

City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, JUNE 13, 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

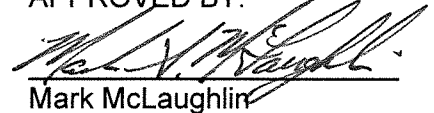
INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - May 9, 2022.

Special Meeting - May 24, 2022.

APPROVED BY:



Mark McLaughlin
City Manager

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

None.

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve reappointment of Dora Martinez to the City's Civil Service Commission for a three-year term. (Human Resource Director).
2. Motion to approve date change of previously approved City sponsored Independence Day concert from July 4th to July 3rd, 2022. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Presentation by Purple Door's Kleberg End Domestic Violence Task Force on local efforts. (City Manager).
4. Consider accepting the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for Fiscal Year 2020-2021. (Finance Director).
5. Consider accepting donation of \$500 from Others First for firefighting equipment. (Fire Chief).
6. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend a donation from Other's First for firefighting equipment. (Fire Chief).
7. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to increase the Park maintenance motor gas & oil budget due to rising costs. (Parks Director).
8. Consider accepting donation for Parks Department Healthy Family Events from Kleberg County Attorney's Task Force. (Parks Director).
9. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend donations from the Kleberg County Attorney Task Force for healthy family events. (Parks Director).
10. Consider a resolution authorizing the City Manager to execute a letter Agreement with the King Ranch for use of their Running W Trademark in the City Logo. (Tourism Director).
11. Consider authorizing expenditure of Tourism ARP funds to replace worn out office furniture at the Tourism Department. (Tourism Director).

12. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to expend Tourism ARP funding for office furniture. (Tourism Director).
13. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate funding for the parking lot preparation and hot mix overlay of the west, east, and north parking areas at the JK Northway. (City Manager).
14. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate funding for the parking lot study and phase 1 buildout of parking areas around the baseball fields at Dick Kleberg Park. (ARP Funds) (City Manager).
15. Consider a resolution authorizing the Police Chief to enter a Mutual Aid Agreement between Commanding Officer, Naval Air Station Kingsville and the City of Kingsville Police Department for authorization to utilize emergency radio frequencies. (Police Chief).

VII. Adjournment.

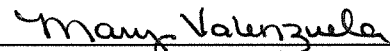
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

June 9, 2022 at 10:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

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

MINUTES OF PREVIOUS MEETING(S)

MAY 9, 2022

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 9, 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
Hector Hinojosa, Commissioner
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner
Ann Marie Torres, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Ricardo Torres, Police Chief
Emilio Garcia, Health Director
Charlie Sosa, Purchasing Manager
Juan J. Adame, Fire Chief
Susan Ivy, Parks & Recreation Manager
Deborah Balli, Finance Director
Uchechukwu Echeozo, Director of Planning & Development Services
Kobby Agyekum, Senior Planner/HPO
Ruben Chapa, Golf Course Manager
Avelino Valadez, Street Supervisor
Janine Reyes, Tourism Director
Cameron Whittington, Water Supervisor
Joe Casillas, Water Production Supervisor
Mike Mora, Capital Improvements Manager
Diana Gonzales, Human Resources Director
Joseph Ramirez, Engineers Assistant

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – April 25, 2022

Motion made by Commissioner Lopez to approve the minutes of April 25, 2022, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting “FOR”.

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

- 1. Public hearing regarding request to rezone Hoffman Addition, Block 7, Lot 20-21, also known as 200 Block E. Miller, Kingsville, Texas, from C4 (Commercial**

District) to R1 (Single Family Residential District). William Dove & Associates LLC, applicant; Chuck Cramer, owner. (Director of Planning & Development Services).

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

Mr. Uche Echeozo, Director of Planning and Development Services stated that this is a request for the rezoning of 200 Block of E. Miller from C4 to R1 to enable the applicant to carry out housing development. Property owners from the approved area were mailed letters regarding this request. Staff received no feedback from those property owners. The Planning & Zoning Commission met on May 4, 2022, and they voted unanimously to approve the recommendation for said request.

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

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

2. Public hearing on request to replat Hoffman Addition, Block 7, Lot 20-21, also known as 200 Block E. Miller, Kingsville, Texas. (Director of Planning & Development Services).

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

Mr. Echeozo stated that this is for the replat of 200 block E. Miller to carry out housing development that complies with the emerging property. Letters were mailed to those in the surrounding area. Staff received no feedback from those neighbors who were notified.

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 5:06 P.M.

3. Public hearing regarding City's intent to submit Texas Community Development Block Grant Program grant applications for Main Street grant request of \$500,000 for the installation of ADA compliant sidewalks and lighting activity; road construction/renovation to include curb and gutter and related drainage; demolition and clearance activity. (on Kleberg Ave. between 6th & 7th Streets). (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:06 P.M.

Mr. Echeozo stated that his department would like to submit an application for a Main Street Grant that would facilitate the various efforts toward Downtown revitalization. The grant is for an amount of \$500,000 which would be used to install ADA compliant sidewalks and lighting activity on Kleberg Avenue between 6th and 7th Street. There is a need for a 3.5% cash match which would translate to \$17,500 together with in-kind services from Engineering and Planning.

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

There being no further comments Mayor Fugate closed this public hearing at 5:08 P.M.

III. Reports from Commission & Staff.²

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

Mr. Mark McLaughlin, City Manager reported that the Street Department continues to chip seal on Alice & 3rd Street. Currently, the staff is working on budget EAs and DRs. He further reported to the Commission that staff will be out of the office on Friday, May 13th for off-site training. Mr. McLaughlin further reported that he has been made aware that Office Celinda Gonzalez will be accepting the Award of Valor for her bravery during an incident that occurred on November 1, 2021. The late Officer Sherman Otto Benys, Jr. will also be awarded the Award of Valor. The award ceremony will take place in Austin at the State Capitol.

Commissioner Hinojosa asked when the Commission can expect the Audit Report. Mr. McLaughlin responded that he is not sure when the Audit Report will be available to the Commission or staff.

Mayor Fugate reported that he has received some bad news over the weekend, the passing of Mrs. Helen Kleberg Groves. He further commented that it was Mrs. Groves that made the new City Hall building possible and for that, the city is very grateful. Mrs. Groves was very dedicated to this community.

Ms. Courtney Alvarez, City Attorney reported that the next City Commission is scheduled for Monday, May 23, 2022. The deadline for staff to submit their agenda items is Friday, May 13th. She further announced that the City Commission will also be having a Special City Commission meeting on Tuesday, May 24, 2022, at 4:00 p.m.

Commissioner Lopez announced that Texas Municipal Clerks Week was from Monday, May 1st through May 7, 2022. She further stated that she would like to read a proclamation for Texas Municipal Clerks Week in honor of City Secretary, Mary Valenzuela,

Commissioner Alvarez reported that she attended the Council of Governments (COG) meeting where they mentioned that grant monies were available for governmental entities. One grant available is through the Justice Assistance Program for \$20,000 and there were two other large amounts of grants that are available for the county.

Mayor Fugate read and presented the following proclamations: Mental Health Awareness Month; Motorcycle Awareness Month; and National Public Works Week.

IV. Public Comment on Agenda Items.³

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

Mr. Rudy Madrid, Kleberg County Judge commented that he would like to speak about the JK Northway which is on the city's agenda tonight as item 17. He further commented that he has had several constituents that have spoken with him and that it has been a center item of some of the City Commissioners and he felt that it was important for him to come to this meeting and speak on behalf of the facility. He further stated that last week he spoke at the Coastal Bend Council Emergency Management Conference where both Kleberg County and the City of Kingsville were commended for how business is taken care of in our area when it comes to Emergency Management. He stated that he mentioned that in the short two terms that he has been County Judge we have endured two hurricanes, major floods, tornado-style wind drops, and power outages. Mr. Madrid further commented that chill zones and warm zones needed to be set up. There was also a major pandemic (COVID-19) and a 50,000-acre Borrego fire that occurred. He stated that this leads him to the JK Northway and its importance of it. When Hurricane Harvey hit, he was part of the Governor's first respond group where he had boots on the ground in Rockport and other coastal counties that were hit by Harvey. Madrid further commented that Hurricane Harvey was projected to hit Kleberg County, but Kleberg County was fortunate that it didn't. He also stated that by default he and the Mayor of Kingsville are the Emergency Managers for Kleberg County and the City of Kingsville. They identify the most underserved population group and the most vulnerable citizens, which are our senior citizens and those within a flood zone. He further stated that this can be done as Kleberg County runs the meals on wheels, Human Services Department, and public transportation which allows the County to know who the citizens are that would require assistance. He further stated that the county opens the FEMA Domes and does everything that is needed for the community. They give meals and find safe locations for their pets and give out sandbags amongst other services they provide to the community. Mr. Madrid further commented that he has visited Washington, DC, and Austin, TX to fight for a post-Harvey Hurricane Grant to ensure that Kleberg County and the City of Kingsville would be protected in the event of any natural disaster that comes toward the county and the city. He also stated that Sheriff Richard Kirkpatrick traveled with him and came up with a combination of ideas that they thought would be attractive that would make us competitive amongst others, as this grant was made nationwide. He continued to say that they decided to come up with a Regional Emergency Operation Center in Kleberg County, so much that 14 other counties wanted to endorse it so that we would be able to take care of them in their time of need. He stated that they have also stated that they would make it a Regional Wildfire Training Facility where they have picked out a perfect place as to where they would build it, near the golf course and NAS Kingsville. Mr. Madrid stated that he speaks about this in honor of Helen Kleberg Groves who has recently passed away. He also stated that he and Sheriff Kirkpatrick were able to spend a day with Mrs. Groves at her home in San Antonio where they mentioned to her everything that he has mentioned now, but in more detail. He stated that Mrs. Groves commented to him that it would be a blessing if he utilized his idea and got it done at the JK Northway and he would be able to kill two birds with one stone, as the JK Northway needs some repairs. He stated that they returned to Kleberg County and had to amend a Federal Grant which they knew was very complete and hadn't been awarded yet. They did their amendment and submitted it and were awarded the grant. Mr. Madrid commented that he is here today to tell the City Commission that there will be a Regional Emergency Operation Center where we won't have to rely on federal assistance when a hurricane hits, as we will have a FEMA staging around the parking lot that the city is going to build. He stated that he commends the city for this as this is part of the plan. He further stated that he has worked with TxDOT to get a \$28 million overpass on Hwy 77 so that we could have

a grand entrance so that when heavy equipment comes in such as FEMA, Texas Forest Department, and fire rescue, it will be an outdoor staging facility. Inside the JK Northway, one can envision forklifts coming in and 18-wheelers trucks, which Rey DeLaGarza will be out there with these forklifts for offloading pallets of water and non-perishable goods and any other supplies that will be needed in an emergency. He stated that not only will there be a Regional Emergency Operation Center that will support us in the event a hurricane hits us, but if it goes to the north, south, or the left or right of us, we will be standing by and ready to assist our neighboring communities. Mr. Madrid commented that this was the idea, and that idea won the grant. Not only do we get an Emergency Operation Center, but not only do the Sheriff, Police Chief, and the Fire Chief get a Regional Law Fire Rescue Training Facility, it would be accredited academically by the Texas A&M University System. He further commented that we will also have a beautiful renovated JK Northway Exposition Center. He stated that the county decided, which was not part of the deal, that they are planning on building a new outdoor rodeo arena that Mr. Clements, Mr. Bull, and King Ranch can use for their big rodeo events. Mr. Madrid stated that he wants to make sure that the City Commission knows where this is going and encourage any commissioner if they have any questions about this project to stop by his office to meet with him and he will answer any questions on the project or if they want to see budgets and where the money is being spent, he can answer those questions. He further stated that they are only here to do the right thing for the community. He stated that when COVID-19 hit our community, he called the Governor's office and requested supplies for our community. Kleberg County was the first regional testing facility in the Coastal Bend area. Kleberg County set the benchmark for everyone else to follow. The moment that vaccine was invented, he requested thousands of vaccinations for everyone to get vaccinated. Madrid further thanked everyone for their assistance during the pandemic. JK Northway was an old broken-down building, but it was turned into an Emergency Operation Center during the worst of the pandemic. He also commented that once the JK Northway project is completed, it will be utilized and appreciated for many years. Livestock shows will continue which will bring in money for kids to be able to fund their way through college. Many sponsors are out there that donate to these kids for their future. Mr. Madrid stated that he would like for the Commission to see this and when the Commission discusses the match money for this project, don't put it on the agenda. He further stated that in the famous words of Phil Esquivel, it's a no-brainer. No one can put a price on the education that these children will receive from the 4H events.

Mr. James Clement, King Ranch commented that he can't speak very much about the Emergency Operation Center, but he did assist in fighting the Borrego fire where they had 200+ individuals that came onto the ranch on a caliche pad because there wasn't a good enough staging area which became a big issue as population control. Mr. Clement further commented that because everybody wanted to help, they didn't know where to put everyone. This is one point about a nice parking lot that is close by for a situation like this. This could be a big staging area for a situation like this. He further commented that he has been in the horse business for about 10 years and all the old-timers will say, as some will remember back in the day when the JK Northway was built, it was the horse industry with all the big trucks and horse trailers came down here and stayed at our hotels and ate at our restaurants. We have lost a lot of the big contracts, whether it be the College Rodeo and all the big events that used to come down here, and people are asking to bring them back because the weather is a lot warmer in South Texas than in North Texas, we just don't have the facility for them to be able to bring them back. The vision and the plan that was built, between the city and the county, he hopes that it pushes through to the very end for not only the safety side but also the side that comes with the ability to put on events as we had on that golden era. The Yellowstone boom to the western business will have a good 10, 15, and 20-year effect

on horses, cattle, rodeo, and that culture so this would be a good time to be part of that wave as that wave is sticking around for a while.

