchase your products locally you would list where the materials were purchased. The grant intends to have a local impact and not have any money go outside the community.

Mayor Fugate commented that the City of Kingsville has given money to box stores that have come to Kingsville, and they are not members of this community, such as Marshall's, Starbucks, Chick-fil-A, and Hobby Lobby.

Commissioner Hinojosa asked if the Finance Department will take part in the monitoring process?

Mr. McLaughlin responded yes; the Finance Director will be added as that is what was requested by the Commission.

Commissioner Torres asked if the language was going to be changed from periodic visits to quarterly visits?

Mr. McLaughlin commented that periodic visits would be best as it would depend on what the project is and what's their timeline. He further stated that the commitment letter will be the actual contract stating the details of the project. If the applicant does not comply, the city will not issue a certificate of occupancy. Mr. McLaughlin further stated that the more money that is requested, the applicant will need to show how it will be creating more jobs.

Commissioner Torres commented that she is concerned about the section in the draft that states that a business must have 10 or more employees. For downtown businesses, they don't have or

need to have 10 or more employees. She further asked, for verification, if this language was removed from the manual.

Ms. Alvarez responded that the draft that is attached to the resolution does not have a requirement that the business has a certain amount of employed individuals, to apply for the grant.

Mayor Fugate commented that he had spoken with Mr. Salazar about a provision that was of concern to him in the manual.

Mr. Salazar commented that there is a provision in the manual that requires applicants to use 50% of the total funds, total project costs, before receiving any money from the grant. He stated that the idea for his is to have the applicants use their capital first, before receiving grant funds. He further stated that the grant is to assist with startup cost and this language would change this to help with finishing out projects, oppose to assisting with the start of a project.

Commissioner Alvarez asked Mr. Salazar for his suggestion on the wording. Mr. Salazar responded that he would leave it up to the discretion of the Commission.

Ms. Alvarez commented that it closely mirrors the Façade Grant. To ensure that the applicant has put some skin in the game.

Mr. McLaughlin commented that the city can expense it at the same rate that the applicant is expensing until the grant is used up.

Mr. Salazar commented that he would be remised if didn't remind the Commission that the Chamber of Commerce wants to be a part of the project. He stated that they were prepared to use Chamber resources.

Commissioner Torres commented that she is aware that they need money upfront, but the concern for her is how much.

Ms. Alvarez commented that the document does state that the grant is not supposed to be the sole funding source.

Mayor Fugate commented that staff will need to make the changes stated by the Commission and bring back the item at a future meeting.

REGULAR MEETING AT 5:00 P.M.:

Mayor Fugate opened the meeting into the regular session of the agenda at 5:03 p.m. with all five Commission members present.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – November 22, 2021

Motion made by Commissioner Alvarez to approve the minutes of November 22, 2021, as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

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

1. Public hearing on request to rezone Sanchez Addition, Lot 4, acres .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service). John and

Velinda Sanchez, applicants and owners. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:03 P.M.

Mr. Uchechukwu Echeozo, Director of Planning & Development Services stated that this item has been presented to the Planning & Zoning Commission on December 1, 2021. The Planning & Zoning Commission reviewed and discussed the rezone and granted approval for the requested rezoning. Letters were mailed to neighbors around the area to be rezoned. City staff received no feedback from those who were noticed. Mr. Echeozo stated that during the Planning & Zoning Commission meeting, residents spoke during the public hearing against the rezone while others spoke in favor. Those who spoke against were concerned about poor lighting and were concerned about the narrow street. Mr. Echeozo stated that after the Planning & Zoning Commission discussed the item, the Planning & Zoning Commission voted to approve the rezoning.

Mayor Fugate asked what the vote from the Planning & Zoning Commission? Mr. Echeozo stated that the vote was 3 in favor and 1 against.

Commissioner Hinojosa asked what was the reasoning behind the member who voted against it? Mr. Echeozo stated that the member did not state why they had voted against it.

Mr. Echeozo stated that he would like to mention some things about the property that is being requested to be rezoned. The property is on the corner of 6th and Escondido with 6th Street being a commercial street. An analysis of 6th and King Avenue has been done in the past shows 87% and 85% respectively of properties on those streets are commercial. A similar application on King Avenue was approved by the Commission back in November 2020, to rezone R1 to C2 to allow a clinic. He further stated that there seems to be a need from citizens for a convenience store at this location. Staff received 70 signatures from citizens around the area which were provided by the applicant.

Mayor Fugate asked if 70 individuals around the neighborhood supported this project.

Mr. Echeozo responded yes, 70 individuals around this area. He further stated that there are no immediate adverse implications to the neighborhood. The applicant owns property to the immediate east and north. A map of the property was displayed to show the City Commissioners the exact location of the property. Mr. Echeozo further stated that to ensure a minimal adverse impact on neighbors, with respect to the development, the city ordinance provides for a 200 feet notification radius. Most of the citizens that are against the development live at least more than three times within this radius. These citizens range from Nelda Drive area. There were concerns regarding poor lightning at Escondido Road as well as the narrow street. He further stated that this development at the planning stage would address these concerns around the immediate environment.

Mayor Fugate asked if the city was going to be improving the lightning in this area? Mr. Echeozo responded that when the plans are reviewed, staff will consider the citizen's concerns. Mayor Fugate further asked if the city has intentions of widening this road.

Mr. McLaughlin responded that the task has been issued to the Engineering Department to which they are currently working.

Mayor Fugate asked for a timeline on the widening of the road? Mr. McLaughlin responded that it would at best next year's plan, but it also depends on the cost.

Commissioner Torres asked if there were homes on the north and east sides? Mr. Echeozo responded on the north side it is owned by the applicant as well as the east side, but no homes on either location.

Commissioner Hinojosa asked if there is only one entrance that will come off 6th Street? Mr. Echeozo responded that it will depend on the design of the convenience store as there is access off 6th Street and maybe access off of Escondido, but it will depend on the design of the store.

Commissioner Alvarez asked if staff received any complaints from citizens regarding this rezone? Mr. Echeozo responded that at the time that letters were mailed staff didn't receive any feedback. During the Planning & Zoning meeting staff received two letters against the development.

Ms. Alvarez commented that there are only three property owners within the 200-foot radius, City's Dick Kleberg Park, the applicant, and one other individual.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Ms. Sylvia Carrillo Trevino, a representative for Trevino's zoning case. Ms. Trevino stated that she owns a zoning company and has been a City Manager and City Official for almost 20 years. She commented that the petition has 103 signatures in favor. The Sanchez's want to be great neighbors and have gone above and beyond the 200-foot radius and almost 1,500 feet to contact their neighbors on either side of the rail. A lot of discussion about successful planning and businesses and the pillar of success is that you have to have a dream and a desire which is what the Sanchez's have. Ms. Carrillo further commented that you have to plan and they have engaged her and you have to work the plan which they have been back and forth with the city and back and forth with TXDOT and have reviewed the city's master plan and tried to stay within the confines of which this Commission and other Commissions have approved, in the plan looking forward for Kingsville. She stated that the dream is a small locally owned business that the Sanchez's want to leave to their children and the Sanchez's own all the holdings within this corner. Any adverse impact will be absorbed by the Sanchez's both with landscaping, lighting, and fencing. No impact to the neighbors that the Sanchez's wouldn't want to feel for themselves. Ms. Carrillo further stated that they will take the brunt of any impact on the commercial development. The intent for the C1 is to serve a rapidly growing residential area. There is the Escondido Estates which has about 60 plus homes that are happening on the other side of the rail plus other infield development along the corridors which all of the corridors in the city's master plan call for some section of commercial along the arterials as stated by Mr. Echeozo. Part of the plan is to do the research which they did speak with the neighbors and drove the area which they are aware that the neighbors on Nelda are in opposition but there is a big number of those beyond the Nelda boundary who are in favor of. The city's master plan street, growth development, land use map, TXDOT plans, and business and industry plan all call for some type of commercial development. Ms. Carrillo stated that this is not an intent commercial development, this is a neighborhood commercial development to serve the area and to serve Sanchez's needs. She further stated that they have met with city officials and have received a positive impact with 105 signatures and feel that this plan fits within the plans that this Commission has approved and it's

finally putting into the execution of the city's plans. The design is a small convenience store, deli and will have a consignment shop for other small businesses, as small businesses are the foundation for a healthy economy, family-friendly, and located next to the Sanchez's property. There is a preliminary site plan that shows access off of Escondido which none of that has been resolved yet as it was a conceptual plan to show that there is a lot of landscaping, lighting, and fencing that surrounds the property. In summary, positive impact to the neighborhood, positive impact on Kleberg economy, a small business foundation founded by the Sanchez's, follows the city's comprehensive plan and turns the plan into action for the City of Kingsville.

Marci Castillo, 405 Nelda commented that in Mr. Echeozo memo to the Planning & Zoning Commission says that entrance to the property is proposed on Escondido due to several factors mainly to speed and approach to 6th Street entrance as well as the distance to the intersection would make a turn into the area too dangerous to motorist and pedestrians alike. In addition, the TxDOT driveway permit would not be attainable given the sharp configuration of the property on the west and south portion. Mrs. Castillo further commented that she is a 31-year-old homeowner in Allendale Subdivision and they are very concerned about the effects of their neighborhood and the area if a rezoning takes place. The memo to the Planning & Zoning Commission dated November 27, 2021, from Mr. Echeozo, Director of Planning and Development Services references the Emerging Comprehensive Plan, Evolution 2040, which is adopting a neighborhood concept planning of the City of Kingsville. The memo also states that the property being considered for rezoning aligns with this neighborhood concept. She further commented that Mr. Echeozo states that the rezoning of the property in question from residential to commercial would facilitate the highest and best use of the subject property and that there are no immediate adverse implications to neighbors. Mrs. Castillo stated that after reading his memo she is left with questions and more concerns when this all started. Who decided that the emerging comprehensive plan was in this communities' best interest? Who decided that the best use for the property in question would be a convenience store? If it is approved, it would be the only commercial property within a residential area. Who decided that there were no immediate adverse implications to the neighbors or the neighborhood? Shouldn't the residents, homeowners, and taxpayers of this neighborhood make that decision? It shouldn't be left to one, two, or even to a handful of people to make decisions for me and my neighborhood. We don't want commercials in our neighborhood. The fact that the rezoning is to allow a convenience store to be built in our backyard is shocking when you think about all the abandoned commercial properties around town that were once convenience stores and are now closed, abandoned, and decaying with only a handful of those buildings being used for other types of businesses. Most are on major thoroughfares but there is a handful that was in neighborhoods. She also commented that years ago, there was a convenience store near them located on FM 1717 and South Brahma Blvd. that didn't make it. It now stands empty, decaying, and an eyesore for them. She further commented that the fact that a majority of convenience stores in town have closed be a factor before approval for rezoning for yet another. If a convenience store can't make it on a major thoroughfare in town then what are the chances a convenience store to the far south end of town in a neighborhood make it. She commented that this makes no sense. Mrs. Castillo further stated that Escondido Road is too narrow and poorly lit. Escondido Road and the loop road at Kleberg Park are busy with car traffic, walkers, joggers, bike traffic, families at the playground, dog park visitors, baseball and soccer teams, and their spectators. The traffic increased when JK Northway became a COVID-19 vaccination site. Lines of cars looped around the entire park and down Escondido Road then south down 6th Street making entry and exiting their neighborhood difficult. She further commented that recently a neighbor told her that a family was walking on Escondido Road at night and he nearly hit them as he

couldn't see them on the narrow dark road. When JK Northway has an event like the livestock show, concert, and roping events there are cars parked all along Escondido Road and people walking the road to get to JK Northway. There are no sidewalks, no shoulders, and no turning lanes. It makes driving this road very concerning in the daylight and downright dangerous at night. She commented that if there is a business operating... At this time, Mrs. Castillo's 5 minutes comment had expired.

Mayor Fugate asked how many in attendance at this meeting opposed the rezoning. Mayor Fugate stated that there were seven in opposition to the rezoning.

Mrs. Belinda Sanchez, 4100 S. 6th Street commented that they collected 105 signatures. In all the homes that she visited she received a lot of positive feedback and it was a great thing. She further stated that people want convenience. She further stated that she is aware that there is a lot of other convenience stores that have closed, you also have a lot of them that have been successful, such as Gregg's Short Stop who has been open for many years. They talk about abandoned buildings, but some have been successful.

Max Castillo, 405 Nelda commented that the convenience store that was located on Hwy 77 and FM 1717, there is an apartment complex and townhome complex across the way from this location, and with Hwy 77 traffic going by it didn't help that convenience store to remain open. He further stated that he grew up with a neighborhood convenience store but then closed. He further commented that they haven't seen the marketing data for this convenience store and further asked where this information was that states that there is a need for a convenience store within this area? He further stated that some of the individuals who have signed have been in the neighborhood as long as he has. He further commented that it's sad to see the vacant buildings that once were a convenience store. He stated that there is less population on the west side of Escondido than on the east side of Escondido. He further stated that it was mentioned that Escondido Road would be widened, but it will depend on the cost, and asked if there is a date for the widening of Escondido Road. Mayor Fugate responded that it was said that it would be done next year. Mr. Castillo commented depending on the cost, which is a chance that it won't happen. He further stated that as long as he has lived there, that road has only been improved once. Mr. Castillo commented that he doesn't see the need for the store, if the owner would build a cul-de-sac, those homes would sell. He further stated that for those who live on the other side of the rail, he doesn't see that store being of convenience to them as they would have to travel north on Franklin Adams then drive east. They would have to drive north on Trant Road, by then Walmart would be closer for them.

Mr. Ike Aguilar, 410 Escondido commented that no one knocked on his door to ask him for his opinion on the rezoning of this property. He further commented that Escondido Road is poorly lit and a narrow road with a lot of traffic. His concern is safety for those who reside in the neighborhood as well as those that visit the park. He further commented that placing a convenience store at the end of Escondido Road does not make sense and what value would it add to the community. Mr. Aguilar commented that he opposes the rezoning because of poor lighting.

Mayor Fugate asked Mr. McLaughlin if TXDOT told the city that the city could not extend Escondido Road out to the feeder road that will be feeding I-69. Mr. McLaughlin responded that this is correct. Mr. McLaughlin further stated that the access road for I-69 is nine feet above Escondido and was too steep for a T intersection so Escondido north on Brahma and the hard right turn from 130 degrees to go back to the access road will be reopened but will have a flyover.

Mayor Fugate asked that the road that goes to the T will never go straight? Mr. McLaughlin responded it will never go straight because of the elevation changes.

Mr. Hugh Lieck, 408 Nelda, commented that he has resided at this location for about 4 years. He stated that they moved into this neighborhood because of the flavor of the neighborhood where there is nothing commercial nearby and no traffic in the neighborhood. He further commented that Escondido Road is a problem and what concerns him is that there is a store coming in and with it being more than a store. He commented that the store will be selling fountain drinks, candy, chips, and stuff like that, poison cigarettes that are not needed in Kingsville. He stated that some of this will be highly attractive to the kids that will be across the street narrow and apparently will be wider that will be with a higher speed limit from what he calls an attractive nuisance. People from the park will be going back and forth to the convenience store which could cause someone to be hit by a vehicle. He further commented that when it rains, the rain flows down to his property which at times can be a few feet deep. With more concrete slabs being built it will increase the runoff and asked that to do something like this, is there something that needs to be done that will impact drainage. He commented that water runs through several properties before making its way to the creek. He further asked that with the convenience store not offering gas services, will there be a contract that states that they will never be a gas station there? With the property owner stating that it will be next door to their house, are they going to swear that as long as they live that they will never sell their house to someone that will have to live next door to the store? He further commented if the plans will show the ingress and egress for the property, maybe this could change their minds if they had a complete plan done and willing to say that this is how it's going to be and willing to say that they have something in the contract with the city that says that they will never have any petrochemicals on the property. He further stated that he would like to know if they have to have a catch pond, like a lot of places with big parking lots. He further commented why would they think that their store would be a success and all the others haven't been successful. He stated that they commented that Gregg's Short Stop is successful but you will need to see where it is located. He states that Walmart is within a mile and a half where this convenience store is being proposed, so if they plan on selling groceries, cleaners, or household goods he doesn't see how they could compete with Walmart. He stated that it is a commercial property at this location it could attract people who are just there to buy alcohol, tobacco or sell drugs in the parking lot as he has seen this happen at the stop and shops around here. He further commented that if you look at the signatures picked up, the farther away you get from it, the more signatures you get; nobody who is close has signed it.

Mrs. Janice Fischer, 401 Nelda commented that she has resided off Escondido in the Allendale Subdivision for the past 43 years. The residents of Allendale were extremely surprised when it was brought to their attention that a previously denied rezoning request from residential to commercial on Escondido was back on the City's agenda. The proposed rezoning is not wanted and will only bring additional street congestion to their peaceful residential area. Escondido already has too much traffic with all the events held, including soccer and baseball games, along with the JK Northway arena events. Currently, any runners, joggers, or walkers have to carefully negotiate safe passage around all of the parked cars and those driving Escondido and the road that goes around the park. The last time this matter came up at the City Commission meeting, the Allendale representatives presented a signed petition from the neighborhood. The petition stated that the Allendale residents did not want this lot to be rezoned to commercial so that a small store could be built. There is no justification or demand for a commercial property to be in the middle of a nice, long-established neighborhood. Further down Escondido, there is a commercial property that was previously a convenience store and a used car lot, and both businesses failed. It currently sits as an empty, dilapidated eyesore. This provides further evidence and supports that convenience stores do not belong in a neighborhood setting. Mrs. Fischer

further commented to please take the time to consider the fact that their neighborhood does not need commercial property, and the residents do not want the property in question to be rezoned. They would greatly appreciate the support of the Commission to make sure that this property is not rezoned and does not keep coming up for discussion at future meetings. Mrs. Fischer thanked the Commission for their time and consideration for their numerous requests on this important matter.

Mr. John Sanchez, 4100 S. 6th Street commented that as for the traffic in front of the park, it has been there for many years. As for the convenience store down the road or the convenience stores in Kingsville, many of these stores were in business for many, many years and they have shut down many years ago, but were running for quite a few years before closing down. Mr. Sanchez further commented that businesses succeed and businesses fail. We can't judge other stores and assume it will be a fail, if that is done, Kingsville will never move forward and will never grow. He stated that this will be a convenience store that will serve the community. Mr. Sanchez further stated as Mrs. Castillo commented that we cannot allow a small group to make that decision, he agrees with that. He further commented that base on what they came about while contacting those around Allen Drive, Boyd, and Arroyo, they received a lot of positive feedback that is for the convenience store. Mr. Sanchez stated that they received 105 signatures in favor of the convenience store. He further commented that he would like for the Commission to approve the rezoning.

Commissioner Alvarez asked if the Sanchez residential property will also be rezoned to commercial? Staff responded no.

There being no further comments Mayor Fugate closed this public hearing at 5:45 P.M.

III. Reports from Commission & Staff.²

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

Ms. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for January 10, 2022. The deadline for agenda items from staff is December 30, 2021.

Commissioner Hinojosa thanked staff for the preparations of the Employee Safety & Incentive Banquet.

Commissioner Lopez commented that she would like for the City Manager and Economic Development Director to look into possibly getting a movie theatre in Kingsville.

IV. Public Comment on Agenda Items.³

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

Elizabeth Ramos, 615 Elizabeth Ave. commented that she would like to comment on agenda item 18, EDG Grant. She stated that she knows the Commission was speaking about not having the one job per \$10,000, but she still sees it in Part 3A 1C page 13. She further commented that she has taken an interest in investing in Kingsville and has looked around at property land in downtown locations. She has weighed the pros and cons in where and what to invest her money. She further stated that she was excited to hear about the new development grant until she read the administrative manual presented last month. She further commented that this grant caters to franchises or business owners with multiple ventures, plenty of capital, and resources to not financially need this grant money. Mrs. Ramos further commented that this grant was going to be approved to entice the large businesses into Kingsville. As she is not opposed to growth or different options for Kingsville, she is tired of certain people that get to take advantage which kind of goes into the \$10,000. She further commented that she understands the goal of job growth but after reading both manuals she realized that there are no defined clear detailed outlines on how this will be monitored. Ramos further commented that looking at the numbers you would need to hire one full-time employee to receive \$10,000. An employer will hire one person at minimum wage and in 31 weeks they would have spent the same amount on payroll. How long does this employee need to be employed? What is the definition of full-time? Can the employee or employer be family-related? She further commented that any smart business owner that doesn't own a franchise, a larger business like Bray's, Big House Burgers, or Long John Silvers would see this as a financial disadvantage at the end of the year obtaining the grant. She stated that another issue she noticed was employment waivers, she commented that she didn't know if she read that from the second one. The waiver bullet points cover any reason why someone cannot meet the \$10K minimum and anyone should be able to qualify for any reason, is so broad. The excuse not to hire or cannot hire becomes limitless and fear of favoritism becomes greater and who has the better excuses. She further commented that in the previous administration manual the following language was included but was excluded from what the Commission has in front of them, creation or expansion of businesses in the community. Mrs. Ramos stated that her main issue is that this caters to larger businesses and franchises, does not monetarily beneficial for a smaller business to come here. Her concern is getting the unoccupied buildings occupied. She stated that this is almost near impossible with the type of minimum requirements.

