

City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, JULY 25, 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)

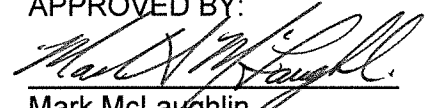
Regular Meeting - July 11, 2022

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

None.

III. Reports from Commission & Staff.²

APPROVED BY:


Mark McLaughlin
City Manager

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to expend Tourism ARP funding for magnetic photo frame promotional items. (Tourism Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend donations from B.C. and Addie Brookshire Foundation for summer youth camps and ballfield lighting project. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide funding for the downtown planter boxes. (Director of Planning & Development Services).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for cost overruns on operating leases and motor gas and oil in Planning. (Finance Director).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to close out Fund 086-TX CDBG Grant #7218269. (Finance Director).
6. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for cost overruns on motor gas and oil in Fire. (Fire Chief).
7. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend grant funding from the Ed Rachal Foundation for minor equipment for the Police Department. (Police Chief).
8. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for motor gas and oil and SWAT overtime for the Patrol Division. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider a resolution authorizing the city to submit an application to the Ed Rachal Foundation for ball field lighting improvements at Dick Kleberg Park. (Parks Director).

10. Consider accepting donations for Kingsville Parks Youth Pony League Allstar Teams competition expenses. (Parks Director).
11. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend donations for the Pony League Allstar Teams travel expenditures to competitions. (Parks Director).
12. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for utilities at the Golf Course. (Parks Director).
13. Consider a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2023 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
14. Consider a resolution authorizing the submission of an application to the Texas Water Development Board Asset Management Program for Small Systems. (Capital Improvements Manager).
15. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6, Traffic Control Devices, providing for the restriction of parking during certain hours on the North side of East Ailsie Avenue between 14th Street and Shelly Blvd. and on the South side of East Lott Avenue between 18th and 19th Streets. (City Engineer).
16. Consider awarding Request for Qualifications (RFQ 22-13) for Bridge Repairs at N. 6th Street and Tranquitas Creek to International Consulting Engineers, as per staff recommendation, and authorizing staff to begin negotiating a contract. (City Engineer).
17. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to cover additional budget costs for the Engineering Department due to increased operating costs. (City Engineer).
18. Consideration and approval of a resolution amending a resolution accepting a petition for and calling for a public hearing on the creation of the Somerset Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing. (City Manager/City Attorney).

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:

July 21, 2022 at 4:45 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

Mary Valenzuela
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)

JULY 11, 2022

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 11, 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
Steven Palacios, Fire Marshall
Deborah Balli, Finance Director
Uchechukwu Echeozo, Director of Planning & Development Services
Janine Reyes, Tourism Director
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Rudy Mora, Engineer
Michael Mora, Capital Improvements Manager
Diana Gonzales, Director of Human Resources
Susan Ivy, Parks Director
Manny Salazar, President/CEO Kingsville Chamber of Commerce
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 - June 27, 2022

Motion made by Commissioner Lopez to approve the minutes of June 27, 2022, as presented, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

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."

Mr. Mark McLaughlin, City Manager reported that sales tax figures were released today by the Texas State Comptroller's Office. We were down 9% for the month over his projections. The city still stands at \$320,000 for the year but with the third consecutive month now of underperforming from our budget projections based on inflation. He further stated that he and Mrs. Deborah Balli, Finance Director have adjusted the sales tax figures estimates for the next fiscal year and so Mrs. Balli has plugged those into the budget which leads him to say that the staff is working hard building the budget and which will be discussed during the budget workshops in the upcoming weeks. He further reported that the Street Department has started the full-depth reconstruction on Ragland today.

Commissioner Alvarez asked about dates for the upcoming budget workshops.

Ms. Courtney Alvarez, City Attorney responded that the budget workshops dates are as follows: August 15th, and August 16th both to start at 4:00 P.M. Before our regular meeting scheduled for August 22nd, there will be a budget workshop from 4:00 P.M. to 5:00 P.M. to follow with our regular scheduled meeting. There is also a budget workshop if needed, to be scheduled for August 23rd at 4:00 P.M. Ms. Alvarez further reported that the next regular Commission meeting is scheduled for Monday, July 25, 2022, at 5:00 P.M. Deadline for staff to submit their agenda items is Friday, July 15th. Ms. Alvarez further stated that Mr. Dan Martinez, Bond Counsel will not be present at the meeting today, due to being ill. She further stated that with being in communication with bond counsel and the attorney Ms. Killen, attorney for the developer, there have been some updates made to the agreement for agenda item #14, which has been provided to the Commission. The update provides a better PID boundary restriction for the 58 acres.