Lance Hamm, 912 South Creek, commented that he is here to express five issues. First, the Commission should have a copy of his formal complaint sent via email that he issued on April 29, 2022. The response he received from the city was deafening in silence, which is a disappointment to him. He further commented that he thinks the city should have a grievance procedure and he doesn't think the city has one right now. If the city does have one, it is not working as he did not hear from anybody about his complaint. He further commented that therefore he is here today, to make sure that the Commission is aware that he has filed a complaint that the City Commission has in front of them. Mr. Hamm further commented that he is hoping that the city would develop a grievance procedure and based on his compliant hopes that a public determination is made if his complaint was valid. He would like to know if he was right or wrong and he hopes that the city can tell him this. Hamm further stated that if he was right, what is the city going to do to correct it. He further commented that he is here more to try and clarify what happened on March 28, 2022, on agenda item 8. The agenda item was not specifically written, the subject matter was vague, there was no speed limit which Commissioner Alvarez pointed out during the meeting, and Commissioner Lopez pointed out that it was the first reading thinking that there was no vote until the next reading which never showed up at the next meeting. Mr. Hamm continued to comment that the mayor thought that if he didn't read the agenda item, it wasn't an official item on the notice. Mr. Hamm stated that there is a lot of confusion there and his complaint spells this out and hopes that this can get rectified. Mr. Hamm also commented that the other thing was the City Attorney got to respond to the agenda item and the public, such as himself, did not get to respond as well. He further commented that he thought his rights were infringed upon. The City Attorney talked about how there was no study on the speed limits. He stated that there is no traffic flow on the construction site, so there won't be a traffic study where people are driving in vehicles and moving. He stated that TxDOT is going to do a determination on what they know from their experience in what the speed limit is. He also stated that cities in the past have speed limits in construction zones before traffic is out there. Mr. Hamm further stated that he has an article from Conroe that did the very same thing last summer. They set a lower speed limit on their TX 105 before construction had even started. He commented that cities are doing this, it is part of the process. So, for the City Attorney to say that it is not possible, he doesn't think it is true, as cities are doing it. Mr. Hamm stated that the other thing the City Attorney said was that the city would assume liability for setting a limit on a State US Highway. He commented that he does not know where the case law is for this. He does not think that there is any case law anywhere that states that a city commission would be liable for setting a speed limit on a US Highway and how is this possible. He commented if the mayor would go out there with a sledgehammer and post the speed limit himself? Mr. Hamm further commented that TxDOT is going to set the speed limit, no matter what you do with your ordinance or resolutions, it will go back to TxDOT and if Corpus Christi doesn't approve it, they will take it to Austin for their approval, so then Austin will approve it and it will become their liability and not the cities. Mr. Hamm further commented that he doesn't think that there is any case study where a city has become liable for setting a speed limit on a US Highway, it doesn't make any sense. Mr. Hamm commented that he would like to thank the Commission for their time and hopes that the city sets up a grievance procedure because him issuing a grievance and not receiving a reply is not a way to treat any resident of Kingsville.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Kingsville 25 Acres Ltd, Lot Tract A, 7.17 acres, also known as 2405 S. Brahma Blvd., Kingsville, Texas from C3 (Central Business District) to C2 (Retail District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Section 3-3-127, providing for the Main Street Advisory Board to meet quarterly. (Downtown Manager).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate additional funding for Vehicle Maintenance for the Fire Department. (ARP Funds). (Fire Chief).

4. Motion to approve reappointment of Joni B. Harrel to the Health Board for a three-year term. (Health Director).

5. Motion to approve a revised 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).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Presentation and discussion on status of City's projects being funded through the Texas Water Development Board and General Land Office. (City Engineer).

Mr. Charlie Cardenas, International Consultants Engineering gave a presentation to the City Commission on city projects being funded through the Texas Water Development Board (TWDB) and General Land Office (GLO). There are 25 projects: 4 Stormwater Projects from Texas Water Development Board for \$6.2 million in construction cost; 7 Wastewater Projects from the General Land Office for \$7.3 million in construction cost; and 14 Stormwater Projects from General Land Office for \$36 million in award cost. Stormwater projects came from the city's Drainage Master Plan, had the city not had a Drainage Master Plan set, it could have been a different outcome. The city also has a

five-year Capital Improvement Plan for the wastewater projects. Mr. Cardenas mentioned the four projects from the Water Development Board. Priority 1 is Alexander which will include Shelton at 11th Street and go down to Alexander to 14th Street which will have some drainage improvements. Priority 2 is the Pasadena area for some drainage improvement as there is nothing under Pasadena currently as it is all surface drainage. Priority 3 is Fairview where this location is getting a larger overhaul with a drainage system underneath that will feed both into Corral Street North and feed down on Santa Gertrudis to the south. Priority 4 will be 21st Street between John and Caesar and include Warren. Mr. Cardenas stated that these four projects mentioned are scheduled for July 2022 to December 2022. These projects will also include some new curb and gutter as well as a new street surface as part of this project. Mr. Cardenas displayed a map of the Fairview area and stated that more manholes and inlets are being added which will flow south on Santa Gertrudis and then go east with water going into the ditch and Tranquitas Creek. As for the GLO projects a kickoff meeting has already occurred and will be going through an environmental process that is accelerated but will not have to go through the hydrologic and hydraulic studies to which they already have preliminary designs on some of this. Mr. Cardenas commented that some of these projects, on the wastewater side are manhole rehabilitation, rehabilitation of lift stations, and emergency line replacement that go to the North Plant. He further reported that for the North Plant project they are looking at a timeframe from September to December, but the surveying has already begun with the hopes of beginning this project this summer in July instead of starting in September. This is from Corral to Santa Gertrudis in the middle of the field. Mr. Cardenas stated that this line has been a big problem for Public Works which is the reason for replacing this line. The next project is priority 2, seven lift stations that they rehabilitate and put in some electrical connections for a portable generator. This project will run from September 2022 through August 2023. Priority 3 is the 78 manholes rehabilitation which will begin in September 2022 through August 2023. Priority 4 is the main project which is a \$2.4 million project which is a new lift station by Pasadena and Las Palmas. This will have a wastewater line that will tie into 14th Street which has an existing waterline in front of the old Church's Fried Chicken. This line will go down to Lee Street and into the 17th and Lee lift station. The line will be done by a slip line which will not require breaking TxDOT road. This will relieve the wastewater going into the South Plant. Mr. Cardenas stated that the South Plant is reaching near 50% capacity if not more, which is why they would like to get some of the wastewater up to the North Plant where there is more capacity. Priority 5 is for a 12" PVC line to be replaced on 10th Street. Priority 6 is a 15" PVC line that will be replaced on Lott Street. Priority 7 is for an 8" PVC reroute near the alley on Johnston Ave. Mr. Cardenas stated that of all the projects mentioned, two the projects can be bid out. Mr. Cardenas continued his presentation with the GLO Stormwater Phasing Plan which consists of 14 projects. He stated that there is a project that he likes to call a Flagship Project which is Priority 1 and Priority 2, of the 14 projects, which will be bidded together which is the Caesar Ditch. This is the ditch that is located on Caesar and goes out to Hwy 77 bypass. He further stated that they would like to put the drainage system in culvert boxes. The construction will begin in January 2023 until November 2024. He stated that these are two projects combined, it will go from 14th Street up to the bypass. The cost of both projects combined is estimated at \$5 million. Mr. Cardenas commented that some of these projects are inlets such as the Armstrong project. Depending on the amount of money left, they will pave Armstrong to Santa Gertrudis. Mr. Cardenas commented that for most of these projects, paving is included. He further stated that the same thing will happen with Projects 12 & 13; Project 12 is in front of H.E.G. Grocery Store on King Street. Inlets will be added to move the standing water quicker from this area. He further stated that the other problem we have with standing water is on 13th Street near Pueblo Tires. Project 10, in front of Santa Gertrudis Estates, will also have the same thing done, with more inlets added. Mr.

Cardenas stated that the ditch located behind the Santa Gertrudis Estates does help to clear some of the standing water but would like to see the water clear out faster. Mr. Cardenas further stated that another big project is Brahma Boulevard. They will redo the line, it's a TxDOT roadway, from Alexander to Escondido ditch, which currently has a small pipe. Project 14 will take some TxDOT coordination to do. Mr. Cardenas further stated that this project will begin in December 2022 and through September 2024. Mr. Cardenas further displayed a graph for the tentative master construction schedule. He further displayed a project summary for these projects. Mr. Cardenas commented that they do not foresee the purchasing of right-of-ways and during the construction of these projects, there will be no blocking of homes or businesses while construction is in process.

Commissioner Lopez asked if Center Drive or Lawndale area was included?

Mr. Cardenas responded that this grant was not included in its entirety. He further commented that it is part of location 1, which is the first part of Caesar Ditch. He also stated that Center Drive flows on the other side of the Chicken Express. Mr. Cardenas went on to comment that these projects came from the Drainage Master Plan which had two parts to it, the upstream and the downstream. All 14 projects presented came from downstream of the Drainage Master Plan. He further commented that the Lawndale area did not make the priority at the State level, but there is another round in the future where they will be asking for that area.

Commissioner Lopez asked what will be done on Brahma Boulevard and 14th Street, will this assist the area of Center Drive?

Mr. Cardenas responded that it would help somewhat, but it has been studied what is on Center Drive and Lawndale area which is almost isolated. The problem with Center Drive is that it is a flat road that doesn't move the water as quickly as possible.

Commissioner Torres asked if there were any plans for the Briargrove area as it does flood.

Mr. Cardenas responded that Briargrove between the railroad tracks and the large ditch on Franklin Adams, there is something in the works to improve the drainage on the Franklin Adams side which will help some in this area. He further stated that the other problem with Briargrove is that there is a large field to the south of Briargrove that needs to be drained properly. He further commented that it is very difficult as it is between the large ditch and the railroad tracks, but they are working on something for this area. Mr. Cardenas further commented that they are still working on something for the ditch on Franklin Adams to relieve some of the issues on Briargrove. Mr. Cardenas further commented that they are working on details for bike lanes, getting rid of the paved bike lanes and widening the sidewalk to an eight-foot sidewalk, and placing the bike lane on the sidewalk.

7. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map about Hoffman Addition, Block 7, Lot 20-21, also known as 200 Block E. Miller, Kingsville, Texas, from C4 (Commercial District) to R1 (Single Family Residential District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Introduction item.

8. Consider replat of Hoffman Addition, Block 7, Lot 20-21, also known as 200 Block E. Miller, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Lopez to approve the replat of Hoffman Addition, Block 7, Lot 20-21, also known as 200 Block E. Miller, Kingsville, Texas, seconded

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

9. Consider a resolution of the City Commission of the City of Kingsville, Texas authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Main Street Fund; and authorizing the Mayor and City Manager to act as the City's Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (for improvements in the downtown area on Kleberg Ave. between 6th & 7th Streets). (Director of Planning & Development Services).

Mr. McLaughlin stated that the minimum of this grant is a 3.5% cash match which would translate to \$17,500 together with in-kind services from Engineering and Planning Departments. Mr. McLaughlin further stated that the city could come to double its match to about 7% which would translate to \$35,000 as it can improve the city's points value for the application, the city can get its full 15 points if the city decides to go with the maximum match. He further stated that this would be budgeted in the Fiscal Year 22-23 budget. He further stated that he would like to request for the Commission to allow him to take it up to the 7.5% match.

Mayor Fugate commented that he receives complaints regarding the sidewalk area downtown and the large curbs.

Mr. McLaughlin commented that this would install ADA compliant sidewalks, and lighting activity on Kleberg Avenue between 6th and 7th Street, on both sides of Kleberg.

Motion made by Commissioner Alvarez to approve the resolution of the City Commission of the City of Kingsville, Texas authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Main Street Fund; and authorizing the Mayor and City Manager to act as the City's Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (for improvements in the downtown area on Kleberg Ave. between 6th & 7th Streets), with a 7.5% match, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

Commissioner Alvarez asked when this project will begin. Mr. McLaughlin responded that if the city is awarded the grant, the project should begin sometime in the next fiscal year. Commissioner Alvarez further commented that the merchants were concerned about the timeframe of this project and the fact that they may not have accessibility to their businesses. Mr. McLaughlin commented that it will be a bit difficult as it needs to be torn out, but we will figure out a way where customers can get up to those businesses that are within the area.

Mayor Fugate commented that there has been discussion about the street throughout and asked if this is something that can be done all at once so that no one will be inconvenienced?

Mr. McLaughlin responded that he would work with the Engineers on this.

10. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Ysidro Tito Villarreal on behalf of Tres De Texas, LLC for property located at 327 E. Kleberg Avenue, Kingsville,

Texas. (for Texas Theater roof renovation/repairs). (Director of Planning & Development Services).

Mr. Kobby Agyekum, Senior Planner/HPO stated that this is a request for a façade grant to enable the applicant to install a new roof on a building located at 327 E. Kleberg Ave. (Texas Theatre location). The Historical Board met in April 2022 where they recommended approval of the requested Façade Grant amounting to \$44,414.81 towards the replacement of the roof at the Texas Theatre. The project cost equals \$75,182.60.

Mayor Fugate asked if this Façade Grant request would be expending the balance left in this grant? Mr. McLaughlin responded yes, the requestor had requested a larger amount than what is being requested now, but the fund only has a balance of \$44,000. Mayor Fugate further asked when was the last time a business requested and used monies from this fund? Mr. McLaughlin responded that Mr. David Thibodeaux and Mr. Oscar Fuentes were the last two requestors for this fiscal year.

Commissioner Torres stated that these were some of the questions she had as well, as the fund started at \$70,080 and have only used \$26,000 for everyone else with \$44,000 remaining. She further stated that she knows for a fact that she had a business from the downtown area that came down and was not aware of this grant or any other grants. She further commented that she had requested from staff the information as to who received these grants and the amount they received. She stated that, from staff, she received the following individuals who had requested these monies, Mr. Fuentes, Mr. Luera, and Mr. Thibodeaux, and one for Access Urgent Care, but no others were received. Commissioner Torres commented that she is glad that someone is fixing the Texas Theatre, and this is an attraction that will bring in visitors, but her concern is that make sure that grants, as it is a large amount of \$70,000 and now at the end, we have a large amount of \$44,000 remaining and only awarded \$26,000. She further commented that she never received an answer as to when this grant started.

Mayor Fugate asked Ms. Alvarez if this grant started about 10 years ago. Ms. Alvarez responded that it may have started in 2012 or 2013. Mayor Fugate further commented that when this grant was first started, it started with \$50,000 per year and doesn't recall a year, since the beginning of this grant, where all the monies have been awarded. Mayor Fugate commented that some of these monies had been used in the past for the old City Hall Building as well.

Commissioner Torres commented that the information she requested was a budget report as to where the monies were spent from the \$70,000 and it was only \$26,000 that was spent, with the city not using it for anything.

Ms. Alvarez commented that what is being discussed was different fiscal year budgets, which may be the discrepancy.

Mayor Fugate commented that what he was talking about was over the years and not this year alone. He further asked staff that if the amount was not all expended, the following year's grant goes back to the normal amount and does not accrue over the years?

Commissioner Hinojosa commented that the fund balance was \$55,000.