Patricia Reyes, 1996 Co. Rd 75 commented that she would like to speak on behalf of the stray population in Kingsville and the dumping of animals out in the country. She further commented that she resides out in the country and has seen it numerous times and it is heartbreaking. People dump animals like trash and in some cases with the trash. She further commented that they rescued an animal that was thrown out with the trash. The animal was rescued, but there is no easy solution for the pup. She further commented that education is one way of educating people on how to take care of and love these animals. Spaying and neutering is another way to educate people. She stated that Corpus Christi put out information for people when they don't know what to do when they have an animal that needs to be fixed. Ms. Reyes further commented that she would like to see the same type of information to be released in Kingsville. This would assist people who don't want their animal or want their animal fixed to reach out and see what assistance they can receive. She stated that she knows of the ARK that

provides low-cost spay and neutering, but a lot of people are not aware of this. She further commented that she is a local author and has written a book called Teach into see hearts and also has a 5th-grade class that did a project for the ARK. They want the animals to be adopted and rescued. She was able to share a story with them about a dog named Niko that was rescued in Port Aransas and profits of the book go to the animal shelter in Port Aransas. She further commented that she is currently writing a book about her dog who has two little hearts above his eyes brows and will be titled Niko's Many Hearts. She further stated that she wants to donate profits from the sale of this book to the animal shelters in Kingsville. She stated that the younger the child is teaching them how to take care of an animal. Reading the story to the children, as they are like sponges, they want to rescue the animals, and it starts at a young age.

Sandra Hanzak, 1530 Virginia Ave. commented that she is a professor and a research scientist with Caesar Kleberg Wildlife Research. She would like to speak about the stray pet population. She further commented that for people who have grown up here it may not be so obvious, that there is a huge problem here. She further stated that she drove a candidate around through the nice neighborhoods in town and this candidate didn't comment about the closed-up shops in Kingsville or run-down houses, the candidate commented that there were a lot of dogs running around and asked if this was normal. She commented that this was an embarrassing question for her to answer. She further commented that the candidate stated that up east, you don't see animals running around. She commented that she grew up in Indiana and lived in Georgia, South Carolina, and three other cities in Texas and you don't see that in other places. She further commented that she rescues animals because they find her. She has brought home three kittens, one of them arrived in her driveway at the bottom of her daughter's car. When they took the bottom of the car apart to get the kitten out, it weighed less than a pound. She further commented that you don't have to try to look to see them, those of them who do rescue it's a quality of life issue. She further commented that it is heartbreaking to drive to work every day and drive-by dogs and cats who they know aren't being taken care of and for everyone that you take in yourself, you know that there are hundreds more out there. Ms. Hanzak commented that it's demoralizing and hard to have pride in Kingsville when it's like this. She further commented that Texas Parks and Wildlife Department ranks Texas as the number one birding site in the world. She further commented that there are more than 600 bird species in Texas and 2.2 million bird watchers in Texas. She further commented that birding is a major part of the 1.8-billion-dollar wildlife watching impact on our economy in Texas. She further stated that her husband is a dog trainer in town and when they have cats running around and eating whatever they can catch, we are not doing our part. She commented again that her husband is a dog trainer and leads bird tours for the ranch. He gets people from New Hampshire, New Jersey, and Maine as there are five or six species of birds that you can only see from Kingsville south. People come here to see these birds and we have cats running around eating whatever they want to eat and we are not doing our part. She commented that she is asking the Commission to enforce laws that are on the books and if more laws are needed, more money is needed for catching the animals...and she understands if we fine people it will get worse, more people are going to dump. It will get worse before it gets better.

Dalia Argullin, 2113 S. 2nd Street commented that she has been rescued and fostered for many years. She has worked at Gillett School next to two public housing areas. She stated that locally she knows that some of the fairly public-funded housing allows pets and has weight limits, but she has repeatedly rescued animals from public housing. She further commented that out of 80 animals that she has rescued in the last five years, almost all of them came from public housing. Mostly cats and kittens, she is a bottle feeder and has spent thousands of dollars in saving these animals. She commented that she thinks the public housing should enforce the weight limits, spay,

and neutering of a pet and should have received permission to have a pet because the children would tell her that the pet got too large and they had to let it go. She commented that they live there as they cannot afford to pay for housing or pay for food, how can they afford vet fees. It is not provided in their budget and vetting has gotten three times more expensive than when she moved to Kingsville. She commented that all she can do is bury babies when they bring them to her as they are too sick and cannot be saved. She recently started receiving assistance from others, but before this, she paid everything out of her pocket. She assists animal control in the transportation of feral animals. She commented that she tries to do her best but it is heartbreaking every time she has to bury a baby. She stated that she goes to public houses, HUD houses and they have colonies. These poor people know what it's like to go without and they still feed those poor animals as they don't want to see the animals go without. They have a heart as well and it's sad. She further commented that she would like for the city to enforce that the public housing enforces those rules as just last week she went to public housing next to Gillett where there was a loose puppy. One of the people had the puppy and she said to the girl that the puppy was going to weigh 65 pounds and it doesn't belong there. She further asked the girl if she had received permission to have the puppy there, and the response was no, she had just given her daughter a puppy. She further commented that these should never have been allowed and she should have asked permission to get a puppy, especially one that will be 65 pounds.

Anissa Beal, owner of Edgar and Ivy's Cat Sanctuary, 2033 FM 65 Rd, Corpus Christi, TX. Ms. Beal commented that she has been assisting Kingsville Animal Control and April reached out to her a couple of years ago asking for her assistance with the cat situation in Kingsville. She has saved hundreds if not thousands of cats. She commented that she has realized that the problem in Kingsville is the over-population and there is only one way to change the over-population. She works closely with Melissa Lincoln with feral and when she started it was a job of endless kittens coming in bottle feeding and having them die in your hands. She stated that when she met Melissa Lincoln she was trapping, neutering, and releasing, and educating the public about feral cats and spay and neuter. She commented that she felt like someone was turning off the water supply, all the kittens that just kept coming and coming. Every kitten that comes through her rescue doesn't leave until it's sterilized, even feral cats. She stated that there is an endpoint on what they are doing. She further commented that she offers her rescue to be placed on any website where people from this city can reach out to her for assistance.

Melissa Lincoln, 6425 Long Circle, Corpus Christi, TX, President of For Every Rescued, A Life Saved. Ms. Lincoln commented that she moved from Austin, TX in 2011 and she has never seen animals running the streets as she has seen in Corpus Christi. She further commented that she would like to offer her services. She is paired up with the City of Corpus Christi where they give her surgeries where she can go anywhere in the Corpus Christi area and trap cats to take them in and get them fixed. She commented that she is not sure what they received to be able to do this, but she suggests that something like this be done within the surrounding areas. She further commented that she would like to offer her services as they are a full-service T&R where they go out and trap the animal, hold it before the night of the surgery, take it in for the surgery and hold it for 24 hours after the surgery then release it back out. She stated that the problem is that a lot of people don't want the cats back and for their assistance to rehome the animal. Ms. Lincoln commented that if she could rehome all the cats, she would be a millionaire, as people would pay her to do it. She commented that when she talks to people about what she does, they are so overwhelmed as they only have two cats at the time and then they multiplied and call when there are 20 or more and they don't know what to do. When she tells them that she can fix all of them at one time, it

stops it so that it doesn't continue. Ms. Lincoln commented that it is important to educate people on how to care for an animal.

Margery Peterson, 366 E. FM 1118 commented that for almost 20 years she lived on Ailsie, 503 E. Ailsie, and had a lot of cats that would come to her home which she adopted. With her being out in the country now, she has four dogs that came from off the roads. She further commented that she has spoken to people about spaying and neutering their pets and most people agree with that, but some think it's cruel. She further commented that what is cruel is when you have too many animals and get dumped out in the country. She comments that she doesn't know of any answer that can fix this situation but feels that education and an incentive for spaying and neutering the animal would help. She further commented that the City's Animal Control Department is a wonderful department to work with.

Dianne Leubert, 715 W. Nettie stated that she is a representative of Kingsville Animal Advocates. She commented that one thing she would like to make clear is that a bigger facility at the pound is not going to be the answer. What is the answer is what was said tonight, talking to these ladies about the cats. It's not going to be successful, we will not be successful in helping animals in Kingsville in less there is a partnership with a rescue. She further commented that she is talking to partner with one, not telling them what to do, when they can do it, how high to jump, but partnering. She commented that it looks like it's going very well with the cats, now it's time for the dogs. There are 49 dogs with 18 that are going to die. She stated that they did pull some today, but it needs a lot more work out there.

April Manuel, 122 W. CR 2160 commented that she has been networking the cats in Animal Control for about 3 years. She stated that she has a friendly room and a feral room. The friendly room she has to move them to rescues all over Texas. The feral room has the cats such as stray cats and unfixed cats. She stated that when they are in the feral room, that room is in the back and further commented that what they need is T&R, Trap, and Release, which would be the answer. She further commented that a low-cost spay and neuter would also help as some pet owners would appreciate it. With the Veterinarians charging over \$100 for spay or neuter surgeries, it would help to have a low-cost spay & neuter clinic so that more people can do their part in taking care of their pets and would lower the number of stray cats in our city. She further commented that she has contacted all the Vet Clinics in the area asking for a discount in spay and neutering, and their response was no. She commented that if the Vets Clinics in Kingsville aren't willing to assist, what are they supposed to do, drive to Corpus Christi to get the lower-cost services.

Mrs. Mary Valenzuela, City Secretary read the following three public comments on behalf of Mr. Lance Hamm, Ms. Alycia Lee, and Abel and Vickie Garza. Comments were read as written by the commenter:

Lance Hamm, 912 South Creek, Kingsville, TX. The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a city resolution and/or city ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 mph is posted on the southbound US-77 service road., during and after construction work zones and during the lane shift that will allow through traffic on the southbound US 77 service road, in the area south of General Cavazos Blvd. overpass to the southern city limit of the City of Kingsville, specifically, on US 77 service road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

Alycia Lee, 10473 Winding Passage Way, Fort Worth, TX 76131. Hello and thank you for allowing me to speak on the behalf of the animal shelter. I have assisted through social media with the volunteer coordinator to help get the Kingsville shelter cats out to

rescue. We have had many outlets to get them out, but recently things have started to become difficult. We almost lost some of the cats due to a lack of rescue help because they are full. The population has gotten out of control and the only way to tackle the situation is through spay and neuter and TNR (trap, neuter, and return). The large organization "Best Friend Animal Society" They have formed resources and gathered evidence that TNR does stop overpopulation and saves money. Euthanasia costs more than fixing and returning the cat. They must be returned to their original location, or a barn program should be made to help place cats where they can do their pest (rats, bugs, etc.) control job for you for free. Over time the fixed feral, stray cats will start to pass once they grow old, and you'll never have to worry about more cats and kittens roaming your areas again. This will also take the stress off the animal shelter, the coordinator, and myself. I have lost years and tears due to the stress of placing these kids safely. I still remember a kitten from kennel C19 that has stuck with me in my mind along with a litter of 7. Many were lost due to the lack of resources that the shelter has. Not enough medical assistance and help from the locals. Please help us, assist this city into becoming a better place for these animals. Thank you for your time, Alycia.

Abel and Vickie Garza, 4117 Jamlie, we are not in favor of having a store built near our neighborhood. During soccer and baseball seasons our street is congested enough, it is difficult to access our street. Not only then but during Covid vaccinations we could not even get to our street, cars were lined up from both the east and west for over a mile. If there are any disasters or bad weather the JK Coliseum will be utilized as an emergency center further causing more traffic congestion. Our street is also impacted during carnivals, livestock shows, concerts, and Trunk-O-Treat activities. As an added problem I have noted that 18 wheelers are also utilizing this road, perhaps the closing of FM 1717 into 77 South has impacted them. For the above reasons, we say no.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend donations for Parks Department from King Ranch, La Posada de Kingsville, Kleberg County Attorney's Specialized Crimes Task Force, Kleberg County District Attorney's Office, and Christus Spohn Hospital Kleberg. (Parks Director).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for a broadband feasibility study. (Finance Director).

3. Motion to reappoint Nick Harrel to the Civil Service Commission for a three-year term. (Human Resources Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

Mayor Fugate commented that if there were no objections from the Commission, he would like to take item #4 next then take agenda item #17 before item #5. No objections were made by the Commission on this request.

4. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Sanchez Addition, Lot 4, (.964 acres), also known as S. 6th at Escondido Road, Kingsville, Texas, from R1 (Single-Family Residential District) to C1 (Neighborhood Service District). (Director of Planning & Development Services).

Mayor Fugate commented to the audience that this was an introduction item and because it is being requested to change a zoning requirement the item takes two readings. This item will not be considered until the next scheduled City Commission meeting on January 10, 2022.

Commissioner Alvarez asked that the individual who commented at the beginning of this meeting that stated that he and his neighbors had not been contacted about this rezone were letters mailed to everyone that needed to be notified?

Ms. Alvarez responded yes.

Mayor Fugate responded that those that lived within the area that needed to be notified were notified. This individual who commented that he and his neighbors did not receive notification resides outside the area of the rezone. Only those that reside within 200 feet of the requested area need to be notified.

Introduction item.

5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by amending Sections 3-3-50 through 3-3-55, providing for revisions to the Board of Health Subarticle. (Health Director).

Mr. Emilio Garcia, Health Director stated that before October 1, 2020, the City of Kingsville and Kleberg County share the responsibility of the City/County Health Department. A Health Board was created in which the City of Kingsville appointed 3 board members and Kleberg County 3 board members and 1 individual was appointed at 50% from the city and county. Now that the Health Department is 100% the responsibility of the City of Kingsville, there is a need to revise the Health Board to reflect that all Health Board Members are to be appointed by the City of Kingsville.

Commissioner Alvarez asked if the Health Board always consisted of 7 members? Mr. Garcia responded yes.

Commissioner Hinojosa asked if the appointment or the recommendation of the Directors, will the Health Board make recommendations for the hiring of the Health Director.

Ms. Alvarez responded that this is the only existing city board that still has language to the effect, it is just a recommendation and there is no requirement that the City Manager is bound to the recommendation.

Commissioner Hinojosa commented that he would like to see the City Manager decide on the hiring of a Health Director and not the Board as to who they recommend or who to hire.

Mayor Fugate stated that a one-time the Board would hire the Health Director and asked if this had been changed.

Commissioner Hinojosa commented that the Board makes the recommendation to the City Manager as to whom to hire.

Commissioner Lopez commented that what Commissioner Hinojosa is speaking about is the hiring of the Director. The Board makes a recommendation to hire the Health Director and that language is still in the ordinance.

Mr. McLaughlin commented that it will need to be revised as the Health Director is his employee and he makes the decision to hire and fire that employee.

Mr. Garcia commented that in the past, the County Judge and City Manager would decide on whom they would hire and fire when it came to the Health Director.

Ms. Alvarez commented that the third sentence of the ordinance can be removed which will resolve the question asked by Commissioner Hinojosa.

Introduction item.

6. Consider authorizing purchase of Dynapac CP 1200 9-wheel pneumatic roller for Street Department from Doggett Heavy Machinery LLC through BuyBoard Purchasing Cooperative as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the purchase of a new Dynapac CP1200 9-wheel Pneumatic Roller from Doggett Heavy Machinery, LLC. The existing Pneumatic Roller is 20 plus years old and has been sent in for repairs quite frequently.

Motion made by Commissioner Lopez and Commissioner Torres to authorize the purchase of Dynapac CP 1200 9-wheel pneumatic roller for Street Department from Doggett Heavy Machinery LLC through BuyBoard Purchasing Cooperative as per staff recommendation, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

7. Consider a resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-085-009-D237. (City Engineer).

Mr. Rudy Mora, City Engineer stated that this resolution is for the designation of authorized signatories for contractual documents and documents for requesting funds pertaining to the CDBG-MIT program.

Motion made by Commissioner Lopez to approve the resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-085-009-D237, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

8. Consider a resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-082-016-D218. (City Engineer).

Motion made by Commissioner Lopez to approve the resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-082-016-D218, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

9. Consider a resolution of the City of Kingsville, Texas, regarding Civil Rights, Citizen Participation Plan, Section 3, Excessive Force, Section 504, Fair Housing, and Code of Conduct Policies for CDBG-MIT compliance. (City Engineer).

10. Consider approving amended procedures for financial and grant payments for the City's two Community Development Block Grant-Mitigation grants from the General Land Office. (Contracts 22-085-009-D237 and 22-082-016-D218). (City Engineer).

Motion made by Commissioner Lopez and Commissioner Torres to approve the amended procedures for financial and grant payments for the City's two Community Development Block Grant-Mitigation grants from the General Land Office. (Contracts 22-085-009-D237 and 22-082-016-D218), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

11. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the change order for the emergency wastewater line repair. (Public Works Director).

Mr. Bill Donnell, Public Works Director stated that this item authorizes a project Change Order for the emergency wastewater line repair completed on an eighteen-inch trunk line on Santa Gertrudis. The repair took longer than expected. E-Tech has requested a \$26,139.87 change order for additional expenses incurred, but the state change order rule only permits 25% change from the original contract which is \$10,575.00.

Introduction item.

12. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the purchase of tasers and hardware/software for a new dispatch station. (ARPA funds). (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that they have approximately 35 TASER systems in use within their department. The models they have are the TASER X26 and TASER X2 Systems. The expected life of this equipment is five years and several of

these TASER's are beginning to show their age where some of the LED lights don't work or they are not working at all. If the equipment is more than five years old and if they are sent to the vendor, they will not repair the systems and just inform our department that they must be replaced. This is a Contract BuyBoard 603-20 purchase. This contract purchase was quoted initially over five years. The outright purchase of the 2021 TASER 7 Certification Bundle is at \$114,210.66 which will result in savings of \$33,298.01.

Introduction item.

13. Consider authorizing the purchase of 2021 TASER 7 Certification Bundle from Axon through BuyBoard Purchasing Cooperative as per staff recommendation. (ARPA funds). (Police Chief).

Commissioner Hinojosa asked who oversaw inventory? Chief Torres responded that the training officers oversee the inventory.

Motion made by Commissioner Lopez to authorize the purchase of 2021 TASER 7 Certification Bundle from Axon through BuyBoard Purchasing Cooperative as per staff recommendation. (ARPA funds), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

14. Consider authorizing the purchase of 9-1-1 Position Expansion via HGAC Purchasing Cooperative via staff recommendation. (a new dispatch station). (ARPA funds). (Police Chief).

Motion made by Commissioner Lopez and Commissioner Torres to authorize the purchase of 9-1-1 Position Expansion via HGAC Purchasing Cooperative via staff recommendation. (a new dispatch station). (ARPA funds), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

15. Consider a resolution of the City of Kingsville, Texas authorizing the Kleberg County Clerk to use the Dick Kleberg Park Recreation Hall as a County Voting Precinct. (Parks Director).

Motion made by Commissioner Alvarez and Commissioner Lopez to approve the resolution of the City of Kingsville, Texas authorizing the Kleberg County Clerk to use the Dick Kleberg Park Recreation Hall as a County Voting Precinct, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

16. Consider a resolution of the City of Kingsville City Commission requesting the Texas Department of Transportation conduct a speed limit study on the US 77 By-Pass from the northern to the southern city limits of Kingsville. (Commissioner Alvarez).

Motion made by Commissioner Torres to approve the resolution of the City of Kingsville City Commission requesting the Texas Department of Transportation conduct a speed limit study on the US 77 By-Pass from the northern to the southern city limits of Kingsville, seconded by Commission Alvarez.

Commissioner Alvarez commented that Commissioner Lopez was the one that had been in contact with Mr. Lance Hamm and believes there was some confusion about who had asked for this item to be placed on the agenda. She further stated that Commissioner Lopez had requested for this item to be placed on the agenda.

Commissioner Lopez commented that Mr. Lance Hamm had addressed the City Commission several times in the past asking that a resolution be approved by the City Commission to try and lower the speed to 45 mph in this area. She further stated that Mr. Hamm has picked up a petition from his neighbors. Commissioner Lopez stated that she has spoken with the City Manager who tells her that a study is needed. She further asked how long will it take to do a study? Some individuals have signed the petition who reside in this location and if something happens and the city is still waiting for the study, she doesn't want this on the back of her mind. She also stated that she thought the mayor was going to be writing a letter of support for this and is not sure if that was done or not. She further stated that what she needs to know is, how long will the study take?

Mr. McLaughlin responded that he is not sure as it would be done by the Texas Department of Transportation (TxDOT). He further stated that he has driven the area and has looked at the current situation, the interstate right now with one lane is already 55mph. In the subdivision that Mr. Hamm lives in, South Creek, right now they go across the access road that is almost done then stop at an almost 90-degree angle up against the interstate. He further stated that there are cones and barrels to fill up the emergency stopping lane so that when they come out, they are in the driving lane. Mr. McLaughlin further stated that the proposal he put forward is that this is TxDOT road, and they set the speed limits and doesn't think that the city should be telling them what to do with their property, other than requesting that they look at the speeds and go with their recommendation. He further stated that he has looked at the access road and has spoken with Mr. Lucio Ramos of TxDOT. The access road is wide and will have emergency-stopping shoulders with two lanes in the middle and so anyone coming out of South Creek can only turn right. He stated that if you want to exit into South Creek, you will get off in the emergency stopping lane area to make your right turn and get out of the lane of traffic. If you want to get on it, you will have a better situation in the future getting on the access road. Because it moved 80 feet closer to South Creek, doesn't change the dynamic. Mr. McLaughlin further stated that the city needs to allow Mr. Ramos to handle this and the 55mph is warranted through that area as it is already 55mph further down, which you won't get the accordion effect or rear-end collisions.

Commissioner Lopez commented that no matter what the speed limit is set at, they are going speed through there. She further commented that she wants the residents in this area to be safe.

Mr. Lucio Ramos, Area Engineer for Texas Department of Transportation, 1071 N. US 281, Alice, TX stated that the study varies but, in most cases, it can take up to 2 months for the study to be completed. He further stated that to do a study, they must have the traffic on it before a study can be done. They have spoken with Mr. Lance Hamm and have heard his concerns and they are reviewing the speed limit, but they have to wait until they open it up to the traffic so that they can see it, drive it, and do some trial runs to see what an appropriate speed limit would be. This should be done closer to February 2022 as that is the anticipated timeframe for, the frontage road to be completed. Mr. Ramos stated that what Mr. Hamm is requesting is a resolution for the maximum speed limit for the frontage road.

Commissioner Lopez commented that she is concerned as there have been a lot of accidents in the area and concerned for the residents that live within the area as it is a dangerous intersection.