Mayor Fugate asked Ms. Alvarez if she has had enough time to look at the updated information. Ms. Alvarez responded yes. Mayor Fugate further gave a quick update on the 4th of July events that occurred in Kingsville.

IV. Public Comment on Agenda Items.³

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

Mrs. Mary Valenzuela, City Secretary read a public comment into the record, submitted by Mr. Lance Hamm, 912 South Creek.

Lance Hamm, 912 South Creek. Mayor, Commissioners, & City Staff, good evening. I take exception to the fact that the Kingsville City Commission violated my right, the rights of two other Kingsville residents, and the right of a city employee, to be notified, via the notice/agenda procedures of the Open Meetings Act, relating to Agenda item 23 of the 27 June 2022 Kingsville City Commission meeting, and Whereas, agenda item 23 gave notice to the public that City business was to be discussed on implementing a city grievance procedure, but City Commissioners, without objection from the City Attorney at this specific time, discussed three specific citizen complaints by mentioning, out loud during the meeting without due regard to confidentiality, the names of three residents and the name of the specific position/title of one city employee being complained against, and Whereas, there was no notice given to the three residents and one city employee that specific complaints, and/or their names, were to be discussed as city business during the 27 June 2022 City Commission meeting, as it was the duty, by law of the Open Meetings Act, for the Officials of the City of Kingsville to do so, with specific and separate notice/agenda items for lawful notice to the public and giving opportunity to residents to be present during the meeting if their business with the city is to be discussed, and Whereas, without proper and legal notice, none of the four residents involved were present at the meeting, and I recommend the City Commission take itself into Executive Session to discuss personnel behavior of the Commission and the need to take action. I further recommend as a minimum, that the City Commission/Mayor and city staff offer a written letter of apology to each city resident involved in the above-mentioned violation, and that City Commissioners, Mayor, and City Attorney retake the Open Meetings Act online training required of all Texas elected officials, to refresh their memory as to the lawful notice procedures of the Texas Open Meetings Act. Respectfully, Lance Hamm, 912 South Creek. End public comment.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide funding for Storm Water Manhole Rehabilitation. (City Engineer).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget for increased credit card fees. (Finance Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide funding for the debt service payment from Fund 087

for the solid waste equipment purchased through 2021 and 2022 Tax Notes. (Finance Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate funding for 50% of the renovation costs of the golf course remaining 15 greens and the putting green. (Parks Director).

5. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for increased motor gas and oils costs for the Golf Course. (Parks Director).

6. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate additional funding for vehicle repairs on sanitation garbage trucks. (Public Works Director).

7. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide funding for Water Well #23 repairs. (Public Works Director).

8. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for increased costs in solid waste. (Public Works Director).

9. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for increased costs in the Police Department for overtime and vehicle maintenance. (Police Chief).

10. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate funding for landscape architecture services for Chamberlain Park. (Purchasing Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

11. Presentation and discussion on City of Kingsville Housing Market Analysis from Chamber of Commerce. (President/CEO Kingsville Chamber of Commerce).

Mr. Manny Salazar, President/CEO of Kingsville Chamber of Commerce gave a brief presentation to the City Commission regarding the City of Kingsville Housing Market. The Chamber of Commerce commissioned housing in November 2021 and was completed and presented to the Board in 2022. The Chamber selected a group named RCLCO as the consultant for the project. RCLCO has worked in this arena since 1967 and specializes in quantitative analytics and strategic planning to provide end-to-end business planning and implementation solutions resulting in over \$5 billion in real estate activity each year. Mr. Salazar mentioned some of the key findings of the study. He stated that the current housing stock, including single-family and multi-family communities were built between the 1940s and 1980s. This has created a distinct lack of inventory in those areas. The recommendation by RCLCO is that the Kingsville market can support the following: 35 to 55 new single-family homes for sale per year, the highest demand is in the \$150,000 to \$300,000 range, this aligns with mid to high household family buyers; 50 to 70 new single-family homes for rent each year, which would be geared toward mid to high range families including military, hospital, and university personnel with targeted earnings over \$50,000 annually. There is an opportunity to add a new multi-family community of 100 to 150 units every 4 to 5 years. In the rental trends, Kingsville has 35 rental properties with a total of 1,864 units. The average rent is \$894, which is lower than the Corpus Christi MSA which is at \$1,057.