Ms. Janine Reyes, Tourism Director stated that the Façade Grant was already in play at the time she started with the city. Each year, this grant would fund \$50,000 through her budget directly. Anything that was not utilized from the \$50,000 was placed back into their fund balance. Ms. Reyes stated that the previous City Manager wanted to make it into a fund so that it would build in the event of receiving a larger request. She further explained how her department offset her department cost from this money

during COVID-19. She also stated that using HOT Funds for some of these grants that were funded may have not been appropriate to use from HOT Funds as many of the previous projects that were funded weren't event venues. Ms. Reyes stated that this project does match that goal as it will bring in visitors from other communities into our community. She further mentioned a business that has received this grant and the amounts received.

Commissioner Torres commented that what Ms. Reyes is stating is that she did not get all the information she requested from staff.

Ms. Reyes commented that it would depend on the fiscal year that it was being requested for or if she wanted historically through from the beginning of it.

Mr. McLaughlin commented that he can gather the information for Commissioner Torres and provide it later.

Commissioner Torres asked Ms. Reyes if what she is talking about is the most recent information?

Ms. Reyes responded no, as she thought this grant program started in 2015/2016. This may have started before her employment with the city. She further stated that the way this money has flowed has changed over time as it is coming from HOT Funds instead of being in a fund that would grow with each year.

Commissioner Hinojosa asked if the city has this money in actual cash within the fund or is it lumped with all other consolidated funds? He commented that the city should have a separate bank account for this fund.

Mrs. Deborah Balli, Finance Director stated that for all the HOT Funds, which is where the Façade Grant comes from, it does have its bank account in Kleberg Bank. Because part of it sits in 002 Fund or 202 Fund, it is all in Kleberg Bank separately.

Commissioner Hinojosa asked if the \$44,411 was in that bank account.

Mrs. Balli responded that there is not a separate bank account for fund 202 as it is part of Tourism, Tourism has a separate bank account but the fund for Façade Grant is included in the Tourism bank account.

Commissioner Hinojosa asked if there was enough money to pay for this request. Mrs. Balli responded yes.

Motion made by Commissioner Lopez to approve the resolution approving an application and agreement for the Historic District Façade Grant Program from Ysidro Tito Villarreal on behalf of Tres De Texas, LLC for property located at 327 E. Kleberg Avenue, Kingsville, Texas. (for Texas Theater roof renovation/repairs), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

11. Consider authorizing L. E. Ramey Golf Course logos and possible trademark. (Parks Director).

Mrs. Susan Ivy stated that one of the goals set in this year's budget was to create a new brand for the golf course and restock the pro shop. With the assistance of Mr. Jonathan Swindle and HiRes, Creative has come up with some ideas for the logo. In the agenda packet, there were several photos of the different renditions of the logo and its colors. While the creation of the logo will not bring more revenue, it is believed that stocking the pro shop with branded shirts, caps, towels, and golf balls will bring added revenue. It is also being asked for merchandise to match school colors and for merchandise that can be bought to use as tournament prizes.

Commissioner Lopez commented that she would like to see only two options for this logo.

No action was taken.

12. Consider a resolution authorizing the City Manager to execute TeeSnap Customer Agreement Form V4.9.2 with TeeSnap, LLC. (for Golf Course point of sale system). (Parks Director).

Mrs. Susan Ivy, Parks Director stated that this agreement would provide a new point of sale system that will provide more efficient bookkeeping at the Golf Course and the agreement allows for a new credit card fee to be charged on purchases at the golf course at a rate of 2.95% each so the city does not have to pay the transaction fee. The agreement would be in effect for a term of two years unless notice of termination was provided in writing at least 30 days before the start of the next term. She further stated that the only other fee is the trade of 4 rounds of golf each day that TeeSnap would sell on their websites they market throughout the web. The value of these rounds on an annual basis falls under \$50,000. In return, the golf course gets a new point of sale system which will provide more efficient bookkeeping at the golf course.

Commissioner Hinojosa asked if the golf rounds and golf carts fees will be going directly to TeeSnap in return for the license?

Mrs. Ivy responded that four golf rounds per day will go to the company. Everything else will come to the city, except for four rounds. They will be allowed to sell and keep the green fees for four rounds per day. Those will be the four rounds that the company will need to sell. If the company sells four rounds of golf every day for 52 weeks, the amount they make is \$26,000. Mrs. Ivy further stated that the credit card fee of 2.95% will need to be paid by the purchaser, as it is done in other departments.

Commissioner Hinojosa asked if this was a two-year agreement automatically renewed for another two years?

Ms. Alvarez responded yes unless they receive notice before the term ends.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute TeeSnap Customer Agreement Form V4.9.2 with TeeSnap, LLC. (for Golf Course point of sale system) as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Fugate voting "FOR". Hinojosa and Torres voting "AGAINST".

13. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to expend ARP Funding for a Golf Course Greens Project. (Parks Director).

Introduction item.

14. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to expend scoreboard sponsorship donations on associated costs. (Parks Director).

Introduction item.

15. Consider authorizing purchase of new 30' Maverick 2 Boom, 60" Rotary Blade and Mounting Kit for Street Department's John Deere Slope Mower with Alamo Group TX via BuyBoard, as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the purchase of a new 30' Maverick 2 Boom, 60" Rotary Blade and Mounting Kit for John Deere Tractor with Alamo Group TX. The existing 30' Maverick 2 Boom is approximately 10 plus years old and has been sent in for repairs frequently and repairs can no longer be done without compromising the integrity of the equipment. The purchase of this equipment will increase productivity and decrease operating expenses. Funds are available through 127-5-6101-71200 on a tax incentive note of which \$92,780.90 are available this fiscal year.

Motion made by Commissioner Alvarez to approve the purchase of new 30' Maverick 2 Boom, 60" Rotary Blade and Mounting Kit for Street Department's John Deere Slope Mower with Alamo Group TX via BuyBoard, as per staff recommendation, seconded by Commissioner Lopez.

Commissioner Hinojosa commented that he has asked staff in the past to show him instead of telling him. As he has told other staff members, he would like to see where the money is coming from. He further stated that he is not doubting it, he just prefers to see it in writing.

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

16. Consider a resolution authorizing participation in Bulletproof Vest Partnership Program FY2022 with the Office of the Governor, Criminal Justice Division, Justice Assistance Grant (JAG) for bulletproof vests for the Kingsville Police Department; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that the Kingsville Police Department applied for the Fiscal Year 2022 Bulletproof Vest Partnership Grant. Chief Torres stated that his department currently has \$4,585 from the 2020-year grant for BVP. They also have another \$5,000 available to which he is trying to get a bit more to pay this amount. He further stated that the Justice Assistant Grant (JAG) funds or other federal funding sources may not be used to pay for that portion of the bulletproof vest that is not covered by BVP funds. JAG or federal funds may be used to purchase vests for an agency, but they may not be used as the 50% match for BVP purposes. The department currently outfits their officers with Level IIIA body armor, with a 5X8 Soft Trauma Plate and interior carrier and or an exterior uniform carrier for \$11,918.60. The maximum allowable funding from BVP is 50% of the cost of \$5,996.80.

Commissioner Hinojosa commented that he would like for staff to show the commission where the money is coming from instead of telling him.

Motion made by Commissioner Lopez to approve the resolution authorizing participation in Bulletproof Vest Partnership Program FY2022 with the Office of the Governor, Criminal Justice Division, Justice Assistance Grant (JAG) for bulletproof vests for the Kingsville Police Department; authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Fugate voting "FOR". Hinojosa "ABSTAINED".

17. Consider parking lot repair priority list. (Commissioner Alvarez).

Commissioner Alvarez commented that she has nothing against doing the parking lot at the J.K. Northway, it's when it's going to be done. There is still a lot of work that

needs to be done at the JK Northway and she thinks that when it is all said and done, then the parking lot needs to be done. With a lot of children signing up for games this summer, there will be a lot of traffic at the park and work needs to start on the parking lots. She further stated that she and Commissioner Torres have received complaints about the parking at the park. She would like to prioritize and do these things first.

Commissioner Torres commented that she agrees with Commissioner Alvarez. She stated that she has been out to the ballpark every Tuesday and Thursday while games are going on, and everyone parks wherever they want as there is no actual parking lot. With kids running here and there she feels, with her grandkids playing out there, that it is a huge liability issue. There is no actual place to park and everyone drives where ever they want to because there is nothing that says where everyone should park. She further commented that she has seen where some of the players get hit by the ball and if EMS were to be dispatched to the park, she doesn't know where they would park to tend to that child. From what she has seen, they would need to park further past the Santiago Building or at the actual park because of how bad the parking is out there. She stated that the parking lot is horrible and she doesn't see how the city has ARPA money for the Golf Course and money for the JK Northway to do their parking lot but doesn't have money for city parks, for our children, youth, and adults. She further commented that she is confused about this. Commissioner Torres commented that she encourages everyone to go out to the park to watch the baseball and softball fields. On Memorial Day there will be a large tournament which she will be attending, if she is unable to she will ask for someone to record it, as she can guarantee that there will be a lot of players and she wants to see how this will pan out with the horrible parking lot that the city has for our children. She further commented that this is a safety issue for the kids. Teams can't practice or warm-up where they need to before the games. She further commented that she is afraid for her grandkids with cars parking the way they do. She finds it concerning that the city would focus on a place, adults will be there and there will be some children, but she thinks that our children, the youth, are much more important and should be a priority and they should be taken care of first, before taking care of anything else. Commissioner Torres further stated that if the city will be taking care of the parking lot at the JK Northway, but they have not completed the renovation, there will be heavy equipment out there. She stated that she has driven heavy equipment and is aware of what that equipment can do to streets, pavement, and bricks. She further stated that the city needs to shift its focus on where it needs to be, which is our youth.

Commissioner Alvarez asked if the money had already been earmarked with monies that were going to be leftover from the paving of city streets. She further stated that she was originally going to have this item as a budget amendment but was told no, and now she is told that it has been earmarked. She further asked if she would need to bring it back at the next meeting and have it as a budget amendment as it has already been earmarked for the JK Northway?

Mr. McLaughlin responded that a budget amendment, in his opinion, would be step 50 of the process and 49 other steps need to get done before doing that step. He further stated that these parking lots were not the city's, they came from the county. He further stated that he has no idea what is under those parking lots and what they look like as far as their depth or density. Studies will need to be done to determine if these parking lots will require full depths reconstruction or is there enough under them that will need to have a boar test done. If it is dirt with a small amount of asphalt, which is probably what it is with the amount growing through it, a full-depth construction for one parking lot, which is the one at the front gate off of Escondido Road, will cost about \$450,000, which is almost half of the city's annual street budget. Mr. McLaughlin stated that there

is a lot of analysis that would need to go into this, such as what is the current condition and what is it that we are going to try and accomplish.

Mayor Fugate commented that he doesn't think it is fair to staff to look at this project in the middle of a budget that was already approved. He was not aware that this was a problem up until the last meeting, which was brought up to their attention less than two weeks ago. He further stated that the city inherited a park system that was totally in disrepair from the county. The county had not spent money on this park or any of their parks for 30 years. What has the city done in the last five years, put in a Skate Park, Water Park, and update all the equipment and neighborhood parks. The city has put in a Dog Park at Dick Kleberg Park and has redone the baseball fields. Mayor Fugate commented that the city has done so much more Dick Kleberg Park and all the area parks in town, and doesn't feel that it is fair to say that the city has not done things for the children of this community, just because we have some parking lots that need to be fixed. He continued by stating that it is not fair for the Commission to dictate to staff that this has to be done immediately when this problem was just brought to this Commission and staff. Mayor Fugate commented that if they want to blame someone, blame the county as it is their park and they did absolutely nothing to fix it and the city has done so much for the parks system. He further stated that Mrs. Susan Ivy has done many Parks and Wildlife Grants in the last five years, and is about to get another one.

Commissioner Alvarez asked where the money was coming from to do the other parking lot?

Mr. McLaughlin responded that the JK Northway parking lot has been budgeted as the entire street package. He further stated that if the JK Northway wasn't ready this fiscal year, we would jump over it and continue doing more streets that are on the list.

Commissioner Alvarez asked for the dollar amount that was shown?

Mr. McLaughlin responded that the JK Northway parking lot, with a 1 ½ inch overlay, not doing full depth construction, is \$157,000.

Commissioner Alvarez stated that the \$157,000, with the cost being \$450,000 to do the ballpark, the city can start with half and put some of that money into it. She further stated that she is not saying it needs to be done this year and further asked when the parking lot at the JK Northway was going to be done?

Mr. McLaughlin responded that it would be done before this fiscal year is out. He further stated that they have told him that they are done on the outside and it was ready for the city to pave it. Mr. McLaughlin further stated that he was not able to get to the paving as there were higher priorities that needed to be taken care of.

Commissioner Alvarez stated that to say that it is done and that there will be no heavy equipment, there is still so much that has to be done. She further stated that there will be heavy equipment out there and spending money to fix it, is not a reality.

Ms. Alvarez commented that before the city does the parking lot at the JK Northway, there would need to be an agreement in place before spending the city's taxpayers' funds on county property.

Commissioner Hinojosa asked for staff to show him where in the budget is the list of streets that includes the parking lot at the JK Northway.

Commissioner Torres asked if a study was done for the parking lot at the JK Northway?

Mr. McLaughlin responded no. Since it was already a paved parking lot the city was going to smooth it up with an inch of the hot overlay.

Commissioner Torres asked if the same thing could be done at the parking lots located in the fields?

Mr. McLaughlin responded that it may be able to be done, but with the amount of traffic and use of the parking lot at the JK Northway, it will only need an inch of hot overlay as it already has a base in it, but not sure what the other parking lots have that are around the fields.

Commissioner Torres commented that Mrs. Susan Ivy has done an excellent job with the parks, the question is not whether she has done her job with the parks, she just wants to make sure that the work that Mrs. Ivy is doing flourishes with everything else she is doing.

Commissioner Hinojosa commented that all department heads are doing a good job, but the commission is responsible to its taxpayers. He further commented that the commission is not second-guessing staff, they only want to see it in black and white.

18. Discussion regarding possible Animal Shelter Coordinator position and/or duties. (Commissioner Alvarez).

Commissioner Alvarez stated that after hearing individuals commenting on the problems with animal control. She further stated that in the agenda packet there is a job description for a coordinator position. Although she is not stating for the city to go out and find a person for this type of position, maybe look at the personnel that is there now and look at their job duties and designate someone that may apply for this and with a little increase in their pay so that they can concentrate on those duties. She further stated that she may suggest during the budget to separate the departments as other cities have done, separate the Health Department from the Animal Shelter. She further stated that after speaking with the City Manager, there may not be enough responsibilities for the Health Department to stand alone. If there are five or six employees within the department, she wants them to look at the job description as something that needs to be done. She also stated that although this problem is all over, the city needs to try this and see if it works.