Mr. Lucio commented that he understands Commissioner Lopez's concerns but there many factors that need to be taken into consideration before reducing speed limits. He

further stated that he understands that there was some confusion on the wording of the resolution, compared to what Mr. Hamm is requesting.

Commissioner Lopez commented that there is some confusion in the wording as this is not what she requested.

Commissioner Alvarez asked Commissioner Lopez what the wording was supposed to be?

Commissioner Lopez stated that she had talked to them, and they hadn't discussed wording. They only spoke about what Mr. Hamm wanted which was lowering the speed to 45mph, just supporting that idea.

Commissioner Alvarez asked staff if this makes the agenda item null and void?

Ms. Alvarez responded that it depends on what the Commission would like to do. If the Commission chooses to proceed with the speed limit study, then you have an item before you that has a motion and a second motion on to approve. She further commented that this is not what the majority of the Commission wishes to do, then the motions can be rescinded and ask staff to revisit the issue and give staff some guidance on what is being requested so that staff can get the proper wording on the next resolution for the January 2022 meeting.

Commissioner Torres stated that she would like to rescind her motion.

Commissioner Alvarez asked if TxDOT is going to do a study whether the city has a resolution or not?

Mr. Lucio responded that this was correct. TxDOT will be doing a study before opening it up. This is their internal review of the speed limit and not a traffic study.

Commissioner Alvarez stated that if this agenda item is not required, she would also like to rescind her motion as well.

No further action was taken on this item.

17. Discussion on Animal Control Division of the Health Department. (Commissioner Torres).

Commissioner Torres asked if Mrs. Lisa Bockholt can address the City Commission on questions she may have. She further commented that she has been in contact with Mrs. Bockholt and there are certain things and feels that Mrs. Bockholt has some good information and may be able to assist her with this. Commissioner Torres stated that she has discussed this before with Mrs. Bockholt and is aware that there is a huge concern and has been reached by several citizens regarding this matter. She further commented that she feels it's important that she does her job and make sure that whatever citizens have questions on that are brought forth to the community and not just listen and do nothing about it. She further commented that she would let the Animal Control Department that she is aware that they do a good job, she personally knows as she has had one of her pets under the care of the Animal Control Department and it was treated very well.

Lisa Bockholt, 1411 E. FM 1717 commented that hearing from those that showed up to this meeting are all saying the same thing, our city has a stray and overpopulation problem, just like all the other cities. She further commented that what she is hoping to

do is figure out a way that everyone can work together to solve the stray and overpopulation problem. Some great ideas were mentioned from those that do T&R but some things that can be considered are outside the box. Mrs. Bockholt further stated that there is no complaint on any of the Animal Control Department staff as they do an amazing job. She also stated that when she first moved to the area, the department had a high rate of euthanasia and was just a dog pound. With the city working with animal rescue groups, there has been a shift in how things are being done, not only locally but also nationally. The department has made a major turnaround from both facilities care and maintenance standpoint as well as working with rescue groups. She further stated that despite all the efforts that so many are doing, including the staff, the city still has a huge problem as strays are roaming everywhere.

Mayor Fugate commented that he has spoken to a friend who is an animal advocate and asked what it is that Kingsville needs? Fugate further stated that the individual made that comment that the city's facilities are adequate, which is not the problem, the problem is changing the culture. He further asked how we can change the culture; how can we get people in Kingsville to be more responsible for their pets.

Mrs. Bockholt commented that it must be a multi-tiered approach as there is no easy solution. There are communities around the state that are working hard towards this end. She further commented that at times we get locked in to say that the community is not San Antonio or Dallas, but there is no need to reinvent the wheel when there are a lot of ideas that other communities have already come up with. She further stated that some of the information she has provided this Commission with comes from Corpus Christi where she has been personally appointed by Mayor Paulette Guajardo to Corpus Christi's Animal Welfare Mayoral Ad hoc Committee to which she reports directly to Mayor Guajardo. This program helps people not have to give up their pets. She further stated that there are a lot of different types of programs that are available through grants. She further stated that in Corpus Christi, Anissa and Melissa are receiving assistance from Corpus Christi Animal Care Services for T&R. She stated that what this community can do is apply for grants that will assist with a T&R program. Another way is revising the shelter's intake management protocol to incorporate best practices standards in shelter management. Mrs. Bockholt stated that they are actively participating and advocating for animal services staff members to study under NAKA and APA which are industry associations that provide a wealth of free information and free assistance to shelters.

Commissioner Torres asked Mrs. Bockholt if forming a committee would be beneficial? This would be the start of communication and then build from there.

Mrs. Bockholt responded that a Task Force or a committee and is not sure what the structure should be for that, but it is a start. She further stated that businesses need to be included in this as well. She has spoken with some of the businesses in the community and they also see the issues with strays.

Mayor Fugate commented that the City of Kingsville already has a Health Department Board and further asked what the difference would be between the Board and a committee.

Mrs. Bockholt responded that there is a big difference between the two as she just went through this in Nueces County. Nueces County Animal Services had previously been under the umbrella of the Health Department. She further stated that the Board serving as an Advisory Board is addressing across the board issues such as food services handling, Covid, and vector control. They are not just focusing on the needs of the

community as far as the stray problem. She further stated that the first thing that needs to be done is admit that there is a stray problem in the community and ask what everyone can do to work together. She further commented that there are a lot of resources that are not being utilized and feels that this community can become a leader in the South Texas area and get a handle on this problem.

Commissioner Alvarez commented that what needs to be looked at is hiring an individual to go out and pick up all the strays and find homes for them. The current staff already has much to do with health inspections and other duties they have.

Mrs. Bockholt commented that the Health Department staff is responsive, helpful, and great to work with, but they are stretched too thin in their ability to network animals. It's not because they don't want to or because they are not passionate about it, but when you talk about having that many animals housed in a shelter consistently, not only is it a considerable taxpayer expense, but it also wears on employee morale. She stated that she has been here since 1989 and the shelter has never had this many animals and part of it can be that our community is growing. She further commented that staffing will be an issue and there isn't a community out there that isn't saying the same thing that there is no money in the budget, but this needs to stop using that excuse. There needs to be another way to find this money to make it happen. There are grant opportunities to embellish and expand the volunteer support team.

Commissioner Torres commented that we have come to the conclusion that there is a problem and we were never in denial, just never came together to state it publicly. She further stated that a committee would be a start for the city, a mayoral committee that can address some of the ideas or issues and find solutions.

Mrs. Bockholt stated that the committee can report back quarterly, or sooner, and bring ideas to the City Manager for consideration.

Commissioner Torres further commented that there wouldn't be a problem having individuals volunteer to serve on the committee. She further addressed the City Commission and stated that this was the idea for this agenda item. She wanted for the talks to continue, and the idea is that the city needs to create an Ad hoc Committee for this particular issue.

Mayor Fugate commented that he has spoken with Mayor Guajardo regarding this committee, and she says that it had its issues but is working better now. He further stated that Mayor Guajardo will be sharing their information on the creation of a committee. Mayor Fugate further commented that this goes back to it being a community problem and with the city speaking about it publicly they might see that this is a real big problem in our community. He further commented that the problem we have in the community is that individuals feed the feral cats and don't bother fixing them. Mayor Fugate further asked Mr. McLaughlin when was the last time the city had to euthanize a healthy dog due to space?

Mr. McLaughlin responded that it's been over two years since they euthanized a healthy dog. The city had not euthanized a single animal for space or length of stay. It's only been the ones that are injured that he does not want to put the money into for a veterinarian bill, which are the ones that are sick or injured. He further stated that for this year, there have been about 25 animals.

Mayor Fugate asked how many cats have been euthanized? Mr. McLaughlin responded none.

Anissa Beal commented that she has never received any money from the City of Corpus Christi. It all comes from her finances or donations. She further commented that she didn't prepare a report on this as she heard about this meeting at the very last minute, but she can say that it's over 1,000 cats that she has assisted with this year with the City of Kingsville that are in happy homes. Ms. Beal further commented that Ms. Melissa Lincoln is also doing this out of her finances.

Ms. Lincoln commented that the only free ones she receives are from the city which is a program that they have started over a year ago. She further commented that right before Covid, they were trying to get about 40 a week for free and now they are done to 10 as they have had a staff change which has hurt them a lot as they have had no surgeries. As of June, she has had over 1,100 cats that they have fixed that are from Corpus Christi.

Additional comments took place on how to trap and release cats as well as what to do with individuals who is a feeder and breeder.

Commissioner Torres asked if she would make a motion to create a committee? Ms. Alvarez responded that this item is only for discussion but if requested, an item can be placed on the January 10, 2022 agenda. Commissioner Torres responded yes.

Commissioner Alvarez commented that a committee needs to be created to concentrate on finding homes for these animals.

Mayor Fugate commented that there needs to be a way to educate the public on how to take care of their animals and the importance of spay and neuter.

18. Consider a resolution adopting the City of Kingsville Economic Development Grant Program and Administrative Manual, and providing for evaluation of each application for conformity with such program and criteria before submission to the Commission. (City Manager/Economic Development Director).

No discussion or action was taken on this item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:35 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville-Health Department Animal Control & Care Center

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Emilio H. Garcia, Health Director
DATE: November 30, 2021
SUBJECT: Re-vision of the Health Board City Ordinance

Summary:

Prior to October 1, 2020, City of Kingsville, and Kleberg County shared responsibility of the City-County Health Department. A Health Board was created in which the City of Kingsville appointed 3 board members and Kleberg County 3 board member and 1 individual was appointed at 50% from the City of Kingsville and 50% from Kleberg County, which made up our 7 Health Board Members. Now that the Health Department is 100% the responsibility of the City of Kingsville, we need to revise our Health Board to reflect that all Health Board Members are to be appointed by the City of Kingsville. The revision to the city ordinance on the Health Board reduces the Board from 7 to 5 members. Our current Health Board Members are Joni B. Harrel, Steve Davis, Joy Ansley and Norma Sue Adrian which are City of Kingsville appointees.

Background:

The City of Kingsville-Health Department is requesting approval of the revised City of Kingsville Health Board Members re-structure and elimination of joint board and department references. All City of Kingsville appointees to the Health Board will continue to serve for their remaining terms.

Financial Impact:

No negative financial impact. The approval will allow the City of Kingsville-Health Department/Health Board Members to continue to have bi-monthly meetings.

Recommendation:

To approve the revision of the City of Kingsville Health Board City Ordinance.



ORDINANCE NO. 2021-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III-ADMINISTRATION, ARTICLE 3-DEPARTMENTS, BOARDS, & COMMISSIONS, BY AMENDING SECTIONS 3-3-50 THROUGH 3-3-55, PROVIDING FOR REVISIONS TO THE BOARD OF HEALTH SUBARTICLE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville and Kleberg County agreed in 2020 to change the structure of the Health Department, which had been housed by the City but jointly funded by the County; and.

WHEREAS, the parties agreed the City would retain the Health Department as it lies on City-owned land; and

WHEREAS, the changes to the Interlocal Agreement with Kleberg County for the Health Department required some revisions to the City ordinances regarding the board for that department to reflect the change; and

WHEREAS, the City of Kingsville believes the changes are necessary and appropriate to reflect the current and changed status of the board associated with the department; and

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

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

I.

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

BOARD OF HEALTH

§ 3-3-50. BOARD CREATED.

There is hereby created a Board of Health for the city ~~and for the county~~ which shall be officially designated as the City-County Board of Health. The Board shall consist of five ~~seven~~ members, not less than one of whom shall be of the male gender and one of whom shall be of the female gender. The members of the Board shall all be residents of Kingsville ~~Kleberg County~~, Texas. In addition to the regular members of the Board, the City

Manager ~~and the County Judge~~, or their duly designated representatives, shall serve as ex-officio members of such Board but without voting privileges.

(1962 Code, § 2-7-1; Ord. 2006-03, passed 1-30-06)

§ 3-3-51. MEMBERS; TERMS.

Members of the City-County Health Board shall be appointed as follows: ~~three~~ five members by the City Commission; ~~three members by the County Commission and one member by joint approval of the City and County Commission.~~ The term of office of each member shall be for three years. Appointments and vacancies on the Board occurring by death, resignation, expiration of term of office or otherwise, shall be filled according to the respective City Commission that appointed the position then vacant or jointly in the case of the common appointee.

(1962 Code, § 2-7-2; Ord. 2006-03, passed 1-30-06)

§ 3-3-52. SALARIES; COMPENSATION.

Board members shall not receive salaries nor compensation of any sort for their services.

(1962 Code, § 2-7-3; Ord. 2006-03, passed 1-30-06)

§ 3-3-53. DIRECTOR OF HEALTH.

There is hereby created the office of Director of Health of the City-County Health Board. The Director shall be a thoroughly qualified environmental and consumer health administrator. ~~The City-County Health Board shall have authority to recommend appointment and removal of the Director of Health; however, the City Manager and the County Judge shall have final joint authority to appoint and remove the Director of Health. If, upon removal, however, the Director considers himself or herself to have been wrongfully removed, he or she may within ten days of the removal file an appeal to the City Commission and the County Commissioner's Court. Such appeal must be made in writing and filed with both the Mayor and the County Judge. The time limit in which an appeal may be filed shall be jurisdictional. Any appeal shall require joint action of the City Commission and the Commissioner's Court of the county. Among the duties of the Director shall be to prepare and file written monthly operational reports of the department with the Board and the City Manager. , the City Commission and the Commissioner's Court. On or before January 10 of each year, the Director will prepare and file a written annual report reviewing operations and accomplishments of the department for the past year and projecting the level of services planned to be provided in the ensuing year. The Director shall perform his or her duties at the direction of the city and county.~~

(1962 Code, § 2-7-4; Ord. 2006-03, passed 1-30-06)

§ 3-3-54. DUTIES OF THE BOARD.

The Board shall make written recommendations to the City Commission ~~and to the Commissioner's Court of the county~~ concerning the status of health matters in the city and

~~the county~~. It shall institute through the Director of Health the study of any condition which may affect the life, health or the preservation and improvement of health in the city ~~and in the county~~. It shall concern itself with the elimination of causes of disease and shall make recommendations to the Director of Health and to the governing ~~body~~ bodies of the city ~~and county~~ concerning the elimination of nuisances and conditions detrimental to health. It shall promote an active program of environmental and consumer health education. It shall make written recommendations to the Director and to the City Commission ~~and Commissioner's Court~~ concerning the needs and budget of such Department and in the manner prescribed by the city ~~each governing body~~.

(1962 Code, § 2-7-5; Ord. 2006-03, passed 1-30-06)

§ 3-3-55. ELECTION OF OFFICERS; MEETINGS.

As soon as practicable after the appointment of the Board, it shall meet and elect a Chairman and Secretary and determine a time and place for regular meetings. Thereafter, the Board shall meet on its determined meeting day, ~~not less than once every 60 days~~ at its regular meeting place. A special meeting may be held at a time and place called by the Chairman and at least one ~~two~~ other members of the Board, but only after three days written notice has been given of the time and place of such special meeting (with the exception of an emergency) to all members thereof, including the ex-officio members.

(1962 Code, § 2-7-6; Ord. 78-15, passed 12-18-78; Ord. 2006-03, passed 1-30-06)

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 13th day of December, 2021.

PASSED AND APPROVED on this the _____ day of _____, 2022.

EFFECTIVE DATE: _____, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

AGENDA ITEM #2

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: William Donnell, Director of Public Works 

DATE: December 3, 2021

SUBJECT: Wastewater Division 7003 Fund 054 Budget Amendment

Summary:

This item authorizes a project Change Order for the Emergency Wastewater line repair completed on an eighteen-inch trunk line on East Santa Gertrudis.

Background:

Quotes for emergency repairs to an eighteen-inch diameter sewer line, sixteen feet deep on East Santa Gertrudis were requested from four different local contractors. The only response was E-Tech Construction with a quote of \$42,300. Since this was an emergency repair, the city's pump and trench box was used to expedite the project. Due to rains, sewer flow and very poor soil conditions, additional equipment was required to complete the repair. A positive displacement pump was needed as the city's centrifugal pump was not strong enough to handle the depth of the sludge and trench safety sheets were also required in addition to the trench box. After several attempts to make the repair a long reach trackhoe was rented due to erosion of the unstable soil condition. Due to sewer flow and weather conditions, the repair took longer than expected. E-Tech is requested a \$26,139.87 change order for additional expenses incurred, but the state change order rule only permits 25% change from the original contract which is \$10,575.00.

Financial Impact:

This will impact unappropriated Utility Fund balance by \$10,575.00.

Recommendation:

Staff is recommending approval of additional funds to cover additional expenses to make the repair.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE CHANGE ORDER FOR THE EMERGENCY WASTEWATER LINE REPAIR.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#09

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 – Utility Fund					
<u>Expenditures - 5</u>					
6900	Transfer	Transfer To Fund 051	80054	\$10,575.00	
Fund 054 – Utility Fund Capital Projects					
<u>Revenues – 4</u>					
0000	Non Dept	Transfer From Fund 051	75010	\$10,575.00	
<u>Expenditures - 5</u>					
7003	North Plant	Utility Plant	54300	\$10,575.00	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for change order for the emergency wastewater line repair. Funding will come from the unappropriated fund balance of Fund 051.]

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 13th day of December 2021.

PASSED AND APPROVED on this the 10th day of January 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for budget amendment for ARPA funds to Purchase 2021 TASER®7 Certification Bundle

Summary:

Our department implemented our TASER® program in 2005. Since that time it is apparent that we have provided non-injurious solutions to violent confrontations resulting in positive outcomes due to the use of this tool. Those positive outcomes include fewer injuries to the combatant as well as to the police officers who respond to those incidents. This of course has also resulted in reduced litigation, reduced departmental medical as well as liability insurance costs. In fact this program has been so successful that during an 18-month period we had no injuries to our officers that were properly trained and utilized a TASER® out in the field.

Background:

We have approximately 35 TASER® systems in use at our department. The models we have are the TASER® X26 and TASER® X2 systems. The newest which were purchased in 2017. The expected life of this equipment is five (5) years. Several of these TASER's are beginning to show their age where some of the LED lights don't work or they are not working at all. If the equipment is more than (5) five years old if they are sent to the vendor, they will not repair the systems and just inform our department that they have to be replaced.

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Kingsville Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software,



City of Kingsville Police Department

accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need.

In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient, and costeffective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with nextgeneration devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs.

Financial Impact:

This is a Contract BuyBoard 603-20 purchase. This contract purchase was quoted initially over a (5) five-year period. The outright purchase of the **2021 TASER®7 Certification Bundle @ \$114,210.06** will result in a savings of \$33,298.01. (See attached Axon Enterprise, Inc. Quote for details on purchase)

Recommendation:

It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology. The total 5 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$33,298.01 over the span of a 5-year contract. We recommend that this budget amendment in the amount of \$114,210.06 from ARPA funds be approved by our City Commission.





Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-354986-44533.851AS

Issued: 12/03/2021

Quote Expiration: 12/31/2021

EST Contract Start Date: 01/01/2022

Account Number: 108524

Payment Terms: N30

Delivery Method: FedEx - Ground

SHIP TO		BILL TO
Delivery; Invoice-1700 E King Ave 1700 E King Ave Kingsville, TX 78363-5928 USA		Kingsville Police Dept. - TX 1700 E King Ave Kingsville, TX 78363-5928 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Adam Smith Phone: Email: asmith@taser.com Fax: (480) 463-2201	Phone: (361) 592-4311 Email: chief@kingsvillepd.us Fax: (361) 593-1714

Program Length	60 Months
TOTAL COST	\$114,210.06
ESTIMATED TOTAL W/ TAX	\$114,210.06

Bundle Savings	\$26,008.11
Additional Savings	\$7,289.90
TOTAL SAVINGS	\$33,298.01

PAYMENT PLAN: Dec 2021	
PLAN NAME	INVOICE DATE
Upfront Payment	Dec, 2021
	Amount Due
	\$114,210.06
	Payment Total
	\$114,210.06

Quote Details

Bundle: 2021 Taser 7 Certification Bundle Quantity: 35 Start: 1/1/2022 End: 12/31/2026 Total: 113505.06 USD

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Holsters	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER	35	\$80.00	\$61.87	\$2,165.56
Handle License	20248	TASER 7 EVIDENCE.COM LICENSE	35	\$5.00	\$3.87	\$8,120.87
Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35	\$1,720.00	\$1,330.28	\$46,559.63
Inert Cartridges	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Inert Cartridges	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Admin License	20248	TASER 7 EVIDENCE.COM LICENSE	1	\$5.00	\$3.87	\$232.02
Taser 7 Target	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1	\$150.00	\$116.01	\$116.01
Spare Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1	\$1,720.00	\$1,330.28	\$1,330.28
Taser 7 Target Frame	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1	\$75.00	\$58.01	\$58.01
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
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Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12- DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29

		DEGREE) NS			
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$2,057.29
Batteries	20018	TASER 7 BATTERY PACK, TACTICAL	42	\$86.00	\$2,793.58
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$29.39	\$2,057.29
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$29.39	\$2,057.29
Duty Cartridge Replenishment Program	20246	TASER 7 DUTY CARTRIDGE REPLACEMENT LICENSE	35	\$1.93	\$4,060.43
Docks	74200	TASER 7 6-BAY DOCK AND CORE	1	\$1,160.12	\$1,160.12
Dock Mount	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1	\$33.95	\$33.95
Dock Power Cord	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1	\$8.08	\$8.08
Other	80395	EXT WARRANTY, TASER 7 HANDLE	35	\$4.83	\$8,120.87
Other	80395	EXT WARRANTY, TASER 7 HANDLE	1	\$4.83	\$232.02
Other	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42	\$0.32	\$654.87
Other	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1	\$4.83	\$232.02

Bundle: Dynamic Bundle Quantity: 1 Start: 1/1/2022 End: 12/31/2026 Total: 705 USD

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Other	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1	\$705.00	\$705.00	\$705.00

Hardware

Requested Ship Date	Item	Description	QTY
01/01/2022	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER	35
01/01/2022	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2022	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1
01/01/2022	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1
01/01/2022	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	35

01/01/2022	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	105
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105
01/01/2022	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	1
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	35
01/01/2022	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1
01/01/2022	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1
01/01/2022	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1
01/01/2022	74200	TASER 7 6-BAY DOCK AND CORE	1
01/01/2022	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2022	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2022	20018	TASER 7 BATTERY PACK, TACTICAL	42
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2024	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2024	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2024	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2024	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2026	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2026	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard 603-20 (CEW only) is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Signature

Date Signed

12/3/2021

American Rescue Plan Act Funding

Final Proposal

Town of Fairfield | September 20, 2021

Presented by First Selectwoman Brenda L. Kupchick

Areas of Focus

MENTAL HEALTH & SOCIAL SERVICES

ECONOMIC DEVELOPMENT

PUBLIC SAFETY

ENVIRONMENT

QUALITY OF LIFE: RECREATION, ARTS & CULTURE

TOWN MODERNIZATION & INFRASTRUCTURE

Body Cameras, Dashboard Cameras & Tasers - \$3,700,000

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Fairfield Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software, accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need. In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient and cost-effective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with next-generation devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs. It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology.