Average vacancy sits at 6.3% which is lower than the Corpus Christi MSA which is at 9.8%. Most multi-family properties were built in the 1970s and 1980s. The only new community that is not specifically geared towards university students is Oak Tree Apartments which was built in the last 10 years. The largest pool of multi-family renters consists of low to mid-income earners under 35 years of age. This group comprises 52% of the annual demand. Families represent 60% of the rental pool for single-family homes comes from families as opposed to individuals like college students or the military. For the for-sale trends, Kingsville's median and the average home price increased 46% and 22% respectively from 2018 to 2021. In comparison to the Corpus Christi median home price of \$260,000, the Kingsville home price is significantly more affordable at \$165,000. Our current inventory sits at 2.1 months which equals the Corpus Christi market. While permitting has increased, it remains below levels needed to replace aging stock and provide quality housing to those moving to the area. Demand by price from 2021 through 2026 annually homes valued under \$150,000, they anticipate the demand of 9 units or 20% of market capacity. Of the \$150,000 to \$299,000 value, they anticipate the demand of 27 units or 58% of market capacity. Of the \$300,000 to \$449,000 value, they anticipate the demand of 7 units or 7% of market capacity, and of the \$450,000 and above value, they anticipate a demand of 2 units or 6% of market capacity. The regional demand is based on the 20% of Kingsville employees who are currently living in Corpus Christi. There is an opportunity to attract 50 to 60 additional rental households and 10 to 15 owner households from that market. RCLCO acknowledges that the expansion of I-69 presents both an opportunity and a threat by cutting the commuter time to Corpus Christi. Additional quality housing options paired with improved schools and quality of life could attract those from the regional market to Kingsville. Some key recommendations are pattern zoning. This is a concept intended to lower the barriers to executing high-quality, incremental infill projects. The concept involves utilizing pre-approved plans for various single-family and small-scale multi-family buildings. The second recommendation was the creation of a TIRZ in the downtown district that will lead to landscape/streetscape improvements, façade improvements, and commercial/residential building rehabilitation for downtown. The third recommendation was granted to spur new development. The city should continue to utilize grants and property tax abatements for development. RCLCO estimates that a 100-home, for sale, single-family community could generate annual gross tax revenue for the city and county of roughly \$750,000 per year in property and sales tax, before accounting for services. The fourth recommendation is an investment in economic development and job attraction. Investment in economic development could attract private sector employees from outside of Kingsville and help grow local businesses. Increasing the economic development budget to a level commensurate with Kingsville's size and the economy would help maintain competitiveness with peer cities. The fifth recommendation is leveraging anchor institutions. Leveraging anchor institutions, namely the King Ranch, would create a more robust hospitality industry through increased tourism. Mr. Salazar stated that the project that is being discussed aligns with what is presented by RCLCO, which the housing study was done before the conversations of this project.

12. Consider a resolution authorizing the City Manager to enter into an Agreement for Professional Services between the City of Kingsville, Texas, and Winstead PC. (City Attorney).

Ms. Alvarez stated that with the new project coming on it is a good time to update this agreement to make sure that PID services would be included.

Commissioner Alvarez asked if this is a different agreement from the Financial Advisor agreement. Ms. Alvarez responded yes, this is an agreement with the law firm that will represent the city with all the legal requirements and documents so that any time the

city has a bond issue, the law firm files the necessary documents with the Attorney General's Office and the State Comptroller's Office. They make sure that all the notices and required documents are prepared and done so that they are not rejected by any of those entities.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into an Agreement for Professional Services between the City of Kingsville, Texas, and Winstead PC, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

13. Consider a resolution authorizing the City Manager to enter into an Agreement for Financial Advisory Services between the City of Kingsville, Texas, and Estrada Hinojosa & Company, Inc. (Finance Director/City Attorney).

Ms. Alvarez stated that the city's agreement with its financial advisor is coming up for renewal at the end of the year, which will be in the middle should the commission decide to move forward with the PID project, it would be difficult to try and consider while in the middle of that project. The agreement has the same terms and conditions as the existing agreement. The new agreement does have the language to include PID work.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to enter into an Agreement for Financial Advisory Services between the City of Kingsville, Texas and Estrada Hinojosa & Company, Inc., seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Fugate voting "FOR". Hinojosa voting "AGAINST".

14. Consider a resolution accepting a petition for and calling for a public hearing on the creation of the Somerset Public Improvement District Number 1 within the City of Kingsville, Texas under Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing. (City Manager/City Attorney).

Ms. Alvarez stated that bond counsel worked on the resolution that is before the commission. There are some updates to the exhibits that are attached to the resolution. The reason for the update is that when the developer dropped off some information about two weeks ago, the developer had advised that he would be doing a new survey and boundary for the additional four acres that were being acquired from Mr. Nix. She further stated that they hope to have that information to the city by today. Unfortunately, the surveyor also became ill, so this is a work in progress. The updated information does cover the total PID area.

