

City of Kingsville, Texas

AGENDA CITY COMMISSION THURSDAY, MARCH 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 – February 28, 2022

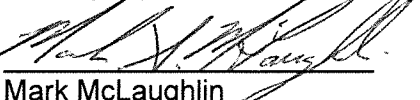
II. Public Hearing - (Required by Law).¹

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."

APPROVED BY:


Mark McLaughlin
City Manager

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 zoning ordinance by changing the zoning map in reference to 6th, Block 9, Lot 25, also known as 616 E. Yoakum, Kingsville, Texas from C2 (Retail District) to R2A (Tiny Home District). (Director of Planning & Development Services).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and scoreboard sponsorship donations from Texas Community Federal Credit Union and First Community Bank. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend the donation from Christus Spohn Kleberg for airshow promotional items. (Tourism Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider accepting donations from Parks Youth Pony League team sponsors. (Parks Director).
5. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend the donations received from Kingsville Parks Youth Pony League team sponsors for the purchase of equipment, uniforms and other league expenses. (Parks Director).
6. Consider approving Change Order #2 to extend the contract time on the project between the City of Kingsville and ETech for CBDG-Main Street Contract #7219192. (City Engineer).
7. Consider approving Performance Statement modification #3 to update the number of streetlamps for the City's CBDG-Main Street #7219192. (City Engineer).
8. Consider a resolution authorizing the Police Chief to enter a Memorandum of Understanding between Commander, Navy Region Southeast and Commanding Officer, Naval Air Station Kingsville, and the Kingsville Police Department for mutual interests of law enforcement as implemented by Naval Air Station Kingsville. (Police Chief).

9. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the State of Texas and the City of Kingsville regarding Texas Statewide Interoperability Channel Plan (TSICP). (Police Chief).

10. Consider a resolution accepting award of Operation Stonegarden funds for funding year 2022; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

11. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend grant funding for the OPSG 2022 Grant #3194307. (Operation Stonegarden). (Police Chief).

12. Consider a resolution accepting award of Law Enforcement Officer Standards and Education funds from the Texas Comptroller of Public Accounts; authorizing the Chief of Police to act on the City's behalf with such program (for training). (Police Chief).

13. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend grant funding for the LEOSE Grant for training. (Police Chief).

14. Consider a resolution authorizing participation in Local Border Security Program FY2023 from the Office of the Governor, Public Safety Office Homeland Security Grants Division for law enforcement personnel costs, fuel, and equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief)

15. Consider appointing one more local businessperson to Economic Development Grant Administrative Board for two-year terms. (City Manager).

VII. Adjournment.


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

NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551-076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

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

March 7, 2022 at 2:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.


Mary Valenzuela, TRMC, CMC, City Secretary

City of Kingsville, Texas

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

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

MINUTES OF PREVIOUS MEETING(S)

FEBRUARY 28, 2022

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 28, 2022 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner
Ann Marie Torres, Commissioner

CITY COMMISSION ABSENT:

Hector Hinojosa, Commissioner

CITY STAFF PRESENT:

Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Juan J. Adame, Fire Chief
Uchechukwu Echeozo, Director of Planning & Development Services
Rudy Mora, Engineer
Ricardo Torres, Police Chief
Diana Gonzales, Director of Human Resources
Bill Donnell, Public Works Director
Joseph Ramirez, Engineers Assistance
Janine Reyes, Tourism Director
Emilio Garcia, Health Director
Julian Cavazos, KPD Lieutenant
Charlie Sosa, Purchasing Manager
Manny Salazar, Economic Development Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with FOUR Commission members present. Commissioner Hinojosa absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – February 14, 2022

Motion made by Commissioner Lopez to approve the minutes of February 14, 2022, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting “FOR”.

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

1. Public hearing on request to rezone 6th, Block 9, Lot 25, also known as 616 E. Yoakum, Kingsville, Texas from C2 (Retail District) to R2A (Tiny Home District). Lauri Ramirez, applicant; Tuyet Pineda, owner. (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 the Planning and Zoning Commission met on February 16, 2022, regarding the rezone and voted unanimously to approve recommendation.

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

There being no further comments Mayor Fugate closed this public hearing at 5:04 P.M.

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 City of Kingsville signed an agreement with Magellan for a broadband feasibility study which will be going out to the public for their participation. She further reported that the next City Commission meeting is scheduled for March 14, 2022, with a deadline for staff to submit agenda items on March 4, 2022. Ms. Alvarez also reported that the Commission has received copies of the First Quarter Investment Report and the Quarterly Budget Report and further stated that the City of Kingsville is in compliance.

Mayor Fugate presented a proclamation and the Key to the City to the Benys Family honoring Patrolman Sherman Otto Benys, Jr. Mayor Fugate further gave a brief update on his trip to Mobile, AL where he attended the keel laying of the USS Kingsville.

IV. Public Comment on Agenda Items.³

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

No public comments were made.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence

after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Hoffman Addition, Block 7, Lots 17-19, also known as 200 block E. Miller, Kingsville, Texas from C4 (Commercial District) to R1 (Single-Family Residential District). (Director of Planning & Development Services).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend funding from the Homeland Security Grant-Operation Lone Star #4385701 for police equipment. (Police Chief).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate unspent grant funds for the purchase of medical equipment and supplies. (Fire Chief).

4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to place a stop sign on Johnston Street at its intersection with 12th Street for eastbound traffic. (City Engineer).

5. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate ARP funding for Parks revenue replacement projects. (ball fields #4&6 sidewalks and splash pad holding tank repairs). (Parks Director).

6. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate ARP funding for golf course equipment. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 6th, Block 9, Lot 25, also known as 616 E. Yoakum, Kingsville, Texas from C2 (Retail District) to R2A (Tiny Home District). (Director of Planning & Development Services).

Introduction item.

8. Consider a resolution authorizing the Mayor to execute two Engineering Services Agreements with International Consulting Engineers for the Community Development Block Grant-Mitigation (DCBG-MIT) Program for drainage and sewer system improvements. (City Engineer).

At this time, Mayor Fugate asked the Commission that if there were any objections, he would like to move agenda item #14 before agenda item #8. No objections were made.

Mr. Rudy Mora, City Engineer stated that the General Land Office (GLO) is requiring a Professional Services Agreement with International Consulting Engineers (ICE) for CDR contracts to be broken out separately instead of being combined onto a master agreement to allow for improved monitoring. ICE has provided two contracts for Engineering/Architectural/ Surveyors Services for each of the two GLO projects under the same costs terms and conditions that were previously approved under one contract. Mr. Mora further stated that there is no financial impact in approving the proposed changes as the cost and scope of work are not changing.

Motion made by Commissioner Torres to approve the resolution authorizing the mayor to execute two Engineering Services Agreements with International Consulting Engineers for the Community Development Block Grant-Mitigation (DCBG-MIT) Program for drainage and sewer system improvements, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Fugate voting "FOR".

9. Consider accepting donations from First Community Bank and Texas Community Federal Credit Union for scoreboard sponsorships at baseball fields in Dick Kleberg Park. (Parks Director).

Motion made by Commissioner Lopez to accept the donations from First Community Bank and Texas Community Federal Credit Union for scoreboard sponsorships at baseball fields in Dick Kleberg Park, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR".

10. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and scoreboard sponsorship donations from Texas Community Federal Credit Union and First Community Bank. (Parks Director).

Introduction item.

11. Consider accepting donation from Christus Spohn-Kleberg for the Meet the Blues event. (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that the Tourism Department is currently planning the Meet the Blues event in conjunction with the 2022 Wings Over South Texas Air Show. The Meet the Blues event will give visitors and community members to meet the Blue Angels and other Air Show performers. For this year, the committee has decided to honor Military Medical, both active duty and retired. Nomination forms have been uploaded to the Tourism website and are being distributed throughout the Rio Grande Valley and Coastal Bend regions. The Meet the Blues event is scheduled for Friday, April 1, 2022. The Tourism Department has priced commemorative coins for Military Medical personnel and has placed an order for 250 coins for a cost of approximately \$1,045 plus shipping. To offset that cost, Christus Spohn-Kleberg has agreed to sponsor the event with a \$1,200 donation.

Motion made by Commissioner Lopez to approve the donation from Christus Spohn-Kleberg for the Meet the Blues event, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Alvarez, Fugate voting "FOR".

12. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend the donation from Christus Spohn Kleberg for airshow promotional items. (Tourism Director).

Introduction item.

13. Consider distribution of the allotment of sponsorship tickets and chalet options for Wings Over South Texas Air Show weekend. (Tourism Director).

Ms. Reyes stated that as a sponsor of the Wings Over South Texas Air Show, the city is provided a 50-person chalet each day of the event and tickets for 20 people to watch the practice day event. She further stated that a decision is needed for ticket distribution and potential catering options. Ms. Reyes stated that each chalet has a catering option. One option is for a cost of \$900 a day and the second option is for \$1,000 a day. Both options have a different menu option.

Commissioner Torres asked how the City of Corpus Christi handled their chalet tickets for their air show last year as she had been invited by City of Corpus Christi Mayor Paulette Guajardo.

Ms. Reyes responded that she believed the Buccaneer Days committee had taken care of that and not the City of Corpus Christi.

Commissioner Alvarez suggested that the tickets be passed on to city employees and as there were only so many tickets to go around, maybe a lottery would be best as to who would receive these tickets. She further commented that tickets would need to be given in pairs as the employee would like to take a guest.

Commission gave direction to staff on the distribution of air show tickets; ten tickets for a one-day event for the City Commission and all others would be passed on to city employees. Employees to be picked out through a lottery.

14. Consider appointing five local businesspersons to Economic Development Grant Administrative Board for two-year terms. (City Manager).

Mr. Manny Salazar, Director of Economic Development stated that for this Board there are four fixed members and five appointed members. The fixed members consist of City Manager, Finance Director, Planning Director, and President/CEO of Kingsville Economic Development/Chamber of Commerce. The five positions at-large that are being recommended by the City Manager are as followed: Sharon Pennington of D&C amusement, Chamber member; Stefanie Perryman of Stef & Bec's Boutique, Chamber member; Justin Bray of Bray's Smokehouse, Chamber member; Charlie Williams of Beef & Bones Meat Market, Chamber member; and Rodney Rodriguez of Rodriguez & Sons Plumbing, not a Chamber member. One other application was received from Mr. Lupe Ruiz of Ruiz Bookkeeping & Income Tax Service who is not a Chamber member.

Commissioner Alvarez stated that she sees a slight problem with one of the applications which require some clarification. She stated that on one of the questions, Mr. Rodney Rodriguez's answered no to the questions, "if the applicant acknowledged that by serving in the Grant Administrative Board, you would be ineligible to apply for an Economic Development Grant for the duration of your tenure?" She further asked that by Mr. Rodriguez answering no, should the Commission vote on this item as a slate or remove Mr. Rodriguez?

Mr. Salazar responded that this would be up to the discretion of the Commission. Salazar further stated that the Commission can remove this applicants name and consider it at a later meeting pending clarification, or the Commission can also go with one other application that was received but would be up to the Commissions discretion.

Commissioner Torres asked if the Commission would be able to see all the applications received as there are some alternate applications that are missing.

Mr. Salazar responded that he has passed along all applications received. He further commented that he has spoken with Mr. Rodriguez and Mr. Rodriguez has concerns that if he was working on a project and that project went out for an application, would that project be ineligible due to him serving on the Grant Administrative Board.

Ms. Alvarez responded yes.

Mr. Salazar further asked if the Commission would like for him to reach out to Mr. Rodriguez for clarification on the question, he answered no.

Commissioner Alvarez asked if the other application received was from Mr. Ruiz. Mr. Salazar responded yes.

Commissioner Torres commented that there was another application received and after speaking with the City Manager, the applicant wasn't sure about serving on this Board because his spouse may apply for the grant.

Mr. Salazar responded that this application was not considered. Other applications were received but after they understood the commitment for this Board and with timing issues, some of the applicants decided to remove their application out of the process. He further commented that the only other applications are those that he has listed. Therefore, the list that the City Commission received previously does include individuals who have express an interest in serving but removed themselves from the process.

Commissioner Lopez asked if staff is sure this isn't an error and maybe Mr. Rodriguez circled, no? Mr. Salazar responded that he would not be able to speak to that. Commissioner Lopez further commented that maybe someone from staff needs to contact Mr. Rodriguez for clarification before making the decision to remove from the list of potential Board members. Lopez further recommended that maybe it would be best to leave this position open until clarification from Mr. Rodriguez is made and vote on the other four positions.

Mr. Salazar commented that he spoke with the applicant (Mr. Rodriguez) and Mr. Rodriguez stated that he was concerned that by serving on this Board he didn't want to make other projects that he needs to be a contracted for become ineligible.

Mayor Fugate asked that after Mr. Salazar spoke with Mr. Rodriguez and made him aware that it would probably make him ineligible, did Mr. Rodriguez state that he would still want to serve on this Board?

Mr. Salazar responded yes. He further stated that when he read the grant application, he did not see that it would make Mr. Rodriguez ineligible. Mr. Salazar further stated that he read it as if he was applying for the grant and serving on the Grant Administrative Board then it would make that individual ineligible. But if you are a contract for someone else's project, for example for unrelated services, it wasn't very specific in the grant on whether it would make that person ineligible.

Ms. Alvarez stated that if you are a member on the Board you cannot submit your own application for your own business. What was not previously discussed is if you are a member of the Board and you are doing work for a project, which may not be known at the time the grant request is received which would be a case-by-case thing. Ms. Alvarez further commented that there is nothing in the guidelines that the Commission approved that would prohibit that. She further commented that it might just be a conflict where

they might recuse themselves from voting from that item, but there is nothing in the guidelines that state that they are not able to serve.

Commissioner Alvarez commented that as suggested by Commissioner Lopez, Commission vote for four positions and wait on the fifth position until there is clarification by Mr. Rodriguez.

Mayor Fugate commented that it's not only that, but there may be an appearance of a conflict which would need to be avoided.

Commissioner Lopez commented that this should have been covered on the guidelines, and further commented that this is something that the Commission and staff didn't think about. Lopez further commented that as this is something new that the city is doing, things would need to be worked out as we go.

Mr. Salazar commented that he will be contacting Mr. Rodriguez in the morning and get some clarification from him on this question.

Motion made by Commissioner Alvarez to appoint Sharon Pennington, Stefanie Perryman, Justin Bray, and Charlie Williams to the Economic Development Grant Administrative Board for two-year terms and leave the fifth position vacant until staff receives clarification from Mr. Rodney Rodriguez, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR". Torres "AGAINST".

Mayor Fugate commented that all the candidates/applicants are good citizens and good businesspeople and is appreciative of all for being interested in this project.

15. Consider approving letter agreement with John & Dena Wuensche for waterline extension for Paisano Creek Subdivision. (Public Works Director).

Mr. Bill Donnell, Public Works Director stated that this is a request from Mr. & Mrs. Wuensche to authorize the negotiation of an agreement to provide a waterline extension to service the lots of the Paisano Creek Subdivision. They are requesting approximately 700-foot city water extension along West Trant Road to service six lots. The property is located on the northwest side of the intersection of CR1030 and West Trant Road and is adjacent to the city limits but on the outside. There is a 12" water line on the east side of CR1030 bearing north and south. Options and financial impact for a 2" waterline with six 1" taps is calculated at \$15,452; a 6" waterline and six 1" taps is calculated at \$29,917; and an 8" waterline and six 1" taps is calculated at \$37,457. Mr. Donnell further stated that it is staff's recommendation that a 6' waterline extension to be placed to service the six lots along West Trant Road at a cost to the developer of \$29,917. He further commented that if there is any development to the south of this area the city can loop it and still provide adequate fire flow through a hydrant. He also commented that an 8" is recommended for a service main with a fire hydrant to tap off of this as a 6". But with this case of only six lots being serviced off this line, a smaller line is better as it is easier to keep residual in it and to have more flow through it. Mr. Donnell further commented that he would need direction from the Commission on how to proceed and what the charger would be to the requestor. He further stated that the requestor was requesting a 2" with the city to install a 6" but the requestor to pay for the 2". He also stated that the price of pipe has tripled in price in the last few months. He further went over the estimates, 2" at a cost of \$15,452 for 700 feet of 2"; 6" cost of \$29,917. Mr. Donnell stated that this is assuming, since the waterline is on the eastside of CR1030, if the city has to cross that line there will be an additional cost of \$10,780 for that bore and materials.