The total 10 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$1,570,000.00 over the span of a 10-year contract.

It should also be noted that currently the Police Department has \$75,000 budgeted annually for Tasers alone. The proposed package includes the Taser program with additional discounts included. Axon further discounted the Fleet 3 Advanced Bundle in an effort to ensure they remained competitive and to offer the most cost-effective solution. This solution typically costs \$208 per vehicle per month. In the attached 10-year quote, they have discounted that to less than \$160 per vehicle per month, a savings of over \$201,000 for the Feet bundle alone.

Budget Am

Memo # 2 of 2

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for Budget Amendment, 9-1-1 Position Expansion

Summary:

The police department is requesting to purchase a 9-1-1 position expansion from Intrado Life & Safety Solutions Corporation from ARPA funds. This process requires a budget amendment.

Background:

As we look forward into the future it is apparent that we need additional 9-1-1 answering points within our communications division. Currently we have three 9-1-1 positions that are located in our communications section. They are in positions where the PD dispatcher, FD dispatcher and a call taker can answer those phones.

Over the next several years plans are in place to construct a third fire station as well as increase the number of patrol officers in the field. This is going to result in re-districting our city in a manner where we will be utilizing two police dispatchers. The city will be divided into quadrants based on the calls for service that we receive. Each PD dispatcher will be responsible for the officers in their quadrants.

A fourth 9-1-1 position will have to be brought up so that the 2nd PD dispatcher can assist with 9-1-1 calls as well. At some point we may have to employ dedicated 9-1-1 call takers due to how busy our dispatchers have become handling radio traffic. COVID-19 appears to have resulted in many more calls for service regarding violence at residential calls.

We have planned to update the dispatch area by using an existing room and expanding the communications office space to allow for a small office for the communications supervisor. The desk where she currently sits is being used as a backup PD dispatch position. The backup PD dispatch position currently has the ability to have a dispatcher and we will install the new 9-1-1 position to be used at this station.



**City of Kingsville
Police Department**

Financial Impact:

9-1-1 Position Expansion (HGAC Buy Pricing-Direct Sale)

Hardware & Software	\$17,299.01
Services	\$5,695.11
Maintenance	\$10,785.60

<i>Grant Total</i>	<i>\$33,780.72</i>
---------------------------	---------------------------

Recommendation:

We request that the budget amendment be approved to cover the costs of the 9-1-1 Position Expansion.
Thank you for your assistance.





Company Name: Intrado Life & Safety Solutions Corporation

Position Expansion

for

CBCOG - Kingsville PD, TX

(HGAC Buy Pricing - Direct Sale)

Quote Number: 69245

Version: 1

Issued: November 23, 2021

Expires: May 21, 2022

The terms and conditions available at <https://www.intrado.com/legal-privacy/terms/call-handling> as of the date of this Quote will apply to this Quote, unless the parties have entered into a separate mutually executed agreement, or Customer is purchasing under a cooperative purchasing agreement. The terms of this Quote will govern any conflict with the above-mentioned terms, and Customer's issuance of a purchase order for any or all of the items described in this Quote will constitute acknowledgement and acceptance of such terms. No additional terms in Customer's purchase order will apply. This document contains confidential and proprietary information of Intrado, and such information may not be used or disclosed without prior written consent.



Summary - CBCOG - Kingsville PD

Item	Cost
Hardware & Software	\$17,299.01
Services	\$5,696.11
Maintenance	\$10,785.60
<hr/>	
Total:	\$33,780.72

Annual Billing Summary

Year	System	Professional Services	Recurring Services	Maintenance Services	Totals
Hardware & Software	\$17,299.01	\$5,696.11			\$22,995.12
Year 1				\$5,355.00	\$5,355.00
Year 2				\$5,430.60	\$5,430.60
Totals	\$17,299.01	\$5,696.11		\$10,785.60	\$33,780.72

Configuration Parameters - CBCOG - Kingsville PD

Model#	Description	Qty	List Price	Selling Price	Total
VIPER					
912811	Application Server License	1	\$995.00	\$626.85	\$626.85
912812	PBX Access License	1	\$645.00	\$406.35	\$406.35
				Subtotal	\$1,033.20
Power Stations					
P10096	21.5" LED Backlit Monitor	2	\$271.00	\$271.00	\$542.00
911808	A9C G3, Second Screen Kit	1	\$295.00	\$185.85	\$185.85
911810-1/BB	Power Station Bundle	1	\$6,860.00	\$4,321.80	\$4,321.80
				Subtotal	\$5,049.65
Power 911					
913100	Power 911 Client and Server Access License	1	\$11,990.00	\$7,553.70	\$7,553.70
				Subtotal	\$7,553.70
Power MIS					
920102	Power MIS Data Access License	1	\$847.00	\$533.61	\$533.61
				Subtotal	\$533.61
MapFlex					
MF-DMS	MapFlex 9-1-1 Client License	1	\$4,395.00	\$2,768.85	\$2,768.85
				Subtotal	\$2,768.85
Staging					
950852	Front Room Equipment Staging - Per Position	1	\$250.00	\$250.00	\$250.00
				Subtotal	\$250.00
Installation					
950104	Professional Services (per Day)	1	\$1,500.00	\$1,500.00	\$1,500.00
960575	Living Expense per Day per Person	3	\$200.00	\$200.00	\$600.00
960580	Travel Fee per Person	1	\$1,250.00	\$1,250.00	\$1,250.00
				Subtotal	\$3,350.00
Project Management Services					
950510	Project Management Services	1	\$0.00	\$2,346.11	\$2,346.11
				Subtotal	\$2,346.11
Freight Estimate					
FREIGHT	Shipping and Handling	1	\$0.00	\$110.00	\$110.00
				Subtotal	\$110.00
Software Protection and Remote Tech Support					
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 1	1	\$630.00	\$630.00	\$630.00
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 2	1	\$642.60	\$642.60	\$642.60
				Subtotal	\$1,272.60

Software Subscription

950999/SUB1/1	Software Subscription Service - /Position - Year 1	1	\$1,575.00	\$1,575.00	\$1,575.00
950999/SUB1/1	Software Subscription Service - /Position - Year 2	1	\$1,575.00	\$1,575.00	\$1,575.00
				Subtotal	\$3,150.00

On-Site Maintenance

950999/ONS1-1/1	On-Site Maintenance/Position - Year 1	1	\$3,150.00	\$3,150.00	\$3,150.00
950999/ONS1-1/1	On-Site Maintenance/Position - Year 2	1	\$3,213.00	\$3,213.00	\$3,213.00
				Subtotal	\$6,363.00

Total **\$33,780.72**

Notes

-
- 1** This quote adds a new position at CBCOG, TX/Kingsville PD. Quote assumes that there are available ports on existing VIPER system to support this position. The positions at Kingsville will increase from 3 to 4.
-
- 2** **Professional Services:** This quote represents an estimate of labor costs to perform the work described in this quote. If the amount of labor needed to correct the issue can't be accomplished time allotted in this quote, Intrado will contact the customer representative before performing additional labor. If the actual labor to perform the work is significantly less than the amount quoted, the final charge may be adjusted.
-

- 3** **Software Protection and Remote Technical Support** is a coverage requirement with the purchase and ownership of Intrado CPE system equipment.

Software Protection and Remote Technical Support cannot be deleted from quotes or system orders.

Once a Software Protection and Remote Technical Support service contract is established for the site during system initial purchase, all items subsequently added to the site will not require an additional contract, but the acquisition of additional positions will increase the price of the services.

- a. For sites with one year coverage contracts, the increased price will be reflected in the quote at the next contract renewal point.
- b. For sites with multi-year agreements, the customer will be required to retract the remaining years of the original purchase order and issue a new purchase order for the remaining period covering the original system and new positions.

If a contract for Software Protection and Remote Technical Support expires without renewal, causing a lapse in coverage, the customer's access to the Support Center will be discontinued and a notification of services termination will be issued.

Reinstatement of the lapsed coverage will require the following from the customer:

- a) Payment in full for the lapsed period at the prevailing per-seat rate
- b) Purchase of a new maintenance agreement (one-year or five-year)
- c) System Recertification fees in the form of a Class A inspection at \$1,500.00 per day plus related travel and expense charges.

Software Protection

This offering provides for the availability of software product updates. Installation and training (if needed) are not included. Intrado will publish periodic software release bulletins to customers which announce important product updates for Intrado software. Customers may then request the new update from Intrado based on applicability of the release to customer's system. Customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

Remote Technical Support

Support is provided by associates who specialize in the diagnosis and resolution of system performance issues. Remote Technical Support is available 24/7 through both a toll free hotline and a secure customer Internet portal. All service inquiries are tracked by a state-of-the-art CRM trouble ticket system that can be queried by customers through the online portal to obtain the most up-to-date status on their issues.

- 4** **Software Subscription Service** provides the customer with access to software upgrades including new features. This offering only provides for the availability of the software. Installation and training (if needed) are not included. Any required hardware or operating system changes are also not included.

Intrado will provide periodic software release bulletins to customers which announce and explain new feature releases for Intrado software. Customers may then request the new release or version from Intrado based on applicability of the release to customer's system. The customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

- 5 **On-site Support Services** are primarily designed to assist with issues that require system expertise in troubleshooting and restoration at the customer's location.

On-site Support Services include travel costs and time and labor related to the service incident. Also included in the service are quarterly on-site preventative and routine maintenance reviews (four per year) of the customer's Intrado system. These maintenance visits can include the installation of routine updates to software. Training, configuration changes, reprogramming and system upgrade labor are not included in this offering, but are available for purchase.

On-Site Support Services options include the designation of a technician dedicated specifically to the customer's deployment(s), or alternately a non-dedicated resource available for use with other customers. Intrado may engage third-party vendors to provide the On-Site Support Services.

Terms

VENDOR NAME	Intrado Life & Safety Solutions Corporation Include quote number and customer EIN/Tax Identification Number on P.O.
SUBMIT P.O.	<u>ordermanagement.safetyservices@west.com</u>
PRICING	All prices are in USD Taxes, if applicable, are extra. Handling and Shipping charges are extra unless specified on the quote.
SHIPPING TERMS	FCA (Montreal), INCOTERMS 2010
PAYMENT	Per Contract
DELIVERY	TBD
VALIDITY	Quote expires on May 21, 2022. However, part numbers beginning with Q, such as QXXXXX, constitute unique third-party components. These components, including model and price, (i) may be subject to change at any time; and (ii) are non-cancellable, non-refundable, and non-exchangeable at any time.
COPYRIGHT	The information contained in this document is proprietary to Intrado Life & Safety Solutions Corporation and is offered solely for the purpose of evaluation.

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE PURCHASE OF TASERS AND HARDWARE/SOFTWARE FOR A NEW DISPATCH STATION.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#08

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 121 – GF ARP					
<u>Expenditures - 5</u>					
2102	Police Patrol	Minor Equipment	21700	\$114,210.06	
2103	PD Comm	Computers & Assoc Equip	22600	\$33,780.72	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for the purchase of tasers and hardware/software for a new dispatch station. Funding will come from the unappropriated fund balance of Fund 121.]

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 13th day of December 2021.

PASSED AND APPROVED on this the 10th day of January 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 8, 2021

SUBJECT: Donation to Kingsville Boxing Club from Chapter 59 Funds

Summary:

The police department is in receipt of a request for a donation to Kingsville Boxing Club.

Background:

I am in receipt of a letter from the Kingsville Boxing Club soliciting a donation for the Kingsville, Texas program. The Kingsville Boxing Club of Kingsville is a non-profit organization that provides anti-drug programs to the youths of the city and the area by providing educational studies opportunities, athletic programs, field trips and other activities with a drug-free message that have a positive impact on the children of Kingsville. This donation will assist them in implementing their program to assist in the prevention of Alcohol, tobacco, and other drugs for our youth.

We here at the City of Kingsville Police Department have a longstanding relationship with the Kingsville Boxing Club and would like to assist them in our goal.

Financial Impact:

Donation in the amount of **\$5,000.00** to assist Kingsville Boxing Club with our mission to help young people to stay drug free and succeed.

Recommendation:

We request that our request be granted for our donation in the amount of \$5,000.00



City of Kingsville Police Department
APPLICATION FOR CHAPTER 59 DONATION
19 October 2021

1. APPLICANT'S

NAME: Jaime Cantu

ADDRESS: 627 E. Miller Ave. Kingsville, Texas 78363

PHONE: 361-728-3955

2. ORGANIZATION'S

NAME: Kingsville Amateur Boxing Club Inc.

ADDRESS: 525 S. 12th St. Kingsville, Texas 78363

PHONE: Same

3. The Kingsville Boxing Club (a federally recognized 501(c) (3) Non Profit Organization) is applying for a grant to help and assist the club with its program. The club was formed with the intent of offering our youth an alternative from the streets. The club has grown considerable since its organization back in 1997. Currently the club allows all members of this community to attend and utilize its facilities with the purpose of getting fit and staying healthy. Members of the Kingsville Boxing Club who are registered with USA boxing are required to attend various classes throughout the year that teach and lecture on subjects such as; Drug and Alcohol Abuse, Dealing with Teen Pressure, Building one's Self Esteem, Nutrition and The United States Anti Doping Agency policy on drug use. Our instructor for those classes is a licensed and registered drug and alcohol counselor for the state of Texas. Speakers are invited to come in and share their experience with our athletes to help them better understand the consequences of abusing drugs and alcohol as well as giving motivational speeches to help our participants succeed. Pamphlets are located on site in the gym and are used to help educate our athletes in these various areas.

Our club is a very unique program that offers so many different types of character building programs (See List of Additional Programs). Our program has not only impacted the "At Risk" student but has also impacted those who want to volunteer and make a difference in our community.

Our club currently has no major sponsor and relies solely on the support of our community and organizations such as yours to continue our existence. The average cost per year to operate our club is \$15,000.00 (last 5 years).

We are requesting that a \$5,000.00 grant be awarded to our program to be used in the following manner:

- 1. Money will be used to help our program continue to spread our Drug Free Message to members of our community (primarily our youth).**
- 2. A portion of this grant will be used to purchase additional equipment needed to ensure that all participants are properly equipped to conduct their physical training.**
- 3. All money will be used to directly impact our program. Our program has no paid staff and all money will be used to help operate our program.**

Approval of this grant is very important to our program. Without your organizations support, this program could not function in the manner that it has. Our program has received high praise from community leaders and members of our community. In addition, leaders from different communities have stated that they are very impressed with our program and believe that our community is fortunate to have a program like ours. It is directly because of your organization that we are as successful as we have been.

APPROVED: _____

RICARDO TORRES
CHIEF OF POLICE

DATE: _____ TIME: _____

List of additional programs run by the Kingsville Boxing Club

- **Internet Site** – Established a classroom with internet so students can do their school work. (Due to Pandemic).
- **Be a Champion** – Weekly Grab & Go Lunch for all students. (Est. 2020)
- **Dru(g, Alcohol and Substance abuse education** – Twice a month, a certified Drug and Alcohol Abuse Counselor conducts classes for all individuals.
- **Drug Awareness Information Give Away** – The Kingsville Boxing Club gives away for free, Educational Activity books and other items that focus on Drug Awareness and City Leadership. Participate in Red Ribbon Week
- **Anti-Bullying Campaign** – This past year, the boxing club initiated our Anti Bullying Campaign by handing out activity books, book markers and other items that talk about bullying. In addition, pamphlets about Sexting are also given out.
- **Knock Out HomeWork/Tutoring Program** – Once a week (Wednesdays) the Kingsville Boxing Club opens its doors and allows students from throughout the community to come in and get assistance with their homework or for tutoring. Additional days are made available at the students' request. (Most volunteers and tutors are from our local University)
- **Camp of Champs** – This program was established in 2008 and is a cost free camp that is geared towards children ages 8-14 and focuses on the importance of health, fitness, discipline and faith. (The same type of training is given on a daily basis and if there aren't enough participants, the program is run during normal training hours).
- **Training Facility** – Our facility has opened its doors to Law Enforcement Personnel as well as Military Personnel to use as a fitness center or an instructional facility.
- **Community Service** – Members of the Kingsville Boxing Club volunteer once a month to assist Senior Citizens whose alley ways are in violation of our city codes and they must be cleaned up. The club contacts the local enforcement office for a list of addresses. In addition, our club assisted with the city wide clean-up program.
- **Community Involvement** – The Kingsville Boxing club members volunteered for several different community events to include: National Night Out, Lil Oscar Day, and Motivational speaking for different organizations and supported a "Back to School" School Supply Drive. All of these events were free to the public to include food and drinks.

More information on the above subjects can be found in our website:
www.12thstreetgym.org / Kingsville Boxing Club on Facebook

RESOLUTION #2022-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE KINGSVILLE AMATEUR BOXING CLUB, INC. FOR DRUG AND ALCOHOL PREVENTION PROGRAMS.

WHEREAS, the Texas Code of Criminal Procedure, Article 59.06(h) allows for the release of Chapter 59 funds for nonprofit programs for the prevention of drug abuse;

WHEREAS, the Kingsville Amateur Boxing Club, Inc. is a non-profit organization that provides anti-drug programs to the youths of the city and the area by providing athletic programs and other activities with a drug-free message that have a positive impact on the children of Kingsville;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Kingsville Amateur Boxing Club, Inc., to help educate young people about living a drug-free and alcohol-free lifestyle. The Kingsville Amateur Boxing Club, Inc. will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Kingsville Amateur Boxing Club, Inc. in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of January, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #5

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



Action Item

MEMO

Date: December 1, 2021

To: Mark McLaughlin (City Manager)

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

Subject: **John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).**

The Planning and Zoning Commission meeting held as scheduled this evening, December 1, 2021, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone of Sanchez Addition Lot 4; ACRES .964, Kingsville to enable the applicant to establish a convenience/local grocery store. Letters were sent out to neighbors and the City received no feedback prior to the meeting. However, during the meeting, some residents spoke at the public hearing. Some were against the rezoning while others were for the rezoning. Those against put forward their concerns which included poorly lit Escondido road as well as narrow street. Staff however assuaged their fears by confirming that at the planning stage, their concerns (with respect to the narrow road and poor lighting) would be addressed. Commissioners, after deliberations, voted to **approve** the recommendation for a rezone of the said property into C1 (Neighborhood Service). A recorded vote of all members present was taken and Commissioners Larry Garcia, Idotha Battle, Brian Coufal all voted 'YES' while the Chairman – Steve Zamora, voted "No". **Motion was approved.**

The meeting was adjourned by about 6.45p.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

Action Item

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



MEMO

Date: November 27, 2021

To: Planning and Zoning Commission Members

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

Subject: John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).

The applicants approached the department because they wanted to re-zone the existing property (Sanchez addition LOT 4; ACRES .964,) from R1 (Single-Family Residential) to C1 (Neighborhood Service).

A quick look at the zoning of the properties immediately surrounding the subject property shows that they are currently zoned R1 (Single Family Residential). However, the property is located on 6th Street, which is a major arterial or commercial strip in Kingsville. An earlier analysis of 6th Street and King Avenue show that 87% and 85% (respectively) of properties are commercial in nature. Besides, the emerging comprehensive plan is adopting a neighborhood concept for the planning of the City of Kingsville and the rezoning of the subject property as proposed, aligns with the objects of the neighborhood concept.

In trying to reach a conclusion, it is pertinent to have regard to a similar application about a year ago (Memo dated November 23, 2020) whereby the Commission rezoned an R1 property on King Avenue to a C2 (Retail) to enable a pediatric clinic to establish. It was noted at the time, that the rezoning would align with the majority of the commercial land uses on King Avenue. Also, the proposal for a zoning change would facilitate making the highest and best use of the subject property. There are also no immediate adverse implications to neighbor since the applicant owns the immediate properties to the East and to the North, with Escondido St./Dick Kleberg Park and 6th Street/Railway line abutting the property to the South and West respectively.

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 development that would conform to our Future Land Use as well as the emerging Comprehensive Plan: Evolution 2040.