Commissioner Lopez commented that what needs to be done is educating the public on the importance of spay and neutering dogs and cats. Positions can be created and move departments around, but if you don't educate the public this will continue. She further stated that the education needs to start with the children as they are the ones that want the pets. The city needs an educational program. She further commented that she is not sure if another position is needed as she is not aware of who does what at the Health Department.

Mayor Fugate asked if an email had been sent to the commission mentioning a plan.

Mr. McLaughlin responded yes, and education was part of the plan. Staff will be providing educational information on spaying and neutering pets. This information will be going to the Kingsville Record as well as being posted on social media, which is the

way the city advertises its animals. The city will also be stepping up the enforcement of how individuals are caring for and feeding their animals which comes with a citation.

Mayor Fugate commented that what the city needs to do is get into a spay and neutering program.

Mr. McLaughlin commented that there is a plan with STAR Rescue which is funded by a private individual who has funded a mobile clinic for spay and neutering. This individual is coming up with prices and has hired her veterinarian. He further stated that he has asked this individual if he can guarantee a certain amount of animals, he wants to know the cost to spay or neuter every animal that comes through our health department. This would make those animals more marketable for adoption.

Commissioner Torres asked that with regards to the coordinator's duties and responsibilities, the city have someone that is focused on education and putting out information.

Mr. McLaughlin responded yes, that would be Jessica who focuses 100% of her job on this, with Monica doing 40% of the marketing.

Commissioner Torres asked for staff to provide the commission with the information on where they can go see the marketing of the animals and the education that is being provided by staff.

Mr. McLaughlin responded that the city is not doing the education portion to the community. There are three things that we are not doing, according to what Corpus Christi wants for a live release coordinator. Our city does not run its foster program, don't do onsite education events, or attend meetings in forums or focus groups with the citizens, those are the three things our city does not do.

Commissioner Lopez commented that the city gives the individual a voucher for spay or neuter and further asked if those individuals are using the voucher?

Mr. McLaughlin responded that they are. They are given a time limit and if they don't meet that time limit, Jessica will send a certified letter reminding them that a citation is coming if they don't meet the requirement.

Commissioner Lopez asked if staff had a way of tracking this?

Mr. McLaughlin responded yes, and there are warrants for their arrest if they don't follow through with the requirement. He further commented that the general public has been good at responding to what is being asked of them.

Mr. Emilio Garcia, Health Director commented that they do track rabies and sterilization vouchers.

Mayor Fugate commented that if our citizens are informed of an issue they will respond.

VIII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:33 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

MAY 24, 2022

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, MAY 24, 2022, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Ricardo Torres, Police Chief
Emilio Garcia, Health Director
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Susan Ivy, Parks & Recreation Manager
Deborah Balli, Finance Director
Uchechukwu Echeozo, Director of Planning & Development Services
Kobby Agyekum, Senior Planner/HPO
David Solis, Risk Manager
Mike Mora, Capital Improvements Manager
Diana Gonzales, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

Ms. Courtney Alvarez, City Attorney reported that there is a special commission meeting scheduled for Friday, June 3, 2022 at 9:00 A.M. The next regular scheduled meeting will be on June 13, 2022, with agenda items due on Friday, June 3, 2022.

IV. Public Comment on Agenda Items.³

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

Mrs. Mary Valenzuela, City Secretary read the following public comments received from the following individuals: Josue Rodriguez; Pratesh Viswanda; Jeremiah Smith; Jonathan Lozano; Joe McDaniels; Krystal Emery; Rachel Mendoza:

Josue Rodriguez, 1213 Ranger, Kingsville, TX. I am embarrassed by the behavior of some of our elected officials last evening, particularly Commissioners Alvarez and Torres. I was visiting a family member near City Hall last night and witnessed Commissioner Alvarez following a gentleman to his vehicle and yelling in an unprofessional fashion. Commissioner Torres took to social media to paint a picture of a hostile environment and belittled the City Manager making comments about his military history and rank. As a veteran she should understand why this is inappropriate and should hold herself to a higher standard. This is not how lasting change gets made, it only creates the hostile environment she wants to prevent.

Pratesh Viswanda, 825 E. Ailsie, Kingsville, TX. I am concerned by the video made on Facebook by Ann Marie Torres, I am careful to spell correctly. Many people commented about violence on the City Manager saying things like "want us to fight him?" and the like. The commissioner didn't challenge them or say they should be peaceful. She claims she was yelled upon but allows for threats of physical harm. This is saddening and reminds me of why I left Pakistan to better be free to speak my truth to those in power.

Jeremiah Smith, 2101 E. Trant, Kingsville, TX. Does the City of Kingsville have a social media policy, and if it does, does it not apply to elected officials? A city commissioner with an obvious personal axe to grind posted a video to social media which garnered comments regarding doing harm to a city employee and nothing was said to them. The same video also garnered personal attacks about the Public Works Director and other city employees and again nothing was said. Would this behavior be tolerated from a city employee if they posted a similar video regarding a commissioner? The public was not present for the alleged yelling and, absent any actual proof or sworn statements, the posting of the video suggests this is personal and political rather than professional. All of this over the paving of some parking spaces just to help a weak candidate's run for County Judge. This is shameful. We should be better, but sadly this behavior is typical for the community lately. I'm not upset, I'm just disappointed.

Jonathan Lozano, 410 E. Ave. A, Kingsville, TX. I am sad to see and hear that our city is being led by individuals who sink to the level of yelling and mud raking when someone doesn't agree with their point of view. My children are better behaved, and they are in grade school.

Joe McDaniels, 1331 W. Santa Gertrudis, Kingsville, TX. I want to commend the City Manager for consistently putting things in the best interest of the city ahead of political gestures. Unfortunately, too few are willing to put requirements and needs ahead of their personal wants and desires. Parking at softball fields is objectively less critical than a staging area for supplies and equipment in the event of an emergency. If we are hit by a hurricane, I doubt very many people will be thanking God for convenient parking at the fields while the community struggles to get supplies. The city can do both projects in time, but one is more significant than the other and should be prioritized. The City Manager understands this as an experienced leader and is doing what he believes is in the best interest of the community. Since the commission likes to discuss military careers, I would like to offer a piece of advice from mine: "Lead, Follow, or Get Out Of The Way." The City Manager has chosen to lead, that leaves two options for all others involved.

Krystal Emery, 1620 South 11th, Kingsville, TX. My name is Krystal Emery, and I reside at 1620 South 11th, Kingsville, Texas 78363. I am currently serving as the president of the Rotary Club of Kingsville, which celebrates its 99th year this coming Thursday. Today at Rotary, we listened to a presentation on children's mental health in our community from Linda Ramos-Perez, the Director of Coastal Plains Community Center in Kingsville. Their center services nine counties, including Kleberg, which is currently ranked #2 for their requests for mental health services. The nine counties served are Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, and San Patricio. Through their partnerships with CPS, school districts, and other community health organizations, they can identify and treat children who require mental health services. The mean age of these children is 12, and their issues can range from depression and anxiety to suicidal ideations and substance abuse. The Coastal Plains also offers services to adults and military veterans with coordinators in Kingsville. If you or someone you know is struggling, please contact them toll-free at 888-819-5312 or their 24/7 crisis hotline at 800-841-6467. One in four people suffers from a mental illness, so please check in on your friends and family. You never know who may be suffering in silence.

Rachel Mendoza, 1212 E. Caesar, Kingsville, TX. As a female military retiree, I would like to say that members of this commission's recent comments on Facebook showed a lack of respect to the community of female veterans and the progress we worked hard to make. I have been yelled at by many men in positions of authority and I have been harassed within the military and civilian employment. I dealt with it through proper channels within the organization rather than airing grievances in a public forum with no authority to address the grievances. Lodging complaints in public rather than privately dealing with them through the appropriate channels makes female veterans seem like weak people who whine when they aren't given their way. It was also mentioned that the commissioner's husband doesn't even yell at her in public. Does he in private? Is she upset with her husband's behavior and projecting her feelings onto the City Manager? I believe there are more important issues to deal with than parking for a softball team or someone being mean to an adult. I will pray for all the commissioners.

End of public comments read by Mrs. Valenzuela, City Secretary.

V.

Consent Agenda

Notice to the Public

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

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

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

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

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

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, setting the speed limit at 45 mph on US Highway 77 By-pass southbound frontage road from 702 feet south of FM 1356 (General Cavazos Blvd.) to the southern city limits of Kingsville. (Pursuant to TxDOT study) (City Engineer).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend donations for recreational programs and league sponsorship. (Parks Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to expend Tourism ARP funding for the Train Depot to be painted. (Tourism Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate an additional cash match due to rising costs of equipment covered by the Criminal Justice Division Grant for body worn camera for hardware and software for downloading and storing camera footage. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 4:11 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director/Civil Service Director

DATE: May 25, 2022

SUBJECT: Civil Service Commission Reappointment

Summary: Ms. Dora Martinez has served as one of the City's Civil Service Commissioner since 2007. The current appointment term expires on July 23, 2022. Ms. Martinez is interested in continuing her service. Request consideration to re-appointment Ms. Dora Martinez for a sixth term as Civil Service Commissioner. If approved, re-appointment for Ms. Martinez will expire on July 23, 2025.

Background: The City's Civil Service Commission consists of three (3) individuals who are appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. A person appointed to this position must meet guidelines established by Texas Local Government Code Chapter 143.006 (c) as follows:

1. be of good moral character,
2. be a United States citizen,
3. be a resident of the municipality who has resided in the municipality for more than three years,
4. be over 25 years of age, and
5. not have held a public office within the preceding three years.

Additional exceptions to (c)5 above,

"the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body."

Financial Impact: None

Recommendation: Re-appointment of Ms. Dora Martinez to the Civil Service Commission.



AGENDA ITEM #2

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Alicia Tijerina, Downtown Manager

DATE: June 2, 2022

SUBJECT: Change of Date on Previously Approved Event

Summary:

The City Commission previously approved support for the annual events including the 4th of July concert. Due to oversight, we submitted approval for support on the wrong dates. The correct date for the concert will be Sunday, July 3 this fiscal year with street closures to start at 10 a.m. City staff will leave the barricades on site for street closures for our 4th of July parade the following day. This change does not cause any additional costs for the City.

Background:

This is the second year this free concert will take place for our community in the downtown area. Last year's event brought out more than 2,500 people and the concert organizer sold more than \$700 in Tourism merchandise. The organizer has agreed to do that again this year.

Financial Impact:

There is no additional cost being added due to date change.

Recommendation:

It is recommended that the Commission approve the date change.

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Alicia Tijerina, Interim Downtown Manager

DATE: September 17, 2021

SUBJECT: Request for City Support for Events & Parades

Summary:

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

Background:

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

Financial Impact:

The total parade/event costs to the City for FY 2021-2022 is \$10,560 of which \$150 are street closing fees.

Recommendation:

It is recommended that street closing fees be waived and the services provided by the City in support of these parades and events be considered as in-kind sponsorship.

Downtown Parades and Events FY 2021-2022 requiring street closings

Main Street Monthly Wine Walk, Sat., Oct. 23, 2021, 2-6pm Kleberg Avenue

Imagine the Possibilities Tour, Sat., Oct. 23, 2021, 4pm, Kleberg Avenue

TAMUK Homecoming Parade, Thurs., Oct. 28, 2021, 6 pm, Kleberg Avenue

Veteran's Day Parade, Thurs., Nov. 11, 2021, 5 pm Kleberg Avenue

Ranch Hand Festival, Tree lighting, Wine Walk & Street Dance, Fri., Nov. 19, 2021, 5-10 pm,
100-300 blocks E. Kleberg

Ranch Hand Festival, Sat., Nov. 20, 2021, 9 am – 4 pm, Downtown centered at 6th & Kleberg

Children's Day, Sat., Dec. 4, 2021, 10:30 am – 2:30 pm, Alarcon St. & Downtown Pavilion

La Posada de Kingsville Parade, Dec. 4, 2021, 7 pm, Kleberg Avenue

Main Street Monthly Wine Walk, 4th Saturday of each month Jan.-May 2021, 2-6pm Kleberg
Avenue

Kleberg-Kenedy County Junior Livestock Show Parade, Sat., Jan 14, 2022, 10 am, Kleberg Ave.

MLK Day Parade & Celebration, Mon., Jan. 17, 2022, 11 am, Kleberg Ave.

PDAP (Palmer Drug Abuse Program) Drug Free Walk, Sat., April 23, 2022, 12pm, Yoakum Ave.

Festival de la Loteria, Sat., April 23, 2022, 10 am – 4 pm, Kleberg Ave.

4th of July Parade & Concert Celebration, Mon., July 4, 2022, 10 am, Kleberg Ave. & Downtown
Pavilion

Fiesta de Paloma, Sat., Sept. 2022, 11 am – 2 pm, 200 block of E. Kleberg Ave. (Date TBD)

HM King High School Homecoming Parade, Sept. 2022, 6:30 pm, Kleberg Ave. (Actual date TBD)

Parade Costs to the City FY 2021-2022

Community Parades (6)

TAMUK Homecoming Parade, Oct. 28, 2021

Veteran's Day Parade, Nov. 11, 2021

Kleberg-Kenedy County Junior Livestock Show Parade, Jan. 14, 2022

MLK Day Parade, Jan 17, 2022

4th of July Parade, July 4, 2022

HM King High School Homecoming Parade, Sept/October. 2022 Date TBD

Public Works

Barricades: Build-up & Tear-down \$17/hr. (10 men/6 hrs) = \$1,020

Parade permit = 0

Cost of \$1,020 per parade

Christmas Parade (1)

La Posada Parade & Children's Day, Dec. 4, 2021

Public Works

Barricades: Build-up & Tear-down \$17/hr. (15 men/6hrs) = \$1,530

Trash & Recycling: Delivery/Pickup/Dumping \$6 (x20) = \$120

Dumpsters: \$30 (x3) = \$90

Parade permit = \$0

Cost of \$1,740

Total parade costs \$7,860

Event Costs to the City FY 2021 – 2022

COMMUNITY EVENT (12)

Kingsville Wine Walk, October 23, 2021, January through May 2022 (4th Saturday of the month)

Public Works

Barricades: Build-up & Tear-down \$17/hr (3men/4hrs) x 2 = \$204

Trash & Recycling: Delivery/Pickup/Dumping \$6 each x 3 containers x 2 = \$36

Street closing permit for large events = \$0

Cost of \$240

Imagine the Possibilities Tour, October 23, 2021 (To run during Monthly Wine Walk)

Public Works

Barricades: Build-up & Tear-down = \$0

Trash & Recycling: Delivery/Pickup/Dumping = \$0

Street closing permit for large events = \$0

Cost of \$0

Ranch Hand Festival, Nov. 19-20, 2021

Public Works

Barricades: Build-up & Tear-down \$17/hr (10men/8hrs) = \$1,530

Trash & Recycling: Delivery/Pickup/Dumping

Cost of \$1,530

PDAP Walk, April 23, 2022 (Tentative Date)

Public Works

Barricades: Build-up & Tear-down \$17/hr (3men/4hrs) = \$204

Trash & Recycling: Delivery/Pickup/Dumping \$6 each x 3 containers x 2 = \$36

Street closing permit for large events = \$0

Cost of \$240

Festival de la Loteria, April 23, 2022 (Tentative Date)

Public Works

Barricades: Build-up & Tear-down \$17/hr (3men/4hrs) = \$204

Trash & Recycling: Delivery/Pickup/Dumping \$6 each x 3 containers x 2 = \$36

Street closing permit for large events = \$0

Cost of \$240

4th of July Concert, July 4, 2022

Public Works

Barricades: Build-up & Tear-down \$0 (will be left out from previous day)

Street Closing Event permit = \$150

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

Cost of \$210

Festival de Paloma, September 2022 (Date TBD)

Public Works

Barricades: Build-up & Tear-down \$17/hr (3men/4hrs) = \$204

Trash & Recycling: Delivery/Pickup/Dumping \$6 each x 3 containers x 2 = \$36

Street closing permit for large events = \$0

Cost of \$240

Total Event costs \$2,700

REGULAR AGENDA

AGENDA ITEM #3

Courtney Alvarez

From: Mary Valenzuela
Sent: Friday, May 20, 2022 9:28 AM
To: Courtney Alvarez
Subject: FW: June 13 Commissioner Meeting

FYI

From: Jennifer Radcliffe-Jones <jradcliffejones@purpledoortx.org>
Sent: Friday, May 20, 2022 8:36 AM
To: Mary Valenzuela <mvalenzuela@cityofkingsville.com>
Subject: June 13 Commissioner Meeting

Warning! This message was sent from outside your organization and we were unable to verify the sender.