Mayor Fugate asked if the line across the street is a larger line?

Mr. Donnell responded that there is a 12" on the eastside, but the request is to go west. Mr. Donnell further stated that the estimates for the 2", 6" and 8" do not take into consideration the cross of a bore to cross under CR1030.

Mayor Fugate asked what is staff's recommendation for this?

Mr. Donnell responded that staff is recommending a 6" waterline for this project. He further stated that if there is an agreement between the city and the requestor, maybe the city would want to annex or not and make the requestor pay for the entire project and not annex this location.

Commissioner Torres asked what was done with Sage Road and what was charged to them? Is this project a comparison to Sage Road project?

Mr. Donnell responded no, but it's similar to annex; if you want water, you will get annexed, but there was a discussion as being part of the city.

Commissioner Torres further asked if this is similar to Sage Road?

Mr. Donnell stated that the residents on Sage Road were not adjacent to the city limit line. This platted area is adjacent to CR1030 to the city limit line. He further stated that if the city wanted to reach an agreement, as it has been done in the past for, buy the materials and the city will lay the line, then its different as if you are inside the city limits and not inside the city limits.

Ms. Alvarez commented that about ten years ago that in the area outside the city limits there was a pre-existing development where Mr. Childers and others wanted to tap into the city's water line. At that time, the city did letter agreements with those individuals to extend the lines at their cost. The city was happy to provide the water, even though they are outside the city limits, but they would need to pay for the connection in order to get it to their property. She further stated that there is a separate rate that individuals who are outside the city limits have to pay, which is a different rate from those who reside inside the city limits. Since they are not contributing to ad valorem taxes to help compensate for the cost of maintenance of the water system. She further stated that this is kind of similar on Sage Road where you have some individuals outside the city limits that are on water wells that wanted to get on city water. Alvarez further stated that the difference with this project it is currently an undeveloped tract and the developer had come to the City Commission late last Fall because while the property is just outside the city limits, its within the city's ETJ and under state law there is a statute that require cities and counties to get into an agreement so that cities would oversee the platting process for properties that fall within this area. This is the reason why plat came to the Commission previously for approval which was approved. Now that it is done, they are getting closer to the development stage and realizing that it would be better for the development and fire service, if they have a water line opposed to having water wells. Ms. Alvarez further stated that there is a potential that sometime in the future that may develop a bit more to the south of them, this would make a line available for that development to tap into in the future. She further stated that generally the city has where they do a letter agreement, especially if they are outside the city limits and they are going to pay for the cost but the city going to provide the service, that the city do a letter agreement which in the past have come to the Commission for their approval. Ms. Alvarez commented that there is a draft letter, but staff has not inserted the numbers

since staff wasn't sure which direction the Commission wanted to go to with regards to the size of waterline they wanted.

Commissioner Alvarez asked that for clarification, the requestor has already paid for a 2" line? Mr. Donnell responded no; the requestor has not paid anything yet. Commissioner Alvarez further asked for clarification on the discussion between the 2" line versus the 6" line. Mr. Donnell stated that all they really need is a 2" line to service their properties, but staff is thinking of a 6" line for the future.

Ms. Alvarez commented that at times if a developer paid for what they needed for their services, but it would be beneficial for the city to have something else, then the city can pay the difference between the line they needed and the upside line that would benefit future development.

Commissioner Alvarez asked if the city would charge the requestor for the 2" line versus charging them for the 6" line?

Mayor Fugate asked if this is something the city has done in the past, as he doesn't recall ever doing something like this.

Ms. Alvarez commented that it has been a very long time since the city has done something similar to this, but it has been done. She further commented that the city can say that the requestor needs the 2" line but the city will be laying a 6" line and pay the difference between the 2" line and the 6" line. This would only require for the requestor to pay for what they need and the city paying for the oversize line. But if this is something the Commission does not choose to do, as the Commission may think that development is too far out and speculative as this point, staff can go with the 2" line.

Mayor Fugate asked what staff's recommendation is. Mr. Donnell responded that it is staff's recommendation to do a 6" line.

Commissioner Alvarez asked what the difference was between the two different size lines?

Mr. Donnell responded that it is a big difference of about \$15,000 for a development that is outside the city limits.

Commissioner Torres asked if the 6" line would assist the area at a later time, as there are homes within this area already.

Mr. Donnell responded that there is no development on the westside of Trant Road towards Rest Haven.

Commissioner Alvarez commented that the city wouldn't even know if there would be development? Mr. Donnell responded that this was correct.

Mayor Fugate suggested for the Commission not to take any action on this item and have staff contact the requestor to let them know that the city wants to install a 6" line and they would need to pay for it.

Commissioner Torres commented that if this was a request coming from her and all she is requesting for is a 2" line and the city wanting to install a 6" line, due to future development, she knows what she would say, but it depends on staff's recommendation since staff knows what is best.

Mr. Donnell stated that it is staff's recommendation is for a 6" line at a cost of \$29,917 and potentially an additional \$10,780, if that waterline is not crossing CR1030 to the west.

Mayor Fugate asked if this was staff's recommendation? Mr. Donnell responded yes.

Commissioner Alvarez commented that she still has some concern. She stated that she doesn't mind with this situation because it is right on the edge of the city limits, but why is the city going to pay for something in the future?

Mayor Fugate commented that the city makes money on water. He further commented that the city commission does not need to act on this item if they choose not to.

Commissioner Lopez commented not to act on this item and just wait for a later time.

Mayor Fugate commented that he would like to hear what the City Manager has to say about this. Fugate further stated that he is inclined to have the requestor pay of the entire project, since they aren't paying ad valorem taxes.

The City Commission decided to take no action on this agenda item at this time.

16. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Executive session was not needed.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:51 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

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



MEMO

Date: February 17, 2022
To: Mark McLaughlin (City Manager)
From: Uche Echeozo (Director of Planning and Development Services)
Subject: Lauri Ramirez, applicant; Tuyet Pineda, owner; requesting the rezone of 6th, BLOCK 9, LOT 25 also known as 616 E Yoakum, Kingsville, Texas from C2 (Retail) to R2A.

The Planning and Zoning Commission meeting held as scheduled this evening, February 16, 2022, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone to enable the applicant to carry out housing development that complies with the special zoning district created to take care of tiny lots that exists within the city – R2A. Letters were sent out to neighbors and the City received no feedback. Commissioners, after deliberations, voted to approve the recommendation for a rezone of the said property to R2A. A recorded vote of all members present was taken and Commissioners Mike Klepac, Idotha Battle, Larry Garcia, and the Chairman – Steve Zamora all voted ‘YES’.

The meeting was adjourned by about 6.10p.m.

Thank you.

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

Uche Echeozo
Director of Planning and
Development Services

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



MEMO

Date: February 2, 2022
To: Planning and Zoning Commission Members
From: Uche Echeozo (Director of Planning and Development Services)
Subject: **Lauri Ramirez, applicant; Tuyet Pineda, owner; requesting the rezone of 6th, BLOCK 9, LOT 25 also known as 616 E Yoakum, Kingsville, Texas from C2 (Retail) to R2A**

The applicants approached the department because they wanted to re-zone the existing property (6th, **BLOCK 9, LOT 25**) from C2 (Retail) to R2A. R2A is a special zoning district created to take care of tiny lots that exists within the city, suitable for Tiny Homes that have a square footage of between 200 and 1000 square feet.

Looking at the zoning of properties immediately surrounding the subject property, a C2 (Retail) zoning classification is discernable. The C2 zoning district allows for residential use in all its forms (RI, R2 etc) except for R2A. This is one of those situations that would be subject to review when the zoning Ordinance comes up for review. It appears the R2A was not included as a permitted use within the C2 district because it was a subsequent creation and was not integrated with the original zoning text.

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 infill development that would provide suitable housing for residents of Kingsville.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 616 East Yoakum Ave Nearest Intersection E Yoakum Ave and N 10th St

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: 6th, Block 9, Lot 25

Existing Zoning Designation C2 - Retail Future Land Use Plan Designation R2A Tiny Home

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Lauri Ramirez Phone 210-381-8922 FAX _____

Email Address (for project correspondence only): lauri.riles67@gmail.com

Mailing Address 6711 Munich Rd City San Antonio State Texas Zip 78256

Property Owner Tiyet Pineda Phone 210-659-3407 FAX _____

Email Address (for project correspondence only): Lee@pinedamail.com

Mailing Address 8526 Pegasus Dr City Selma State Texas Zip 78154

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

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

Please provide a basic description of the proposed project:

I am looking to sell this property. I would like to rezone the lot to residential to be better able sell it.

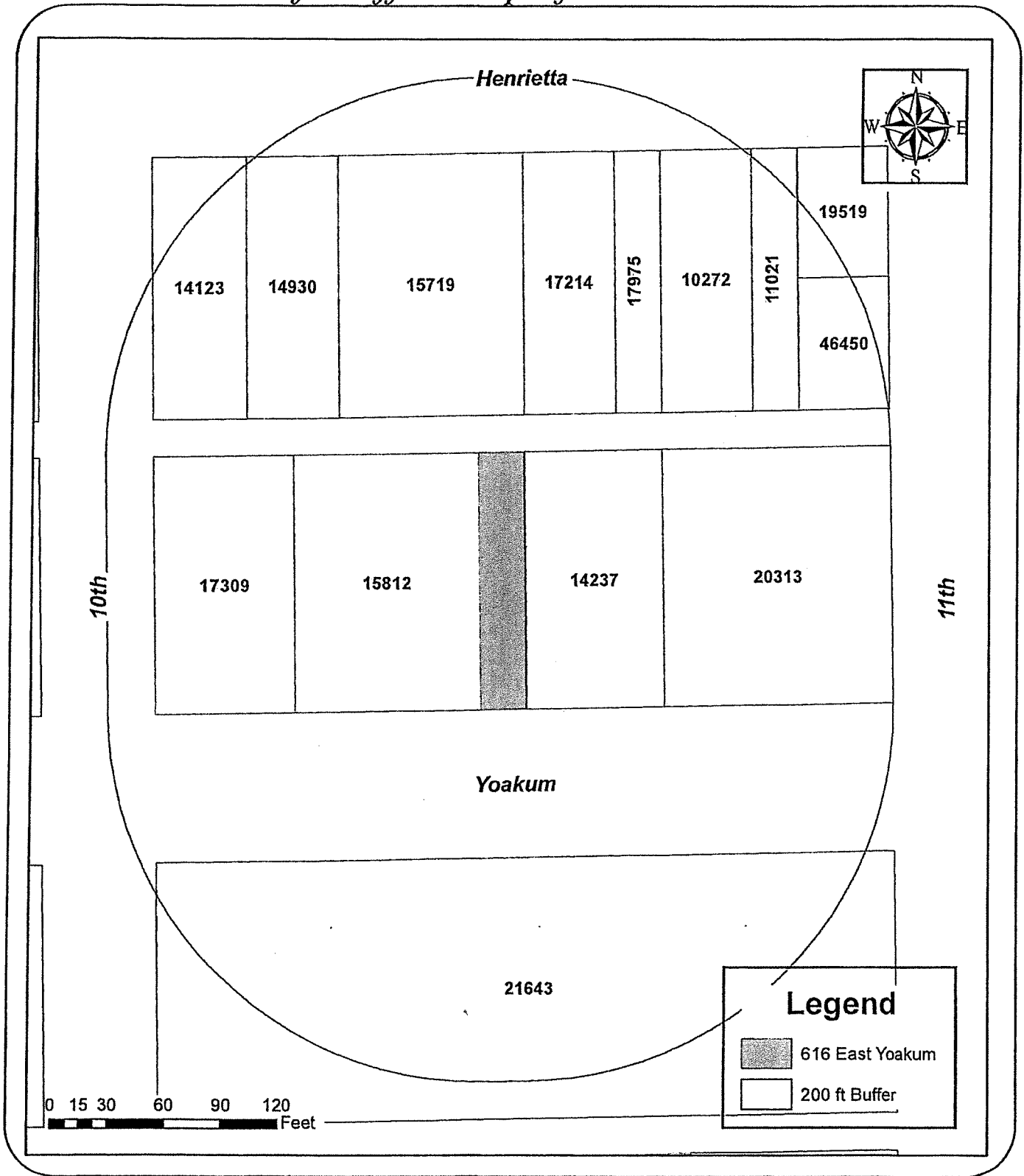
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature _____ Date: _____

Property Owner's Signature Tiyet Pineda Date: 1/06/2022

Accepted by: _____ Date: _____

200 ft Buffer Map of 616 East Yoakum



Document Path: C:\Users\sresendez\Desktop\GISMaps\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: 1/21/2022		
	Note:		

N/A
#14123

ALEGRIA MARTHA C
603 1/2 E HENRIETTA AVE
KINGSVILLE, TX 78363-4643
#14930

SUAZO FRANCISCO
615 E AVE A
KINGSVILLE, TX 78363
#15719

DOHERTY REVOCABLE TRUST
RAYMOND L DOHERTY (TR)
PO BOX 10301
HOUSTON, TX 77206
#17214

CANALES JOSE E EST
625 E HENRIETTA AVE
KINGSVILLE, TX 78363-4643
#17975, 10272

VILLARREAL JOSEPH RAMOS
627 E HENRIETTA AVE
KINGSVILLE, TX 78363-4643
#11021

ESTRADA SAN JUANA
228 N CR 1026
KINGSVILLE, TX 78363
#19519, 46450, 20313

ARCE HILARIO ESTATE
% ALONZO D ARCE
4219 SPIRAL CRK
SAN ANTONIO, TX 78238-3617
#17309

SAENZ MARGARITA SALINAS
560 N COUNTY ROAD 1050
KINGSVILLE, TX 78363-8833
#15812

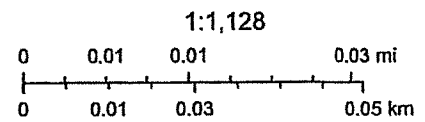
SILGUERO JOSE ROBERTO
509 E AVE D
KINGSVILLE, TX 78363-3815
#14237

KRUEGER MICHAEL J
PO BOX 1538
KINGSVILLE, TX 78364-1538
#21643

616 E Yoakum



January 10, 2022



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

Kleberg CAD

Property Search > 23377 PINEDA TUYET for Year 2022

Tax Year: 2022 - Values not available

Property

Account

Property ID:	23377	Legal Description:	6TH, BLOCK 9, LOT 25
Geographic ID:	100800925000192	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	616 E YOAKUM	Mapsco:	
Neighborhood:		Map ID:	C1
Neighborhood CD:			

Owner

Name:	PINEDA TUYET	Owner ID:	55723
Mailing Address:	ETAL 8526 PEGASUS DR SELMA, TX 78154-3420	% Ownership:	100.000000000000%

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	

RESIDENTIAL USE

Lot Size	R1	R2	R2A	R3	R4	MH	Ag
Minimum lot area, sq.ft.	5,500	2,500	2,000 ⁴	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq.ft.	5,500	2,500	2,000	1,000	1000	3,000	10 acres
Minimum open space per unit, sq. ft.	0	0		4,001	4,001	0	0
Minimum lot width, ft. (measured at the setback line)	50	25	15	50	50	25	300
<i>Setback; Lots</i>							
Principal Uses:							
Front yard, ft.	20	20	20 ⁵	20	20	20	
Side yard (interior), ft.	5	5	5	5	5	5	
Side yard (on street), ft.	10	10	5	10	10	10	10
Rear yard, ft.	10	10	5 ⁵	10	10	10	
Accessory Uses:							
Front yard, ft.	20	20	20	20			

RESIDENTIAL USE							
Lot Size	R1	R2	R2A	R3	R4	MH	Ag
⁵ The front 20 feet setback can be used for parking and the front porch and the rear yard setback can be used for a porch.							