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 Escondido Rd. Nearest Intersection 1st St. + Escondido Rd.
(Proposed) Subdivision Name _____ Lot 4 Block _____
Legal Description: Sanchez Addition Acres .964
Existing Zoning Designation R1 Future Land Use Plan Designation C1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent John + Velinda Sanchez Phone 361-455-3348 FAX _____
Email Address (for project correspondence only): John Velinda @ yahoo.com
Mailing Address 4100 S. Wilshire City Kingsville State Texas Zip 78363
Property Owner: John + Velinda Sanchez Phone 361-455-3348 FAX _____
Email Address (for project correspondence only): John Velinda @ yahoo.com
Mailing Address 4100 S. Wilshire 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"/> 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

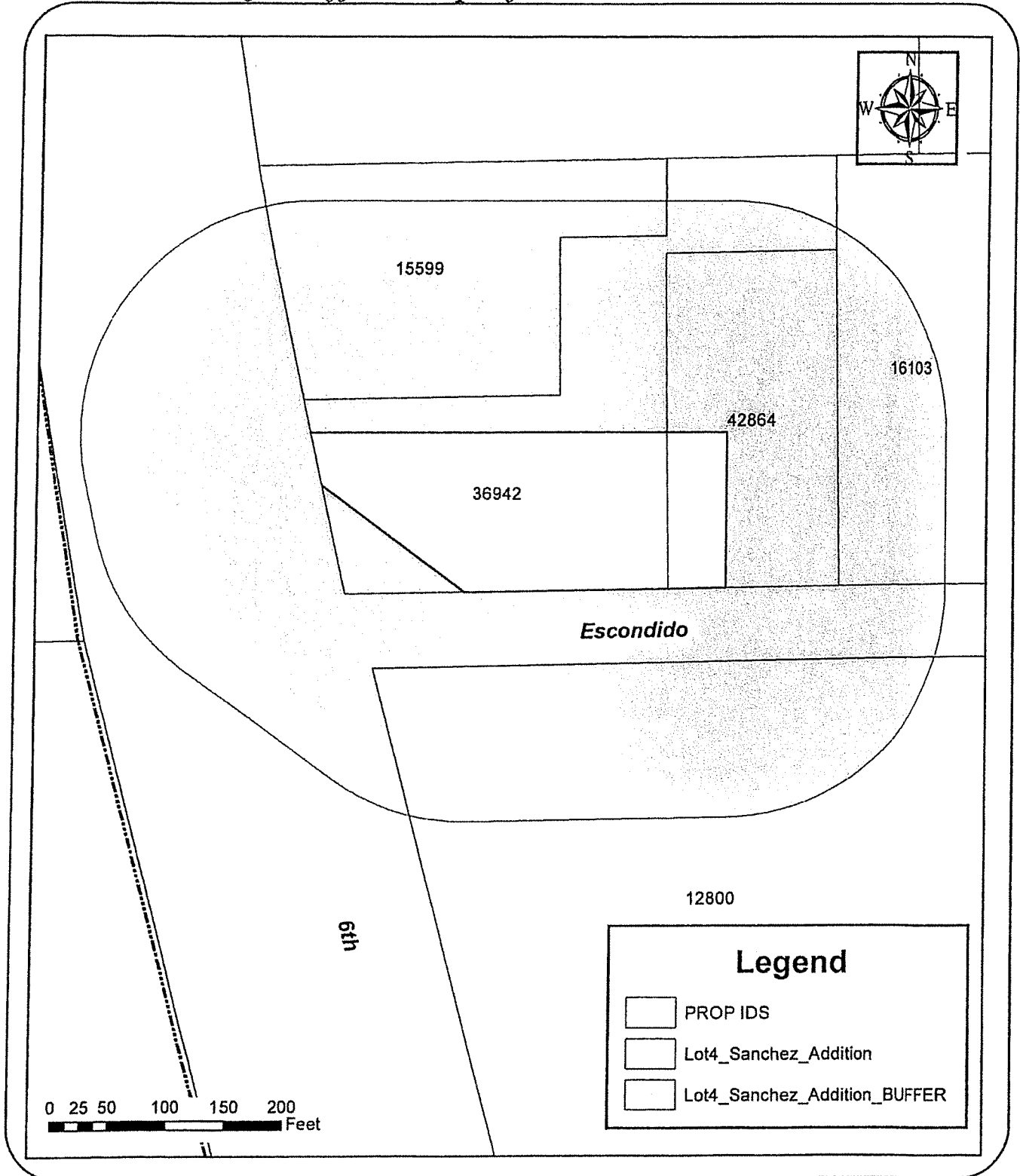
Please provide a basic description of the proposed project:

Request to rezone property R1-Single Family Residential
to C1 Neighborhood Service District for establishment
of a small locally owned grocery / convenience store.

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 John + Velinda Sanchez Date: 11-6-21
Property Owner's Signature John + Velinda Sanchez Date: 11-6-21
Accepted by: _____ Date: _____

200 ft Buffer Map of Sanchez Addition Lot 4



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

<div> <div>Page</div> <div>1 / 1</div> </div>	<div>Drawn By:</div> <div>Planning Department</div>	<div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY.</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <div>RESPONSIBLE IF THE INFORMATION CONTAINED</div> <div>HEREIN IS USED FOR ANY DESIGN,</div> <div>CONSTRUCTION, PLANNING, BUILDING,</div> <div>OR ANY OTHER PURPOSE.</div>	<div> <div>CITY OF KINGSVILLE</div> <div>PLANNING DEPARTMENT</div> <div>410 West King</div> <div>Kingsville, Texas 78363</div> <div>Office: 361-595-8055</div> </div>
	<div>Last Update: 11/17/2021</div>		
	<div>Note:</div>		

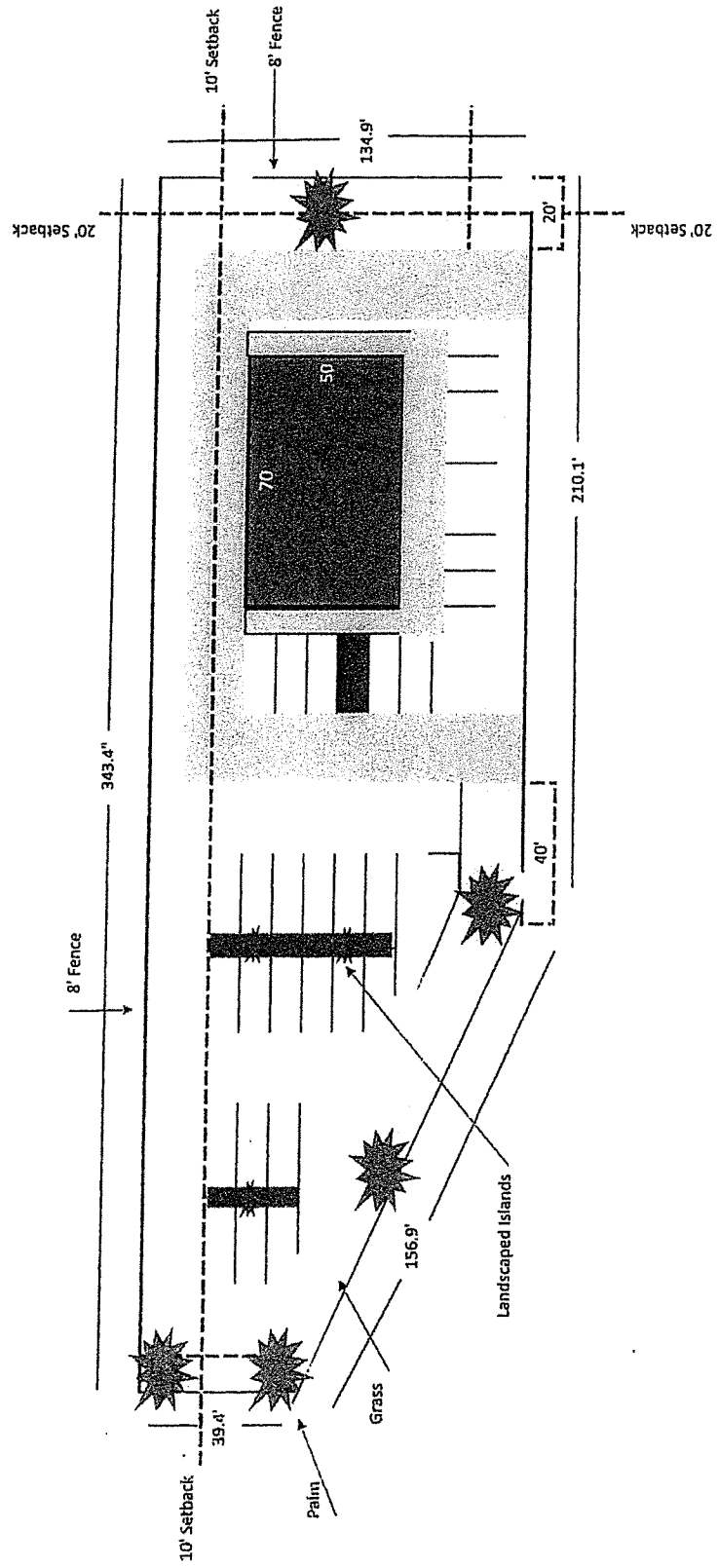
JOHN SANCHEZ
ETUX VELINDA
234 E TRANT RD
KINGSVILLE, TX 78363-7321
#15599, 42864

DEMETRIA MONTES
310 E ESCONDIDO RD
KINGSVILLE, TX 78363
#16103

KLEBERG COUNTY PARK
PO BOX 72
KINGSVILLE, TX 78364-0072
#12800

The property is zoned R1- Single Family Residential.

- The applicant proposed to rezone the property to C1-Neighborhood Service District for the establishment of a small, locally owned grocery and convenience store.
- The intent of the C1 classification, the least intensive zoning classification, is to serve a rapidly growing residential area without negatively impacting the surrounding residences with amenities which make the neighborhood more accessible, easy to travel, and appealing.
- The property is located at the intersection of 6th Street and Escondido. 6th street is classified as a major arterial with a posted speed limit in this area of 55 MPH. Escondido is classified as a neighborhood collector with posted speed limit in this area of 30 MPH. Entrance into the property is proposed on Escondido due to several factors, namely, the speed and approach from a 6th street entrance as well as the distance to the intersection would make a turn into the area too dangerous for motorists and pedestrians alike. In addition, a TXDOT driveway permit would not be attainable given the sharp configuration of the property on the west to south portion.
- The site is located to the east of a rapidly growing residential neighborhood. As the old planning adage goes, “rooftops breed retail”; thus, the proposal for the designation change to this site is to make the highest and best use of the property as a neighborhood amenity.
- The property is currently served by water and wastewater and no additional upgrades to utilities are expected or proposed at this time.
- The City of Kingsville has improved sections of Escondido in both 2015 and 2019. Its reconstruction foretells the increased population from the growing residential areas to the west of this site. Future transportation plans on the City’s website show additional transportation nodes as the residential growth in that area continues.
- The proposed draft site plan details a 3,500 sq ft metal building with a partial stone façade. The site plan details the required parking, landscaping, setbacks, and ample circulation required. The site plan is a draft as final plan requirements will be resolved during the building permit phase.
- The applicant owns the surrounding parcels so any negative impact to surrounding property owners will be buffered and minimized by the applicant themselves. Further, any noise and lighting will be minimized and protected so as to not adversely affect the neighboring parcels with light pollution. An 8ft fence is required along the rear and on the east side of the property. The fence and associated landscaping will help minimize any noise associated with the site.
- We respectfully request approval of the change to C-1 zoning to allow for the construction of what is to become a neighborhood amenity and asset.



STATE OF TEXAS
COUNTY OF KLEBERG

Field notes of a 0.902 acre tract, located in Kingsville, Texas, being out of a 4.00 acre parent tract, as described in a deed recorded in File No. 270913, Deed Records of Kleberg County, Texas. Said 0.902 acre tract also being out of Tract I, as described in a deed recorded in Volume 26, Page 554, Deed Records of Kleberg County, Texas. Said 0.902 acre tract being more particularly described as follows:

COMMENCING at the intersection of the west right of way of Allen Drive, and in the north right of way of East Escondido Road, THENCE with the north right of way of East Escondido Road, South $89^{\circ}00'19''$ West, at a distance of approximately 904 feet pass a 2" iron-pipe found for the southeast corner of said 4.00 acre parent tract, and in all a total distance of 1024 feet to a $5/8''$ re-bar set in the north right of way of East Escondido Road, in the south line of said 4.00 acre parent tract, for the southeast corner of this survey, and for the POINT OF BEGINNING.

THENCE with the common line of the north right of way of East Escondido Road, said 4.00 acre parent tract, and this survey, South $89^{\circ}00'19''$ West, a distance of 210.10 feet to a concrete monument found in the north cutback of East Escondido Road, for the southwest corner of said 4.00 acre parent tract, and for the southwest corner of this survey.

THENCE with the common line of said cutback, said 4.00 acre parent tract, and this survey, North $52^{\circ}56'10''$ West, a distance of 156.49 feet to a concrete monument found in the east cutback of South 6th Street, also known as Highway Business 77, for a point of curvature of a curve to the right with a radius of 3214.60 feet, for an outside corner of said 4.00 acre parent tract, and for an outside corner of this survey.

THENCE with the common curve of said east right of way of South 6th Street, said 4.00 acre parent tract, and this survey, a chord bearing of North $13^{\circ}38'29''$ West, a chord distance of 39.44 feet, and a total arc distance of 39.44 feet to a $5/8''$ re-bar set in the east right of way of South 6th Street, in the west line of said 4.00 acre parent tract, and for the northwest corner of this survey, from WHENCE a $5/8''$ re-bar found for the northwest corner of said 4.00 acre parent tract, bears North $11^{\circ}16'36''$ West, a distance of 225.88 feet.


THENCE across said 4.00 acre parent tract and the north line of this survey, North $89^{\circ}00'19''$ East, a distance of 343.44 feet to a $5/8''$ re-bar set for the northeast corner of this survey.

THENCE across said 4.00 acre parent tract and the north line of this survey, South $00^{\circ}22'03''$ East, a distance of 134.96 feet to the POINT OF BEGINNING of this tract, and containing 0.902 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set $5/8''$ re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day February 1, 2021 and is correct to the best of my knowledge and belief.


Ronald E. Brister, RPLS No. 5407
Date: February 4, 2021.



Kleberg CAD

2020

Property

Account

Property ID: 36942 Legal Description: K T & I CO, BLOCK 21, LOT SW PT 11, ACRES 2.00
Geographic ID: 290002111010118 Zoning:
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Location

Address: ESCONDIDO RD Mapsco:
TX
Neighborhood:
Neighborhood CD: Map ID: A4

Owner

Name: SANCHEZ JOHN Owner ID: 52313
Mailing Address: ETUX VELINDA
234 E TRANT RD
KINGSVILLE, TX 78363-7321 % Ownership: 100.0000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$10,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$10,000	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$10,000	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$10,000	

Taxing Jurisdiction

Owner: SANCHEZ JOHN
% Ownership: 100.0000000000%
Total Value: \$10,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$10,000	\$10,000	\$0.00
CKI	CITY OF KINGSVILLE	0.852080	\$10,000	\$10,000	\$85.21
GKL	KLEBERG COUNTY	0.785460	\$10,000	\$10,000	\$78.55
SKI	KINGSVILLE I.S.D.	1.518900	\$10,000	\$10,000	\$151.89
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$10,000	\$10,000	\$8.69
Total Tax Rate:		3.243351			
Taxes w/Current Exemptions:					\$324.34
Taxes w/o Exemptions:					\$324.34

	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	A1
Drug store or pharmacy							P	P	P	P			
Department variety or discount store								P	P	P			
X Grocery store							P	P	P	P			
Furniture or appliance store								P	P	P			
Florist shop							P	P	P	P			
Garden shop and plant sales								P	P	P			P
Kennel										S	P	P	P
Handicraft and art object sale							S	P	P	P	S		
Hardware store								P	P	P	S		
Hobby shop							S	P	P	P			
Laboratory medical or dental							S	P	P	P			
Lawnmower, small engine repair/sales								P	P	P			
Locksmith or key shop							P	P	P	P			
Medical appliance fitting or sale							P	P	P	P			

Bishop Primary students learn the art of giving

CLAUDIA PEREZ RIVAS
MANAGING EDITOR

Bishop Primary students are getting a glimpse of what it means to help others this Thanksgiving season.

Students will be collecting canned goods from Nov. 2 to Nov. 12. The collections will be donated to the Coastal Bend Food Bank, Bishop Primary Second Grade Teacher Jessica Gilliam said all students have been involved in this project.

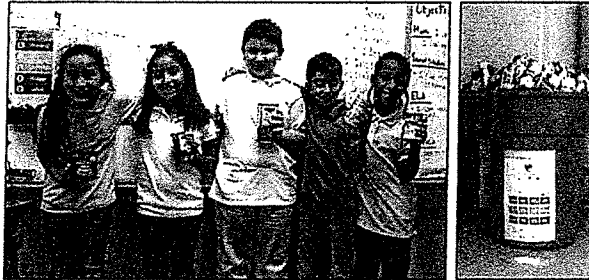
"We are teaching them to understand what it means to give to others that are in need," Gilliam said.

Throughout the week, students have learned not just about what it means to help others but also how it makes them feel. Gilliam said students have said that they feel good helping others.

"I'm so proud of the students and how they have responded to the food drive," Gilliam said.

Over 400 canned and boxed goods have been collected. A final count was not available as the drive continues until Friday, Nov. 12.

A popcorn party will be awarded to the classroom that has the most donations.



(Picture on left) Students from Ms. Gilliam's class stand holding cans, which will be placed in a larger tub as part of their Thanksgiving food drive.

(Picture on right) Students have already collected over 400 canned and boxed goods during their Food drive.

MULTI-PROPERTY AUCTION
Texas A Cyber Monday Event
COMMERCIAL LAND
COUNTRY & LUXURY HOMES
APARTMENT COMPLEX
BID NOW
THRU NOV 29
Call Claudia Perez Rivas at 903-686-0536
TXMULTIPROPERTYAUCTION.COM

?? TRIVIA ??

HOW SMART ARE YOU?

- Think you know something about everything?
- What do you know about our area?

Play Kingsville Trivia brought to you by Harrel's Pharmacy!

Questions:

1. Emperor Nero turns into what animal in 'The Emperor's New Groove'?
2. What was the first city in the US to host the Olympics?
3. What is the only sex without a land barrier?
4. Which liquor is made from the blue agave plant?
5. What is the only bird that can fly backwards?
6. What was Elvis Presley's first hit in 1956?
7. What is a funambulist?
8. What is the symbol for copper on the periodic table?
9. How many balls are on a pool table at the start of a game?
10. What did the buffalo say to his son when he dropped him off at school?

(Answers will be on next issue.)

HOW SMART ARE YOU?

- 1-10. Okay Einstein, quit bragging
- 1-6. Pick up your PhD at TAMUK
- 5-6. You are on your way to your B.S. degree
- 1-4. Do not skip any more school
- 2 or less - don't leave home without a clipboard

For all your pharmacy needs, contact Harrel's. Lots of great items and downtown Kingsville's best eats!

Harrel's
Kingsville Pharmacy
204 East Kleberg • Kingsville, Tx
(361) 592-3354

TRIVIA ANSWERS

November 4, 2021 Issue

1. Rapunzel
2. Tasman Sea
3. African Antelope
4. To sprinkle flour or sugar lightly
5. Urine
6. 3 minutes
7. 17 keys
8. About 8,000 miles
9. Cld C
10. he moon



City Sanitation, City Hall and other Administrative Offices will be closed on Tuesday, November 11, 2021 in observance of Veteran's Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of November 8th, 2021 through November 13th, 2021.

Residential Sanitation Schedule

Monday/Thursday service will be done on Monday/Wednesday

Tuesday/Friday service will remain the same

Commercial Sanitation Schedule

Thursday/Friday service will be done Friday

The schedule will resume to its normal schedule on November 22, 2021.

NOTICE OF REQUIREMENT TO COMPLY WITH THE SUBDIVISION AND SERVICE EXTENSION POLICY OF BAFFIN BAY WATER SUPPLY CORPORATION ("BBWSC")

Pursuant to Chapter 13.2502 of the Texas Water Code, BBWSC hereby gives notice that any person who subdivides land by dividing any lot, tract, or parcel of land, within the service area of BBWSC Certificate of Convenience and Necessity No. 11016, in Kleberg County, into two or more lots or sites for the purpose of sale or development, whether immediate or future, including re-subdivision of land for which a plat has been filed and recorded or requests more than two water or sewer service connections on a single contiguous tract of land must comply with the subdivision service extension policy stated in the section of the BBWSC tariff policy titled "Developer, Subdivision, and Nonstandard Service Requirements."

BBWSC is not required to extend retail water to a service applicant in a subdivision where the developer of the subdivision has failed to comply with the Subdivision Policy.

Applicable elements of the Subdivision Policy include:

Evaluation by BBWSC of the impact a proposed subdivision service extension will make on BBWSC's water supply system and payment of the costs for this evaluation; Payment of reasonable costs or fees by the Developer for providing water supply service capacity; Forfeiture of reserved water supply for failure to pay applicable fees; Payment of costs of any improvements to BBWSC's system that are necessary to provide the water service; Construction according to design approved by BBWSC and dedication by the developer of water facilities within the subdivision following inspection.

BBWSC's tariff and a map showing BBWSC's service area may be reviewed at BBWSC's offices at 870 E. FM 772, Riviera, Texas 78379. The tariff/policy and service area map also are filed of record at the Public Utility Commission in Austin, Tx and may be reviewed by contacting the PUCT, Central Records at 512-928-7180.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 1, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, December 13, 2021 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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.