Good Morning Ms. Mary,

The Kleberg End Domestic Violence Task Force would like to do a brief presentation on what we have been doing in Kingsville since 2019 and invite the commissioners to our meeting in June. Could we be added to the agenda on June 13?

Thank you,

Jennifer Radcliffe-Jones
Non-Residential Services Manager
She, Her, Hers



361-248-3713
PO Box 3368
Corpus Christi, TX 78463



Women's Shelter of South Texas dba The Purple Door

AGENDA ITEM #4

CITY OF KINGSVILLE



MEMORANDUM

TO: Mark McLaughlin, City Manager
FROM: Deborah Balli, Finance Director
DATE: June 6, 2022
SUBJECT: FY 20-21 Audit Report Acceptance

Summary:

The FY 20-21 audit is complete and requires acceptance by the City Commission.

Background:

The auditors have completed their work on FY 20-21. This year, Finance had to request (2) 30-day extensions. The audit for FY 20-21 resulted in no findings.

Financial Impact:

The final bill for the audit has not been received, but there is an understanding that the audit costs will not exceed the budgeted amount and actually came in less than expected. The budget savings is a result of less grant work resulting in less work on the Single Audit.

Recommendation:

Staff recommends accepting the FY 20-21 audit report.

AGENDA ITEM #5

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief

DATE: May 24, 2022

SUBJECT: Accept donation from Others 1st

Summary:

The Kingsville Fire Department is requesting approval to accept a donation from Others First in the amount of \$500.00.

Background:

Each month Others First distributes funds to various organizations to assist with their mission.

Financial Impact:

No financial impact. This donation will be used in the fire department for firefighting equipment.

Recommendation:

Accept the donation from Others First in the amount of \$500.00.



Date
4/27/2022

Invoice Number
APRIL 27 2022

Description
OTHERS 1ST DONATION

Amount
500.00

Total Amount: 500.00

Community Bank
416 North Water • Corpus Christi, TX 78401-2533
(361) 888-9310

098267

DATE 5/5/2022

EXPENSE CHECK

ACCOUNT NUMBER

FIVE HUNDRED and 00/100*****

AMOUNT \$500.00

P
AY TO THE ORDER OF
KINGSVILLE FIRE DEPARTMENT
410 W KING ST
KINGSVILLE, TX 78363

AUTHORIZED SIGNATURE

MP

⑈098267⑈ ⑆114911807⑆

⑈9000070⑈

AGENDA ITEM #6

**City of Kingsville
Department Name**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Juan J. Adame, Fire Chief
DATE: May 24, 2022
SUBJECT: Accept donation from Others 1st

Summary:

The Kingsville Fire Department is requesting approval to accept a donation from Others First in the amount of \$500.00.

Background:

Each month Others First distributes funds to various organizations to assist with their mission.

Financial Impact:

No financial impact. This donation will be used in the fire department for firefighting equipment.

Recommendation:

Accept the donation from Others First in the amount of \$500.00.



Date
4/27/2022

Invoice Number
APRIL 27 2022

Description
OTHERS 1ST DONATION

Amount
500.00

Total Amount: 500.00

Community Bank
416 North Water • Corpus Christi, TX 78401-2533
(361) 888-9310

098267

DATE 5/5/2022

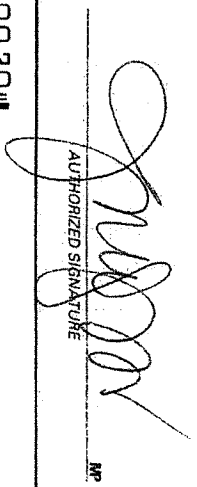
EXPENSE CHECK

ACCOUNT NUMBER

FIVE HUNDRED and 00/100*****

AMOUNT \$500.00

P KINGSVILLE FIRE DEPARTMENT
AY 410 W KING ST
TO KINGSVILLE, TX 78363
ORDER OF


AUTHORIZED SIGNATURE

⑈098267⑈ ⑆114911807⑆

⑈9000070⑈

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND A DONATION FROM OTHER'S FIRST FOR FIREFIGHTING EQUIPMENT.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT #34

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues - 4</u>					
2200	Fire	Donations	72030	\$500	
<u>Expenditures – 5</u>					
2200	Fire	Machinery & Equipment	71200	\$500	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend donation from Other's First for firefighting equipment. Funding comes 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 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

Kingsville Parks & Recreation
400 W. King (mailing)
501 Santiago Park Lane (physical)
Kingsville, Texas 78363
361-221-8705
Susan Ivy, Director
361-219-9125



For Information on events and facilities
www.cityofkingsville.com/department/parks
Email:
sivy@cityofkingsville.com
or follow us on Facebook
Kingsville Parks and Recreation

To: Mark McLaughlin, City Manager

From: Susan Ivy, Parks Director

Date: June 3, 2022

Re: City Commission Agenda Request - Budget Amendment for Additional funds for Motor Gas & Oil in Division 4503 – Parks Maintenance

Summary – We are requesting Commission approval for the attached budget amendment for additional funds for motor gas and oil due to rising costs.

History – Due to gas price increases nationwide our Motor Gas and Oil line item, which began at \$14,500 for this fiscal year, has been depleted. We have transferred \$3,000.00 from within our budget to get one more load of gas but our budget is very lean right now and cannot support our need for gas for the remainder of the fiscal year. Our Estimated Annual expenditure for this year is \$26,000. This will require an additional \$8,500.00.

Financial Impact – This budget amendment will provide an additional \$8,500.00 in our motor gas & oil line item from the General Fund's unappropriated fund balance.

Recommendation - We ask that you approve the budget amendment as presented to you today.

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO INCREASE THE PARK MAINTENANCE MOTOR GAS AND OIL BUDGET DUE TO RISING COSTS.

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 #36

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures</u>					
4503	Park Maint	Motor Gas & Oil	21500	\$8,500	

[To amend the City of Kingsville FY 21-22 Budget to increase the Park Maintenance Motor Gas & Oil budget due to rising costs. This expenditure will come from the unappropriated fund balance of General Fund.]

II.

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

III.

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

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #8

Kingsville Parks & Recreation
400 W. King (mailing)
501 Santiago Park Lane (physical)
Kingsville, Texas 78363
361-221-8705
Susan Ivy, Director
361-219-9125



Accept Donation

For Information on events and facilities
www.cityofkingsville.com/department/parks
Email:
sivy@cityofkingsville.com
or follow us on Facebook
Kingsville Parks and Recreation

To: Mark McLaughlin, City Manager

From: Susan Ivy, Parks Director

Date: June 7, 2022

Re: City Commission Agenda Request Receipt of Donations from Healthy Family Sponsors

Summary – We are requesting Commission approve the receipt of donations for Parks Department Healthy Family Events

History – Healthy Family events are a series of events that provide healthy living activities for the youth and families of Kingsville and Kleberg County. This donation of \$2500 is from the Kleberg County Attorney's Task Force for Healthy Family Events.

Financial Impact – The Healthy Family donations will increase our recreational programming budget by \$2500.

Recommendation-- We ask that you approve the receipt of these donations and authorize the expenditure of these funds for the purpose for which they were donated and approve the associated budget amendment.

AGENDA ITEM #9

Kingsville Parks & Recreation
400 W. King (mailing)
501 Santiago Park Lane (physical)
Kingsville, Texas 78363
361-221-8705
Susan Ivy, Director
361-219-9125



Budget Am.

For Information on events and facilities
www.cityofkingsville.com/department/parks
Email:
sivy@cityofkingsville.com
or follow us on Facebook
Kingsville Parks and Recreation

To: Mark McLaughlin, City Manager

From: Susan Ivy, Parks Director

Date: June 7, 2022

Re: City Commission Agenda Request Receipt of Donations from Healthy Family Sponsors

Summary – We are requesting Commission approve the receipt of donations for Parks Department Healthy Family Events

History – Healthy Family events are a series of events that provide healthy living activities for the youth and families of Kingsville and Kleberg County. This donation of \$2500 is from the Kleberg County Attorney's Task Force for Healthy Family Events.

Financial Impact – The Healthy Family donations will increase our recreational programming budget by \$2500.

Recommendation-- We ask that you approve the receipt of these donations and authorize the expenditure of these funds for the purpose for which they were donated and approve the associated budget amendment.

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND DONATIONS FROM THE KLEBERG COUNTY ATTORNEY TASK FORCE FOR HEALTHY FAMILY EVENTS.

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 #39

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues</u>					
4513	Recreation	Donations-Recreation	58003	\$2,500	
<u>Expenditures</u>					
4513	Recreation	Recreational Programs	31499	\$2,500	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend donations from the Kleberg County Attorney Task Force for Healthy Family Events. This expenditure 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 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #10

CITY OF KINGSVILLE

P. O. BOX 1458 - KINGSVILLE, TEXAS 78364



Date: June 2, 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/Public Information Officer

RE: King Ranch Logo Agreement

Summary: The City of Kingsville City Commission authorized the City Manager to execute a Logo & Brand Guide Development Agreement with ESD and Associates on May 24, 2021. Since that time ESD Associates has been developing a series of logos for City Commission to review. The City Commission voted and approved a final logo March 28, 2022. This logo was contingent on an agreement for use of the King Ranch Running W incorporated into the final design.

The new logo will be featured on 23 city wayfinding signs, staff business cards and letterhead, along with some city vehicles, the Tourism van, trash trucks, on our recently updated website, and in marketing materials.

One goal set forth in the logo redesign process was to incorporate the city's railroad history, Naval Air Station Kingsville relationship, and Texas A&M University-Kingsville relationship along with representation of our King Ranch roots.

Financial Impact: Logo redevelopment cost was \$4,725. Cost of the Logo Agreement with the Ranch is \$0.

Recommendation: Staff recommends Commission approve the City Attorney reviewed agreement with King Ranch for the use of the Running W in the new City of Kingsville logo.



RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER AGREEMENT WITH THE KING RANCH FOR USE OF THEIR RUNNING W TRADEMARK IN THE CITY LOGO; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville has been working with ESD and Associates on a new city logo for about a year and the Commission recently approved a final logo on March 28, 2022, which was contingent on an agreement with the King Ranch to use their Running W in the design; and

WHEREAS, the City has received a letter agreement for Permission to Use the King Ranch's Running W Trademark in the City Logo as specified in the agreement; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to enter into the agreement attached hereto.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a letter Agreement with the King Ranch for Permission to Use the King Ranch's Running W Trademark in the City Logo 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 13th day of June, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



June 2, 2022

City of Kingsville
400 W. King Ave.
Kingsville, Texas 78363

Re: Permission to Use King Ranch's Running W Trademark in City Logo

Dear Mark McLaughlin,

This letter will confirm the permission we have discussed for the City of Kingsville ("City") to include King Ranch's Running W Design (the "Mark") as a decorative element in the proposed logo shown on Schedule A included herein (the "City Logo"). It is our understanding that the City Logo will be used solely in connection with customary and official City governmental, civic, and business activities (the "Use").

To confirm, King Ranch IP, LLC is the owner of all right, title and interest in the Mark and has granted King Ranch IP Licensing, LLC ("King Ranch") an exclusive license with the right to grant sublicenses in the Mark for the Use. Through this letter, King Ranch grants the City a royalty-free, non-exclusive, revocable, and non-transferable permission to use and include the Mark in the City Logo. The Mark can be displayed as part of the City Logo for the Use, including on official City documents, signage, stationery, letterhead, physical property and buildings, and related advertising and promotional materials and sites, including the City website and social media accounts, and on ancillary items related to the Use (such as souvenirs provided or promoted by the City).

The City's use of the Mark does not connote or carry any endorsement, sponsorship or affiliation between King Ranch and any of its affiliates, or their respective employees, goods, services, or properties, and the City. The City expressly shall not use the Mark in any manner which suggests any endorsement, affiliation or sponsorship by or with King Ranch or its affiliates. The City acknowledges that King Ranch IP, LLC is the sole and exclusive owner of all right, title, and interest in the Mark, and the City acquires no rights to the use of the Mark other than as set forth in this letter. The Mark may only be used as a part of the City Logo and may not be used separately or beyond the scope of the contemplated Use. The City agrees to immediately notify King Ranch in writing if it becomes aware of any infringement, unauthorized use, or proposed unauthorized use of the Mark by any person or entity, and further agrees to provide assistance to King Ranch as may be reasonably requested to enable King Ranch to enforce its rights in the Mark.