Commissioner Torres asked if this was just so that the public hearing date could be set? Ms. Alvarez responded yes, and it is recommended that the public hearing be set for August 8, 2022, at 5:00 P.M. in the Helen Kleberg Groves Community Room located at City Hall. This would be to receive public comments on the creation of the PID in the area described as 58 acres.

Mayor Fugate asked Ms. Alvarez if she has had enough time to review the documents. Ms. Alvarez responded that she has reviewed it as well as bond counsel.

Motion made by Commissioner Lopez to approve a resolution accepting a petition for and calling for a public hearing on the creation of the Somerset Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing, seconded by Commissioner

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

15. Consider a resolution authorizing the City Manager to enter into an Agreement for Public Improvement District Consulting and Administrative Services between the City of Kingsville, Texas, and MuniCap, Inc. (City Manager/City Attorney).

Ms. Alvarez stated that at the previous city commission meeting bond counsel and Mrs. Killen, attorney for the developer spoke about, if the PID were to be created it would be beneficial to hire an outside group that would be paid for by the PID and not by the city, to do the technical and financial analysis work and notices and annual updates. The group that was recommended is MuniCap Inc. She further stated that the agreement states that if this PID or a PID in the future were created it would spell out the pricing that the PID would pay to the organization to perform the work that the city must have statutorily done for it to operate properly.

Commissioner Torres asked if this would not be paid by the city? Ms. Alvarez responded no; it would be paid by the PID.

Commissioner Hinojosa asked if half of the expenses the city pays for the appraisal district would be coming out of the PID account? He further stated that whenever the appraisal district does the values and the city receives a certain bill based on the total assessed values of the properties, the city pays 100% of that. He further asked if they would be paying 50% of those expenses?

Ms. Alvarez responded not to her knowledge, just because the city would be responsible for paying that whether there was a PID or not. What the PID would be paying for is the services for individuals from MuniCap who would go and do an assessment of the lots that were sold, and lots that are unsold to determine which party needs to get billed and in what amount.

Mr. Abdi Yassin, Senior Vice-President of MuniCap Inc., stated that what his company does is the heavy lifting on behalf of the city so the special district that is created, Public Improvement District, does not impose on staff and does not take time away from other city functions or services. One of the most important aspects of a PID is that the City Commission will be able to evaluate this project yearly and be informed about everything that is going on with this project. He further stated that every year, the statute requires the original document that imposed an assessment on the properties to be updated so that the governing body can evaluate what is going on and do a course correction if needed which is usually done between July and October as we would have to wait until the certified rolls are produced. He further stated that the idea is to make sure that the governing body has oversight of everything that goes on the PID, without the city incurring any costs for that service.

Ms. Alvarez asked Mr. Yassin if he would recommend the middle or end of August. Mr. Yassin responded that the tax collector would like to get it in early September and so what his company does is work with the city to determine the closes meeting in September and then work with the city again to determine how early the city would like to receive documentation, so that is the date that is filled in which could be one to two weeks before the meeting that would occur in August.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into an Agreement for Public Improvement District Consulting and Administrative Services between the City of Kingsville, Texas

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

16. Consider a resolution authorizing the City Manager to enter into a Professional Services Agreement between the City of Kingsville, Texas, and Somerset Land Development, LLC for the development of a public improvement district. (City Manager/ City Attorney).

Ms. Alvarez stated that this is a contract between the city and the developer. Somerset Land Development would like to acquire a PID so the city would get into this contract with them and there are certain things that they would be responsible for, \$25,000 would be submitted to the city, as the initial starting point. The contract also speaks about invoices and how funds are to be kept separately to keep a better accounting of what comes out of that fund.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into a Professional Services Agreement between the City of Kingsville, Texas, and Somerset Land Development, LLC for the development of a public improvement district, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

17. Consider authorizing purchase of marketing merchandise/promotional items for Tourism (ARP Funds). (Tourism Director).

Ms. Janine Reyes, Tourism Director stated that her department would like to purchase custom-made laser-cut photo frames that brand our city. These items would double as merchandise for guests interested in purchasing them. The photo frame would be sold for \$8.00 each. Pricing on 1,400 magnets is \$3.50 each. If the city purchases 2,800, the price is decreased to \$2.95 each.

Commissioner Torres asked if staff had looked at other companies and if bids were needed? Ms. Reyes responded that the only company that she is aware of is the same company that does the photo frames for the USS Lexington, which is where she got the idea from. She further stated that no bids are required as it is under the threshold amount.