Mail (In County)

6 months: \$28,

1 year: \$50 or

Online Only: \$47

Mail

(Out of County)

6 months: \$31,

1 year: \$57 or

Online Only: \$47

*Military Discounts

Mail (In County)

6 months: \$22,

1 year: \$42 or

Online Only: \$42

Mail

(Out of County)

6 months: \$27,

1 year: \$52 or

Online Only: \$42

To subscribe, call
(361) 592-4304

or come

by our new
location at

231 E. Kleberg,

8 am - 5 p.m.,

Monday

through Friday

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 1, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

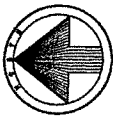
The City Commission of the City of Kingsville will hold a Public Hearing Monday, December 13, 2021 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

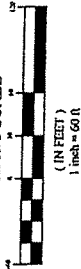
The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

Brisler Surveying

4015 S. 15th Street, Suite 111
Coppell, Texas 75011
Phone: 972.464.1000
Fax: 972.464.1000
Internet: brisler@brisler.com
From Fort Worth: 10012200



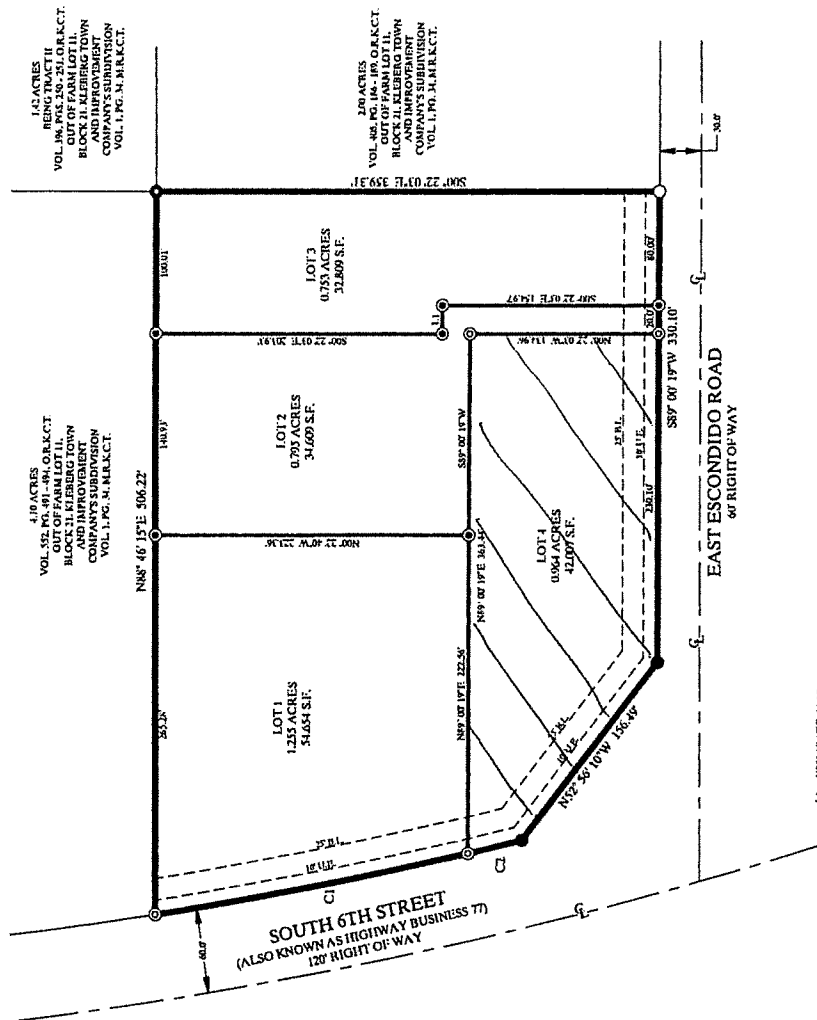
GRAPHIC SCALE



SANCHEZ ADDITION

LOTS 1 - 4

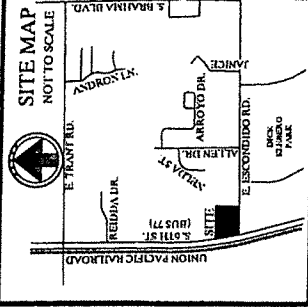
BEING A REPLAT OF 3.767 ACRES OUT OF FARM LOT 11, SECTION 21, KLEBERG TOWN AND IMPROVEMENT COMPANY'S SUBDIVISION, AS SHOWN ON THE PLAT RECORDED IN VOLUME 1, PAGE 34, MAP RECORDS OF KLEBERG COUNTY, TEXAS, SAID 1.767 ACRE TRACT BEING THE SAME TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 368, PAGES 229 - 233, OFFICIAL RECORDS OF KLEBERG COUNTY, TEXAS.



LEGEND:
B.L. = BUILDING LINE
C.L. = CENTERLINE
O.R.K.C.T. = OFFICIAL RECORDS OF KLEBERG COUNTY, TEXAS
P.G. = PAGE
S.F. = SQUARE FEET
D.E. = DUTY EASEMENT
V.O.L. = VOLUME

① = SET 5/8\" BAR
② = FOUND 5/8\" BAR
③ = FOUND 1\" IRON PIPE
④ = FOUND 2\" IRON PIPE
● = FOUND CONCRETE MONUMENT

NOTES:
1. BY GRANTING PLATTING ONLY, THIS PROPERTY IS IN 20K+54K ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 4813C DMS L, WHICH BEARS AN EFFECTIVE DATE OF MARCH 17, 2014 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
2. BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM
3. SET 5/8\" BAR - STEEL REBAR SET WITH YELLOW PLASTIC CAP LABELED BRISTLER SURVEYING.
4. THE TOTAL PLATTED AREA IS 3.767 ACRES.



STATE OF TEXAS
COUNTY OF KLEBERG
THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS
APPROVED BY THE DIRECTOR OF PLANNING FOR THE CITY OF
KINGSVILLE, TEXAS
THIS TITLE _____ DAY OF _____, 2021
DIRECTOR OF PLANNING _____

STATE OF TEXAS
COUNTY OF KLEBERG
THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS
APPROVED BY THE MAYOR AND THE CITY COMMISSION OF
KINGSVILLE, TEXAS
THIS TITLE _____ DAY OF _____, 2021
MAYOR _____
CITY SECRETARY _____

STATE OF TEXAS
COUNTY OF KLEBERG
I, _____ CLERK OF THE COUNTY COURT IN AND
FOR KLEBERG COUNTY, TEXAS DO HEREBY CERTIFY THAT THE
FOREGOING INSTRUMENT DATED THE _____ DAY OF _____, 2021,
WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR
RECORD IN MY OFFICE THE _____ DAY OF _____, 2021 AT
_____ O'CLOCK _____ P.M. IN SAID COUNTY IN VOLUME _____ PAGE _____ MAP _____

NO _____ FILED FOR RECORD
COUNTY CLERK _____ BY _____
KLEBERG COUNTY, TEXAS
AT _____ O'CLOCK _____ P.M.

STATE OF TEXAS
COUNTY OF NUECES
I, RONALD E. BRISTLER, A REGISTERED PROFESSIONAL
LAND SURVEYOR, HAVE PREPARED THIS FINAL PLAT
PREPARED THE FOREGOING MAP FROM A SURVEY MADE
ON THE GROUND UNDER MY DIRECTION AND IT IS TRUE
AND CORRECT TO THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF.
THIS TITLE _____ DAY OF _____, 2021
RONALD E. BRISTLER
REGISTERED PROFESSIONAL LAND SURVEYOR

ORDINANCE #2021-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO SANCHEZ ADDITION, LOT 4, (.964 ACRES) ALSO KNOWN AS S. 6TH AT ESCONDIDO ROAD, KINGSVILLE, TEXAS, FROM R1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C1 (NEIGHBORHOOD SERVICE 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 John and Velinda Sanchez, owner/applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, December 1, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, December 13, 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 3-1 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 Sanchez Addition, Lot 4, (.964 acres) also known as S. 6th at Escondido Road, Kingsville, Texas, from R1-Single Family Residential District to C1-Neighborhood Service 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 13th day of December, 2021.

PASSED AND APPROVED on this the ____ day of _____, 202__.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

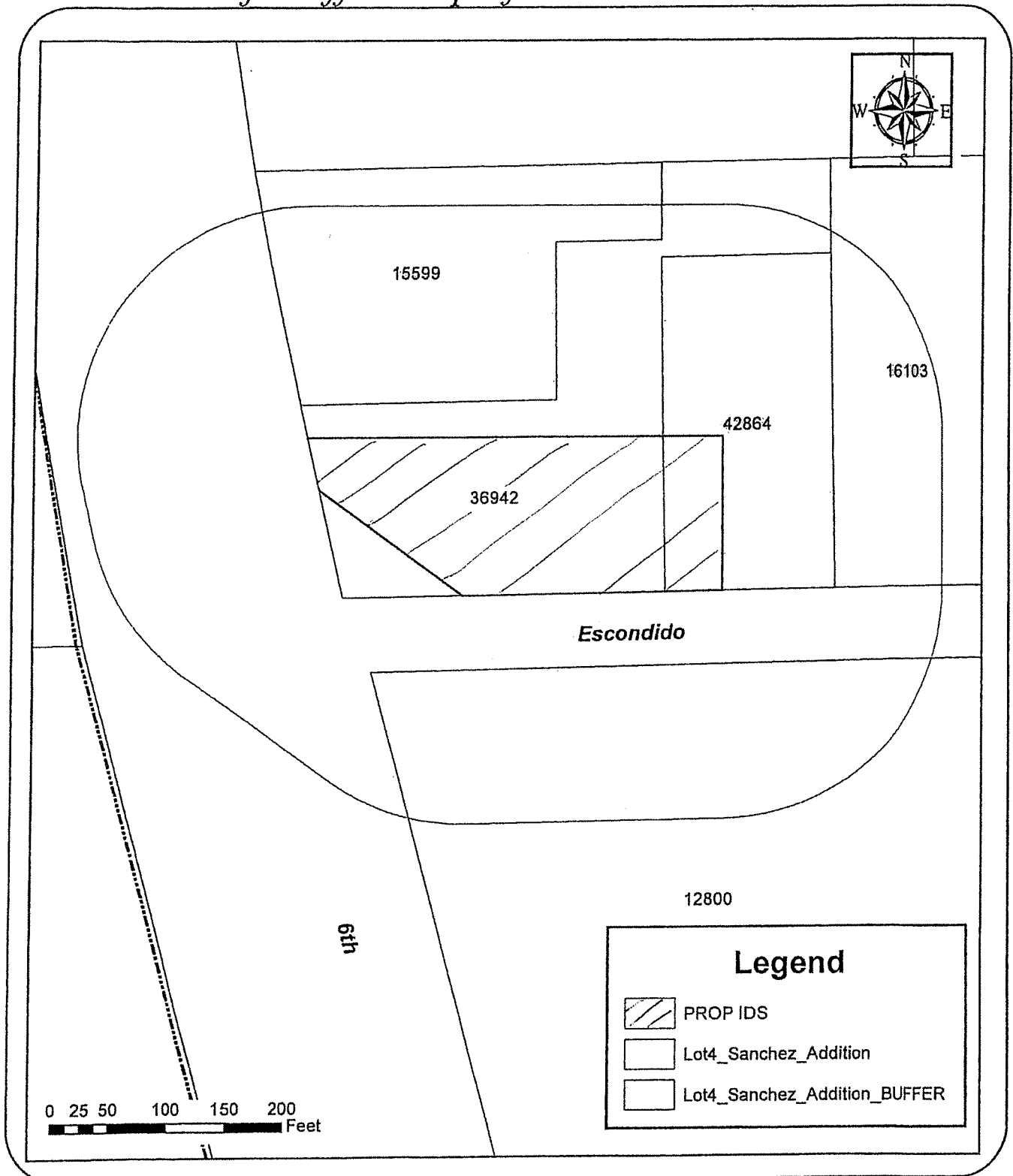
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

200 ft Buffer Map of Sanchez Addition Lot 4



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

Page 1 / 1	Drawn By: Planning Department	<p>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/17/2021		
	Note:		

AGENDA ITEM #6

**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: January 10, 2022

SUBJECT: Consider submitting grant application for standby generator at Water Well No. 14 FEMA -DR-4586 (Texas Winter Storm).

Purpose:

The purpose of submitting this grant application is to provide resiliency for the City's water supply system by installing a generator at water well #14.

Summary:

The application deadline was extended to January 15, 2022. The proposed application includes a new standby generator for water well #14. Other improvement at water well #14 include a new pumphouse structure and equipment. The ground storage tank was replaced last year. The approximate cost of the generator is \$100,000.00. If award the grant pays 75% by federal assistance from the FEMA regarding the 2021 Texas Winter Storm Uri.

Background:

The application deadline was initially November 5, 2021, but has been extended to January 15, 2022. Basic Program Information – 75% federal & 25% local match, competitive statewide and priority given to areas under a disaster declaration. The following are capital improvement projects for water, groundwater production, wastewater, and drainage improvements.

Most of the projects below are part of the City's Capital Improvements Plan for fiscal years 21-23. This is a great opportunity to receive federal funding on a few of our pending infrastructure improvements. Projects include:



**City of Kingsville
Engineering Dept.**

Project	Infrastructure Type
Mobile generator and improvement to emergency power for Lift stations	Wastewater
Install/replace SCADA Systems at Lift Stations.	Wastewater
New pumphouse structure at Water Well No. 14.	Groundwater
New pumphouse equipment infrastructure for Well No. 14	Groundwater
Install Cathodic Protection for Groundwater Storage Tanks	Groundwater
Caesar Place Subdivision Drainage Improvements	Drainage
Anglewood Subdivision Drainage Improvements	Drainage
Fairview Subdivision Water Line Replacement	Water

Financial Impact:

If awarded, the City's cash match for the project will be funded by the 051 Utility Fund in the amount of \$22,500.00.

Recommendation:

Staff recommends submitting a grant application for this project.

Attachments:



RESOLUTION NO. 2022-_____

A RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF FEMA-DR-4586 (TEXAS WINTER STORM) FOR A GENERATOR AT WATER WELL #14; AUTHORIZING THE CITY MANAGER TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the City apply for and, if awarded, accept the FEMA-DR-4586 (Texas Winter Storm) grant for a generator at water well #14, which is a capital improvement project for water improvements; and

WHEREAS, the grant deadline has been extended until January 15, 2022 and staff believes the capital improvement request identified for submission should be applied for at this time; and

WHEREAS, the City agrees to provide the applicable matching funds, if any, for the said projects, estimated at 25%, as this program is done through a reimbursement process; and

WHEREAS, the City intends to apply for the project through this grant that has an estimated total of \$100,000 with the City's 25% match, if awarded, to be funded through Fund 051-Utility Fund in the amount of \$25,000; and

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

WHEREAS, the City Commission of the City of Kingsville designates the Kingsville City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the FEMA-DR-4586 (Texas Winter Storm) for water improvements for a generator at Water Well #14.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 10th day of January, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #7

RESOLUTION #2022-_____

A RESOLUTION ADOPTING CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT PROGRAM AND ADMINISTRATIVE MANUAL; AND PROVIDING FOR EVALUATION OF EACH APPLICATION FOR CONFORMITY WITH SUCH PROGRAM AND CRITERIA PRIOR TO SUBMISSION TO THE COMMISSION.

WHEREAS, the City Commission desires to establish the City of Kingsville Economic Development Grant Program and Administrative Manual because they see a need for economic development in the city;

WHEREAS, the City believes offering local economic incentives will stimulate new economic development within the city;

WHEREAS, improvements to property in the city increase assessed values thereby expanding the tax base and adding new businesses or expanding existing businesses also increases economic activity through sales tax, new or retained jobs, and new ad valorem taxes; and

WHEREAS, the City has received funding which will allow for the creation of this Economic Development Grant Program within the City of Kingsville;

WHEREAS, the City of Kingsville desires to establish and provide for the administration of a program that provides economic incentives to promote local economic development in the city, pursuant to authority found in federal, state, and local law.

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

I.

THAT the City of Kingsville Economic Development Grant Program and Administrative Manual (attached as Exhibit A) is hereby approved for two years from the effective date of this resolution;

II.

THAT the Guidelines at the end of a term of two (2) years may be readopted, modified, amended or rewritten as the conditions may warrant;

III.

THAT the Guidelines once adopted may be amended or repealed by a vote of three-fourths of the members of the City Commission during the term for which they are effective.

IV.

THAT the city staff shall evaluate each application for conformity with such Guidelines prior to submission to the City Commission.

V.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of January, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT PROGRAM AND ADMINISTRATIVE MANUAL

January 2022

Contact:

Mark McLaughlin
City Manager
400 W. King Ave.
Kingsville, TX 78363
(361) 595-8002
mmclaughlin@cityofkingsville.com



CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT (EDG) PROGRAM AND ADMINISTRATIVE MANUAL

PART I. The Economic Development Grant Strategy

Part I. Economic Grant Program Background and Objectives

Part I. A. 1: Background

The City of Kingsville recognizes the challenges of economic development as well as the incredible opportunities that a strategic approach can create. In an effort to bolster the economic development efforts within the City, the City has formed a grant program designed to assist in the creation and/or expansion of businesses in the community.

Since 2005, the City of Kingsville has seen negative job growth. From the high point of 13,235 in April 2018, Kingsville has lost 2,643 jobs.

Kingsville's poverty rate currently sits at 29.7%, nearly double the state average of 14.9%. The median income for Kingsville is \$38,343, well below the state average of \$59,570.

These factors have led to flat population growth, which hurts the prospects of recruiting development partners to the community.

The Economic Development Grant will seek to address and mitigate one of the most frequent barriers to job creation, project funding.

Part I. A. 2: Grant Objectives

The City of Kingsville and the Kingsville Chamber of Commerce formalized a partnership in 2015 to enhance economic development efforts. Since then, the two organizations have worked aggressively to recruit new development partners to Kingsville. In that time frame the Chamber of Commerce has successfully recruited eight new businesses who have hired over 300 employees with development costs of over \$13 million.

Previous efforts have been primarily focused on recruiting external dollars to the community. The economic development grant adjusts that approach to focus on incentivizing local residents to create or expand jobs.

It is understood that some resources, whether public or private financing, do not fully meet the needs of a potential project. One of the primary goals of the EDG is to assist those potential business projects by filling the gap in funding needed to launch the project. The EDG is **not** intended to be the sole source of funding for any project in Kingsville. The EDG is intended to augment up to 25% of a total project's cost (allowable costs only). This means the applicant is responsible for 75% of the total allowable project costs in addition to any other costs not allowed under the EDG. Non-allowable project costs listed in Part I. B. 3. below shall not be factored into the percentage calculations. Grant requests of greater than 25% of the allowable project costs shall be considered by the Grant

Administrative Board on a case-by-case basis and shall undergo more detailed scrutiny, such as return on investment, job creation, financial standing and other information to determine statistically if a project has a reasonable chance of success. No grant application shall be awarded for amounts greater than 50% of the total allowable project cost.

Only projects within the city limits of the City of Kingsville will be eligible to apply for the EDG.

The EDG intends to improve the economic climate of the Kingsville community by focusing on the following:

- The EDG will help to diversify the economy of Kingsville by encouraging new businesses to locate within its boundaries, especially those businesses that are growth oriented that would utilize the local labor force.
- The EDG may require the creation of permanent, full-time jobs for each project.
- The EDG will be used to encourage, develop, and assist business start-ups, retentions and expansions, especially those businesses that promote the efforts of women, minorities, the handicapped, and the low-skilled workers.
- The EDG may be used to encourage and aid in expansion of existing businesses, especially those who would provide jobs to permanent residents of the community.
- The EDG will be used to fill financial gaps for small incubator companies that utilize and promote innovative technologies.
- The EDG may be used to fully utilize the natural resources of the region, being consistent with recognized conservation practices in the development of agricultural and industrial expansion, especially in value-added processing of the region's agricultural products.

Part I. B Grant Overview

Part I. B. 1: Cost/Job Ratio

One of the primary outcomes of each EDG grant is the creation or retention of jobs in Kingsville. Eligible grant applications shall to the fullest extent possible create or retain one job per each \$10,000 that is funded through the grant program. These jobs must be created or retained at the location in the City of Kingsville.

Should an applicant fail to reach the minimum job ratio, the applicant may apply for a waiver by meeting one or more of the following considerations:

- a. Historic preservation/revitalization,
- b. Community need,
- c. Community support, and/or
- d. Long term community value.

Part I. B. 2: EDG Funding Projection

The EDG intends to focus 30% to 50% of the grant funds for working capital. Grants for fixed assets may account for more than 50% of all grant disbursements.

Fixed assets are defined for the purposes of this grant as assets which are purchased for long-term use and are not likely to be converted quickly into cash, such as land, buildings, and equipment.

Working capital is defined for the purposes of this grant as the capital of a business which is used in its day-to-day operations.

Part I. B. 3: Anticipated EDG Investments

The EDG will primarily target, but not be limited to, the creation and retention of jobs in the following areas: industrial, research and development, aerospace, manufacturing, logistics, professional services, high-tech, retail, food establishments, processing, value-added agricultural products, and the service sector. These businesses will be targeted because of the high number of full-time, living wage employment opportunities that these businesses produce.

Activities to be financed by the EDG may include, but not be limited to:

1. Business and industrial acquisitions, construction, conversion, enlargement, repair, modernization, or development costs including improvements to the façade of a building.
2. Purchase and develop land, easements, rights-of-way, buildings, facilities, leases, or materials.
3. Purchase equipment, machinery, or supplies.
4. Pollution control and abatement.
5. Start-up costs and working capital.
6. Job training programs.

Grants may be made to applicants for start-up costs, expansion and retention of jobs, and while large companies may submit applications for EDG assistance, emphasis will be placed on assisting small businesses and residents of the City of Kingsville.

EDG Grants may not be used for:

1. Costs of incorporating a business.
2. Purchase of vehicles.
3. Any project outside of the Kingsville, Texas city limits.
4. Purchase of technology/equipment or software.
5. Collateral for private loans or other grants.
6. To pay off debt of any kind.
7. Consulting fees.
8. Marketing or advertising fees.
9. Professional services including but not limited to: architecture, legal, accounting, finance or any other professional services.
10. Plats and permitting fees or associated costs.
11. Costs associated with storage units.
12. Utility costs or deposits.
13. Down payment for the purchase of property.
14. Any fees associated with a franchise agreement.

Standards to be achieved through the EDG include, but are not limited to:

1. Projects which have a direct economic impact on the community including the creation of jobs and tax base for the City of Kingsville.
2. Minority enterprise development.
3. Women owned business development.

4. Veteran owned business development.
5. Growth potential of applicant companies including number of employees as well as sales.
6. Commitment to hire City of Kingsville or Kleberg County residents including contractors and subcontractors to the fullest extent possible.
7. Commitment to purchasing equipment and materials in the City of Kingsville to the fullest extent possible.
8. Revitalization of agriculture and industrial economy.
9. Revitalization of downtown district.
10. Generation of tax revenues for governmental entities which will enable them to upgrade infrastructure that may result in additional industry expansion.
11. Employment of the handicapped.
12. Linkages with area's existing business economy.
13. Ability of borrower's company to meet TCEQ pollution control standards and other environmental requirements.
14. Proposed commitment of private lending institutions to the project.
15. Other projects approved by the Grant Administrative Board and Kingsville City Commission.