The Mark may not be altered in any way or used separately from the City Logo. The City must use the Mark in accordance with King Ranch's instructions as to form and appearance of the Mark as may be provided from time to time. King Ranch reserves the right to update or modify its instructions at any time. If the City wishes to use the Mark in a manner other than what is depicted in Schedule A as part of the City Logo, the City must seek prior approval of King Ranch. Failure by the City to obtain King Ranch's

King Ranch, Inc.
Three Riverway, Suite 1600
Houston, Texas 77056-1967
TEL 832-681-5700 • FAX 832-681-5759



prior approval to any change in the Mark constitutes grounds for immediate termination of the City's permission to use the Mark. The City may not seek any federal or state trademark registration for the City Logo or any other logo that contains or depicts the Mark.

King Ranch shall have the right to terminate the City's permission to use the Mark for any reason with twelve (12) months' prior written notice. The City's right to use the Mark may not be transferred or sublicensed.

If these terms are acceptable to the City, please have an authorized official sign below and return a signed copy of this letter to King Ranch. If you have any questions, please do not hesitate to contact me.

Yours Truly,

Mary Gilbert
Chief Financial Officer
King Ranch IP Licensing, LLC

ACCEPTED AND AGREED

City of Kingsville

Signature: _____

Name: _____

Title: _____

Date: _____

King Ranch, Inc.
Three Riverway, Suite 1600
Houston, Texas 77056-1967
TEL 832-681-5700 • FAX 832-681-5759

AGENDA ITEM #11

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: June 3, 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/Public Information Officer

Summary: The City of Kingsville Visitors Center has a lounge space in our lobby with couches for visitors and guests to sit down and browse marketing material. The couches in that space are in dire need of replacement. We are anticipating increased foot traffic in the coming years with recent interest in making commercial use of the property that adjoins ours and we would like our lobby area to serve as a good first impression of our city.

Our current couch set is not a leather material and therefore is not holding up through time. Tourism Staff worked with our purchasing manager to gather a quote on some custom designed leather couches. We also got a quote from a vendor in Dallas who provided the lowest bid for a total of \$9,950 plus freight. This vendor provided the city with a 30% discount on their product.

Financial Impact: Total cost is estimated at no more than \$10,800. This total includes the custom-made couches at \$9,950 plus freight not expected to exceed \$850. The funding source for this expense is ARPA funds earmarked for tourism. The City of Kingsville City Commission authorized ARPA funding in the amount of \$173,544 in HOT revenue related losses on January 24, 2022. The remaining balance in ARPA funds after commission-approved expenses is \$128,044.

Recommendation: Staff recommends Commission approve the purchase of new leather couches for the Kingsville Visitors Center from the lowest bid vendor, Great Blue Heron.



Tourism current couch set





Great Blue Heron
11119 Shady Hollow Dr.
Austin, TX 78748
512-680-6696
mathew.tammen@gmail.com

Invoice

Date	Invoice #
06/03/2022	8824

Bill To
1501 North Hwy 77 Kingsville, TX 78363

Ship To
City of Kingsville 1501 North Hwy 77 Kingsville, TX 78363

Customer Information

Name: City of Kingsville	Phone 1: 361-455-5946	Phone 2:
Email: jreyes@cityofkingsville.com	Invoice address: 1501 North Hwy 77 Kingsville, TX 78363	Shipping address: 1501 North Hwy 77 Kingsville, TX 78363

Order Management

Sales representative: House	Store: Great Blue Heron, TX	Approximate delivery date:	Status: On Hold
Extended warranty: None, \$0.00	Delivery: Cash & Carry, \$0.00	Order type: Customer	Sale tax: No
External PO number: KINGSVILLE1	Adils Share PO Number:		

Order Details

Code	Style	Item	Leather	Qty	Customization	Unit price	Price
CML003	Camelback	Sofa 3-Seat	Mont Blanc Caribbean	1	Add Insert Cost: Bottom Rail: HOH Light Exotic , Add Insert Cost: Front Posts: HOH Light Exotic , Exchange Nail Heads: No 02 Nails , Add Insert Cost: Middle Insert on Tightback: Misc. Grade 100 Leather . Legs: Anzio Legs,	\$8,100.00	\$8,100.00
Comments: MISC GRADE 100 LEATHER = Hornback Turquoise Brown As shown "Bayou" on website due 16 weeks from deposit							
CML002	Camelback	Loveseat	Mont Blanc Caribbean	1	Exchange Nail Heads: No 03 Nails , Add Insert Cost: Bottom Rail: HOH Light Exotic , Add Insert Cost: Front Posts: HOH Light Exotic , Add Insert Cost: Middle Insert on Tightback: Misc. Grade 100 Leather . Legs: Anzio Legs,	\$5,900.00	\$5,900.00
Comments: MISC GRADE 100 LEATHER = Hornback Turquoise Brown As shown "Bayou" on website due 16 weeks from deposit							

**Comments**

FREIGHT NOT INCLUDED - City of Kingsville to pay freight FOB Lewisville TX. Guaranteed freight rate not to exceed \$850

Attachments

File name	User	Date
Bayou 3 Cushion Sofa.pdf	mathew.tammen@gmail.com	6/3/2022

Discount	\$4,050.00
Subtotal	\$14,000.00
Subtotal With Discount	\$9,950.00
Sales Tax	\$0.00
Total	\$9,950.00
Total Payment	\$0.00
Total Due	\$9,950.00

IMPORTANT TERMS AND CONDITIONS OF THIS INVOICE MUST READ

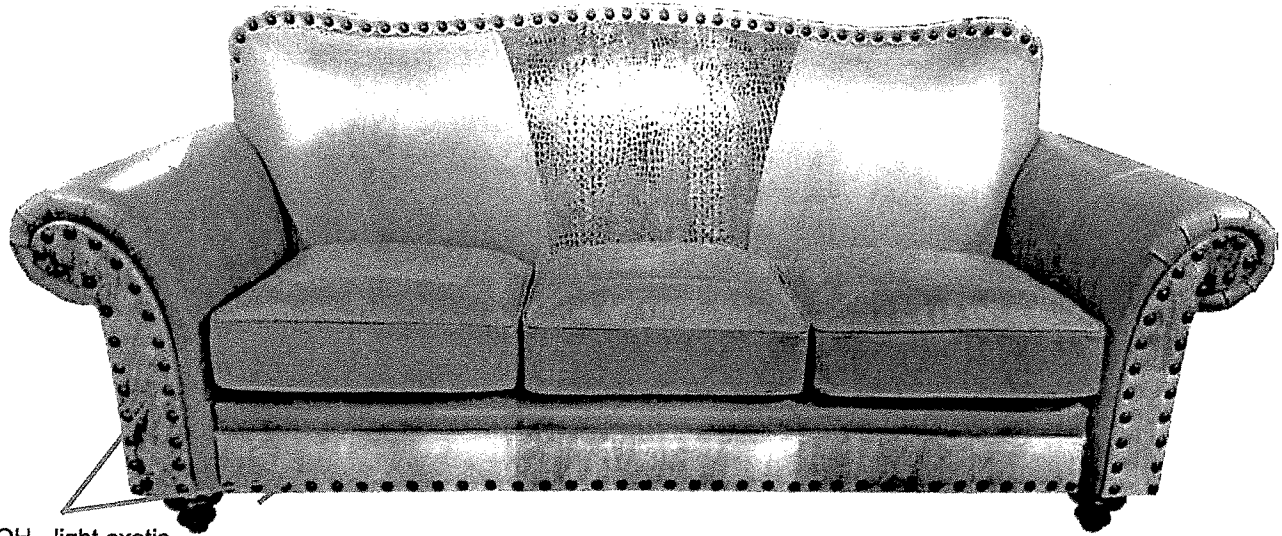
All furniture is custom made; therefore, is non-returnable and non-refundable once an order is placed and production begins. Remitting a payment authorizes Great Blue Heron to begin production. The payment indicates your agreement to pay the remaining balance in full before shipping and to accept delivery. Production times are estimated; however, production times may be delayed due to leather availability, inclement weather, holiday closures or other unforeseen and unavoidable circumstances.

All orders ship Standard LTL Freight service which includes: curbside residential delivery with liftgate and delivery appointment. Curbside means delivery takes place where your driveway meets the street NOT where the driveway ends at the residence. Any exception to this will require a quote for threshold delivery (to the front door) OR white glove delivery - in room placement, and will require additional payment up front before the shipment leaves our factory.

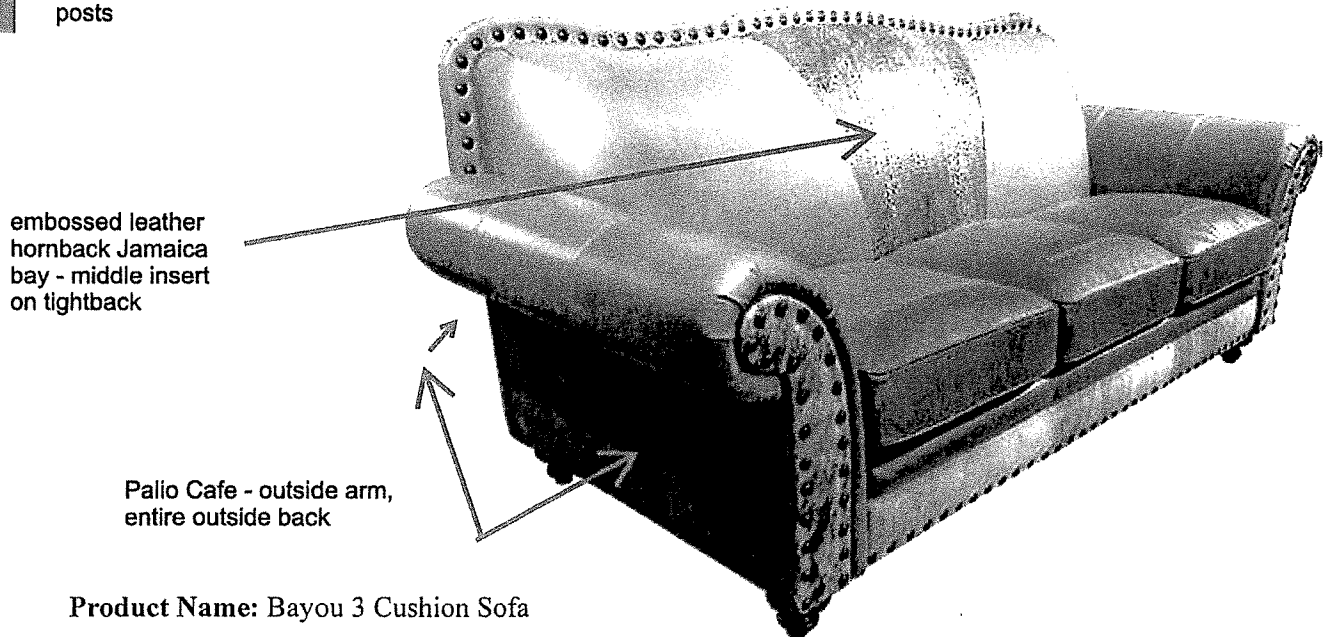
In cases where standard LTL freight is included and customer wants to pay for the upgraded service (threshold or white glove delivery), Great Blue Heron will credit the cost of the standard LTL freight cost, and the customer will be responsible for the difference for the upgraded delivery service.

Final freight billing for orders when shipping is NOT included will be determined at time of shipping, and will need to be remitted to Great Blue Heron Furniture prior to shipping WITHOUT exception.

BAYOU 3 CUSHION SOFA



HOH - light exotic -
bottom rail, front
posts



embossed leather
hornback Jamaica
bay - middle insert
on tightback

Palio Cafe - outside arm,
entire outside back

Product Name: Bayou 3 Cushion Sofa

SKU: SO-BAY

Length/Width: 94", **Depth:** 40", **Height:** 42", **Seat Height:** 21", **Arm Height:** 30", **Inside Seat Width:** 70",
Inside Seat Depth: 23"

Description :

Great Blue Heron's Bayou sofa is our nod to standout southern style that is unique to the south but is a great conversation piece in any home. Upholstered with our Destiny Turquoise distressed / sanded leather and accented with our Hornback Gator in Turquoise Brown this couch will be the center of any room.

CUSTOM SIZES AVAILABLE



4934 Greenwood
Corpus Christi, TX 77416
JUAN CANTU

KINGSVILLE VISITOR CENTER
JANINE REYES

1501 B, HWY 77
KINGSVILLE TX 78364

Quote #

Proposal
22-884JC

Date: 6/2/2022

PH:
21-23 WEEKS LEAD TIME

Order Notes:
Please view the last page of
proposal for ordering information

Item	MFG	Qty	Product	List Price: Per Unit	Sell Price: Per Unit	Sell Price: Extended
1	CAB	1	*1743 CABOT WRENN CUSTOM 1743 CHANCELLOR SOFA W/ TURNED WOOD FEET	\$20,146.50	\$12,087.91	\$12,087.91
LEATHER : SPIRIT TOFFEE- GRADE CL1 (OUTBACK ONLY) LEATHER: TIBURON PEACOCK - GRADE CL3 (IN-BACK, IN-ARMSBACK) LEATHER: HAIR-ON STEER - BRINDLE - GRADE C8 (OUT ARMS, SEAT NAIL TRIM: TBD FOOT: SAME AS THE 7131 OR 7150- FINISH TBD						
2	CAB	1	*1743 CABOT WRENN CUSTOM 1743 CHANCELLOR LOVESEAT W/ TURNED WOOD FEET SPECIAL SIZE - 66-68"W	\$21,416.50	\$12,849.91	\$12,849.91
LEATHER : SPIRIT TOFFEE- GRADE CL1 (OUTBACK ONLY) LEATHER: TIBURON PEACOCK - GRADE CL3 (IN-BACK, IN-ARMS, BACK) LEATHER: HAIR-ON STEER - BRINDLE - GRADE C8 (OUT ARMS, SEAT NAIL TRIM: TBD FOOT: SAME AS THE 7131 OR 7150- FINISH TBD						
3	ZFRT	1	ZFREIGHT CABOT WRENN FREIGHT FEES	\$0.00	\$957.60	\$957.60
4	ZGW	1	ZINSTALL RECEIVE, DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS M-F, 8-5	\$0.00	\$160.00	\$160.00
Subtotal:					\$ 26,055.42	
Total:						\$26,055.42



4934 Greenwood
Corpus Christi, TX 77416
JUAN CANTU

KINGSVILLE VISITOR CENTER
JANINE REYES

1501 B, HWY 77
KINGSVILLE TX 78364

Quote #

Proposal
22-884JC

Date: 6/2/2022

PH:

21-23 WEEKS LEAD TIME

Order Notes:

Please view the last page of
proposal for ordering information

<i>List Price:</i>	<i>Sell Price:</i>	<i>Sell Price:</i>
<i>Per Unit</i>	<i>Per Unit</i>	<i>Extended</i>

Item MFG Qty Product

Special Instructions:

Gateway is pleased to provide this pricing for your consideration. Proposal valid for 30 days.