News

KISD schools get good financial report at meeting

At Tuesday night's KISD Board meeting, the school board received good news in reference to the financial state of the district.

For the Fiscal Year ending

August 31, 2021, Kingsville ISD's General Fund showed a Fund Balance increase of \$2,730,210, which gives an ending Fund Balance of \$9,938,388.

"We attribute the healthy fund balance to the mindset of 'controlling what we can control'" said Dr. Cissy Reynolds Perez, KISD Superintendent of Schools.

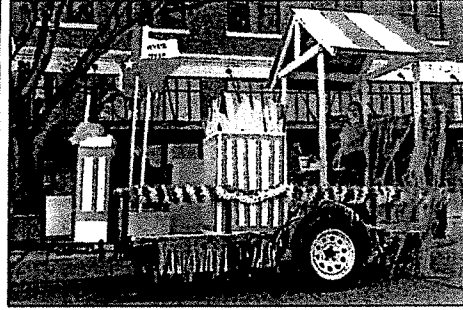
"Our plan focused on things such as conservative revenue projections, conservative budgeting, effective management of expenditures, eliminated

wasteful spending of the past, and vigorously pursued grant applications that were successfully awarded. With the continued support of the Board, Kings-

ville ISD will continue to diligently monitor all factors affecting district funds in order to remain competitive with salaries and improve district facilities."

Parade

CONTINUED FROM PAGE 1



PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, February 16, 2022 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: Lauri Ramirez, applicant; Tuiyet Pineda, owner; requesting the rezoning of 6th, BLOCK 9, LOT 25 also known as 616 East Yorkum, Kingsville, Texas, from C2 (Retail) to R2A (Tiny Home). The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, February 28, 2022 at 5:00 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard: Lauri Ramirez, applicant; Tuiyet Pineda, owner; requesting the rezoning of 6th, BLOCK 9, LOT 25 also known as 616 East Yorkum, Kingsville, Texas, from C2 (Retail) to R2A (Tiny Home). The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.





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CASA R.E.A.L. III
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Benavides, TX
(361) 256-3110



CASA R.E.A.L. IV
1001 S. Tovar
San Diego, TX
(361) 279-8318



CASA R.E.A.L. V
700 Jeff Cowley
Freer, TX
(361) 394-7661



Casa De Paz
1200 W. Corral
Kingsville, TX
(361) 595-5700



Los Anos De Oro
1220 W. Kenedy
Kingsville, TX
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ORDINANCE #2022-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 6TH, BLOCK 9, LOT 25, ALSO KNOWN AS 616 E. YOAKUM, KINGSVILLE, TEXAS, FROM C2 (RETAIL DISTRICT) TO R2A (TINY HOME 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 Lauri Ramirez, applicant for owner Tuyet Pineda, 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, February 16, 2022 during a meeting of the Planning and Zoning Commission, and on Monday, February 28, 2022 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was APPROVED with a 4-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 6th, Block 9, Lot 25, also known as 616 E. Yoakum, Kingsville, Texas, from C2-Retail District to R2A-Tiny Home 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 28th day of February, 2022.

PASSED AND APPROVED on this the 14th day of March, 2022.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

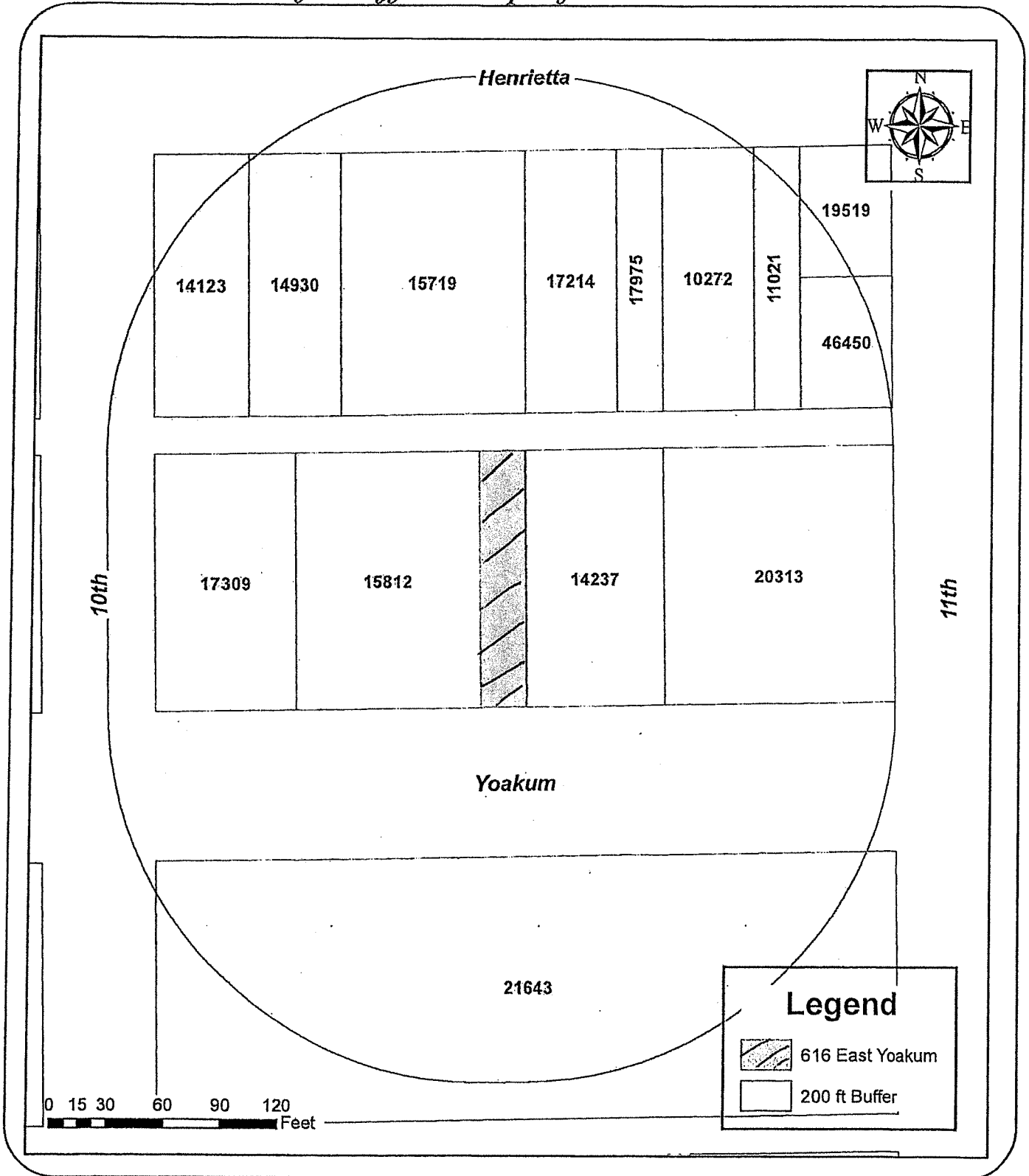
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

200 ft Buffer Map of 616 East Yoakum



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

Page 1/1	Drawn By: Planning Department	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 1/21/2022		
	Note:		

AGENDA ITEM #2

February 17, 2022

To: Mark McLaughlin, City Manager

From: Susan Ivy, Director of Parks & Recreation

Re: Request for Agenda Item – Scoreboard Sponsorships

.....

Summary – We have received commitments from First Community Bank and Texas Community Federal Credit Union to Sponsor Scoreboards on two Baseball fields in Dick Kleberg Park in the amount of \$10,000.00 each.

History – Park Department solicited scoreboard sponsorships for scoreboards on two baseball fields and one softball field in Dick Kleberg Park. The funds are to be used to assist with the renovations of the fields. The two baseball fields have been committed by First Community Bank and Texas Community Federal Credit Union. The sponsors have the choice of paying in full or paying out \$2,000 per year for 5 years which is the term of the sponsorship. The agreements are attached. We are still soliciting for the one at the softball complex.

Financial impact : These sponsorships will increase revenue to assist with field renovations by \$20,000.00.

We ask that Commission approves the receipt of the sponsorships and the associated budget amendment.

License Agreement between the City of Kingsville, Texas and First Community Bank

to allow Placement of Licensed Signs at __DKP Baseball Field #6__

This License Agreement is entered into by and between The City of Kingsville, Texas, a Texas municipal corporation (hereinafter called "City"), and __First Community Bank__ (hereinafter called "Licensee"), granting a non-exclusive right to Licensee to place the "Licensed Signs" at the __DKP Baseball Field #6__ location depicted on Exhibit "A", (hereinafter known as the "Licensed Premises") subject to the following conditions:

1. **Placement of Signs.** In exchange for a Fee of __\$10,000.00__, the City or entity acting with the City's permission will erect one Licensed Sign at the aforementioned Location. The City will affix one sign (10' x 2') as depicted in Exhibit "B") to the scoreboard for this particular _DKP Baseball Field #_6_ as identified in Exhibit "A"— The City will purchase and install the initial sign to be attached to the scoreboard. In the event of failure of the affixing mechanisms due to natural or human elements in the park, Parks Department staff will re-affix the sign and place it as it was originally.
2. **Replacement or Repair of Damaged Signs.** This license shall not permit Licensee to replace or modify the Licensed Signs. If either sign is damaged in a manner that causes it to become dangerous, the City's Director of Parks and Recreation may remove the sign.
3. **Term.** This license shall be for a term of 5-years from _Date of Signing_ unless terminated earlier in accordance with the requirement of the City. The City may terminate this License Agreement at any time prior to the expiration of the aforementioned term, with or without cause, without penalty or damages by sending or delivering Notice of Termination to First Community Bank, or posting such Notice of Termination on the Licensed Premises. Upon early revocation by the City, the City will repay Licensee the unused portion of the Fee on a pro-rata basis. This Agreement does not operate to confer on, or vest in Licensee any title, interest, or estate in the Licensed Premises. The Licensee may pay all of contract amount at signing of this agreement or may choose to pay in five (5) annual installments of \$2,000.00 each. The first installment will be due at signing and the remainders will be due on the anniversary date of signing and will be billed by City. Failure to pay installments will result in default of this agreement and the Licensed Sign will be removed and another sponsor will be solicited.
4. **Indemnity & Liability.** The Licensee agrees to release, hold harmless, defend and indemnify the City and the City's officers, agents, and employees from and against any and all claims, causes of action, liabilities, or damages arising from or related to the placement or presence of the Licensed Signs on the Licensed Premises. This indemnity and defense obligation shall include all attorneys' fees, courts costs, expert fees, or other costs associated with the defense of any indemnified claim, cause-of-action, liability, or damage. Licensee expressly agrees to release, defend, indemnify and hold harmless the City and the City's officers, agents, and employees in accordance with this clause regardless of whether the injury or damage is caused in whole or in part by the acts or omissions, including negligence, of the City or the City's officers, agents or employees or any condition of the City's property.
5. **Governmental purpose.** It is the parties' intent that the _DKP Baseball Field #_6_ will continue to be considered a park facility, a convention center, a museum, a recreational facility and/or other governmental activity. No part of this understanding is intended to transform any of the DKP Baseball Field #_6_ or any operations thereon into a proprietary activity, and the City intends the _DKP Baseball Field #_6_ to be continuously operated only as a governmental activity for purposes of Tex. Civ. Prac. & Rem. Code 101.0215.

6. **Assignment.** The rights granted in this agreement are not assignable without the consent of the City. This contract has no third-party beneficiaries, and no entity other than the City and the Licensee shall have any rights with respect to the Licensed Signs.
7. **Venue.** This agreement is performable and is to be governed by the law applicable in Kleberg County, Texas. Venue for any action arising under the agreement shall be in Kleberg County, Texas.

Executed this, the ____ day of _____, 2022

Licensor: City of Kingsville

Licensee: _____

Mark McLaughlin, City Manager

(Signature)
(Printed Name & Title)

(seal)

Attest:

Witness:

Mary Valenzuela, City Secretary

Signature

Form Approved:

Name & Title (Printed)

Courtney Alvarez, City Attorney

Attached Exhibits: "A" Location of Field

License Agreement between the City of Kingsville, Texas and Texas Community Federal Credit Union

to allow Placement of Licensed Signs at __DKP Baseball Field #4__

This License Agreement is entered into by and between The City of Kingsville, Texas, a Texas municipal corporation (hereinafter called "City"), and __Texas Community Federal Credit Union, (hereinafter called "Licensee"), granting a non-exclusive right to Licensee to place the "Licensed Signs" at the __DKP Baseball Field #4__ location depicted on Exhibit "A", (hereinafter known as the "Licensed Premises") subject to the following conditions:

1. **Placement of Signs.** In exchange for a Fee of __\$10,000.00_____, the City or entity acting with the City's permission will erect one Licensed Sign at the aforementioned Location. The City will affix one sign (10' x 2') as depicted in Exhibit "B") to the scoreboard for this particular _ DKP Baseball Field #_4_____ as identified in Exhibit "A".— The City will purchase and install the initial sign to be attached to the scoreboard. In the event of failure of the affixing mechanisms due to natural or human elements in the park, Parks Department staff will re-affix the sign and place it as it was originally.
2. **Replacement or Repair of Damaged Signs.** This license shall not permit Licensee to replace or modify the Licensed Signs. If either sign is damaged in a manner that causes it to become dangerous, the City's Director of Parks and Recreation may remove the sign.
3. **Term.** This license shall be for a term of 5-years from _Date of Signing_ unless terminated earlier in accordance with the requirement of the City. The City may terminate this License Agreement at any time prior to the expiration of the aforementioned term, with or without cause, without penalty or damages by sending or delivering Notice of Termination to First Community Bank, or posting such Notice of Termination on the Licensed Premises. Upon early revocation by the City, the City will repay Licensee the unused portion of the Fee on a pro-rata basis. This Agreement does not operate to confer on, or vest in Licensee any title, interest, or estate in the Licensed Premises. The Licensee may pay all of contract amount at signing of this agreement or may choose to pay in five (5) annual installments of \$2,000.00 each. The first installment will be due at signing and the remainders will be due on the anniversary date of signing and will be billed by City. Failure to pay installments will result in default of this agreement and the Licensed Sign will be removed and another sponsor will be solicited.
4. **Indemnity & Liability.** The Licensee agrees to release, hold harmless, defend and indemnify the City and the City's officers, agents, and employees from and against any and all claims, causes of action, liabilities, or damages arising from or related to the placement or presence of the Licensed Signs on the Licensed Premises. This indemnity and defense obligation shall include all attorneys' fees, courts costs, expert fees, or other costs associated with the defense of any indemnified claim, cause-of-action, liability, or damage. Licensee expressly agrees to release, defend, indemnify and hold harmless the City and the City's officers, agents, and employees in accordance with this clause regardless of whether the injury or damage is caused in whole or in part by the acts or omissions, including negligence, of the City or the City's officers, agents or employees or any condition of the City's property.
5. **Governmental purpose.** It is the parties' intent that the _DKP Baseball Field #_4_ will continue to be considered a park facility, a convention center, a museum, a recreational facility and/or other governmental activity. No part of this understanding is intended to transform any of the DKP Baseball Field #_4_____ or any operations thereon into a proprietary activity, and the City intends the _DKP Baseball Field #_4_ to be continuously operated only as a governmental activity for purposes of Tex. Civ. Prac. & Rem. Code 101.0215.