Motion made by Commissioner Lopez to authorize the purchase of marketing merchandise/promotional items for Tourism (ARP Funds), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

18. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to expend Tourism ARP funding for magnetic photo frame promotional items. (Tourism Director).

Introduction item.

19. Consider authorizing reclassification/release of Tourism ARP Funds initially allocated for the airshow and not expended. (Tourism Director).

Ms. Reyes stated that after reviewing the contract with MWR for sponsorship of the Wings Over South Texas, staff determined this use of funding would not be appropriate for sponsorship. As a result, the Wings Over South Texas Air Show presenting sponsorship was funded by Hotel Occupancy Taxes within the Tourism budget. She further stated that \$173,544 was placed into an ARPA account for use by the Tourism Department. The commission has approved the use of \$79,450 in Tourism ARPA

funds. If the \$25,000 commitment of ARPA funds for the Wings Over South Texas show is reversed, the total amount of ARPA funds approved for use and anticipated for expenditure would be \$54,450, leaving a balance of \$119,094 available for the Tourism Department ARPA funds.

Motion made by Commissioner Alvarez to authorize reclassification/release of Tourism ARP Funds initially allocated for the airshow and not expended, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

20. Consider accepting donations from B.C. and Addie Brookshire Foundation for summer camp and park capital projects. (Parks Director).

Mrs. Susan Ivy, Parks Director stated that for many years the parks have solicited and received donations of funds from the Brookshire Foundation to assist with youth programming, pool improvements, equipment, and park improvements. The staff has solicited and received funding this year for an amount of \$8,450 to be used to help fund their summer youth camp and \$25,000 to be used toward lighting the ball fields. The \$25,000 will be used as a grant match to a Texas Parks & Wildlife grant that will be submitted on August 1, 2022, for Dick Kleberg Park improvements including the lighting of one or more ball fields. These donations will increase the summer camp budget by \$8,450 and the park capital projects by \$25,000.

Motion made by Commissioner Torres to accept the donations from B.C. and Addie Brookshire Foundation for summer camp and park capital projects, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres Hinojosa, Fugate voting "FOR".

21. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend donations from B.C. and Addie Brookshire Foundation for summer youth camps and ballfield lighting project. (Parks Director).

Introduction item.

22. Consider authorizing use of ARP Funds for Park improvements (ball field restrooms, vacuum for Brookshire pool, auto chlorinator for Splash Pad). (Parks Director).

Motion made by Commissioner Torres to authorize the use of ARP Funds for Park improvements (ball field restrooms, vacuum for Brookshire pool, auto chlorinator for Splash Pad), seconded by Commissioner Lopez and Commissioner Alvarez.

Commissioner Alvarez asked when the last time the bathrooms had been updated. Mrs. Ivy responded that they are in the process of the renovation of the bathrooms.

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

23. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to provide funding for the downtown planter boxes. (Director of Planning & Development Services).

Mr. Uche Echeozo, Director of Planning and Development Services stated that the downtown improvement project is a grant-funded project administered by the city. Sequel to the conclusion of the last project, and the removal of two oak trees on Kleberg

Avenue, it became necessary to erect two new planters, repair the sidewalk curb and gutter, and renovate the existing planters. A proforma has been submitted by the contractors and subsequently reviewed by the city.

Commissioner Hinojosa asked if these funds would be coming from a Certificate of Obligation (CO) and if there was a timeframe that these funds would need to be expended. He further asked how much is left over?

Mr. McLaughlin responded yes; the CO is allowed to be used for this project.

Mrs. Alvarez responded that this information could be made available to the Commission later.

Introduction item.

24. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for cost overruns on operating leases and motor gas and oil in Planning. (Finance Director).

Mrs. Deborah Balli, Finance Director stated that the operating costs for printers in the Planning Department were not budgeted fully in Fiscal Year 21-22 due to equipment movements and the price of fuel has significantly increased causing shortages in the motor gas and oil line item.

Introduction item.

25. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to close out Fund 089-TX CDBG Grant #7218269. (Finance Director).

Mrs. Balli stated that Fund 086 was a fund used to account for a Texas CDBG grant that was completed in Fiscal Year 21-22. Once a grant is closed and all expenditures and revenues have been accounted for, there may be funding left over, such as in the case of fund 086. Once the final revenues were booked and the last invoice was paid, there was a small difference that was transferred back to Fund 051. A budget amendment is requested to record these final transactions and the support documentation shows that the grant is fully closed with zero balances in all balance sheet accounts.