Part I. B. 4: Private Investment Leveraging

The EDG portfolio is designed to be a bridge for resource funding of up to 25% of a total allowable project cost (4:1 ratio) meaning that a private investor is expected to use 75% of their own capital with the EDG funding up to 25%. The upper limit on EDG may be raised to 50% on a case-by-case basis. The private investment dollars can come from, but are not limited to, the following: area banks, savings and loan associations, investment companies, personal capital, and venture capitalists.

Reasonable assurances must be provided by the applicant that the grant proceeds will not be used to substitute for private capital. These assurances will include execution of the Bank Commitment Letter and Bank Certification of Surplus Asset Unavailability. In addition, personal financial statements will be reviewed in order to determine the availability and accessibility of private capital.

Part I. B. 5: Business Assistance Needs

It is understood that financing is but one of the business development components needed for a successful EDG program. All aspects of business management assistance will be necessary for a successful grant application.

The Kingsville Chamber of Commerce has strategic partnerships with the SBA and SBDC who can assist applicants with business plan development and other items necessary for a successful application.

Part I. C: EDG Application Criteria

Part I. C. 1: Application Criteria

Due to the risk the City incurs in the form of grant funding, the following criteria for an EDG must be considered, and prepared as part of an application submission:

- Permanent residents of the City of Kingsville will receive preferential consideration.
- Must be 18 years of age or older.
- Project must fall within the city limits of Kingsville, Texas.
- Must provide a history and description of the business and an analysis of management ability.
- Must provide a statement detailing use of grant proceeds.
- Must provide an analysis of economic impact.
- Resumes of those involved in day-to-day management.
- A balance sheet and income statement for the previous three years or the life of the business if less than three years old.
- A current (within 90 days of application) balance sheet and income statement.
- For a new business, a pro forma balance sheet and annualized income statement for the first two years.
- A monthly cash flow analysis for 12 months, or 3 months beyond break-even point, if longer than 12 months.
- A schedule of debts which includes the original date, amount, payment, interest rate, balance owed, maturity, to whom payable and collateral securing loan. Indicate if loan is current or delinquent.
- Description of jobs created or retained along with position titles and wage information.
- A schedule of debt financing planned for the next 12 months.
- If the business is a franchise, include a copy of the franchise agreement and the franchisor's disclosure statement that is required by the Federal Trade Commission.
- The names of affiliated (ownership or management) or subsidiary businesses and year-end financial statements for each.
- A copy of any previous government financing received by any principals or affiliated companies. Include the name of the agency, the original date and amount, outstanding balance, loan status and collateral securing the loan.
- If a corporation, a resolution from the board of directors pursuant to the terms specified in the commitment letter.
- If a partnership, a copy of the partnership agreement.
- If applicable, a copy of the existing or proposed lease agreement and "Landlord's Waiver Agreement."
- A quote from an independent contractor that is registered with the City of Kingsville for construction projects on an "as completed basis."
- Preliminary plans and specifications, including copies of key cost documents such as real estate purchase agreements, contractor cost estimates, vendor quotes for machinery and equipment, etc.
- If applicable, a statement of costs incurred in the application preparation & by whom.
- Bank certification of no surplus assets availability.
- Certification that the applicant or project partners have not previously filed for bankruptcy protection.

Part I. C. 2: Economic Development Grant Amounts

The EDG will range from a minimum of \$10,000 to a maximum of \$250,000. However, should the nature of a project be such that it would help achieve the stated goals of the EDG, (i.e. creation of a large number of jobs, etc.), the City of Kingsville may elect to recommend approval for an EDG grants that are less than \$10,000, or that exceeds \$250,000 provided there is an affirmative recommendation from the Grant Administrative Board and approval by the Kingsville City Commission.

EDG project funds shall be disbursed to the grant recipient at the same rate the applicant's private capital is expensed. These conditions shall be established in the grant commitment letter from the City of Kingsville. All funds from the City of Kingsville to the grant applicant shall be via direct deposit to the approved banking institution listed in the commitment letter.

Part I. C. 3: Economic Development Micro Grants

EDG applicants wishing to request an amount less than \$10,000 may apply for a micro grant.

Applicants for micro grants must complete the full application process, demonstrate that they meet all other application requirements with the exception of the 1 job they have created/retained per \$10,000 awarded.

Micro grant application will undergo the same review process as larger EDG grant applications and shall be allowed up to a maximum of 50% of the applicants allowable cost share amounts. (The typical 25% grant/75% applicant match does not apply to micro-grants).

The project must provide a clear and defined need for the prospective business and must directly relate to the opening, expansion, or upgrade of the business.

Part I. C. 4: Credit Reports

Upon request of the Grant Administrative Board, the following credit, and other, reports may be used to determine the credit worthiness of the applicant and/or principals.

1. Personal credit report of applicant.
2. Personal credit report of principals.
3. Business credit reporting utilizing TRW, Dun & Bradstreet, or any other reporting agency as determined by the Grant Administrative Board.
4. Letter or email verification of creditors not reflected on credit reports.
5. Letters of recommendation by public and community business leaders if credit reports have insufficient credit listings.

All credit reports and other information collected by the EDG Grant Administrative Board will be incorporated into the grant application, which is presented to the Kingsville City Commission.

Personal and confidential information will be redacted from the reports. Personal and confidential information will consist of personal addresses, dates of birth, bank account information, credit report information, driver's license information, and social security numbers, or other information deemed confidential under the law.

Part I. C. 5: Appraisal Reports

Independent appraisal reports will be required for the purchase of land, construction projects, or improvements to an existing facility which is owned by the applicant.

Appraisal reports from the Kleberg County Appraisal District shall not be the sole source for appraisal information and valuation.

In some cases, where an appraisal has previously been completed, but is over two years old, a letter of update will be requested. EDG projects involving construction will require an "as built appraisal." Appraiser certifications will be the minimum "state certified" or better. The appraisal information is incorporated into the grant application.

PART II. GRANT OPERATIONAL PROCEDURES

Part II. Organizational Structure

Part II. A. 1: Overview of the EDG Organizational Structure

Administration of all EDG's shall fall to the authority of the Grant Administrative Board. Final disposition on approval or denial of EDG applications rests solely with the Kingsville City Commission. The Grant Administrative Board will possess the ability to:

1. Find projects.
2. Screen and package grants.
3. Process applications and forward recommendations to the Kingsville City Commission.
4. Monitor and Close grants.

The Grant Administrative Board, the Kingsville Chamber of Commerce, the Kingsville Economic Development Corporation, and City of Kingsville shall not provide any legal, accounting, or professional assistance for applicants. Applicants needing assistance for professional services will be required to seek such assistance from other sources.

Part II. A. 2: Grant Administrative Board

The Grant Administrative Board shall be the membership responsible for receiving applications, assessing their validity and potential for success in accordance with this manual, and make a recommendation on approval or denial of EDG applications to the Kingsville City Commission.

The Grant Administrative Board shall consist of four fixed positions as follows:

- A. City Manager-Chair,
- B. City of Kingsville Planning Director-Vice Chair and voting member,
- C. City of Kingsville Finance Director – voting member,
- D. President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce-voting member,

and five (5) at-large voting members nominated by the Kingsville City Manager and approved by the Kingsville City Commission. The five at-large members shall represent

a cross section of the local business community. The members of the board must have extensive business and financial expertise.

The Grant Administrative Board shall meet on a monthly basis or as needed by order of the chair.

The at-large Grant Administrative Board Members shall serve terms of two years with no limitation on the number of terms served.

The Grant Administrative Board shall follow Roberts Rules of Order and comply with provisions of the Texas Open Meetings Act. As an open meeting, the Grant Administrative Board shall conduct all business to include a vote on the final recommendation of each project before sending the package to the Kingsville City Commissioner.

As many of the details required for a thorough assessment of a EDG application contain personally identifiable information, and other sensitive information, the Grant Administrative Board Chair has the authority to appoint subcommittees of Grant Administrative Board Members to convene in private outside the Texas Open Meetings act to discuss each application, interview the applicant if necessary, and bring those recommendations to the full board for a discussion and vote during posted meetings.

Full Grant Administrative Board membership consists of nine voting members. A quorum is either 5 members that must contain either the Chair or Vice Chair, or if a membership slot is vacant, a quorum is 50% of the total membership plus one, and must include either the Chair or Vice Chair.

To consider a project and recommend it to the Kingsville City Commission, a quorum of the Grant Administrative Board is required, and the project may only be forwarded with a majority vote of the quorum either with a recommendation of approval or denial. In the event of a tie vote of the Grant Administrative Board, the tie-breaker will be an additional vote amongst the four fixed members only with the overall vote results forwarded to the Kingsville City Commission.

Part II. A. 3. EDG Selection Criteria

EDG applicants shall submit two copies of their application (one for each position below) and all required documentation in paper form, as well as submit any questions to both the Kingsville City Manager and the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce at the Kingsville Chamber of Commerce. Addresses below:

City Manager
City of Kingsville, Texas
400 W. King Ave.
P.O. Box 1458
Kingsville, Texas 78363
citymanager@cityofkingsville.com
(361) 595-8002

and
Manny Salazar
President/CEO
Kingsville Chamber of Commerce
231 E. Kleberg Avenue
Kingsville, Texas 78363
Manny@Kingsville.org
(361) 592-6438

Upon completion of the application and submission of necessary documentation, the Grant Administrative Board will review all applications internally either in a subcommittee or full membership. The EDG Grant Administrative Board will make a formal recommendation to the Kingsville City Commission on all grant applications; both recommended for approval or declined. The Kingsville City Commission has sole authority to grant final approval for any and all applications.

A 4/5ths majority vote of the Kingsville City Commission is required to overturn a Grant Administrative Board recommendation.

EDG applications are available at the Kingsville Planning Department, the Kingsville Chamber of Commerce or online at the City of Kingsville or Kingsville Chamber of Commerce websites respectively.

Part II. A. 4: Performance Assessment Process

The EDG Performance Assessment for each project shall be pursuant to the conditions established in the commitment letter.

The City Manager shall have oversight of projects approved by the City Commission. This shall include tracking of projects both approved or in the cycle for consideration. The City Manager shall also coordinate with other departments and the EDC/Chamber of Commerce on the status of project development and the closeout of all EDG projects.

The City of Kingsville Finance Director is responsible for grant payments to the recipient and that funds are allocated pursuant to the commitment letter for approved expenses.

The President of the Economic Development Corporation/CEO of the Kingsville Chamber of Commerce is tasked for the daily monitoring of projects, receive the recipients monthly progress reports and notify the City Manager of any deviations of a project from the terms set forth in the commitment letter.

The Planning Director is tasked to ensure all projects follow established building codes and permitting requirements.

Recipients of an EDG are responsible to comply with all conditions set forth in the commitment letter, any amendments to the commitment letter, and shall furnish the President of the Economic Development Corporation/CEO of the Kingsville Chamber of Commerce a monthly report on the status of their project in line with the requirements set forth in the commitment letter. The President of the Economic Development Corporation/CEO of the Kingsville Chamber of Commerce shall forward all reports to the City Manager monthly for inclusion in Staff Reports for the City Commission.

The EDG program will be monitored by the Grant Administrative Board to see how key components of the EDG plans are being accomplished. A semi-annual EDG Performance Assessment shall be prepared by the President of the Economic Development

Corporation/CEO of the Kingsville Chamber of Commerce, forwarded to the City Manager, who will present to City Commission. Any other updates may be presented throughout the year as requested by City Commission.

Part II. B. Grant Application and Processing Procedures

Part II. B. 1: Grant Application

An applicant is solely responsible for submitting a completed application and all required documentation to the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce. The following is required before consideration by the Grant Administrative Board:

- A. A completed application form (available at Kingsville Planning Department, Kingsville Chamber of Commerce or online at either the City of Kingsville or the Kingsville Chamber of Commerce websites).
- B. A history and description of the business and an analysis of management ability.
- C. A statement detailing total project cost, amount and percentage of grant requested, and designated use of grant proceeds.
- D. Must provide an analysis of economic impact.
- E. Resumes of those involved in day-to-day management.
- F. A balance sheet and income statement (current within the previous 90 days of application) for the previous three years or the life of the business if less than three years old.
- G. For a new business, a pro forma balance sheet and annualized income statement projected for the first two years of the business.
- H. A monthly cash flow analysis for 12 months, or 3 months beyond break-even point, if longer than 12 months.
- I. A schedule of debts which includes the original date, amount, payment, interest rate, balance owed, maturity, to whom payable and collateral securing loan. Indicate if loan is current or delinquent.
- J. Description of jobs created or retained along with position titles and wage information.
- K. A schedule of debt financing planned for the next 12 months.
- L. If the business is a franchise, include a copy of the franchise agreement and the franchisor's disclosure statement that is required by the Federal Trade Commission.
- M. The names of affiliated (ownership or management) or subsidiary businesses and year-end financial statements for each.
- N. A copy of any previous government financing received by any principals or affiliated companies. Include the name of the agency, the original date and amount, outstanding balance, loan status and collateral securing the loan.
- O. If a corporation, a resolution from the board of directors authorizing the company to borrow.
- P. If a partnership, a copy of the partnership agreement.
- Q. If applicable, a copy of the existing or proposed lease agreement and "Landlord's Waiver Agreement."
- R. A quote from an independent contractor that is registered with the City of Kingsville for construction projects on an "as completed basis."
- S. Preliminary plans and specifications, including copies of key cost documents such as real estate purchase agreements, contractor cost estimates, vendor quotes for machinery and equipment, etc.
- T. If applicable, a statement of costs incurred in the application preparation & by whom.

- U. Bank certification of no surplus assets availability.
- V. Certification that the applicant or project partners have not previously filed for bankruptcy protection.
- W. Permission to pull credit reports.

Part II. B. 2: Grant Approval Procedures

The Grant Administrative Board will consider each grant request on a first-come-first serve basis and will take appropriate action in order to make a recommendation to the Kingsville City Commission. This document is a guide for use by the Grant Administrative Board; however, each application is unique, and the Grant Administrative Board has authority to evaluate each application on its merits and potential for success using any available research to reach a decision.

The Grant Administrative Board may take action to recommend the EDG with standard conditions; recommend the EDG with additional conditions; defer the EDG until additional information is obtained, or not recommend the EDG. The Kingsville City Commission must then agree to either approve or reject the Grant Administrative Board's recommendation. A Grant Administrative Board's decision to the Kingsville City Commission is a majority of a quorum present for a discussion and vote on a project. A 4/5th's majority vote of the Kingsville City Commission is required to overturn a Grant Administrative Board's recommendation.

A successful EDG applicant will receive a thirty-day commitment letter from the City of Kingsville City Manager containing the following minimum content:

- A. EDG award amount,
- B. Terms of the EDG to include scope of work and detailed specifics for use of grant funding,
- C. Banking instructions,
- D. Any additional EDG conditions presented by the Grant Administrative Board and approved by the Kingsville City Commission.
- E. Non-compliance conditions
- F. EDG amendment procedures,
- G. Instructions for EDG reporting and document retention

The commitment letter shall be signed and returned within thirty days to the Kingsville City Manager. An extension of time may be granted upon request by the recipient if approved by the Grant Administrative Board.

An unsuccessful EDG applicant from the Kingsville City Commission will receive a denial letter from the City of Kingsville City Manager, which will list reasons for the denial of the application. The letter will be without prejudice and will allow the applicant to reapply if the negative conditions should change or if additional information is offered for the Grant Administrative Board's consideration.

Grant applications shall be considered until annual City of Kingsville budgeted amounts in Fund 123 are exhausted.

Part II. B. 3: Grant Disbursement

Once a grant application has been approved by the Kingsville City Commission and the executed commitment letter has been returned to the City of Kingsville and is on-file with the City of Kingsville, the applicant will work with the City of Kingsville Finance Department for transfer of approved grant funding pursuant with the terms of the grant.

Grant funding shall be transferred to the applicant under the following conditions:

- A. Micro-grants shall be transferred to the applicant's banking institution as delineated in the commitment letter no later than 30 days after return of the commitment letter to the City of Kingsville.
- B. Any EDG applicant awarded an amount over the micro-grant award level shall receive funding as from the Kingsville Finance Department pursuant to the terms in the commitment letter, which shall typically be disbursed at a rate equal to the recipients expense of private resources until all EDG funds for the recipient have been transferred.

Should a grant recipient fail to return the signed commitment letter to the City of Kingsville City Manager within 30 days, the grant will be considered abandoned. Should a grant recipient wish to pursue a grant after the 30-day window, they must provide a letter to the Grant Administrative Board detailing the failure to comply with the terms of receipt for funds and remedy for the failure. The Grant Administrative Board may recommend to City Commission an extension for the applicant to receive funds or deny the extension. If a grant is not approved by City Commission for extension, the applicant must re-start the entire process from the beginning.

Part III. : Grant Monitoring and Closing Procedures

Part III. A. 1: Grant Monitoring Procedures

Monitoring of the EDG shall be conducted by the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce with reports monthly to the Grant Administrative Board. The following monitoring tasks include:

- a) Make periodic visits to the recipient to review the use of funds to ensure compliance with terms approved by Kingsville City Commission.
- b) Request and review receipts and other documents from the applicant to affirm that funds have been spent for the approved purpose.
- c) Request and review documents to verify the requirement of the creation or retention of one job per each \$10,000 that is funded through the grant program has been met, unless the micro-grant exception applies.
- d) Coordinate with the Kingsville Planning Director that the applicant is following all permitting procedures and any other applicable laws of federal, state, and City government.
- e) Accept and validate EDG recipient reports as directed in the commitment letter.

Approval of an EDG Grant does not create an exemption from the permitting and review process as required by the City of Kingsville.

Part III. A. 2: Grant Non-Compliance Procedures

Should an applicant be found to be out of compliance with the terms of the grant, or an amended grant, the Grant Administrative Board will send a letter to the recipient indicating which terms are out of compliance.

The grant recipient shall be provided 10 days from the date of the letter to respond and take the necessary steps to correct items that are out of compliance.

Should a grant recipient fail to respond and/or fail to take necessary steps to correct items that are out of compliance within the 10-day timeframe, the grant will be considered void and the recipient must repay the City of Kingsville 100% of the grant award without regard for the amount of funds that have been previously spent by the recipient.

In addition, the City of Kingsville may revoke any existing Certificate of Occupancy (COO) or deny an updated COO if the project pulled any permits from the City of Kingsville for non-compliance with the terms of the EDG, or place a lien on the property, for non-compliance in the amount of the award, and take other legal action as allowed by law.

Part III. A. 3: Grant Close-out Procedures

Upon successful completion of the EDG project to the satisfaction of President of the Kingsville Economic Development Corporation/Chamber of Commerce, AND, the City of Kingsville Planning Director, a final report on the project shall be submitted to the Kingsville City Manager with both aforementioned member signatures verifying completion of the project. The final report shall include:

- A. Verification that all terms of the commitment letter have been completed,
- B. A final expense report provided by the EDG recipient detailing all expenses on the project and a detailed itemization of authorized EDG expenses.
- C. A closeout document signed by the Kingsville City Manager, Kingsville Planning Director, Kingsville Finance Director, and the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce shall mark the official closeout date of the EDG project.

Part IV. Administrative Procedures

Part IV. A. 1: Grant Files and Closing Documentation

Electronic files will be maintained by the City of Kingsville for each grant for a period of seven years from the date of grant completion.

Files will contain the following documents:

- A. Completed and approved Grant Application and supporting documents,
- B. Grant approval documents and correspondence, and,
- C. Copies of all other required reports and documents for the processing of the grant from start to completion.

Part IV. A. 2: Accounting Procedures

All EDG accounts will be direct deposited by the grant recipient in an FDIC insured financial institution as stipulated within the commitment letter.

EDG grant funds must be direct deposited by grant recipient in an independent account or subaccount to prevent mixing of grant funds with other funds.

Grant funds must remain segregated until all such funds are expended.

The EDG Grant Administrative Board may request, and grant recipient must provide, documents to verify segregation of funds.

Any EDG funds un-expensed upon completion of the approved project shall be returned to the City of Kingsville.

Part IV. A. 3: EDG Application Rules for Application and Re-visit Rates

No person may be awarded, or, be utilizing more than one EDG at the same time.

EDG applications may not be submitted by more than one person to run concurrently on a single project. Example, a husband and wife may not individually apply for EDG's to be used on a joint project.

Once a recipient has successfully executed a EDG project through the closeout process, they are eligible to re-apply for a successive EDG no earlier than two years following the official closeout date of the previous EDG.

AGENDA ITEM #8

CONGRESSIONAL CITY CONFERENCE

March
14-16
2022

EXECUTIVE EDUCATION AND PRE-CONFERENCE ACTIVITIES MARCH 12-13, 2022

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Join us on March 12-16, 2022, at the Marriott Marquis in Washington, DC! Take part in an immersive program alongside administration officials, members of Congress and fellow local elected officials, as we respond to the challenges facing America's hometowns.

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2021 CITY SUMMIT ATTENDEE RATE ENDS JANUARY 31, 2022

MEMBER

SML MEMBER

NON-MEMBER

\$ 520

\$ 595

\$ 635

EARLY BIRD RATE ENDS JANUARY 31, 2022

MEMBER

SML MEMBER

NON-MEMBER

\$ 630

\$ 730

\$ 760

ADVANCED JANUARY 15 - MARCH 12, 2022

MEMBER

SML MEMBER

NON-MEMBER

\$ 755

\$ 855

\$ 960

ONSITE MARCH 13 - 16, 2022

MEMBER

SML MEMBER

NON-MEMBER

\$ 855

\$ 955

\$ 1,060

CONFERENCE ADD-ONS**EXECUTIVE EDUCATION (NLC UNIVERSITY) PACKAGED LEARNING**

These are add-ons to the Congressional City Conference registration; they cannot be purchased alone.