6. **Assignment.** The rights granted in this agreement are not assignable without the consent of the City. This contract has no third-party beneficiaries, and no entity other than the City and the Licensee shall have any rights with respect to the Licensed Signs.
7. **Venue.** This agreement is performable and is to be governed by the law applicable in Kleberg County, Texas. Venue for any action arising under the agreement shall be in Kleberg County, Texas.

Executed this, the ____ day of _____, 2022

Licensor: City of Kingsville

Licensee: _____

Mark McLaughlin, City Manager

(Signature)
(Printed Name & Title)

(seal)

Attest:

Witness:

Mary Valenzuela, City Secretary

Signature

Form Approved:

Name & Title (Printed)

Courtney Alvarez, City Attorney

Attached Exhibits: "A" Location of Field

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT SCOREBOARD SPONSORSHIP DONATIONS FROM TEXAS COMMUNITY FEDERAL CREDIT UNION AND FIRST COMMUNITY BANK.

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 #16

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues-4</u>					
4513	Parks	Donations	58003	\$20,000.00	

[To amend the City of Kingsville FY 21-22 Budget to accept scoreboard sponsorship donations from Texas Community Federal Credit Union and First Community Bank. Funding from the Texas Parks and Wildlife Grant paid for the purchase of the scoreboards.]

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 28th day of February 2022.

PASSED AND APPROVED on this the 14th day of March 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

P. O. BOX 1458 - KINGSVILLE, TEXAS 78364



Date: February 16, 2022

To: City Commission via City Manager Mark McLaughlin

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

From: Janine Reyes, Director of Tourism Services

Summary: The Tourism Department is currently planning the Meet the Blues event in conjunction with the 2022 Wings Over South Texas Air Show. The Meet the Blues event will feature an opportunity for visitors and community members to meet the Blue Angels and other Air Show Performers ahead of the weekend's Air Show.

Background: The City of Kingsville has traditionally hosted a Meet the Blues event ahead of the Air Show and in 2016 the planning committee decided to honor a segment of the military community by seeking out nominations for Vietnam Veterans to be honored. In 2018 the committee honored Women Veterans and in 2022, the committee has decided to honor Military Medical; both active duty and retired will be honored. A nomination form has been uploaded to the Tourism website and is being distributed throughout the Rio Grande Valley and Coastal Bend regions. The Meet the Blues the event is scheduled for Friday, April 1, 2022.

Financial Impact: Tourism Department has priced commemorative coins. An order of 250 coins will cost approximately \$1,045 plus shipping. Proof is attached. In order to offset that cost, Christus Spohn-Kleberg has agreed to sponsor the event with a \$1,200 donation.

Recommendation: Staff recommends accepting the donation from Christus Spohn-Kleberg for the Meet the Blues event.





ARTWORK PROOF

Corey
CC22-2657

Phone: (800) 464-3936 Phone: (479) 300-6160 Fax: (479) 300-6173 Hogeye Inc. 4148 MLK Blvd., Suite 1 Fayetteville, AR 72704

CLIENT: City of Kingsville, TX

ARTIST

DATE: 02-11-2022

Angela

PANTONE COLORS

- ☐ 1. White
- ☒ 2. Red (185C)
- ☒ 3. Dark Red (187C)
- ☒ 4. Blue (2748C)
- ☒ 5. Navy (2768C)
- ☐ 6. Yellow (107C)
- ☒ 7. Logo (Blue 072C)

Some effects such as Antique, Glitter and/or Transparent color may vary from artist's rendering. Computer monitors and printers may display colors differently from the finished product. Please refer to the Pantone Solid Color Guide for accurate color swatches.

Text Card ☐ yes ☐ no
Please provide text and image.

Barcode ☐ yes ☐ no
Please provide resale price.

Packaging

☒ Poly Zip ☐ Hang Hole
Special Packing Instructions:

METAL COIN

STYLE: DIE STRUCK

METAL: POLISHED SILVER

2 Inch (Shown Actual Size)



Front side



Back side

ENLARGED TO SHOW DETAIL



X _____
Sign and date for artwork approval

Please review proof carefully. Make sure to check spelling, punctuation, and numbers. Please check the correct use of pantone colors, logos, and company brand standards. Please make sure dimensions match your specifications. Changes made after approval may be subject to additional charges.



The attached artwork design is the property of HOG EYE, INC. or its client and is protected under United States and International copyright laws. Any reproduction or use of this artwork design without the express written consent of HOG EYE INC., or its client is a violation.

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND THE DONATION FROM CHRISTUS SPOHN KLEBERG FOR AIRSHOW PROMOTIONAL ITEMS.

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#15

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 002 - Tourism					
<u>Revenues - 4</u>					
1070	Tourism	Donations	72030	\$1,200	
<u>Expenditures - 5</u>					
1071	Tourism	Promotional Items	23200	\$1,200	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend the donation from Christus Spohn-Kleberg for the Meet the Blues airshow promotional items. Funding will come from the donation received.]

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 28th day of February 2022.

PASSED AND APPROVED on this the 14th day of March 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #4

March 2, 2022

To: Mark McLaughlin, City Manager

From: Susan Ivy, Director of Parks & Recreation



Re: Request for Agenda Item – Request to accept and record donations from Parks Youth Pony League Sponsors

.....

Summary – We are requesting Commission to accept and record donations received from Kingsville Parks Youth Pony League Team Sponsors.

History - Each year the league solicits team sponsors to assist with the purchase of equipment, uniforms and other league expenses. The Sponsors' names are displayed on the back of each team member and coach's uniform shirt. They are recognized on social media, on a banner at the games and are awarded a plaque of appreciation at closing ceremonies. This year the league has approximately 600 players and 52 teams. We have a total of \$11,600.00 collected to date and anticipate completing the collection by the end of next week. We will bring the remaining collections to the next meeting.

Financial impact – These funds will increase league Donation Revenue by \$11,600 and the associated budget amendment will allow for the use of the funds to be distributed \$6000.00 to uniforms and \$5600 to equipment line items within the 4514 League budget.

We ask that you accept and record these donations through the associated agenda item for the budget amendment.

City of Kingsville Donations Boy's League

<u>Name</u>	<u>Company</u>	<u>Donation</u>	<u>Team Sponsor</u>	<u>Receipts #</u>
Lisa & Christopher Sprenger	Cowboys Church	300.00 Ck# 1981	Vaqueros 8 U	Receipt # 098711
Ernesto Lopez	Ernie's Lawn Care	300.00 Ck# 2016	Braves 6U	Receipt # 098712
Briana Polhemus	Polhemus Construction LLC	300.00 Cash	Javelinas 10u	Receipt # 098730
Cesar Silva	S & C Parts Co.	300.00 Ck # 9597	Bulls 6 U	Receipt # 098731
Truly Faded Barber Shop	Truly Faded Barber Shop	Cash 100.00	Red Socks 10 u	098758
Tx Heat BBQ	Tx Heat BBQ	Cash 300.00	Pirates 6u	098759
Larry Ochoa	Shortys LLC	300.00 Ck# 004627	4u Lil Hooks	Receipt# 098739
Orlando	The Garage Drive Thua	300.00 Ck# 001121	10 u Rangers	Receipt# 098740
Sal Garcia	The Cherry Tree Room	300.00 Ck# 5852	8u Texas	Receipt# 098741
Deanne Boelter	Deanne Boelter	100.00 Ck# 751	4u Bulls additional sponsor	Receipt# 098742
Alfredo Hernandez	Lone Star Barber Shop	100.00 Ck# 1807	10 U Blue Angels	Receipt# 098743
On The Spot Appliance Repair	On The Spot Appliance Repair	300.00 Ck# 1088	6u Astros	Receipt# 098744
Amy Gonzales	Amy Gonzales Farmers Insurance	300.00Ck#1323	4 u Rangers	Receipt# 098746
Christian Pineda	The Law Offices of Christian Pineda	300.00 Ck#105	8u Javelinas	098749
HK Skid Steer Services	HK Skid Steer Services	Cash 300.00	4u Bulls	098750
Amaya Welding	Amaya Welding	300.00Ck#128598	4u Invaders	098751
Lone Star Ranch & Rehabilitation	Lone Star Ranch & Rehabilitation	Cash 300.00	6u Tigers	098754
ROGER UTLEY	VENTOS POWER PLUS	CREDIT CARD 300.00	12U Javelinas	1001928
Ramon Gonzalez	Ramon Gonzalez	Cash 300.00	6u Dodgers	098763
Silva's Construction, LLC	Silva's Construction, LLC	500.00 Ck# 300	Kingsville Brahmas 12 u	098764
G&E Tools and Equipment	G&E Tools and Equipment	300.00ck1027	Lil Hoggie 4 u	098765
East Foundation	East Foundation	300.00 ck#3912	Hooks 6u	098767
FUGATE	FUGATE Law Firm	500.00	BANDITS	
TOTAL		6400.00		



SPONSORSHIP OPPORTUNITIES

Kingsville Park's Youth Pony League is seeking Team and League Sponsors for the 2022 Spring Season. Levels of sponsorships and package offers are as follows:

These funds will be used for league equipment and expenses.

Home Run Sponsor: \$500.00

Sponsor will receive team sponsorship (name on team shirt), Introduction on Social media, Opening and Closing Ceremonies and 1st level inclusion on sponsor board at boys or girls complex.

Team Sponsor: \$300.00

Sponsor will receive recognition on social media, business name on team shirts and Introduction at opening and closing ceremonies. And 2nd level inclusion on sponsor board at boys or girls complex.

Base Hitter: \$100.00

Sponsor will receive recognition on social media and at opening and closing ceremonies.

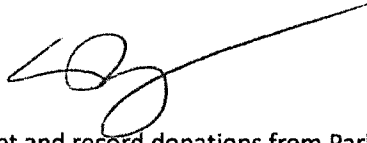
Checks should be payable to City of Kingsville. Tax Deductible Donation. For more information contact Park Office at 361-221-8705

AGENDA ITEM #5

March 2, 2022

To: Mark McLaughlin, City Manager

From: Susan Ivy, Director of Parks & Recreation



Re: Request for Agenda Item – Request to accept and record donations from Parks Youth Pony League Sponsors

.....

Summary – We are requesting Commission to accept and record donations received from Kingsville Parks Youth Pony League Team Sponsors.

History - Each year the league solicits team sponsors to assist with the purchase of equipment, uniforms and other league expenses. The Sponsors' names are displayed on the back of each team member and coach's uniform shirt. They are recognized on social media, on a banner at the games and are awarded a plaque of appreciation at closing ceremonies. This year the league has approximately 600 players and 52 teams. We have a total of \$11,600.00 collected to date and anticipate completing the collection by the end of next week. We will bring the remaining collections to the next meeting.

Financial impact – These funds will increase league Donation Revenue by \$11,600 and the associated budget amendment will allow for the use of the funds to be distributed \$6000.00 to uniforms and \$5600 to equipment line items within the 4514 League budget.

We ask that you accept and record these donations through the associated agenda item for the budget amendment.

City of Kingsville Donations Boy's League

<u>Name</u>	<u>Company</u>	<u>Donation</u>	<u>Team Sponsor</u>	<u>Receipts #</u>
Lisa & Christopher Sprenger	Cowboys Church	300.00 Ck# 1981	Vaqueros 8 U	Receipt # 098711
Ernesto Lopez	Ernie's Lawn Care	300.00 Ck# 2016	Braves 6U	Receipt # 098712
Briana Polhemus	Polhemus Construction LLC	300.00 Cash	Javelinas 10u	Receipt # 098730
Cesar Silva	S & C Parts Co.	300.00 CK # 9597	Bulls 6 U	Receipt # 098731
Truly Faded Barber Shop	Truly Faded Barber Shop	Cash 100.00	Red Socks 10 u	098758
Tx Heat BBQ	Tx Heat BBQ	Cash 300.00	Pirates 6u	098759
Larry Ochoa	Shortys LLC	300.00 CK# 004627	4u Lil Hooks	Receipt# 098739
Orlando	The Garage Drive Thua	300.00 CK# 001121	10 u Rangers	Receipt# 098740
Sal Garcia	The Cherry Tree Room	300.00 CK# 5852	8u Texas	Receipt# 098741
Deanne Boelter	Deanne Boelter	100.00 CK# 751	4u Bulls additional sponsor	Receipt# 098742
Alfredo Hernandez	Lone Star Barber Shop	100.00 CK# 1807	10 U Blue Angels	Receipt# 098743
On The Spot Appliance Repair	On The Spot Appliance Repair	300.00 CK# 1088	6u Astros	Receipt# 098744
Amy Gonzales	Amy Gonzales Farmers Insurance	300.00CK#1323	4 u Rangers	Receipt# 098746
Christian Pineda	The Law Offices of Christian Pineda	300.00 Ck#105	8u Javelinas	098749
HK Skid Steer Services	HK Skid Steer Services	Cash 300.00	4u Bulls	098750
Amaya Welding	Amaya Welding	300.00Ck#128598	4u Invaders	098751
Lone Star Ranch & Rehabilitation	Lone Star Ranch & Rehabilitation	Cash 300.00	6u Tigers	098754
ROGER UTLEY	VENTOS POWER PLUS	CREDIT CARD 300.00	12U Javelinas	1001928
Ramon Gonzalez	Ramon Gonzalez	Cash 300.00	6u Dodgers	098763
Silva's Construction, LLC	Silva's Construction, LLC	500.00 CK# 300	Kingsville Brahmas 12 u	098764
G&E Tools and Equipment	G&E Tools and Equipment	300.00ck1027	Lil Hoggie 4 u	098765
East Foundation	East Foundation	300.00 ck#3912	Hooks 6u	098767
FUGATE	FUGATE Law Firm	500.00	BANDITS	
TOTAL		6400.00		

City of Kingsville Donations Girls's League

<u>Name</u>	<u>Company</u>	<u>Donation</u>	<u>Team Sponsor</u>	<u>Receipts #</u>
Jessica Vasquez	Victor's Water Well	300.00 Ck# 198	4u Lil Butterflies	098738
Texas Rides	Texas Rides	Cash 300.00	10 u Stingers	098747
Ricardo Ranch & Feed LLC	Ricardo Ranch & Feed LLC	300.00 Ck#1125	6u Charlies Angels	098748
South Point Rentals	South Point Rentals	300.00 ck# 1003	8u Girls (Pumas)	098752
Third Coast Recovery	Third Coast Recovery	Cash 500.00	4u Lil Chaos	098753
Charlie's Air Conditioning	Charlie's Air Conditioning	300.00 Ck#1105	10u Lil Stars	098755
JSM Welding & Construction	JSM Welding & Construction	300.00Ck#005000	8u Blue Jays	098756
Texas Visiting Nurse Service	Texas Visiting Nurse Service	300.00 Ck# 226540	Lil Hoggies	098757
Hector Rivas	Sixth Street Crossfit	300.00 ck#207	10 u Ball Hogs	098733
Roberson Funeral Home	Roberson Funeral Home	300.00 Ck#10900	12u Ball Hogs	098732
Rocky Dominquez Jr.	Kingdom Mattress & Furniture	300.00 ck#4226	8u Black Mambas	098760
	4J Construction/Lunar Designs	300.00 cash	4u Lil' Vipers	098761
Norma Jean Garza-Govea	The Govea's	300.00 ck#1233	Pink Stallions 6u	098762
Roger Utley	VENTOS POWER PLUS	300.00 w credit card	6u Texas Tornados	1001928
R. LOERA TRUCKING	R. LOERA TRUCKING	300.00 CK# 7500	12U ICE BREAKERS	098766
PKM Roofing Services	PKM Roofing Services	Cash 300.00	4u Lil Peaches	098768
Neeseen Chevrolet	Neeseen Chevrolet	300.00	14 ugirls	
TOTAL		5,200.00	OVERALL TOTAL	11,600.00



SPONSORSHIP OPPORTUNITIES

Kingsville Park's Youth Pony League is seeking Team and League Sponsors for the 2022 Spring Season. Levels of sponsorships and package offers are as follows:

These funds will be used for league equipment and expenses.