Commissioner Torres asked where these funds were being moved to?

Mrs. Balli stated that as there were a few funds left over, \$600, will be going back to Fund 051. The amount that is going to 54 will take care of the last invoice, which has already been done, so now staff only needs to set up the budget so that everything is wiped out.

Introduction item.

26. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for cost overruns on motor gas and oil in Fire. (Fire Chief).

Introduction item.

27. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to accept and expend grant funding from the Ed Rachal Foundation for minor equipment for the Police Department. (Police Chief).

Introduction item.

28. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to provide additional funding for motor gas and oil and SWAT overtime for the Patrol Division. (Police Chief).

Introduction item.

29. Consider a resolution authorizing the City Manager to execute a Bank Depository Agreement with Kleberg Bank, N.A. for the City of Kingsville. (RFA#22-12) (Purchasing Manager).

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute a Bank Depository Agreement with Kleberg Bank, N.A. for the City of Kingsville. (RFA#22-12), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

30. Executive Session: Pursuant to Section 551.074, Texas Government Code, the Personnel Exception, the City Commission shall convene in Executive Session to deliberate the evaluation and duties of the City Manager. (Commissioner Torres).

Mayor Fugate read and called the meeting into closed session at 5:56 P.M.

Mayor Fugate reconvened the meeting into open session at 6:40 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:41 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: June 28, 2022

To: City Commission via City Manager Mark McLaughlin

CC: Courtney Alvarez, City Attorney, Mary Valenzuela, City Secretary and Deborah Balli, Finance Director

From: Janine Reyes, Director of Tourism Services/Public Information Officer

Summary: The City of Kingsville Visitors Center has set forth several goals beyond the increase in Hotel Occupancy Taxes over the past few years. Two of those goals include a better measure on marketing success and an increase in merchandise revenue. Since we set those goals, our merchandise sales have increased by 1,706.65% as represented in the table below.

FY 17-18	\$240.93
FY 18-19	\$2,802.02
FY 19-20	\$3,661.69
FY 20-21	\$4,352.75
FY 21-22 (Incomplete)*	\$4,247.54 through July*

Merchandise sales not only increase revenue, but also branding awareness. We have increased sales by diversifying merchandise and seeking out opportunities to sale that merchandise to the public. Typically, when we purchase an item for merchandise, we will comp a select few to give away in baskets or promotional material, so frequently merchandise and promotional items are one in the same. To measure print advertisements, we sought to identify a promotional item that could double as merchandise for locals and provide us a promotional tool to measure some high-profile print and digital advertising that King Ranch and Tourism are co-oping. These ads include the back of the Official State of Texas Map (Total Cost: \$6,392.55) and TourTexas.com (Total Cost: \$3979.00), a website run through the state that provides marketing leads. As a measure for the return on investment in those ads, we have created a coupon for guests to redeem at our office. Currently we are giving away Texas shaped Wine Walk magnets, but we would like to give away a nicer item that is not distributed at other events. We would like to purchase custom made laser cut photo frames that brand our city. These items would double as merchandise for guests interested in purchasing them. We intend to sale them at a cost of \$8 each. Pricing on 1,400 magnets is \$3.50 apiece. If we purchase 2,800 the price is decreased to \$2.95 apiece.

Financial Impact: Total cost is estimated at \$5,190 or \$8,646 depending on quantity. The proposed 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 to date is \$122,094.

Recommendation: Staff recommends Commission approve the larger quantity purchase of promotional City of Kingsville magnetic photo frames. These items would also serve as merchandise and produce a revenue stream.





CHARLES PRODUCTS, LLC
12290 WILKINS AVE.
ROCKVILLE, MD 20852
(301) 881-1966

ORDER CONFIRMATION

2224456

DATE 6/27/2022

SELL TO	SHIP TO	ORDER INFORMATION
CITY OF KINGSVILLE, TX ALICIA TIJERINA 1501 N. HWY 77 Kingsville, TX 78364	CITY OF KINGSVILLE, TX ALICIA TIJERINA 1501 N. HWY 77 Kingsville, TX 78364	REF # N/A CUST # 9853 Ship-to Code 9853 PO # 1440 SALES REP AUSTIN PINKERTON apinkerton@charlesproducts.com Shipment Method

PAGE 1 OF 1

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE (\$)	NET UNIT PRICE (\$)	EXTEND AMT (\$)
04/9264	FRAME, LASERCUT, MAGNET 3x 4 CITY OF KINGSVILLE, TX	1,440	Each	3.50	3.50	5,040.00
SETUP	SETUP CHARGE FRAMES @ 1440 PCS KINGSVILLE DESIGN	1	Each	150.00	150.00	150.00

NOTE: THE FREIGHT CHARGES ARE AN ESTIMATE ONLY & THE ACTUAL COST OF FREIGHT WILL BE ADDED TO THE INVOICE.