Please view the detailed list of product in this proposal.

Delivery and Installation during regular business hours, Monday through Friday 8AM to 5PM, unless noted otherwise.

Please note: A deposit is required on all furniture orders prior to order placement

This proposal contains **Special Order** items that are **Not Returnable**.

Once an order is placed, cancellations are **Not Allowed**.

In the event that your landlord and or their property management company requires that they be named as additional insured on our General Liability insurance we hereby agree to provide additional insured status for both on going and completed operations.

Your signature below indicates your approval to order the items listed on this proposal.

Purchase Order: _____

Signature: _____

Date: _____

Print Name: _____

AGENDA ITEM #12

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: June 3, 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/Public Information Officer

Summary: The City of Kingsville Visitors Center has a lounge space in our lobby with couches for visitors and guests to sit down and browse marketing material. The couches in that space are in dire need of replacement. We are anticipating increased foot traffic in the coming years with recent interest in making commercial use of the property that adjoins ours and we would like our lobby area to serve as a good first impression of our city.

Our current couch set is not a leather material and therefore is not holding up through time. Tourism Staff worked with our purchasing manager to gather a quote on some custom designed leather couches. We also got a quote from a vendor in Dallas who provided the lowest bid for a total of \$9,950 plus freight. This vendor provided the city with a 30% discount on their product.

Financial Impact: Total cost is estimated at no more than \$10,800. This total includes the custom-made couches at \$9,950 plus freight not expected to exceed \$850. The funding source for this expense is ARPA funds earmarked for tourism. The City of Kingsville City Commission authorized ARPA funding in the amount of \$173,544 in HOT revenue related losses on January 24, 2022. The remaining balance in ARPA funds after commission-approved expenses is \$128,044.

Recommendation: Staff recommends Commission approve the purchase of new leather couches for the Kingsville Visitors Center from the lowest bid vendor, Great Blue Heron.



Tourism current couch set





Great Blue Heron
11119 Shady Hollow Dr.
Austin, TX 78748
512-680-6696
mathew.tammen@gmail.com

Invoice

Date	Invoice #
06/03/2022	8824

Bill To

1501 North Hwy 77

Kingsville, TX 78363

Ship To

City of Kingsville

1501 North Hwy 77

Kingsville, TX 78363

Customer Information

Name: City of Kingsville

Phone 1: 361-455-5946

Phone 2:

Email: jreyes@cityofkingsville.com

Invoice address: 1501 North Hwy 77

Shipping address: 1501 North Hwy 77

Kingsville, TX 78363

Kingsville, TX 78363

Order Management

Sales representative: House

Store: Great Blue Heron, TX

Approximate delivery date:

Status: On Hold

Extended warranty: None, \$0.00

Delivery: Cash & Carry, \$0.00

Order type: Customer

Sale tax: No

External PO number:
KINGSVILLE1

Adils Share PO Number:

Order Details

Code	Style	Item	Leather	Qty	Customization	Unit price	Price
CML003	Camelback	Sofa 3-Seat	Mont Blanc Caribbean	1	Add Insert Cost: Bottom Rail: HOH Light Exotic , Add Insert Cost: Front Posts: HOH Light Exotic , Exchange Nail Heads: No 02 Nails , Add Insert Cost: Middle Insert on Tightback: Misc. Grade 100 Leather . Legs: Anzio Legs,	\$8,100.00	\$8,100.00
Comments: MISC GRADE 100 LEATHER = Hornback Turquoise Brown As shown "Bayou" on website due 16 weeks from deposit							
CML002	Camelback	Loveseat	Mont Blanc Caribbean	1	Exchange Nail Heads: No 03 Nails , Add Insert Cost: Bottom Rail: HOH Light Exotic , Add Insert Cost: Front Posts: HOH Light Exotic , Add Insert Cost: Middle Insert on Tightback: Misc. Grade 100 Leather . Legs: Anzio Legs,	\$5,900.00	\$5,900.00
Comments: MISC GRADE 100 LEATHER = Hornback Turquoise Brown As shown "Bayou" on website due 16 weeks from deposit							



Comments

FREIGHT NOT INCLUDED - City of Kingsville to pay freight FOB Lewisville TX. Guaranteed freight rate not to exceed \$850

Attachments

File name	User	Date
Bayou 3 Cushion Sofa.pdf	mathew.tammen@gmail.com	6/3/2022

Discount	\$4,050.00
Subtotal	\$14,000.00
Subtotal With Discount	\$9,950.00
Sales Tax	\$0.00
Total	\$9,950.00
Total Payment	\$0.00
Total Due	\$9,950.00

IMPORTANT TERMS AND CONDITIONS OF THIS INVOICE MUST READ

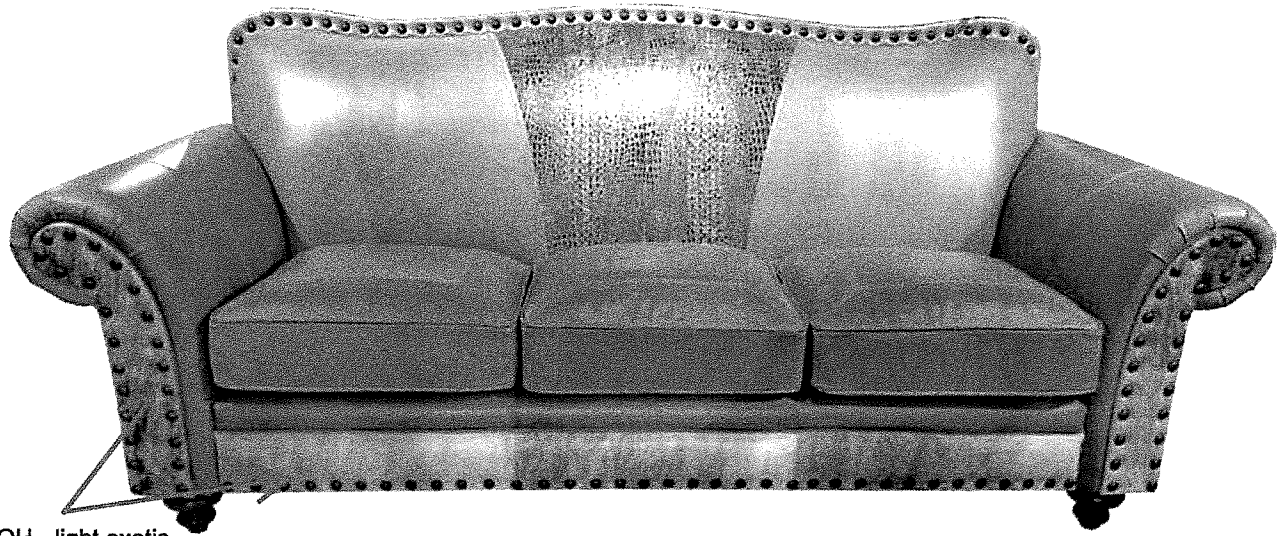
All furniture is custom made; therefore, is non-returnable and non-refundable once an order is placed and production begins. Remitting a payment authorizes Great Blue Heron to begin production. The payment indicates your agreement to pay the remaining balance in full before shipping and to accept delivery. Production times are estimated; however, production times may be delayed due to leather availability, inclement weather, holiday closures or other unforeseen and unavoidable circumstances.

All orders ship Standard LTL Freight service which includes: curbside residential delivery with liftgate and delivery appointment. Curbside means delivery takes place where your driveway meets the street NOT where the driveway ends at the residence. Any exception to this will require a quote for threshold delivery (to the front door) OR white glove delivery - in room placement, and will require additional payment up front before the shipment leaves our factory.

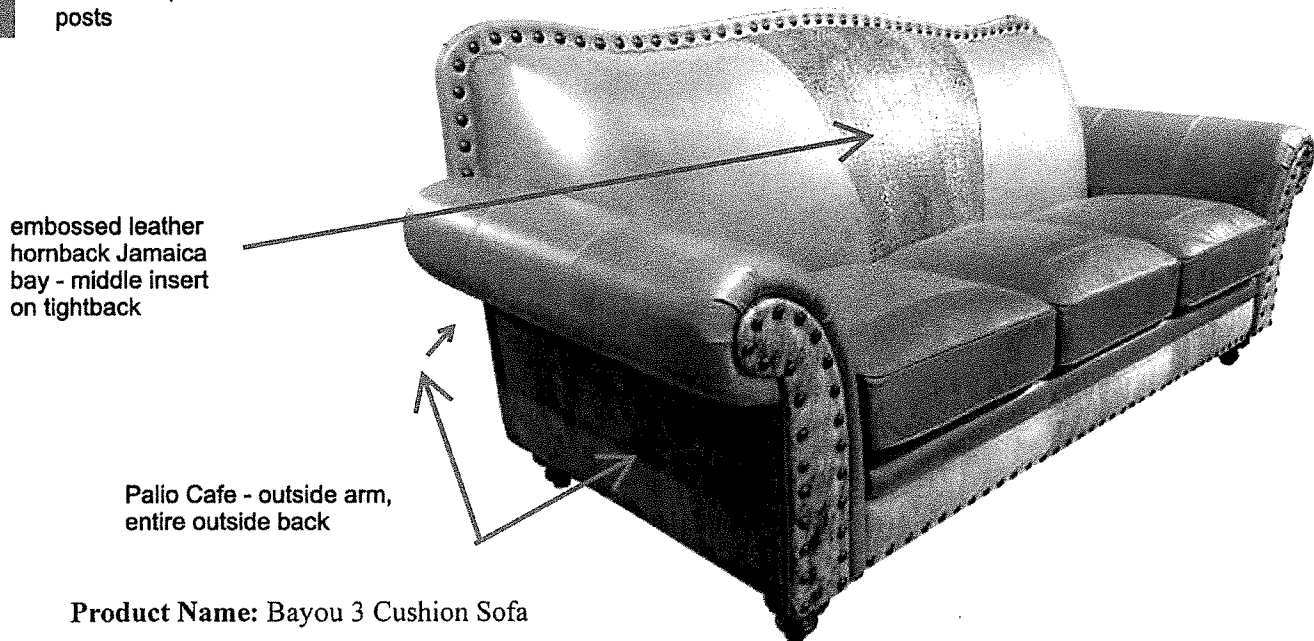
In cases where standard LTL freight is included and customer wants to pay for the upgraded service (threshold or white glove delivery), Great Blue Heron will credit the cost of the standard LTL freight cost, and the customer will be responsible for the difference for the upgraded delivery service.

Final freight billing for orders when shipping is NOT included will be determined at time of shipping, and will need to be remitted to Great Blue Heron Furniture prior to shipping WITHOUT exception.

BAYOU 3 CUSHION SOFA



HOH - light exotic -
bottom rail, front
posts



embossed leather
hornback Jamaica
bay - middle insert
on tightback

Palio Cafe - outside arm,
entire outside back

Product Name: Bayou 3 Cushion Sofa

SKU: SO-BAY

Length/Width: 94", **Depth:** 40", **Height:** 42", **Seat Height:** 21", **Arm Height:** 30", **Inside Seat Width:** 70",
Inside Seat Depth: 23"

Description :

Great Blue Heron's Bayou sofa is our nod to standout southern style that is unique to the south but is a great conversation piece in any home. Upholstered with our Destiny Turquoise distressed / sanded leather and accented with our Hornback Gator in Turquoise Brown this couch will be the center of any room.

CUSTOM SIZES AVAILABLE



4934 Greenwood
Corpus Christi, TX 77416
JUAN CANTU

KINGSVILLE VISITOR CENTER
JANINE REYES

1501 B, HWY 77
KINGSVILLE TX 78364

Quote #

Proposal
22-884JC

Date: 6/2/2022

PH:

21-23 WEEKS LEAD TIME

Order Notes:

Please view the last page of
proposal for ordering information

Item	MFG	Qty	Product	List Price:	Sell Price:	Sell Price:
				Per Unit	Per Unit	Extended
1	CAB	1	*1743 CABOT WRENN CUSTOM 1743 CHANCELLOR SOFA W/ TURNED WOOD FEET	\$20,146.50	\$12,087.91	\$12,087.91
LEATHER : SPIRIT TOFFEE- GRADE CL1 (OUTBACK ONLY) LEATHER: TIBURON PEACOCK - GRADE CL3 (IN-BACK, IN-ARMSBACK) LEATHER: HAIR-ON STEER - BRINDLE - GRADE C8 (OUT ARMS, SEAT NAIL TRIM: TBD FOOT: SAME AS THE 7131 OR 7150- FINISH TBD						
2	CAB	1	*1743 CABOT WRENN CUSTOM 1743 CHANCELLOR LOVESEAT W/ TURNED WOOD FEET SPECIAL SIZE - 66-68"W	\$21,416.50	\$12,849.91	\$12,849.91
LEATHER : SPIRIT TOFFEE- GRADE CL1 (OUTBACK ONLY) LEATHER: TIBURON PEACOCK - GRADE CL3 (IN-BACK, IN-ARMS, BACK LEATHER: HAIR-ON STEER - BRINDLE - GRADE C8 (OUT ARMS, SEAT NAIL TRIM: TBD FOOT: SAME AS THE 7131 OR 7150- FINISH TBD						
3	ZFRT	1	ZFREIGHT CABOT WRENN FREIGHT FEES	\$0.00	\$957.60	\$957.60
4	ZGW	1	ZINSTALL RECEIVE, DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS M-F, 8-5	\$0.00	\$160.00	\$160.00
Subtotal:						\$ 26,055.42
Total:						\$26,055.42



4934 Greenwood
Corpus Christi, TX 77416
JUAN CANTU

KINGSVILLE VISITOR CENTER
JANINE REYES

1501 B, HWY 77
KINGSVILLE TX 78364

Quote #

Proposal
22-884JC

Date: 6/2/2022

PH:

21-23 WEEKS LEAD TIME

Order Notes:

Please view the last page of
proposal for ordering information

Item MFG Qty Product

List Price: **Sell Price:** **Sell Price:**
Per Unit **Per Unit** **Extended**

Special Instructions:

Gateway is pleased to provide this pricing for your consideration. Proposal valid for 30 days.
Please view the detailed list of product in this proposal.
Delivery and Installation during regular business hours, Monday through Friday 8AM to 5PM, unless noted otherwise.

Please note: A deposit is required on all furniture orders prior to order placement
This proposal contains **Special Order** items that are **Not Returnable**.
Once an order is placed, cancellations are **Not Allowed**.