Home Run Sponsor: \$500.00

Sponsor will receive team sponsorship (name on team shirt), Introduction on Social media, Opening and Closing Ceremonies and 1st level inclusion on sponsor board at boys or girls complex.

Team Sponsor: \$300.00

Sponsor will receive recognition on social media, business name on team shirts and Introduction at opening and closing ceremonies. And 2nd level inclusion on sponsor board at boys or girls complex.

Base Hitter: \$100.00

Sponsor will receive recognition on social media and at opening and closing ceremonies.

Checks should be payable to City of Kingsville. Tax Deductible Donation. For more information contact Park Office at 361-221-8705

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND DONATIONS RECEIVED FROM KINGSVILLE PARKS YOUTH PONY LEAGUE TEAM SPONSORS FOR THE PURCHASE OF EQUIPMENT, UNIFORMS AND OTHER LEAGUE EXPENSES.

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 #17

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues-4</u>					
4514	League	Softball League Donations	58003	\$11,600	
<u>Expenditures-5</u>					
4514	League	Uniforms	21200	\$6,000	
4514	League	Minor Equipment	21700	\$5,600	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend donations from Kingsville Parks Youth Pony League Team Sponsors. Funding will come from the donations received.]

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 10th day of March 2022.

PASSED AND APPROVED on this the 28th day of March 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

**City of Kingsville
Engineering Dept.**

Change Order #2

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: March 10, 2022

SUBJECT: Consider Approving Change Order #2 and Performance Statement Modification No. 3 for 2021 Downtown Improvements – 7th Street for the Texas Community Development Block Grant (TXCDBG) Contract Number 7219192.

Summary:

Change Order No. 2 (TDA form A505) is needed to extend the contract time on the project. 96 days will be added to the contract. The decorative pedestrian streetlights were ordered, and delivery was delayed from February 18, 2022, to March 4, 2022. The attached contractor's estimated completion date is April 1, 2022, weather permitting. This change order allows two (2) weeks past the contractor's date of complete with a project completion date of April 15, 2022.

Included is a Performance Statement Modification No. 3 (TDA form A1101) regarding the additional contract days required by the state along with a Project Area Map.

Background:

The project should have been completed on January 9, 2022, but there have been weather delays and the contractor was asked to stop working because of downtown events for example the HM King homecoming game, Wine Walk events, Veteran's Day Parade and La Posada Parade. Notice to Proceed was issued July 13, 2021, with 6 months to complete the project.



**City of Kingsville
Engineering Dept.**

Financial Impact:

There is no financial impact.

Recommendation:

Staff recommends approving Change Order No.2 to the construction contract between the City and Contractor and Performance Statement Modification No. 3.

Attachments:

Performance Statement Modification No. 3
Revised Project Schedule – Etech Construction
TxCDBG Contract Amendment/Modification Request – TDA Form A1101
Project Area Map
Construction Contract Change Order - TDA Form A505





Construction Contract Change Order

A505

Grant Recipient: City of Kingsville Select: ☒ City ☐ County
Contract No.: 7219192 Change Order No.: 2 Region: CBCOG

Contractor:

Etech Construction, Inc.
P.O. Box 690504
San Antonio, TX 78269

Engineer:

City of Kingsville - Engineering Dept.
P.O. Box 1458
400 W. King Ave.
Kingsville, TX 78364

Select Change Order Type(s): ☐ Change to Existing Line Items ☐ New Items Requested ☒ Change in Contract Duration

Change in Contract Duration

Provide explanation below (attach separate documentation as necessary).

The City of Kingsville requests an extension of the construction contract for the Etech by eighty three (83) days. The project was granted an emergency grant contract extension in order to complete construction that was delayed because of unforeseen materials delays from the manufacturer. The City requests an extension of the construction contract to 4/15/2022 so that the associated remaining work can be completed.

Original Contract End Date: 12/20/2021
Net change of previous Change Orders (days): 22
Increase/Decrease of this Change Order (days): 96
Change Order Contract End Date: 4/15/2022

Justification for Change

	Increase	Decrease	No Change
1. Effect of this change on scope of work:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Effect on operation and maintenance costs:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Yes	No	Not Applicable
3. Will this Change Order change the number of beneficiaries or TxCDBG contract Performance Statement Exhibit A?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Is the TCEQ clearance still valid?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Are other TxCDBG contractual special condition clearances still valid?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. If new items are included that were not included in the competitive bid, have the prices been determined to be reasonable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Change Order Summary

Original Contract Price:	<input type="text" value="\$326,164.75"/>	Original Contract End Date:	<input type="text" value="12/20/2021"/>
Net Previous Change Order(s):	<input type="text" value="\$17,320.00"/>	Net change of previous Change Orders (days):	<input type="text" value="22"/>
This Net Change Order:	<input type="text"/>	Increase/Decrease of this Change Order (days):	<input type="text" value="96"/>
New Contract Price:	<input type="text" value="\$343,484.75"/>	Change Order Contract End Date	<input type="text" value="4/15/2022"/>
Cumulative % Change:	<input type="text" value="5.310%"/>		

NOTE: Change orders for an increase of more than 25% will be rejected. The State of Texas considers a change in the construction contract price of greater than 25% to be non-competitive, as other potential bidders did not have the opportunity to bid on the true scope of the project during the procurement process. Grant Recipient must rebid project in the event of an increase greater than 25%.

Grant Recipient Approval (REQUIRED)

Authorized Signature	Date
<input type="text" value="Mark McLaughlin, City Manager"/> Authorized Signatory's Name and Title	

Engineer's Recommendation

Engineer's Signature	Date
<input type="text" value="Rutillio Mora"/> Engineer's Name	

Contractor's Authorization

Contractor's Signature	Date
<input type="text"/> Contractor's Name and Title	

To receive an email copy of the TDA response, provide contact information below

Name	Email	+
		-

For TDA office use only

This Net Change Order:	<input type="text"/>	Increase/decrease of this Change Order (days):	<input type="text" value="96"/>
Net Change Order Approved:	<input type="text"/>	Increase/decrease of this Change Order Approved:	<input type="text"/>
Approved Contract Amount:	<input type="text"/>	Approved Contract Time:	<input type="text"/>

Notes:

Contract Specialist Signature	Date

Director Signature (optional)

Date

Phase IV Sidewalk Improvements

PROJECT NAME

CDBG 7219192 Downtown Improvements-7th St


PROJECT OWNER CONTACT

City of Kingsville

Notice to Proceed

06/23/21

Site Work

 Demo Pouring[illegible]

AGENDA ITEM #7

Performance
Smt. Mod.

**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: March 10, 2022
SUBJECT: Consider Approving Change Order #2 and Performance Statement
Modification No. 3 for 2021 Downtown Improvements – 7th Street for the
Texas Community Development Block Grant (TXCDBG) Contract Number
7219192.

Summary:

Change Order No. 2 (TDA form A505) is needed to extend the contract time on the project. 96 days will be added to the contract. The decorative pedestrian streetlights were ordered, and delivery was delayed from February 18, 2022, to March 4, 2022. The attached contractor's estimated completion date is April 1, 2022, weather permitting. This change order allows two (2) weeks past the contractor's date of complete with a project completion date of April 15, 2022.

Included is a Performance Statement Modification No. 3 (TDA form A1101) regarding the additional contract days required by the state along with a Project Area Map.

Background:

The project should have been completed on January 9, 2022, but there have been weather delays and the contractor was asked to stop working because of downtown events for example the HM King homecoming game, Wine Walk events, Veteran's Day Parade and La Posada Parade. Notice to Proceed was issued July 13, 2021, with 6 months to complete the project.



**City of Kingsville
Engineering Dept.**

Financial Impact:

There is no financial impact.

Recommendation:

Staff recommends approving Change Order No.2 to the construction contract between the City and Contractor and Performance Statement Modification No. 3.

Attachments:

Performance Statement Modification No. 3
Revised Project Schedule – Etech Construction
TxCDBG Contract Amendment/Modification Request – TDA Form A1101
Project Area Map
Construction Contract Change Order - TDA Form A505





TxCDBG CONTRACT AMENDMENT/MODIFICATION REQUEST

A1101

Grant Recipient Name: Kingsville Contract No 7219192 Region CBCOG
Modification No. 3 Start Date 02/01/2020 End Date 4/31/22 Contract Amount \$350,000.00

Check all contract provisions to be amended/modified (additional questions appear for some selections):

- ☒ Exhibit A Performance Statement ☐ Exhibit B Budget ☐ Contract Period (extension) ☐ Special Conditions
☐ Other _____

What changes are proposed for the contract? Correction to description of project, including quantity adjustments

Why are the proposed revisions requested for this contract?

The purpose of Modification No. 3 is to request a correction to the performance statement. After TDA approval of PS Mod 2 and Change Order 1, the City of Kingsville noticed an error on both documents regarding the quantity of street lamps included in the project. However, the map submitted with the PS Mod 2/ Change Order 1 showed the correct number and the correct project locations of the original and the additional street lamps. The original project included 5 street lamps and one of the intentions of PS Mod 2 was to increase this quantity to 6 in order to utilize the remaining grant funds. These changes were approved by TDA. This change will not result in an increase in cost; it is simply an adjustment to the correct quantity. This change will not impact environmental assessment.

Is the contract on hold for non-compliance with audit, monitoring, or programmatic requirements? No TDA concur

For Performance Statement Amendment/Modification Requests

Do the proposed revisions address the same problem identified in the current Performance Statement? (Select One)

Yes, same activity addressing the same problem

Do the proposed revisions change the beneficiaries of the contract? (Select One)

No, the beneficiaries indicated in the Performance Statement are accurate for the proposed project.

Do the proposed revisions change the locations as described in the Performance Statement? (Select One)

No, the locations described in the Performance Statement are accurate.

How significant are the proposed revisions? (Select One)

For project with city-wide benefit: less than 15% change in materials quantities and capacity.

Is a previously conducted Environmental Review still valid? (Select One)

TDA concur

Yes, the Review has been re-evaluated per 24 CFR §58.47 and remains valid.

Are all clearances previously submitted for contract Special Conditions still valid? (Select One)

Yes, the clearances have been re-evaluated and remain valid.

How will the proposed improvements be completed? (Select One)

Will the project be completed by the contract end date? (Select One)

Yes

Original level of environmental review:

Environmental Assessment

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 and §58.6

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	Are formal compliance steps or mitigation required?	Differs from original review?	Compliance Determinations and/or mitigation measures required as a result of project changes (40 CFR 150.2(c))

Required as of September 1, 2020 for all requested changes to TxCDBG contracts.

For additional information on contract changes see TxCDBG Project Implementation Manual Chapter 11

Contamination and Toxic Substances 24 CFR Part §50.3(i) & §58.5(i)(2)	No	No	
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	No	No	
Explosives and Flammable Hazards 24 CFR Part 51 Subpart C	No	No	
Farmlands Protection Farmland Protection Act of 1981, particularly sections 1504 (b) and 1541; 7 CFR Part 658	No	No	
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	No	No	
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	No	No	
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	No	No	

Summary of Findings and Conclusions following Environmental Review Re-Evaluation:

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Responsible Entity

By executing the A1101 Contract Amendment/Modification Request which includes the above listed changes to the Exhibit A Performance Statement, the signatory certifies that he/she is authorized to and, does accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement for all these responsibilities in his/her capacity of certifying officer of the responsible entity.

This signed document and related supporting material must be retained on file by the Responsible Entity in the Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

_____ Signature of Responsible Entity	_____ Date	_____ Printed Name and Title
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Provide any other appropriate information about this request in the space below:

Supporting Documents Attached (if applicable):

- ☐ Revised Exhibit A (using track changes)
- ☐ Revised Exhibit B (using track changes)
- ☐ Resolution and Notice of Public Hearing
- ☐ Engineer's letter
- ☐ Revised Project Map
- ☐ Revised Implementation Schedule
- ☒ Other

Revised performance statement

By my signature, I certify that the above is true and accurate and hereby request the contract change:

Signature of Authorized Signator

Title

Date

Notifications:

Mailing Address

400 W. King Ave., Kingsville, TX 78363

Email Address for Grant Recipient

mayor@cityofkingsville.com

Other Email Address (list address for persons to be included in notification)

mvalenzuela@cityofkingsville.com
rmora@cityofkingsville.com
mmclaughlin@cityofkingsville.com
uecheozo@cityofkingsville.com
aeli.gladstein@grantworks.net

TDA Action:

☐ Notes Attached

Contract Specialist Approval

Management Approval

Date

Date



2020 MAIN STREET IMPROVEMENT 7TH STREET PROJECT AREA MAP

THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF REVIEW
UNDER THE AUTHORITY
OF RUTILIO P. MORA JR
P.E.# 111588
ON 11/08/21
IT IS NOT TO BE USED
FOR ANY OTHER
PURPOSE.



LEGEND

	PROPOSED CONCRETE STEPS
	PROP. SIDEWALK
	PROP. CROSSWALK
	PROP. BULB-OUT
	PROP. DECORATIVE LAMP
	PROP. DRIVEWAY
	PROP. HANDICAP PARKING W/ SIGN
	PROP. ADA RAMP
	PROP. ADA SYMBOL
	PROP. CURBS
	PROP. CURB INLET
	EXISTING LIGHT POST

CHANGE ORDER #1

	PROP. VALLEY GUTTER
	PROP. SIDEWALK DRAIN
	PROP. DECORATIVE LAMP

PROJECT AREA MAP
SCALE: N.T.S.

EXHIBIT A

PERFORMANCE STATEMENT

CONTRACT NUMBER 7219192

CITY OF KINGSVILLE

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The purpose of this Economic Development project is to provide infrastructure in the form of sidewalk activities in the Main Street area designated by the Contractor. The Contractor certifies that the activities carried out under this contract will meet the national objective of aiding in the prevention or elimination of slums or blight.

ACTIVITIES

Sidewalk Activities The "minimum necessary" activities are to consist of approximately six hundred and eighty-eight linear feet (688 l.f.) of sidewalk consisting of, brick pavers, bulb-outs, six hundred fifteen linear feet (615 l.f.) of curb and gutter, construction of ten (10) ADA compliant ramps, pavement repair, one hundred thirty-eight linear feet (138 l.f.) of concrete steps, six (6) concrete curb inlets ninety-five (95) l.f. of 5' wide concrete valley gutter, thirty (30) s.f. of sidewalk drain with steel plate, and drainage pipes, striping, signage, ~~three-six~~ (46) lighting assemblies, and all associated appurtenances. The improvements shall be in the following location(s):

STREET	FROM	TO
7 th Street	Kleberg Avenue	Yoakum Avenue

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

AGENDA ITEM #8

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 23, 2022

SUBJECT: MOU Between, Navy Region Southeast, NAS Kingsville and Kingsville PD regarding Mutual Interests of Law Enforcement

Summary:

The Kingsville Police Department requests to enter into a MOU between Naval Air Station Kingsville (NASK) Security Department and the Kingsville Police Department.

Background:

NASK and KPD recognize that proper administration and discipline of the Armed Forces require that, ordinarily, offenses committed by military personnel be investigated and prosecuted by the military. However, there may be occasions when such offenses would be investigated by Texas authorities. The procedures set forth herein are intended to make the investigation of offenses more expeditious and efficient while giving the appropriate consideration to the requirements of the Armed Forces, the policies of the local government, and other mutual considerations. This agreement does not apply to offenses cognizable only under the Uniform Code of Military Justice, nor does it apply to investigations for administrative or security purposes.