Charles Products, LLC 12290 Wilkins Ave. Rockville, MD 20852
--

ORDER TOTALS	
SUBTOTAL (USD \$)	5,190.00
TOTAL (USD \$)	5,190.00



CHARLES PRODUCTS, LLC
12290 WILKINS AVE.
ROCKVILLE, MD 20852
(301) 861-1966

ORDER CONFIRMATION

2224732

DATE 7/6/2022

SELL TO	SHIP TO	ORDER INFORMATION
CITY OF KINGSVILLE, TX ALICIA TIJERINA 1501 N. HWY 77 Kingsville, TX 78364	CITY OF KINGSVILLE, TX ALICIA TIJERINA 1501 N. HWY 77 Kingsville, TX 78364	REF # N/A CUST # 9853 Ship-to Code 9853 PO # 2880 SALES REP AUSTIN PINKERTON apinkerton@charlesproducts.com Shipment Method REQUESTED DELIVERY DATE 7/6/2022

PAGE 1 OF 1

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE (\$)	NET UNIT PRICE (\$)	EXTEND AMT (\$)
04/9264	FRAME, LASERCUT, MAGNET 3x 4 CITY OF KINGSVILLE, TX	2,880	Each	2.95	2.95	8,496.00
SETUP	SETUP CHARGE KINGSVILLE DESIGN @ 2,880 PCS	1	Each	150.00	150.00	150.00

NOTE: THE FREIGHT CHARGES ARE AN ESTIMATE ONLY & THE ACTUAL COST OF FREIGHT WILL BE ADDED TO THE INVOICE.

Charles Products, LLC 12290 Wilkins Ave. Rockville, MD 20852
--

ORDER TOTALS	
SUBTOTAL (USD \$)	8,646.00
TOTAL (USD \$)	8,646.00

vancouver aquarium

FRAME HOLDS 6" x 8" PHOTO

vancouver
aquarium





Picture Frame

5" x 7"

Fort Worth Zoo

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO EXPEND TOURISM ARP FUNDING FOR MAGNETIC PHOTO FRAME PROMOTIONAL ITEMS.

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

I.

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

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT #52

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 205 – Tourism ARP Funding					
<u>Expenditures</u>					
1071	Tourism	Promotional	23200	\$8,646	

[To amend the City of Kingsville FY 21-22 Budget to expend Tourism ARP funds for photo frame promotional items. 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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

Budget Am

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/departments/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 30, 2022

Re: City Commission Agenda Request Receipt of Donations from Brookshire Foundation

Summary – Requesting approval to receive and record two donations from the B.C. and Addie Brookshire Foundation totaling \$33,450.00.

History –. Parks has, for many years, solicited and received donated funds from the Brookshire Foundation to assist with youth programming, pool improvements and equipment and park improvements. We have solicited and received funding this year for \$8,450.00 to be used to help fund our Summer Youth Camps and \$25,000.00 to be used toward lighting our ball fields. Attached you will find our solicitation and the checks we received. The \$25,000 will be used as grant match to a Texas Parks & Wildlife grant we will be submitting on August 1st for Dick Kleberg Park Improvements including lighting of one or more baseball/softball/soccer fields.

Financial Impact – These donations will increase our summer camp budget by \$8,450.00 and our Park Capital Projects by \$25,000.00.

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.



Administrator: William R Weempe
Account Number: P1000100
Account Name: Brookshire Charitable Foundation

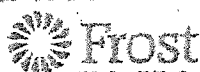
2233314

Transaction #: 9277929
Date: 06/15/2022
Amount: \$25,000.00

Explanation:

City Commission Parks Master Plan - Park Improvements

CITY OF KINGSVILLE
PARKS AND RECREATION



**FROST WEALTH ADVISORS
TRUST CHECK**

2233314

P1000100 William R Weempe
City Commission Parks Master Plan - Park Improvements

Brookshire Charitable Foundation

06/15/2022

PAY

Twenty Five Thousand Dollars & 00/100

\$25,000.00

TO
THE
ORDER
OF

CITY OF KINGSVILLE
PARKS AND RECREATION

2233314



2233313

Administrator: William R Weempe
Account Number: P1000100
Account Name: Brookshire Charitable Foundation