Registration for Executive Education will open soon, check back for updates!

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Washington, DC 20001
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AGENDA ITEM #9

Courtney Alvarez

From: Lance Hamm <lancehamm62@gmail.com>
Sent: Thursday, December 16, 2021 2:57 PM
To: Mayor Fugate; Commissioner Norma Alvarez; Commissioner Hector Hinojosa; Commissioner Lopez; Commissioner Ann Marie Torres; Mark McLaughlin; Mary Valenzuela; Courtney Alvarez
Cc: Rudy Madrid; Lucio Ramos; America Garza; Michael Chacon
Subject: Request for 45MPH on US77 Frontage Rd in Kingsville
Attachments: Petition_45MPH Speed Limit 11DEC2021.pdf; 45MPH Resolution US77 ByPass Service Rd.pdf; Kingsville 2015-45 Resolution.pdf

Caution! This message was sent from outside your organization.

Kingsville Mayor, and
Kingsville City Commissioners, and
Judge Madrid,

*******Warning*******

DO NOT RESPOND to this email. Back and forth dialog may violate the Open Meetings Act.

Hello to all Kingsville and Kleberg County traffic safety stakeholders.

The 15 minutes of video/audio from the 13DEC2021 Kingsville City Commission meeting regarding agenda item 16, and its request for a TxDOT speed limit study for US-77 By-Pass in Kingsville, TX., is being reviewed by the **Signatories of the 45MPH Petition**, Petition with signatures attached below in pdf format. Here is the wording of our Petition:

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a **maximum regulatory speed limit of 45 MPH** is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift to allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

The **Signatories of the 45MPH Petition**, and other residents, may want the opportunity to respond to the Kingsville City Commission with their individual traffic safety concerns in rebuttal to the 3 minutes that the Kingsville city manager spent talking against our petition's 45MPH request, even though the "request for a maximum 45 MPH speed limit on the US-77 service road" was not on the agenda and therefore, Kingsville residents may not have known that the request for a maximum 45MPH on the newly constructed US-77 service road was going to be discussed in the 13DEC2021 open meeting.

In all fairness to the **Signatories of the 45MPH Petition**, and other concerned and/or uninformed residents, please place our Petition's request for a Kingsville City Commission resolution (outlined below with sample wording, requested by the city manager, attached pdf file below) on the Kingsville City Commission agenda for the January 2022 City Commission meeting.

A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION SUPPORT A CHANGE TO THE PROPOSED/POSTED REGULATORY SPEED LIMIT FROM 55 MPH TO A MAXIMUM OF 45 MPH ON THE NEWLY CONSTRUCTED SOUTHBOUND US-77 BY-PASS SERVICE/FRONTAGE ROADS, DURING AND AFTER US-77 BY-PASS CONSTRUCTION PROJECTS, AND DURING THE TRAFFIC SHIFT FROM THE MAIN LANES OF US-77 BY-PASS TO THE US-77 SERVICE/FRONTAGE ROADS, IN THE AREA SOUTH OF GENERAL CAVAZOS BLVD TO THE SOUTHERN KINGSVILLE CITY LIMIT WITHIN THE CITY LIMIT OF THE CITY OF KINGSVILLE.

In direct contradiction to what the city manager said during the 13DEC2021 meeting, City officials can make a request to TxDOT to lower speed limits. Why? It is very clear why, and is stated in Kingsville City Commission **RESOLUTION #2015-45**, attached below, "**the city can act and make requests for public health and safety issues.**"

Also, in contradiction to the city manager's advisement to the City Commissioners that cities should "not be telling TxDOT what to do with their property," is a statement in TxDOT's own Roadway Design Manual (Revised 2020), page 2-6: [Link: [TxDOT Roadway Design Manual](#)]

Posted Speed. Posted speed refers to the maximum speed limit posted on a section of highway. TxDOT's *Procedure for Establishing Speed Zones Manual* states that the posted speed should be based primarily upon the 85th percentile speed when adequate speed samples can be secured. Speed zoning guidelines permit consideration of other factors such as roadside development, road and shoulder surface characteristics, public input, and pedestrian and bicycle activity.

TxDOT expects "**public input**" in relation to their posted speed limits. That's why they have it in their manual. TxDOT also has a procedure in their manuals when a city and TxDOT cannot agree on a specific speed limit, whereas two strip charts with the two different speed limits are forwarded to the Texas Transportation Commission for final approval and choice of what speed limit will be posted.

What better "public input" is there if not a passed resolution by City Commissioners that represent thousands of city residents.

In conclusion, and reinforced by fact, and again in contradiction to the city manager's statements, it is the duty of City Commissioners to act and make requests for public health and safety issues of its residents, and TxDOT expects cities to provide public input while assigning and designing posted speed limits. In my opinion, it is the job of City Commissioners to be partners with TxDOT with regard to public safety, and therefore, the setting of speed limits.

This issue is time sensitive for the safety of all residents and road-users of US 77. It is submitted as a preventative initiative to save lives and reduce vehicle crashes. Please, act now.

As a city with important public safety issues on hand, I don't think we can waste another month of having frivolous and confusing agenda items during Kingsville City Commission meetings.

Respectfully, and on behalf of the **Signatories of the 45MPH Petition**,

Lance D. Hamm

Petition Organizer

912 South Creek

Kingsville, Texas 78363

CDR, USNR (Ret.)

Kingsville Council of the Navy League

Adopted Unit Liaison (AUL)

361-720-2795

PETITION TO THE KINGSVILLE CITY COMMISSION

Nov 28, 2021

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 MPH is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift that will allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

Petition Organizer: Lance Hamm, 912 South Creek, 361-270-2795

PETITION TO THE KINGSVILLE CITY COMMISSIONERS

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 MPH is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift to allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

	Print Full Name	Signature	Address	Kingsville Resident (Yes or No)	Kleberg County Resident	45 MPH or Less, Please Initial	Date
1	Lance Hamm	Lance Hamm	912 South Creek	Yes	Yes	✓	Nov 28, 2021
2	Kim Hamm	Kim Hamm	912 South Creek	Yes	Yes	✓	Nov 28, 2021
3	Sophia Hamm	Sophia Hamm	912 South Creek	yes	yes	SH.	Nov 28, 2021
4	Fred Bigelow	Fred Bigelow	916 South Creek	yes	yes	FB	Nov 28, 2021
5	MACIO SOLIZ	MACIO SOLIZ	910 South Creek	yes	yes	MS	Nov 28, 2021
6	MATTHEW SOLIZ	MATTHEW SOLIZ	880 South Creek	yes	yes	MS	Nov 28, 2021
7	Michael Muzhere	Michael Muzhere	5425 Boxwood Crk	YES	YES	MM	Nov 28, 2021
8	BOB THORNTON	BOB THORNTON	5409 Ash Creek	Yes	Yes	BT	Nov 28, 2021
9	Penny DeLaRosa	Penny DeLaRosa	5429 Ash Creek	Yes	Yes	PD	Nov 28, 2021
10	RUBEN RENDON JR.	RUBEN RENDON JR.	5420 Ash Creek	YES	YES	RRJ	Nov 28, 2021
11	Patricia Thornton	Patricia Thornton	5409 Ash Creek	Yes	Yes	PT	Nov 28, 2021
12	Fang He	Fang He	825 South Creek	Yes	Yes	F.H.	Nov 28, 2021
13	Juana Saldivar	Juana Saldivar	5431 Cypress Crk	yes	yes	JS	Nov 28, 2021
14	Pedro Saldivar	Pedro Saldivar	5434 Cypress Crk	yes	yes	PS	Nov 28, 2021
15	Robert Pasion	Robert Pasion	5444 Cypress Crk	yes	yes	RP	Nov 28, 2021
16	William D. Hougham	William D. Hougham	5454 Cypress Crk	Yes	Yes	WDH	Nov 28, 2021
17	ALANA M. HOUGHAM	ALANA M. HOUGHAM	5454 Cypress Crk	yes	yes	AL	Nov 28, 2021
18	Kirstin Forkum	Kirstin Forkum	5461 Cypress Creek	yes	yes	KF	Nov 28, 2021
19	Tommy Stevens	Tommy Stevens	824 S. Crk	yes	yes	TS	Nov 28, 2021
20	Nancy Bigelow	Nancy Bigelow	916 S. Creek	yes	yes	NB	Nov 28, 2021
21	Ingeborg Aguirre	Ingeborg Aguirre	924 South Creek	yes	yes	IA	11/29/21
22	Hector Garcia Jr.	Hector Garcia Jr.	5418 Boxwood	yes	yes	HG	11/29/21
23	Becky Garcia	Becky Garcia	5418 Boxwood	yes	yes	BG	11/29/21
24	Gilda Flores	Gilda Flores	5435 Boxwood	yes	yes	G.F.	11/29/21
25	Margaret King	Margaret King	816 S. Creek	yes	yes	M.K.	11/29/21
26	BRYAN E SEINERS	BRYAN E SEINERS	5405 Boxwood Creek	NO	YES	BS	11/29/21
27	ERLINDA C. SEINERS	ERLINDA C. SEINERS	5405 Boxwood	YES	YES	ES	11/29/21
28	X Lynn Di	X Lynn Di	5405 Boxwood	Yes	Yes	LD	12/4/21
29	ALAN FEDYNICHT	ALAN FEDYNICHT	5415 Boxwood	YES	YES	AF	12/4/21
30	FEBY DANIEL	FEBY DANIEL	5450 Boxwood	Yes	Yes	DF	12/4/21

Petition Organizer: Lance Hamm, 912 South Creek, Kingsville TX
 361-720-2795, lancehamm62@gmail.com Nov. 28, 2021

PETITION TO THE KINGSVILLE CITY COMMISSIONERS

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 MPH is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift to allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

	Print Full Name	Signature	Address	Kingsville Resident (Yes or No)	Kleberg County Resident	45 MPH or Less, Please Initial	Date
31	Michael Langford	Michael Langford	NATURE'S OWN RV Resort	NO	NO	ML	11-30-21
32	Donna Langford	Donna Langford	NATURE'S OWN RV Resort	NO	NO	DL	11-30-21
33	Jeff Lang	Jeffery D. Lang	Nature's own RV Resort	YES	YES	JDL	11/30/21
34	JERRY FITZWATER	Jerry Fitzwater	11 11	YES	YES	JF	12/3/21
35	Lance Hamm	Lance Hamm	cm Nature's Own RV	YES	YES	LH	12-9-21
36	Jeff Hall	Jeff Hall	cm nature's own	NO	NO	JH	12/11/21
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Petition Organizer: Lance Hamm, 912 South Creek, Kingsville TX 78363. Nov 28, 2021
361-720-2795, lancehamm62@gmail.com

PETITION TO THE KINGSVILLE CITY COMMISSIONERS

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 MPH is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift to allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

	Print Full Name	Signature	Address	Kingsville Resident (Yes or No)	Kleberg County Resident	45 MPH or Less, Please Initial	Date
61	Joseph Forkum	<i>[Signature]</i>	5461 Cypress Crk	Yes	Yes	JF	Nov 29, 2021
62	Yan Jiang	<i>[Signature]</i>	825 South Creek	Yes	Yes	YJ	29
63	Bianca Reyes	<i>[Signature]</i>	5411 Cypress Crk	Yes	Yes	BR	Nov 29, 21
64	Kassandra Reyes	<i>[Signature]</i>	5411 Cypress Crk	Yes	Yes	KR	Nov 29, 21
65	Svetlana Singer	<i>[Signature]</i>	5431 Cypress Crk	Yes	Yes	S.S.	11/29
66	Arthur Sholtis	<i>[Signature]</i>	5445 Boxwood	Yes	Yes	AS	11/29/21
67	Jesse Canales	<i>[Signature]</i>	824 S Creek	Yes	Yes	JC	11-30-21
68	Allan Singer	<i>[Signature]</i>	5431 Cypress Crk	Yes	Yes	AS	12/1/21
69	Adrianne Hammy	<i>[Signature]</i>	5448 Branford Lk	Yes	Yes	AH	12/4/21
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Petition Organizer: Lance Hamm, 912 South Creek, Kingsville TX 78363, Nov 28, 2021
 361-720-2795, lancehamm62@gmail.com

PETITION TO THE KINGSVILLE CITY COMMISSION (45 MPH SPEED LIMIT ON US 77 BY-PASS SERVICE RD)

The residents of the City of Kingsville and/or Kleberg County, listed below, are in favor of the Kingsville City Commissioners passing a City Resolution and/or City Ordinance to request the Texas Department of Transportation to ensure a maximum regulatory speed limit of 45 MPH is posted on the southbound US-77 Service Road, during and after construction work zones and during the lane shift to allow through-traffic onto the southbound US-77 Service Road, in the area south of the General Cavazos Blvd overpass to the southern city limit of the City of Kingsville, specifically, on the US-77 Service Road adjacent to any entrance to Dick Kleberg Park, Nature's Own RV Resort, and the South Creek Subdivision.

Supplement to the Petition, typed names of the persons who signed the petition.
(45 signatures, 40 Kingsville residents, 5 non-residents)

1.	Lance Hamm	912 South Creek, Kingsville	Page 1
2.	Kim Hamm	912 South Creek, Kingsville	
3.	Sophia Hamm	912 South Creek, Kingsville	
4.	Fred Bigelow	916 South Creek, Kingsville	
5.	Mario Soliz	920 South Creek, Kingsville	
6.	Matthew Soliz	920 South Creek, Kingsville	
7.	Michael Muzheve	5425 Boxwood Creek, Kingsville	
8.	Todd Thornton	5409 Ash Creek, Kingsville	
9.	Penny Del La Rosa	5429 Ash Creek, Kingsville	
10.	Ruben Rendon, Jr.	5420 Ash Creek, Kingsville	
11.	Patricia Thornton	5409 Ash Creek, Kingsville	
12.	Fang He	825 South Creek, Kingsville	
13.	Juana Saldivar	5434 Cypress Creek, Kingsville	
14.	Pedro Saldivar	5434 Cypress Creek, Kingsville	
15.	Robert Pasion	5444 Cypress Creek, Kingsville	
16.	William D. Hougham	5454 Cypress Creek, Kingsville	
17.	Alana M. Hougham	5454 Cypress Creek, Kingsville	
18.	Kirstien Forkum	5461 Cypress Creek, Kingsville	
19.	Tommy Stevens	804 South Creek, Kingsville	
20.	Nanette Bigelow	916 South Creek, Kingsville	
21.	Ingeborg Aquino	924 South Creek, Kingsville	
22.	Hector Garcia	5418 Boxwood Creek, Kingsville	
23.	Becky Garcia	5418 Boxwood Creek, Kingsville	
24.	Gicela Flores	5435 Boxwood Creek, Kingsville	
25.	Margaret Heiss	816 South Creek, Kingsville	
26.	Bryan E. Seiders	Non-resident 5405 Boxwood Creek (out of town son)	
27.	Erlinda Seiders	5405 Boxwood Creek, Kingsville	
28.	Lynn Seiders	5405 Boxwood Creek, Kingsville	
29.	Alan Fedynich	5415 Boxwood Creek, Kingsville	
30.	<u>F. Daniel</u>	<u>5450 Boxwood Creek, Kingsville</u>	
31.	Michael Langford	Non-resident, Nature's Own RV Resort	Page 2
32.	Donna Langford	Non-resident, Nature's Own RV Resort	
33.	Jeff Lang	Non-resident, Nature's Own RV Resort	
34.	Terry Fitzwater	Resident, Nature's Own RV Resort, Kingsville	
35.	Frances Baggett	Resident, Nature's Own RV Resort, Kingsville	
36.	<u>Jeff Hall</u>	<u>Non-resident, Manager, CM Nature's Own RV Resort</u>	
61.	Joseph Forkum	5461 Cypress Creek, Kingsville	Page 3
62.	Yan Jiang	825 South Creek, Kingsville	
63.	Bianca Reyes	5411 Cypress Creek, Kingsville	
64.	Kassandra Reyes	5411 Cypress Creek, Kingsville	
65.	Svetlana Singer	5431 Cypress Creek, Kingsville	
66.	Arthur Sholtis	5445 Boxwood Creek, Kingsville	
67.	Jesse Canales	824 South Creek, Kingsville	
68.	Allan Singer	5431 Cypress Creek, Kingsville	
69.	Adriane Hanway	5448 Boxwood Creek, Kingsville	

RESOLUTION #2021_____

A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION SUPPORT A CHANGE TO THE PROPOSED/POSTED REGULATORY SPEED LIMIT FROM 55 MPH TO A MAXIMUM OF 45 MPH ON THE NEWLY CONSTRUCTED SOUTHBOUND US-77 BY-PASS SERVICE/FRONTAGE ROADS, DURING AND AFTER US-77 BY-PASS CONSTRUCTION PROJECTS, AND DURING THE TRAFFIC SHIFT FROM THE MAIN LANES OF US-77 BY-PASS TO THE US-77 SERVICE/FRONTAGE ROADS, IN THE AREA SOUTH OF GENERAL CAVAZOS BLVD TO THE SOUTHERN KINGSVILLE CITY LIMIT WITHIN THE CITY LIMIT OF THE CITY OF KINGSVILLE.

WHEREAS, the Texas Department of Transportation (TxDOT) maintains the US-77 By-Pass and its associated service/frontage roads that are located on the east side of the City of Kingsville, Texas ("City"); and

WHEREAS, the City can act and make requests for public health and safety issues; and

WHEREAS, the City desires to: (1) reduce the number or frequency of traffic crashes and (2) minimize the risk of traffic fatalities and injuries and/or reduce the severity of any injury to persons or property; and

WHEREAS, the authorization of the TxDOT is required before any ordinance enacting such a change can be approved by the City and enforced by law enforcement; and

WHEREAS, the City further requests TxDOT provide and install the appropriate signage changes upon approval of this requested speed limit change.

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

1. That the Texas Department of Transportation install the appropriate signage to change the proposed\posted regulatory speed limit from 55 mph to a maximum of 45 mph on the southbound US-77 By-Pass Service/Frontage Roads, from General Cavazos Blvd to the southern city limits of the City of Kingsville, during US-77 By-Pass construction projects and after construction has been completed.

PASSED AND APPROVED by the City Commission of the City of Kingsville this the _____ day of January, 2022.

Sam R. Fugate, Mayor

RESOLUTION #2015- 45

A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION SUPPORT A CHANGE IN THE SPEED LIMIT ON THE US 77 BY-PASS AT THE FM 1717 INTERSECTION TO 55 MILES PER HOUR WITHIN THE CITY LIMIT OF THE CITY OF KINGSVILLE.

WHEREAS, the Texas Department of Transportation ("TXDOT") maintains the US 77 By-Pass that is located on the east side of the City of Kingsville, Texas ("City"); and

WHEREAS, the City can act and make requests for public health and safety issues; and

WHEREAS, the City desires to: (1) reduce the number or frequency of crashes and (2) minimize the risk of fatalities and injuries and/or reduce the severity of any injury to persons or property; and

WHEREAS, the City recommends to have the speed limit changed from 65 miles per hour so that the speed limit is 55 miles per hour on the US 77 By-Pass at the FM 1717 intersection in the city limits of Kingsville for the safety of its citizens and all travelers on this busy highway; and

WHEREAS, the authorization of the TXDOT is required before any ordinance enacting such a change can be approved by the City and enforced by law enforcement; and

WHEREAS, the City further requests TXDOT provide and install the appropriate signage changes upon approval of this requested speed limit change.

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

1. That the Texas Department of Transportation change the speed limit on the US 77 By-Pass at the FM 1717 intersection to 55 miles per hour within the city limit of Kingsville and install the appropriate signage upon approval of said change until the appropriate controlled access (overpass) is in place.

PASSED AND APPROVED by the City Commission of the City of Kingsville this the ____ day of August, 2015.

Sam R. Fugate, Mayor

RESOLUTION #2022-_____

A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION SUPPORT A CHANGE TO THE PROPOSED/POSTED REGULATORY SPEED LIMIT FROM 55MPH TO A MAXIMUM OF 45MPH ON THE NEWLY CONSTRUCTED SOUTHBOUND US-77 BY-PASS SERVICE/FRONTAGE ROADS, DURING AND AFTER THE CURRENT CONSTRUCTION PROJECT, AND DURING THE TRAFFIC SHIFT FROM THE MAIN LANES OF US-77 BY-PASS TO THE US-77 SERVICE/FRONTAGE ROADS, IN THE AREA SOUTH OF GENERAL CAVAZOS BLVD TO THE SOUTHERN CITY LIMITS OF KINGSVILLE.

WHEREAS, the Texas Department of Transportation ("TXDOT") maintains the US 77 By-Pass and its associated service/frontage roads that are located on the east side of the City of Kingsville, Texas ("City"); and

WHEREAS, the City can act and make requests for public health and safety issues; and

WHEREAS, the City desires to: (1) reduce the number or frequency of crashes and (2) minimize the risk of traffic fatalities and injuries and/or reduce the severity of any injury to persons or property; and

WHEREAS, the authorization of the TXDOT is required before any ordinance enacting such a change can be approved by the City and enforced by law enforcement; and

WHEREAS, the City further requests TXDOT provide and install the appropriate signage to reflect the changes upon approval of this requested speed limit change.

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

1. That the Texas Department of Transportation install the appropriate signage to change the proposed/posted regulatory speed limit from 55 mph to a maximum of 45 mph on the southbound US-77 By-Pass Service/Frontage Roads, from General Cavazos Blvd. to the southern city limits of the City of Kingsville, during US-77 By-Pass construction projects in that area and after construction has been completed.
2. That this Resolution shall be and become effective on or after adoption.
3. That all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

PASSED AND APPROVED by the City Commission of the City of Kingsville this the 10th day of January, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #10

AGENDA ITEM #11

AGENDA ITEM #12

AGENDA ITEM #13