Financial Impact:

Only financial impact would be that incurred as part of working criminal cases and or participating in training exercises of other types of events.

Recommendation:

We request that Chief Torres as the designee of the City Manager be allowed to enter into the MOU. Thank you for your consideration.



RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING THE POLICE CHIEF TO ENTER A MEMORANDUM OF UNDERSTANDING BETWEEN COMMANDER, NAVY REGION SOUTHEAST AND COMMANDING OFFICER, NAVAL AIR STATION KINGSVILLE AND THE KINGSVILLE POLICE DEPARTMENT FOR MUTUAL INTERESTS OF LAW ENFORCEMENT AS IMPLEMENTED BY NAVAL AIR STATION KINGSVILLE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") and Naval Air Station-Kingsville ("NASK") assist each other when able to do so;

WHEREAS, NASK is located on the southeast side of the City in the extra-territorial jurisdiction of the City;

WHEREAS, the Kingsville Police Department has had a longstanding working relationship with NASK and their security staff;

WHEREAS, this Memorandum of Understanding between the City and NASK was last approved in 2017 and is ready for an update;

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

I.

THAT the Kingsville Chief of Police is authorized and directed as an act of the City of Kingsville, Texas to enter a Memorandum of Understanding Between Commander, Navy Region Southeast and Commanding Officer, Naval Air Station Kingsville and the Kingsville Police Department for mutual interests of law enforcement as implemented by Naval Air Station Kingsville in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CNRSE
SERAIL#
DATE

NASK
SERIAL#
DATE

KPD
SERIAL#
DATE

MEMORANDUM OF UNDERSTANDING BETWEEN
COMMANDER, NAVY REGION SOUTHEAST
AND
COMMANDING OFFICER, NAVAL AIR STATION KINGSVILLE
AND
THE KINGSVILLE POLICE DEPARTMENT
FOR
MUTUAL INTERESTS OF LAW ENFORCEMENT
AS IMPLEMENTED BY
NAVAL AIR STATION KINGSVILLE

This is a Memorandum of Understanding (MOU) between Naval Air Station Kingsville (NASK) Security Department and the Kingsville Police Department (KPD). When referred to collectively, NASK and KPD are referred to as the "parties."

1. BACKGROUND: NASK and KPD recognize that proper administration and discipline of the Armed Forces require that, ordinarily, offenses committed by military personnel be investigated and prosecuted by the military. However, there may be occasions when such offenses would be investigated by Texas authorities. The procedures set forth herein are intended to make the investigation of offenses more expeditious and efficient while giving the appropriate consideration to the requirements of the Armed Forces, the policies of the local government, and other mutual considerations. This agreement does not apply to offenses cognizable only under the Uniform Code of Military Justice, nor does it apply to investigations for administrative or security purposes.

2. PURPOSE: The purpose of this memorandum of understanding is to establish a law enforcement partnership between NASK and KPD relating to the following:

- a. The investigation of offenses of potentially mutual interest.
- b. The reporting of offenses and injuries concerning military and government employees of NASK.
- c. Response to civil disturbances on or adjacent to NASK.
- d. Other items of mutual law-enforcement interest.
- e. Use of facilities to support training and equipment.

3. UNDERSTANDING OF THE PARTIES: The parties recognize that Naval Air Station Kingsville is an area of exclusive federal jurisdiction and the Commanding Officer maintains all tactical control over all incidents or his/her designated representative. Nothing in this agreement shall be construed to waive that jurisdiction. Entry onto NASK by KPD shall only be with the prior permission of the Commanding Officer or his designated representative.

a. Investigations. The following principles shall be applied in determining whether NASK or KPD will conduct a particular investigation:

(1) NASK will normally be responsible for the initial investigation of offenses committed on board NASK; however, the investigative resources of KPD may be required to supplement Navy resources. KPD assistance will then be requested and evaluated on a case-by-case basis.

(2) KPD will normally be responsible for the initial investigation of offenses committed outside Naval Air Station Kingsville. However, when it appears that a military member may be subject to prosecution, KPD will inform NASK and offer them the opportunity to enter into the investigation and prosecution.

b. Riots or demonstrations

(1) In the event of riot or demonstrations, NASK Commanding Officer retains the authority to take steps necessary to protect the security of the installation.

(2) If the demonstrators are located adjacent to NASK, KPD shall normally have cognizance over the arrest of the demonstrators if the need arises and KPD officers are present.

(3) KPD shall provide demonstration/riot subject matter experts to represent KPD at any brief hosted by NASK if sufficient time allows coordination of a brief.

(4) If the demonstrators attempt to unlawfully enter Naval Air Station Kingsville, NASK shall, when necessary, detain the demonstrators until they can be turned over to KPD.

(5) KPD assistance onboard Naval Air Station Kingsville will be requested and evaluated on a case-by-case basis.

c. Active Shooter

(1) In the event of an active shooter, NASK Commanding Officer retains the authority to protect the security of the installation.

(2) KPD shall provide appropriately trained and equipped response teams to augment NASK security personnel when available. KPD shall provide Tactical Response/SWAT Response Team(s) when requested to augment NASK Navy Security Forces and cover critical tactical capability gaps. KPD shall respond, if applicable, with hostage negotiator specialist when resources are available.

d. Internal Navy regulations require that when Navy commands are contacted by non-military law enforcement organizations in connection with investigative matters, the matter must be coordinated with NCIS. If NCIS permission is obtained, NASK shall immediately report the identities of person(s) involved and circumstances of the following types of injuries:

(1) Injuries to any person inflicted by means of a knife, gun, or other deadly weapon in apparent violation of Texas law; and

(2) All suspected cases of child abuse or sexual molestation of minors.

e. The above information will not be withheld from KPD unless there is a valid military investigative reason to do so.

f. NASK shall receive and record cases referred to them by KPD.

g. KPD shall likewise report to NASK the identities of persons involved and circumstances or each occurrence of the following categories of injuries that become known to KPD, except where anonymity of individual(s) is required by statute:

(1) Serious injuries to military personnel occurring off base.

(2) Serious injuries to dependents of military members, occurring off base.

h. With regard to these categories of injuries, it is understood that KPD cannot order or instruct the local community hospitals, or any physician, to forward injury reports to NASK. However, KPD agrees to forward such reports to NASK, if they are acquired by KPD.

i. NASK shall invite KPD to participate at a quarterly local Threat Working Group that identifies threats in the local operating environment and KPD shall provide information to assist the base in identifying potential threats. Additional provisions available to KPD:

(1) Firing Range – Availability

(2) Joint Training

(3) Military Working Dogs – Availability

(4) NASK Facilities

4. PERSONNEL: Each party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each party is responsible for supervision and management of its personnel.

5. GENERAL PROVISIONS:

a. POINTS OF CONTACT: The following points of contact will be used by the parties to communicate the implementation of this MOU. Each party may change its point of contact upon reasonable notice to the other party.

(1) For NASK:

(a) Primary: NASK Watch Commander (361) 438-7342

(b) Alternate: NASK Security Officer (361) 516-6547

(2) For KPD:

(a) Primary: Emergency Dispatcher (361) 592-4311

(b) Alternate: Chief Ricardo Torres (361) 593-8880

b. CORRESPONDENCE: All correspondence to be sent and notices to be given pursuant to this MOU will be addressed, if to NASK:

(1) 738 Forrestal St.
Kingsville, Texas 78363 and, if to KPD:

(2) 1500 East King Ave.
Kingsville, Texas 78363

c. FUNDS AND MANPOWER: This MOU does not document nor provide for the exchange of funds or manpower between the parties nor does it make any commitment of funds or resources.

d. MODIFICATION OF MOU: This MOU may only be modified by the written agreement of the parties, duly signed by their authorized representatives. This MOU will be reviewed annually on or around the anniversary of its effective date, and triennially in its entirety.

e. DISPUTES: Any disputes relating to this MOU will, subject to any applicable law, Executive order, directive or instruction, be resolved by consultation between the parties or in accordance with DoDI 4000.19.

f. TERMINATION OF UNDERSTANDING: This MOU may be terminated in writing at will by either party.

g. TRANSFERABILITY: This MOU is not transferable except with the written consent of the parties.

AGENDA ITEM #9

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2022

SUBJECT: MOU between State of Texas and City of Kingsville

Summary:

The police department is requesting a resolution authorizing the City Manager for the City of Kingsville to participate in the Texas Statewide Interoperable Channel Plan

Background:

This Memorandum of Understanding (MOU) establishes permissions and guidelines for use of interoperability or mutual aid radio channels by:

- Local government jurisdictions and their associated emergency response agencies;
- State agencies in Texas and their associated emergency response organizations;
- Federal agency local units in Texas and their associated emergency response organizations,
- Local agency units in Texas and their associated emergency response organizations to use designated Federal interoperability channels, and;
- Private sector emergency response organizations licensed or otherwise entitled to operate in the Public Safety Pool as defined in Federal Communication Commission (FCC) Rules, Part 90 (47CFR, subpart B, paragraphs 90.15-90.20).

It imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use state-licensed radio channels held by the Texas Department of Public Safety (TxDPS).

Financial Impact:

No costs are currently identified with participation in the Texas Statewide Interoperable Channel Plan.



**City of Kingsville
Police Department**

Recommendation:

We request that a resolution be approved to allow for the City of Kingsville to participate in the Texas Statewide Interoperable Channel Plan.



RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF TEXAS AND THE CITY OF KINGSVILLE REGARDING TEXAS STATEWIDE INTEROPERABILITY CHANNEL PLAN (TSICP); REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville promotes the health and safety of the community and is constantly looking for new ways to improve public safety strategies with the public, staff, and community partners;

WHEREAS, the City Police Department received a Memorandum of Understanding (MOU) for the Texas Statewide Interoperability Channel Plan (TSICP) which establishes permissions and guidelines for use of interoperability or mutual aid radio channels for federal, state, and local authorities who participate in the plan;

WHEREAS, the State and City have worked together to prepare the attached MOU regarding TSICP, which is used in multi-jurisdictional emergency situations;

WHEREAS, the MOU provides that the authorized signatory for the City may sign for all public safety agencies in the city;

WHEREAS, the MOU establishes the terms and conditions for the TSICP and establishes the terms and conditions for the parties use of that plan;

WHEREAS, the parties to this agreement and the citizens they serve benefit from the parties participation in this MOU;

WHEREAS, there is no financial impact to the City just by signing the MOU;

WHEREAS, this new agreement would supersede any other previous versions of the MOU.

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

I.

THAT the City of Kingsville City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Memorandum of Understanding between the State of Texas and the City of Kingsville regarding the Texas

Statewide Interoperability Channel Plan (TSICP), in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

MEMORANDUM OF UNDERSTANDING
Texas Statewide Interoperability Channel Plan (TSICP)
V22 (Original issue, April, 2005)

Texas Department of Public Safety
and the identified *Federal Agency, State Agency, Local Jurisdiction, or Emergency Service Organization*

Purpose

This Memorandum of Understanding (MOU) establishes permissions and guidelines for use of interoperability or mutual aid radio channels by:

- Local government jurisdictions and their associated emergency response agencies;
- State agencies in Texas and their associated emergency response organizations;
- Federal agency local units in Texas and their associated emergency response organizations,
- Local agency units in Texas and their associated emergency response organizations to use designated Federal interoperability channels, and;
- Private sector emergency response organizations licensed or otherwise entitled to operate in the Public Safety Pool as defined in Federal Communication Commission (FCC) Rules, Part 90 (47CFR, subpart B, paragraphs 90.15-90.20).

It imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use state-licensed radio channels held by the Texas Department of Public Safety (TxDPS).

This agreement supersedes any other previous versions of the MOU.

Authority

Execution of this agreement by state and local entities is authorized by Texas Government Code, Chapter 791 (local governments), Chapter 771 (state agencies), and Texas Government Code Chapter 421.096 (Interoperability of Radio Systems). This MOU satisfies FCC Part 90 rules for extending license privileges to others by agreement.

Federal agencies are permitted access to interoperability channels as authorized by the National Communications & Information Administration (NTIA) Manual, 47 CFR, Parts 2.102(c), 2.103; and 7.12. Federal agencies may execute this MOU and shall adhere to the attached guidelines.

Applicability

This MOU authorizes the use of certain radio frequencies by emergency response organizations as defined by the U.S. Department of Homeland Security's Emergency Communications Division and the Texas Department of Public Safety. Generally, this includes organizations in the following governmental disciplines:

**Emergency Management
Law Enforcement
Fire Service
Emergency Medical Services
Public Works / Transportation**

**Public Safety Communications
Public Health
Health Care
Hazardous Materials
Governmental Administration**

This MOU authorizes use of state-licensed frequencies for the purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, en route travel, or on-incident communications in accordance with an Incident Communications Plan.

Background

The Texas 77th Legislature, in an effort to provide for effective emergency radio communications by state agencies, called for an Interagency Radio Work Group (IRWG) to develop a state agency communications network. That group developed a preliminary plan that was accepted by the state IRWG and the Sheriffs' Association of Texas on March 27, 2001.

Subsequently, the IRWG determined that the state agency communications network should be expanded to include all public safety agencies in the state. This was accomplished by IRWG's development of the IRCIP of January, 2003.

In response to an FCC requirement for establishment of state / regional advisory committees, the Texas Interoperable Communications Coalition (TxICC) and the Texas Statewide Interoperable Communications Plan Executive Committee (SEC) were formally established as advisory committees to TxDPS.

The Texas Statewide Interoperability Channel Plan (TSICP), developed by the TxICC and included in this MOU, provides essential guidance for interoperable radio communications using VHF, UHF, 700 MHz, 800 MHz, and mobile satellite radio equipment for interagency coordination, en route travel, or on-incident communications.

Understandings

TxDPS will:

- Manage and maintain proper licenses for the use of the interoperability frequencies identified herein;
- Manage and maintain an accurate database of federal and state agencies and local government jurisdictions that have accepted and signed this MOU, and;
- Issue updates and revisions to the TSICP contained herein, upon request by the TxICC and the Texas Statewide Interoperability Coordinator.

Jurisdiction will:

- Participate in regional communications planning (generally arranged by a regional Council of Governments) that provides for regional radio communications interoperability.
- Manage use of the interoperability frequencies by its employees, ensuring compliance with the TSICP and federal / state / local laws, ordinances, and rules.

- Use the interoperability frequencies authorized hereby for their intended purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, en route travel, or at the scene of an incident.
- Use the interoperability frequencies for en route and on-scene communications in accordance with local and regional policies and procedures.
- Use the interoperability frequencies for on-incident communications in accordance with the Incident Communications Plan established by the on-scene Incident Commander or COML.
- Prioritize use of the interoperability frequencies:
 1. Emergency or urgent operation involving imminent danger to life or property
 2. Disaster or extreme emergency operation requiring extensive interoperability and inter-agency communications
 3. Special event, generally of a pre-planned nature
 4. Joint training exercises
 5. Inter-agency and en route communications in accordance with local and regional policies and procedures
 6. On-Scene tactical communications
- Implement radio communications procedures consistent with the National Incident Management System (NIMS) and Incident Command System (ICS) including:
 - Use “plain language” without 10-codes or agency-specific codes/jargon;
 - Use the calling protocol: "Agency-Unit #, **this is** Agency-Unit #", rather than "Unit # **to** Unit #".

Examples: *"Bryan EMS 1605, this is Tyler Fire 2102" or "Incident Command, this is DPS 505"*

- Ensure that mobile, portable, and temporary base radios intended for use by agency leadership (officers) are configured with the appropriate in-band interoperability frequencies as found in the TSICP. This means that, as a minimum, the interoperable frequencies would be added to the day-to-day frequencies used by that entity.
- Ensure that interoperability calling channels are monitored at the Incident Command Post on major incidents requiring significant aid from agencies beyond routine local interoperability. Calling channels should be monitored by appropriate dispatch centers when possible and practical within the affected regions. Monitoring shall include one or more of the following:

CALLING CHANNEL NAME	USE
VCALL10	Analog VHF Calling Channel
UCALL40	Analog UHF Calling Channel
7CALL50	Digital P25 700 MHz Calling Channel
8CALL90	Analog National Calling Channel

Incident Command Post monitoring may be implemented using cross-band repeaters, communications operator console patching, or VHF/UHF/700/800 MHz fixed or mobile gateway.