In the event that your landlord and or their property management company requires that they be named as additional insured on our General Liability insurance we hereby agree to provide additional insured status for both on going and completed operations.

Your signature below indicates your approval to order the items listed on this proposal.

Purchase Order: _____

Signature: _____

Date: _____

Print Name: _____

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO EXPEND TOURISM ARP FUNDING FOR OFFICE FURNITURE.

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 #35

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 205 – Tourism ARP Funding					
<u>Expenditures</u>					
1071	Tourism	Minor Equipment	21700	\$10,800	

[To amend the City of Kingsville FY 21-22 Budget to expend Tourism ARP funds for office furniture. This expenditure will come from unappropriated Tourism ARP funding.]

II.

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

III.

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

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13



City Manager's Office

TO: Mayor and City Commissioners

CC:

FROM: City Manager

DATE: June 8, 2022

SUBJECT: JK Northway Parking Lot Paving Plan

Summary:

For over three years there has been discussions with Kleberg County about improving the entire JK Northway Facility. The County took back the JK Northway in 2020 following an amendment to the City/County Interlocal Agreement segregating the JK Northway Coliseum and Fairgrounds from the remainder of the Dick Kleberg Park area.

Part of the discussions turned to the County upgrading the JK Northway facility and adding an Emergency Operations Center. The City is already part of the cash match funding source for the EDA Grant to do this work. In addition, the County asked and the City agreed to perform the paving overlay of the existing parking lots on the west, north and east sides of the building. In the summer of 2021 during budget preparations for the FY 21-22 budget year, the JK Northway parking lots were added to the cumulative list of streets to be repaired for the year. If the County Judge was not ready for the parking lots during the fiscal year, the City would pass over those project areas and proceed to expend the funds on other City streets.

During recent City Commission meetings, there was much discussion on the plan enacted as part of the budget cycle for the current fiscal year including reportioning the funds from the Street Maintenance Fund away from the JK Parking lots and onto other City Streets.

Therefore, this submittal does exactly that. It removes the JK Northway parking lot paving project from the Street Maintenance Fund; however, to keep with the intent and years of dialogue with the County, I am proposing the following alternative solution:

1. Assign the original budgeted amount of \$158,998 to be expensed from Tourism's Fund 002 Fund Balance.
2. Fund 002 has a budgeted end of year balance forecast to be \$418,440.27. The current fund balance in Fund 002 as of June 8, 2022, is \$530,812.12.





City Manager's Office

3. Judge Madrid made known to the City Commission in May 2022 that any overages for paving the parking lots more than \$158,998 would be paid by Kleberg County.
4. Street Maintenance Fund (Fund 092) will not incur the \$158,998 in expenses to the JK Northway, and instead the Street Department will re-apportion that money to street maintenance on the master street maintenance list at the discretion of the City Manager, Public Works Director, City Engineer and the Street Maintenance Supervisor.
5. An agreement will need to be drafted and presented to Kleberg County stipulating the work and potential cost share of the work.

Recommendation:

- a. Request Commission approval the use of \$158,998 from Fund 002 fund balance for hot mix overlay paving of the JK Northway Parking areas on the west, north and east sides of the facility.
- b. Estimated cost of 1.5" of hot mix overlay plus haul fees for the 22,050 square yards of parking to be \$175,000. There may be additional expense preparing the base material on the east side of the facility. Judge Madrid agreed to pick up all cost overruns above \$158,998.

Total Cost from Tourism Fund 002: \$158,998; and a like re-apportionment of the same amount in the Street Maintenance Fund (Fund 092) to be used for additional street paving projects.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE PARKING LOT PREPARATION AND HOT MIX OVERLAY OF THE WEST, EAST AND NORTH PARKING AREAS AT THE JK NORTHWAY.

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 #38

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 002 - Tourism					
<u>Expenditures</u>					
1071	Tourism	Grounds & Perm Fixtures	59100	\$158,998	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for the parking lot preparation and hot mix overlay of the west, east and north parking areas at the JK Northway. This funding will come from the unappropriated fund balance of the Tourism Fund.]

II.

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

III.

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

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14



City Manager's Office

TO: Mayor and City Commissioners

CC:

FROM: City Manager

DATE: June 8, 2022

SUBJECT: Dick Kleberg Park Baseball Field Parking Paving Plan

Summary:

In May 2022, City Commission approved the expenditure of \$150,000 into testing of existing parking area and construction buildout of parking areas around the baseball field complex in Dick Kleberg Park.

In June, a visual inspection all parking areas around the baseball complex revealed that the current condition of the asphalt parking areas are to far into a state of disrepair, and the only option is to perform full depth construction replacement.

The plan proposed consists of full depth construction of three separate areas. FDC involves removal of 8" of existing dilapidated asphalt and base/dirt material below. The void will be replaced with 6" of packed limestone base, an emulsion for setting the chip seal, a chip seal layer to provide grip for the hot mix, and a 2.5" of hot mix overlay compacted to 2". Total cost for this procedure in material alone is approximately \$20/square yard.

Three identified parking area include:

1. Large rectangular lot that will begin at the northern edge of recently completed sidewalks in the complex, north to the nearest drive off of the Park Road. This lot is approximately 2,200 square yards.
2. Second lot is the pump lot. Named due to the existence of an abandoned water well/pump area with pipes that still exist above ground. These works will require demolition in order to prepare an approximately 2,100 square yard parking area.
3. The third lot is triangular in shape is on the west side of the junction of the Park Road and the BBQ Loop Road. This piece of land presents challenges and could be approximately 2,800 square yards; however, it will most likely be smaller due to drainage areas and distances between the ball field and the BBQ Loop road make parking challenging.





City Manager's Office

4. The final piece is the entrance to the first two parking areas off the Park Road. This area is approximately 560 square yards.

Total square yards of all three areas should not exceed 7,660 square yards; yet again, some of this area will most likely not be paved due to physical constraints. At approximately \$20/square yard for full depth construction, all 7,760 square yard would cost \$153,200.

Recommendation:

- a. Request Commission approval the use of ARPA funds in the amount of \$150,000 from the General Fund ARPA State & Local Recovery Fund (Fund 121), and expensed in Parks-Grounds and Permanent Fixtures.

As a side note, the Street Department will perform the work on the parking lots; however, phasing of construction will follow street construction of high priority streets with new curb and gutters, and after the JK Northway hot mix project.

A map of the projected parking lots will be provided during the Commission Meeting.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE PARKING LOT STUDY AND PHASE 1 BUILDOUT OF PARKING AREAS AROUND THE BASEBALL FIELDS AT DICK KLEBERG PARK.

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 #37

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 121 – General Fund ARP Funding					
<u>Expenditures</u>					
4503	Parks	Grounds & Perm Fixtures	59100	\$150,000	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for the parking lot study and phase 1 buildout of parking areas around the baseball fields at Dick Kleberg Park. This funding will come from the unappropriated fund balance of the GF ARP Funding.]

II.

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

III.

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

IV.

THAT this Ordinance shall not be codified but shall become effective on and after adoption and publication as required by law.

INTRODUCED on this the 13th day of June 2022.

PASSED AND APPROVED on this the 27th day of June 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: June 8, 2022

SUBJECT: Mutual Aid Agreement Between, Commanding Officer Naval Air Station
Kingsville and City of Kingsville Police Department

Summary:

The Kingsville Police Department requests to enter into a MAA between Commanding Officer Naval Air Station Kingsville and City of Kingsville Police Department.

Background:

NASK and KPD recognize the need for authorized usage of interoperable radio frequencies during disaster-related situations. The goal is to establish network communications between KPD and NASK (hereinafter the “parties”) and to define the working arrangements, relationships, and responsibilities of both parties.

Financial Impact:

No cost items have been identified, and this Agreement does not document, provide for, or commit to the exchange of funds or personnel between the parties. All services provided under this Agreement shall be rendered without reimbursement by the receiving party. All loaned equipment shall be returned to the original owner if the agreement is terminated.

Recommendation:

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



RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING THE POLICE CHIEF TO ENTER A MUTUAL AID AGREEMENT BETWEEN COMMANDING OFFICER, NAVAL AIR STATION KINGSVILLE AND THE CITY OF KINGSVILLE POLICE DEPARTMENT FOR AUTHORIZATION TO UTILIZE EMERGENCY RADIO FREQUENCIES; 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 Mutual Aid Agreement between the City and NASK has been reviewed by both parties and is ready for approval;

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 Mutual Aid Agreement Between Commanding Officer, Naval Air Station Kingsville and the City of Kingsville Police Department for authorization to utilize emergency radio frequencies 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 13th day of June, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



DEPARTMENT OF THE NAVY
NAVAL AIR STATION KINGSVILLE
554 MC CAIN ST SUITE 310
KINGSVILLE TEXAS 78363-5054

IN REPLY REFER TO
2000
Ser N00/182
6 Jun 22

**MUTUAL AID AGREEMENT
BETWEEN
COMMANDING OFFICER, NAVAL AIR STATION KINGSVILLE
AND
CITY OF KINGSVILLE POLICE DEPARTMENT**

Subj: AUTHORIZATION TO UTILIZE EMERGENCY RADIO FREQUENCIES

Ref: (a) NASKINGSINST 2400.1G
(b) CNRSEINST 2300.1D
(c) 47 C.F.R. 90

1. Background

- a. Reference (a) prescribes policy for NASK to develop agreements on actions of mutual interest.
- b. Reference (b) stipulates that Navy Region Southeast's Enterprise Land Mobile Radio (ELMR) system allows for a coordinated response between Navy emergency services and other federal, state, and local public safety agencies.
- c. Reference (c) defines the requirement for agencies to develop network relationships with communities and other users for ELMR radio systems.

2. Purpose. To establish a Mutual Aid Agreement (hereinafter the "Agreement") between the Kingsville Police Department (hereinafter "KPD") and the Commanding Officer, Naval Air Station Kingsville (hereinafter "NASK") for the authorized usage by NASK and KPD of interoperable radios frequencies during disaster-related situations. The goal is to establish network communications between KPD and NASK (hereinafter the "parties") and to define the working arrangements, relationships, and responsibilities of both parties.

3. Scope. The provisions of this Agreement will apply to all operational personnel, equipment, and operations of the parties, where such provisions do not conflict with statute, policy standard operating procedures, or other written directives. The emergency radio frequencies shall be used for working emergency events or pre-planned events, as agreed to by the parties.

4. Responsibilities

a. NASK

(1) Provide an interoperability base station to KPD and accept responsibility for installation and maintenance of said base station.

Subj: AUTHORIZATION TO UTILIZE EMERGENCY RADIO FREQUENCIES

(2) Provide guidance and standard operating procedures on proper utilization and use of the designated radio frequencies to NASK personnel.

(3) Provide KPD at least one (1) month notice of pending exercises and request their participation.

b. KPD

(1) Use the interoperability base station that allows KPD to utilize the same frequencies as NASK in the event of an emergency onboard NASK.

(2) Provide guidance and standard operating procedures on proper utilization and use of the designated radio frequencies to KPD personnel.

(3) Participate in exercises generated by NASK, if KPD schedule and operations permit.

5. Effective Date. This Agreement shall be entered into and effective on the date the last party signs the agreement [hereinafter "effective date"].

6. Duration. Duration of this Agreement is three (3) years from the effective date.

7. Review. This Agreement will be reviewed and validated annually by both parties to verify and determine continuing need. Proposed changes shall be implemented in accordance with paragraph (8) directly below.

8. Modification. This Agreement can be modified by mutual agreement, in writing, of both parties unless either party is required to change the agreement by statutes, executive orders, directives or other government requirements. Notification shall be made by requesting party to others at least 120 days prior to requested changes. Notification of modification shall be sent to the other party at the address in paragraph 14 below.

9. Termination. This Agreement may be terminated by either party by giving written notice to the other party of intention to do so. Such notice of intention to terminate shall take effect no less than sixty (60) days from the date that such notice is received by the non-terminating party. Notification of termination shall be sent to the other party at the address in paragraph 14 below.

10. Unresolved Disputes. In the event of an inability to resolve disputes to the mutual satisfaction of both parties, the matter will be elevated through the party's respective chains of command for resolution.

11. Financial Consideration. No cost items have been identified, and this Agreement does not document, provide for, or commit to the exchange of funds or personnel between the parties. All services provided under this Agreement shall be rendered without reimbursement by the receiving party. All loaned equipment shall be returned to original owner if the agreement is terminated.

12. Administration

(a) The IT Director of NASK shall administer, as the primary, this Agreement on NASK's behalf.

(b) The ELMR Manager, as the alternate, shall work with KPD if the primary is not available.

(c) The Chief of Police for KPD shall administer this Agreement on KPD's behalf.

Subj: AUTHORIZATION TO UTILIZE EMERGENCY RADIO FREQUENCIES

13. Confidentiality. To the extent not inconsistent with applicable state and federal law, the terms of this Agreement between NASK and KPD, any confidential information disclosed in connection with this Agreement, whether before or after the effective date of this Agreement, including during any negotiations or any mediation related to such negotiations or this Agreement, and any proprietary, non-public information regarding the radio frequencies, the Navy, NASK, KPD, and City of Kingsville business must be kept confidential by the Navy, NASK, KPD, and their employees, agents, and attorneys, which confidentiality shall survive the termination of this Agreement.

14. Points of contact

a. NASK

(1) Dennis Alfred Henderson, ELMR Manager, Primary
Telephone: (361) 453-5725 or (361) 961-3864
E-mail: dennis.a.henderson2.ctr@us.navy.mil
554 McCain St, Ste 109
Kingsville, Texas 78363

(2) Nancy Cardona, NAS Kingsville IT Director, Alternate
Telephone: (361) 516-6202
E-mail: nancy.l.cardona.civ@us.navy.mil
554 McCain St, Ste 115
Kingsville, Texas 78363

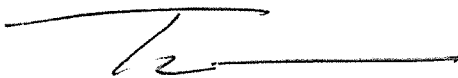
b. City of Kingsville – Police Department

Ricardo Torres, Chief of Police Kingsville Police Department
Telephone: (361) 592-4311
E-mail: chiefofpolice@kingsvillepd.us
1700 E King Ave
Kingsville, Texas 78363

15. Approval. IN WITNESS HEREOF, this Agreement has been executed by the parties concerned, as shown by their signatures below:

NAVAL AIR STATION KINGSVILLE

KINGSVILLE POLICE DEPARTMENT



T. G. KORSMO
CAPTAIN, U. S. NAVY
COMMANDING OFFICER

RICARDO TORRES
CHIEF OF POLICE
KINGSVILLE POLICE DEPARTMENT

06 June 2022

DATE

DATE