It is suggested that the band-relevant interoperable call channel listed above be included in the 'home zone' used for day-to-day operations. This will enable radio users to easily turn to the interoperable channel on their mobile or portable radio when needed.

The parties mutually agree:

- Jurisdiction and TxDPS agree that their mutual interests will be furthered by continued coordination between the jurisdiction and the Office of the Texas Statewide Interoperability Coordinator (SWIC).
- Jurisdiction and TxDPS agree that this Memorandum of Understanding may be cancelled at any time, by written notice to the other party, or by subsequent agreements.
- Only one MOU per Jurisdiction or Governing Body is required to cover the departments and/or sub-agencies of each jurisdiction, as long as each department or sub-agency is listed on an accompanying attachment.

The attached *TSICP v22 (Original Issue April, 2005)* is incorporated into this MOU in its entirety. The TSICP may be revised by TSICP Strategic Advisory Group (SAG) and TxDPS as needed, and revisions will be provided to jurisdictions by TxDPS.

Should Jurisdiction elect to withdraw from this MOU because of TSICP revisions, notice shall be given by mail to:

Texas Department of Public Safety
Technical Solutions and Services
5805 N. Lamar Boulevard
Austin, TX 78752

Agreement

This Memorandum of Understanding was agreed to 10th day of March, 2022.

Fillable form is available: <https://www.dps.texas.gov/IOD/interop/docs/TSICPMOU-fillable.pdf>

Please **complete this page only, sign, save, and then email** as attached file to txswic@dps.texas.gov.

WHO SHOULD EXECUTE THIS AGREEMENT: Each jurisdiction must individually sign this agreement.

- An authorized representative of a City may sign for all public safety agencies in that city.
- A County may sign for volunteer fire departments (VFD) if the VFD is recognized in the county emergency management plan; however,
- A County CANNOT sign for all cities or other public safety agencies in the county that are not a part of county government since they are separate legal entities.
- A Council of Governments (COG) CANNOT sign for all jurisdictions within the COG.

Compliance with this TSICP and the SCIP are required to receive grant funds for communications equipment. **Agencies and programmers should verify the latest version of these documents are being referenced; they can be found at** <https://www.dps.texas.gov/IOD/interop/swicDocuments.htm>

FOR JURISDICTION

Jurisdiction Name: City of Kingsville

Authorized Signature: _____

Print Name: Mark McLaughlin

Title: City Manager

Jurisdiction Address: 400 W. King, Kingsville, TX 78363

County: Kleberg

Phone: (361) 595-8002 e-mail: mmclaughlin@cityofkingsville.com

Indicate the NUMBER of mobile, portable, temporary base, and/or mobile relay radios to be operated under TxDPS licenses. For Federal Entity Interop and 700 Air-to-Ground channels, please mark the appropriate box with a checkmark or "X" if these channels are programmed or if programming is planned for the future.

	Mobile	Portable	Temporary Base- Mobile Relay	Federal Entity Interop Channels	700 Air-to- Ground Channels
150 MHz					N/A
450 MHz					N/A
700 MHz				N/A	
800 MHz NPSPAC	150	200	2	N/A	N/A

(This information is required by TxDPS as a condition of its licenses from the FCC.)

TEXAS DEPARTMENT OF PUBLIC SAFETY SWIC OFFICE SIGNATURE

Signature: _____

Karla Jurrens, Statewide Interoperability Coordinator, Infrastructure Operations Division

Phone: (281) 517-1240 Karla.Jurrens@dps.texas.gov

TEXAS DEPARTMENT OF PUBLIC SAFETY AUTHORIZING SIGNATURE

Signature: _____

Benjamin (Eddie) Wilson, Director, Vehicle and Technical Services, Infrastructure Operations Division

Texas DPS, 5805 N. Lamar Boulevard, Austin, TX 78752

Phone: (512) 424-2689 Fax: (512) 424-2527 Benjamin.Wilson@dps.texas.gov

AGENDA ITEM #10

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: March 3, 2022
SUBJECT: Operation Stonegarden, OPSG 2022 Grant#3194307

Summary:

The Kingsville Police Department has been invited to participate in an additional year of OPSG and has been conditionally approved for participation during performance period beginning 03/01/2022 and ending 02/28/2023.

Background:

Kleberg County and identified Friendly Forces will participate in Operation Stonegarden (OPSG) for Funding Year 2022. The participating agencies will utilize OPSG funding to enhance enforcement efforts along ingress/egress routes leading from the U.S./Mexico border and into the interior of the United States. OPSG funding will be used for the essential capability enhancement of participating agencies to coordinate operations with the U.S. Border Patrol to support border security efforts within the Rio Grande Valley Border Patrol Sector.

Financial Impact:

The grant for "Operation Stonegarden" is a reimbursement type but does not require any cash match. We have been approved \$96,295.02 in overtime, \$15,724.98 in fringe benefits, \$36,000.00 for Harris XL-200 portable radios, and \$11,880.00 to cover fuel costs.

Our total allotment is \$159,900

Recommendation:

We would request a resolution approving the acceptance of this grant via the Office of the Governor eGrants portal by the grantee's authorized official as designated by the City Manager, Chief Ricardo Torres. We also request a budget amendment to the current FY 2021-2022 for use of the funds as soon as they are available. Please place this on the next available agenda. Thank you for your assistance regarding this matter.



From: Lynne Crow
To: chiefofpolice@kingsvillepd.us
Cc: [Deborah Balli](mailto:Deborah_Balli); bradleylile@kingsvillepd.us; SILVA-JR, JUAN M; ESQUIVEL, RODOLFO; James Minze; Randy Gabbart
Date: Monday, February 28, 2022 3:31:51 PM

Dear Chief Torres:

Please be advised that, based on the Department of Homeland Security, Federal Emergency Management Agency's (FEMA) Operation Stonegarden Grant Program (OPSG) guidelines, policies, and special conditions associated with this program, the below referenced Operations Order is *conditionally approved with additional requirements* (see specific requirements below):

Operations Order No: 22-RGVRGV-10-013 V0

Fiscal Year: 2021

Amount Approved: \$900,000

Operations Order Dates: 09/01/2021 – 8/31/2024

Recipient: Kleberg County, TX

Pending submission and review of additional information to determine need for Watercraft Waiver, the subrecipient is prohibited from expending \$40,452.04 for All Terrain Amphibious Vehicle. The subrecipient is Conditionally Approved to proceed with all other aspects of this Operations Order. A subsequent approval letter will be issued for this Operations Order once the conditions stated above have been satisfactorily met.

The Office of the Governor (OOG) Public Safety Office (PSO) will be working on creating your FY21 OPSG Application in eGrants and will notify you once it has been released to you for processing.

Regards,

Lynne Crow
Grant Specialist III
Homeland Security Grants Division
Public Safety Office
Office of Governor Greg Abbott
lynne.crow@gov.texas.gov
512-463-8412
[Website](#)
[Help Desk](#)

From: jdlongoria117@klebergcoso.org
To: Chief Ricardo Torres; "Bradley Lile"
Date: Thursday, March 3, 2022 6:32:54 AM

-

KPD

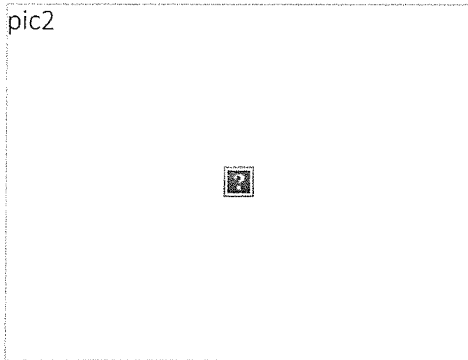
Overtime/Fringe

Officers \$96,295.02 Fringe \$15,724.98

Fuel \$11,880.00

Equipment 6 Portable Radios \$6,000.00 each=\$36,000.00

Total: \$159,900.00



CONFIDENTIALITY NOTICE:

This e-mail and any files transmitted with it are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s), or otherwise have reason to believe that you have received this message in error, please notify the sender immediately and destroy this and all copies of this communiqué.

"Selfless is a word so uncommon most no longer know the meaning"

RESOLUTION #2022-_____

A RESOLUTION ACCEPTING AWARD OF OPERATION STONEGARDEN FUNDS FOR FUNDING YEAR 2022; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Kingsville Police Department was recently notified that the City's Police Department has been conditionally awarded \$159,900 in Operation Stonegarden funds for funding year 2022; and

WHEREAS, the performance period begins 3/01/2022 and ends 2/28/2023; and

WHEREAS, this is a reimbursement type grant and there is no cash match;

WHEREAS, the use of the funds for personnel costs, fuel costs, and equipment is a benefit to the citizens of this City as well as the department.

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

I.

THAT the City accepts the \$159,900 in funding awarded through the Operation Stonegarden Program for personnel costs, fuel costs, and equipment for the Kingsville Police Department and authorizes the Chief of Police of Kingsville Police Department to act on the City's behalf with such program.

II.

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 March, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

Budget Am.

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: March 3, 2022
SUBJECT: Operation Stonegarden, OPSG 2022 Grant#3194307

Summary:

The Kingsville Police Department has been invited to participate in an additional year of OPSG and has been conditionally approved for participation during performance period beginning 03/01/2022 and ending 02/28/2023.

Background:

Kleberg County and identified Friendly Forces will participate in Operation Stonegarden (OPSG) for Funding Year 2022. The participating agencies will utilize OPSG funding to enhance enforcement efforts along ingress/egress routes leading from the U.S./Mexico border and into the interior of the United States. OPSG funding will be used for the essential capability enhancement of participating agencies to coordinate operations with the U.S. Border Patrol to support border security efforts within the Rio Grande Valley Border Patrol Sector.

Financial Impact:

The grant for "Operation Stonegarden" is a reimbursement type but does not require any cash match. We have been approved \$96,295.02 in overtime, \$15,724.98 in fringe benefits, \$36,000.00 for Harris XL-200 portable radios, and \$11,880.00 to cover fuel costs.

Our total allotment is \$159,900

Recommendation:

We would request a resolution approving the acceptance of this grant via the Office of the Governor eGrants portal by the grantee's authorized official as designated by the City Manager, Chief Ricardo Torres. We also request a budget amendment to the current FY 2021-2022 for use of the funds as soon as they are available. Please place this on the next available agenda. Thank you for your assistance regarding this matter.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND GRANT FUNDING FOR THE OPSG 2022 GRANT #3194307.

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 #18

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 016 - Stonegarden					
<u>Revenues-4</u>					
2100	Police	Federal Grant Funds	72005	\$159,900.00	
<u>Expenditures-5</u>					
2100	Police	Overtime-2022-PD SG	11226	\$96,295.02	
2100	Police	TMRS-2022-PD SG	11427	\$8,358.00	
2100	Police	FICA-2022-PD SG	11527	\$7,366.98	
2100	Police	Minor Equipment	21700	\$36,000.00	
2100	Police	Motor Gas & Oil	21501	\$11,880.00	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend grant funding received for the OPSG 2022 Grant #3194307. Funding will come from the grant funding awarded.]

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 10th day of March 2022.

PASSED AND APPROVED on this the 28th day of March 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2022

SUBJECT: Receipt of the Law Enforcement Officer Standards and Education (LEOSE) Funds from Texas Comptroller of Public Accounts

Summary:

The police department is requesting approval for acceptance of funds from the Texas Comptroller of Public Accounts and a budget amendment to place the funds in Fund 009 for training.

Background:

A direct deposit was made into the City of Kingsville account from the Law Enforcement Officer Standards and Education (LEOSE) account. This payment is necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in our agency.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency has as of January 1 of the preceding calendar year.

Financial Impact:

A total of \$2,609.73 was received for use for training of City of Kingsville Police personnel.

Recommendation:

We request that the City Commission authorized the receipt and expenditure of these funds in the manner for which they were provided by the Texas Comptroller of Public Accounts.





TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

February 17, 2022

CITY OF KINGSVILLE POLICE DEPARTMENT
1700 E KING AVE
KINGSVILLE TX 78363-5928

Vendor number: 17460015138-009

A direct deposit was made into your account from the Law Enforcement Officer Standards and Education (LEOSE) account in the amount of \$ 2,609.73.

This payment must be used as necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in your agency.

Your agency must maintain a complete and detailed record of all money received and spent. All money received is subject to audit by the Comptroller of Public Accounts and all money spent is subject to audit by the State Auditor.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency had as of January 1 of the preceding calendar year.

An eligible law enforcement position is defined as one held by a person licensed under Chapter 1701, Occupations Code, who works as a peace officer, licensed jailer or telecommunicator on the average of at least 32 hours a week, is compensated by a political subdivision of the state at the minimum wage rate or higher, and is entitled to all employee benefits offered to a peace officer.

To receive your agency's share of the LEOSE account in 2023, you must complete and return the enclosed Law Enforcement Officer Standards and Education Account 2023 Allocation Basis form to us no later than October 31, 2022. The information provided in this report must be accurate and returned timely to our office to ensure the correct allocation of the LEOSE account.

Please call us at 800-531-5441, ext. 3-4530, or 512-463-4530 if you have any questions or if we can be of assistance.

Enclosures



Texas Law Enforcement Officer Standards and Education Fund Allocation Basis

a. TINS number 17460015138	b. Mail code 009	c. Report year 2023
d. Law enforcement agency name and address (Make any necessary name or address changes below.) CITY OF KINGSVILLE POLICE DEPARTMENT 1700 E KING AVE KINGSVILLE, TX 78363-5928		e. County name KLEBERG f. County code 137

☐ Check only if the above has changed and then complete new or corrected information only.

Law enforcement agency name: _____
Address: _____
City: _____ State: **TX** ZIP code: _____
County name: _____

You must complete and return this form to receive your agency's share of the 2023 Law Enforcement Officer Standards and Education (LEOSE) account for expenses related to continuing education.

Twenty percent of the fund will be allocated equally among the qualified agencies. The remaining 80 percent will be allocated on the basis of the number of authorized eligible law enforcement positions each agency had as of January 1 of the report year. An eligible law enforcement position is defined as one held by a person licensed under Occupations Code, Chapter 1701, who works as a peace officer, licensed jailer or telecommunicator on the average of at least 32 hours a week, is compensated by a political subdivision of the state at the minimum wage rate or higher and is entitled to all employee benefits offered to a peace officer.

Documentation to substantiate the information reported below must be maintained in your files. If your agency did not have any authorized positions, as defined in Occupations Code, Chapter 1701.157, on January 1 of the report year, please complete this form with a zero in **Item 1** and **Item 2**, complete Items 3, 4 and 5, and return to the address given below.

If you have any questions, please call the Texas Comptroller of Public Accounts, Tax Allocation Section, at 800-531-5441, ext. 3-4530, or 512-463-4530.

1. Number of agency positions authorized as of January 1, 2022 (Texas Occupations Code, Chapter 1701)	1. _____
2. Number of agency positions filled as of January 1, 2022	2. _____
3. Amount of LEOSE funds received last year that was used (spent) prior to March 1, 2022	3. _____
4. Number of training hours received for the amount of LEOSE funds reported used (spent) in Item 3 above	4. _____
5. Has CITY OF KINGSVILLE POLICE DEPARTMENT complied with the requirements of Occupations Code, Chapter 1701.157, regarding the use of any money received by the agency pursuant to the allocation made by the Comptroller of Public Accounts on or before March 1 last year? _____	
5. <input type="checkbox"/> YES <input type="checkbox"/> NO	

Return to:

COMPTROLLER OF PUBLIC ACCOUNTS
Tax Allocation Section
111 E. 17th St.
Austin, TX 78774-0100

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.	
Authorized signature	
sign here	
Printed name	
Title	
Daytime phone	Date

RESOLUTION #2022-_____

A RESOLUTION ACCEPTING AWARD OF LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION FUNDS FROM TEXAS COMPTROLLER OF PUBLIC ACCOUNTS; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Kingsville Police Department was recently notified that the Texas Comptroller of Public Accounts deposited \$2,609.73 of funds into the Department's Law Enforcement Officer Standards and Education (LEOSE) fund for training; and

WHEREAS, the Comptroller did this under the authority found in the Texas Occupations Code, Section 1701.157; and

WHEREAS, there is no cash match tied to the use of these funds;

WHEREAS, the use of the funds for law enforcement training is a benefit to the citizens of this City as well as the department.

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

I.

THAT the City accepts the \$2,609.73 award from the Texas Comptroller of Public Accounts for Law Enforcement Officer Standards and Education funds to be used for training of Kingsville Police Department personnel and authorizes the Chief of Police of Kingsville Police Department to act on the City's behalf with such funds.

II.

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 March, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2022

SUBJECT: Receipt of the Law Enforcement Officer Standards and Education (LEOSE) Funds from Texas Comptroller of Public Accounts

Summary:

The police department is requesting approval for acceptance of funds from the Texas Comptroller of Public Accounts and a budget amendment to place the funds in Fund 009 for training.

Background:

A direct deposit was made into the City of Kingsville account from the Law Enforcement Officer Standards and Education (LEOSE) account. This payment is necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in our agency.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency has as of January 1 of the preceding calendar year.

Financial Impact:

A total of \$2,609.73 was received for use for training of City of Kingsville Police personnel.

Recommendation:

We request that the City Commission authorized the receipt and expenditure of these funds in the manner for which they were provided by the Texas Comptroller of Public Accounts.





TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

February 17, 2022

CITY OF KINGSVILLE POLICE DEPARTMENT
1700 E KING AVE
KINGSVILLE TX 78363-5928

Vendor number: 17460015138-009

A direct deposit was made into your account from the Law Enforcement Officer Standards and Education (LEOSE) account in the amount of \$ 2,609.73.

This payment must be used as necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in your agency.

Your agency must maintain a complete and detailed record of all money received and spent. All money received is subject to audit by the Comptroller of Public Accounts and all money spent is subject to audit by the State Auditor.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency had as of January 1 of the preceding calendar year.

An eligible law enforcement position is defined as one held by a person licensed under Chapter 1701, Occupations Code, who works as a peace officer, licensed jailer or telecommunicator on the average of at least 32 hours a week, is compensated by a political subdivision of the state at the minimum wage rate or higher, and is entitled to all employee benefits offered to a peace officer.

To receive your agency's share of the LEOSE account in 2023, you must complete and return the enclosed Law Enforcement Officer Standards and Education Account 2023 Allocation Basis form to us no later than October 31, 2022. The information provided in this report must be accurate and returned timely to our office to ensure the correct allocation of the LEOSE account.

Please call us at 800-531-5441, ext. 3-4530, or 512-463-4530 if you have any questions or if we can be of assistance.

Enclosures



Texas Law Enforcement Officer Standards and Education Fund Allocation Basis

a. TINS number 17460015138	b. Mail code 009	c. Report year 2023
d. Law enforcement agency name and address (Make any necessary name or address changes below.) CITY OF KINGSVILLE POLICE DEPARTMENT 1700 E KING AVE KINGSVILLE, TX 78363-5928		e. County name KLEBERG f. County code 137

☐ Check only if the above has changed and then complete new or corrected information only.

Law enforcement agency name: _____
 Address: _____
 City: _____ State: **TX** ZIP code: _____
 County name: _____

You must complete and return this form to receive your agency's share of the 2023 Law Enforcement Officer Standards and Education (LEOSE) account for expenses related to continuing education.

Twenty percent of the fund will be allocated equally among the qualified agencies. The remaining 80 percent will be allocated on the basis of the number of authorized eligible law enforcement positions each agency had as of January 1 of the report year. An eligible law enforcement position is defined as one held by a person licensed under Occupations Code, Chapter 1701, who works as a peace officer, licensed jailer or telecommunicator on the average of at least 32 hours a week, is compensated by a political subdivision of the state at the minimum wage rate or higher and is entitled to all employee benefits offered to a peace officer.

Documentation to substantiate the information reported below must be maintained in your files. If your agency did not have any authorized positions, as defined in Occupations Code, Chapter 1701.157, on January 1 of the report year, please complete this form with a zero in **Item 1** and **Item 2**, complete Items 3, 4 and 5, and return to the address given below.

If you have any questions, please call the Texas Comptroller of Public Accounts, Tax Allocation Section, at 800-531-5441, ext. 3-4530, or 512-463-4530.

1. Number of agency positions authorized as of January 1, 2022 (Texas Occupations Code, Chapter 1701)	1. _____
2. Number of agency positions filled as of January 1, 2022	2. _____
3. Amount of LEOSE funds received last year that was used (spent) prior to March 1, 2022	3. _____
4. Number of training hours received for the amount of LEOSE funds reported used (spent) in Item 3 above	4. _____
5. Has CITY OF KINGSVILLE POLICE DEPARTMENT complied with the requirements of Occupations Code, Chapter 1701.157, regarding the use of any money received by the agency pursuant to the allocation made by the Comptroller of Public Accounts on or before March 1 last year? _____	
5. <input type="checkbox"/> YES <input type="checkbox"/> NO	

Return to:

COMPTROLLER OF PUBLIC ACCOUNTS
Tax Allocation Section
111 E. 17th St.
Austin, TX 78774-0100

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.

Authorized signature
 sign here
 Printed name
 Title
 Daytime phone
 Date

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND GRANT FUNDING FOR THE LEOSE GRANT FOR TRAINING.

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 #19

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 009 - LEOSE					
<u>Revenues-4</u>					
2100	Police	State Grant Funds	72010	\$2,609.73	
<u>Expenditures-5</u>					
2100	Police	Training & Travel	31600	\$2,609.73	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend grant funding received for the LEOSE Grant for training. Funding will come from the grant funding awarded.]

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 10th day of March 2022.

PASSED AND APPROVED on this the 28th day of March 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2022

SUBJECT: 2023 Local Border Security Program (LBSP)

Summary:

The Kingsville Police Department has been invited to participate in the 2023 Local Border Security Program (LBSP). The grant period is from 09/01/2022 to 08/31/2023.

Background:

The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

1. Increase the effectiveness and impact of Steady State and Surge Operations.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of air operations mission planning and prioritization.
9. Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
10. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.



**City of Kingsville
Police Department**

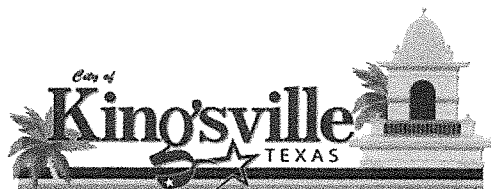
11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

Financial Impact:

The grant for "Operation Border Star" is a reimbursement type but does not require any cash match. We are requesting funds to cover personnel costs, fuel and equipment.

Recommendation:

We would request a resolution authorizing applying for, participation, acceptance of funds when awarded. Please place this on the next available agenda. Thank you for your assistance regarding this matter.





Office of the Governor, Public Safety Office
Homeland Security Grants Division
Funding Announcement: ***Local
Border Security Program (LBSP), FY2023***

Purpose

The Public Safety Office (PSO) is soliciting grant applications under the Local Border Security Program (LBSP) for projects that support Operation Border Star during state fiscal year 2023.

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

1. Increase the effectiveness and impact of Steady State and Surge Operations.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of air operations mission planning and prioritization.
9. Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
10. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

Available Funding

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 20 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Eligible Organizations

1. Units of local government; and
2. Federally Recognized Native American tribes.
3. Eligible applicants must be located in a County within one of the six DPS Joint Operations and Intelligence Centers (JOIC) Regions including:

- a) **El Paso JOIC** – El Paso County.
- b) **Coastal Bend JOIC** – Aransas County, Bee County, Calhoun County, Dewitt County, Goliad County, Gonzales County, Guadalupe County, Jackson County, Jim Wells County, Karnes County, Kleberg County, Lavaca County, Live Oak County, Matagorda County, McMullen County, Nueces County, Refugio County, San Patricio County, Victoria County, and Wharton County.
- c) **Marfa JOIC** – Brewster County, Culberson County, Hudspeth County, Jeff Davis County, Pecos County, Presidio County, Reeves County, and Terrell County.
- d) **Del Rio JOIC** – Dimmit County, Edwards County, Kinney County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
- e) **Laredo JOIC** – Duval County, Frio County, Jim Hogg County, La Salle County, Webb County, and Zapata County.
- f) **Rio Grande Valley JOIC** – Brooks County, Cameron County, Hidalgo County, Kenedy County, Starr County, and Willacy County.

Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available [here](#).

Key Dates

Action	Date
Funding Announcement Release	01/14/2022
Online System Opening Date	01/14/2022
Final Date to Submit and Certify an Application	03/18/2022 at 5:00pm CST
Earliest Project Start Date	09/01/2022

Project Period

Projects selected for funding must begin on or after September 1, 2022 and expire on or before August 31, 2023.

Funding Levels

Minimum: None

Maximum: None

Match Requirement: None

Standards

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards (TxGMS), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

1. PERSONNEL - OVERTIME

- a) Overtime for increased patrol and/or investigative capacity for certified peace officers.

- b) Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in border security operations, such as Jailer overtime, or Communications Officer/Dispatcher overtime, necessary to maintain a safe Officer to Dispatcher ratio.
- c) Overtime for non-exempt administrative personnel supporting border security grants.
- d) Overtime for law enforcement support and administrative personnel should be limited and anything greater than 10% may not be funded or may require significant additional data and justification.
- e) Applicants must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:
 - i. Clearly describe how overtime will be calculated;
 - ii. Be consistent with the agency's local overtime policy;
 - iii. Treat overtime for grant-paid personnel the same as non-grant paid personnel.
- f) Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
 - i. OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
 - ii. OT must be worked to support border security operations.
 - iii. The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
 - iv. Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
 - v. HSGD will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

2. **PERSONNEL - REGULAR or STRAIGHT-TIME**

- a) Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of "surge."
- b) Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- c) Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- d) Regular time for administrative personnel supporting border security grant activities.

3. **EQUIPMENT:** Costs for equipment, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during border security operations.

4. **SUPPLIES and DIRECT OPERATING EXPENSE:** Certain operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the HSGD that are critical to success of the program.

- a) The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
- b) Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.

- c) Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
- d) The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.

Program-Specific Requirements

1. Eligible applicants must agree to perform the following activities:
 - a) Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOIC).
 - b) Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
 - c) Report significant border-related events that occur during each 24-hour period.
 - d) Conduct enhanced law enforcement patrolling activities.
 - e) Recognize and react to information/intelligence to adjust times and locations of enhanced patrol activities.
 - f) Identify significant border-related trends or areas of interest that may be developed into focus areas for future operations.
 - g) Conduct surveillance, interdictions, investigations, and collect and disseminate information within its jurisdiction or cross-jurisdiction lines as required.
 - h) Conduct Steady State operations and respond to calls for service.
 - i) Integrate air, ground, marine, and remote operations.

2. Eligible applicants must agree to submit information on incidents using the Border Incident Assessment Report (BIAR).

The grantee shall report all border-related events to the JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady State activities. Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or the number of investigative bodies. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.

The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

Eligibility Requirements

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Governments. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training

programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.
4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

5. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
6. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Prohibitions

Grant funds may **not** be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;

2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Backfill costs for personnel participating in operations;
5. Vehicles or equipment for government agencies that are for general agency use;
6. Weapons, ammunition, tasers, or explosives;
7. Admission fees or tickets to any amusement park, recreational activity or sporting event;
8. Promotional gifts;
9. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
10. Membership dues for individuals;
11. Any expense or service that is readily available at no cost to the grant project;
12. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
13. Fundraising;
14. Construction;
15. Medical services;
16. Legal services for adult offenders; and
17. Any other prohibition imposed by federal, state, or local law.

Selection Process

Application Screening: The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

Peer/Merit Review: Applications will be reviewed by PSO staff in consultation with DPS Regional JOIC representatives. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

1. Compliance – Past compliance with grant requirements, reporting, and information sharing.
2. Performance – Impact and effectiveness of the Applicant’s participation in previous border security operations or activities, and effectiveness in using grant funds awarded for border security.
3. Risk – The Applicant’s need as indicated by data available on border-related criminal activity, population, number of officers, and other factors.
4. Other Funding – The Applicant’s history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden).

Final Decisions: The Executive Director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

Contact Information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN LOCAL BORDER SECURITY PROGRAM FY2023 FROM THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE HOMELAND SECURITY GRANTS DIVISION FOR LAW ENFORCEMENT PERSONNEL COSTS, FUEL, AND EQUIPMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Border Security Program (LBSP) FY2023 has funding to provide additional manpower by local law enforcement agencies for state led border security enhancement operations for improved border security via a grant to local law enforcement agencies for payment of personnel costs, fuel, and equipment for local law enforcement officers (commissioned peace officers); and

WHEREAS, the Office of the Governor is providing grants through funding from Local Border Security Program FY2023; and

WHEREAS, the City of Kingsville has previously applied for similar grants for the reimbursement of law enforcement personnel costs, fuel, and equipment that will assist with improved border security through enhanced patrolling of the roadways through our city, especially US 77/I-69; and

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

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

WHEREAS, the City Commission of the City of Kingsville designates the Kingsville Chief of Police 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 authorize the Kingsville Police Department through the Chief of Police to participate in Local Border Security Program FY2023 and to seek reimbursement for the

allowed expenses of law enforcement personnel costs, fuel, and equipment necessary to assist with improved border security in our area in conformance with this program. The City is approving the application and acceptance of any LBSP grant funds that the Office of the Governor, Public Safety Office, Homeland Security Grants Division allows for the period of performance of September 1, 2022 through August 31, 2023.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Local Border Security Program FY2023 including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15



City Manager's Office

TO: Mayor and City Commissioners

CC:

FROM: City Manager

DATE: March 7, 2022

SUBJECT: Grant Administrative Board Nomination

Summary:

Per the City of Kingsville Economic Development Grant Program and Administrative Manual, Part II. Grant Operational Procedures, Part II. A. 2: Grant Administrative Board, there stipulates a Grant Administrative Board (GAB) membership of 9 persons, four of which are fixed positions that includes the City Manager, Finance Director, Planning Director and the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce. The remaining five positions are 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 and have extensive business and financial expertise.

At the last Commission Meeting on February 28, 2022, the Commission approved the following four persons to the GAB:

- Sharon Pennington – D&C Amusement, not a Chamber member.
- Stefanie Perryman – Stef & Bees Boutique, Chamber member.
- Justin Bray – Bray's Smokehouse, Chamber member.
- Charlie Williams – Beef & Bones Meat Market, Chamber member.

There was concern over Mr. Rodney Rodriguez's application in the way he answered a question about being eligible for grant funds as a board member. Manny discussed the issue with Mr. Rodriguez, and he was confused on the question and thought he was answering "No" as to whether he intended to apply for an EDG. Mr. Rodriguez acknowledged that he fully understands that by serving on the GAB, he is ineligible for any EDG.

Recommendation:

City Manager recommends Mr. Rodney Rodriguez be appointed to fill the fifth and final spot on the Grant Administrative Board for a term equal to the four others approved at the February 28th meeting.





City Manager's Office

Financial Impact: None