Transaction #: 9277928
Date: 06/15/2022
Amount: \$8,450.00

Explanation:

Kingsville City Parks and Recreation 2022 Summer Camp

CITY OF KINGSVILLE
PARKS AND RECREATION



**FROST WEALTH ADVISORS
TRUST CHECK**

2233313

P1000100 William R Weempe Brookshire Charitable Foundation
Kingsville City Parks and Recreation 2022 Summer Camp

06/15/2022

PAY

Eight Thousand Four Hundred Fifty Dollars & 00/100

\$8,450.00

TO THE ORDER OF

CITY OF KINGSVILLE
PARKS AND RECREATION

2233313

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND DONATIONS FROM AND B.C. AND ADDIE BROOKSHIRE FOUNDATION FOR SUMMER YOUTH CAMPS AND BALLFIELD LIGHTING PROJECT.

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 #55

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues</u>					
4513	Recreation	Park Donations	58003	\$8,450	
<u>Expenditures</u>					
4513	Recreation	Recreation Programs	31499	\$8,450	
Fund 093 – Park Maintenance					
<u>Revenues</u>					
4503	Park Maint	Park Donations	58003	\$25,000	
<u>Expenditures</u>					
4503	Park Maint	Parks Field Improvements	71228	\$25,000	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend donations from the B.C. and Addie Brookshire Foundation for Summer Youth Camps and Ballfield Lighting Project. This expenditure will come from the donations received for the designated purposes.]

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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

City of Kingsville
Planning and Development Services Department

TO: Mark McLaughlin, City Manager

CC: Ms. Deborah Balli, Finance Director

FROM: Uche Echeozo, Director

DATE: June 29, 2022

SUBJECT: Budget Amendment for Civil Works on Kleberg Avenue: Erection of 2nos. Planters and rehabilitation of existing ones

Summary: Etech Construction Inc. – the contractor for the sidewalk project has submitted an invoiced amount of **\$12,290.00 (Twelve thousand, two hundred and ninety US Dollars)** for the erection of 2nos planters on Kleberg Avenue, and the renovation of the existing ones, as well as sidewalk curb and gutter repairs.

Background: The Downtown improvement (Sidewalk) project is a grant-funded project administered by the City. Sequel to the conclusion of the last project, and the removal of two oak trees on Kleberg Avenue, it became necessary to erect two new planters (to house the tree replacement), repair sidewalk curb and gutter, and renovate the existing planters. A proforma has been submitted by the contractors and subsequently reviewed by the City. We are requesting a budget amendment for the sum of **\$15,000** to facilitate this (including a potential increase in cost of materials).

Financial Impact: \$15,000 – From Fund 33.

Recommendation: Approved the amendment.



ETECH Construction, Inc.

PO Box 690504
San Antonio, TX 78269
(210) 315-2296

PROPOSAL

Revised

To: Uchechukwu Echeozo **Job Name / Location:**
City of Kingsville Kleberg Ave @ 8th St

Date: 03/21/2022

DESCRIPTION:

(2) 12X10 LF:
Saw Cut
Demolition
Haul Off
Base #2
Street Pavement
3' Valley Gutter
Concrete Steps
Sidewalk

TOTAL: \$2,290.00
Lump Sum

We propose hereby to furnish materials as noted and labor-complete in accordance with the above specifications. For the sum of: \$2,290.00

Payment to be made as follows:

All material is guaranteed to be specific. All work to be completed in professional manner according to standard practices. Any alteration or deviation from above specifications including extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

Acceptance Of Proposal -The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

ETECH Construction, Inc.

PO Box 690504
San Antonio, TX 78269
(210) 315-2296

PROPOSAL

To: Uchechukwu Echeozo
City of Kingsville

Job Name / Location:
Kleberg Ave @ 8th St

Date: 03/21/2022

DESCRIPTION:

(2) New Planters (as specified in plans) on the West side of the intersection of E. Kleberg Ave and N. 8th St.

(2) Repair Existing Planters on the South side of the intersection of E. Kleberg Ave and N. 7th St.

TOTAL: \$10,000.00
Lump Sum

We propose hereby to furnish materials as noted and labor-complete in accordance with the above specifications. For the sum of: \$10,000.00

Payment to be made as follows:

All material is guaranteed to be specific. All work to be completed in professional manner according to standard practices. Any alteration or deviation from above specifications including extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

Acceptance Of Proposal -The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payments will be made as outline above.

Signature_____

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE FUNDING FOR THE DOWNTOWN PLANTER BOXES.

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 #53

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 033 – CO Series 2016					
<u>Expenditures</u>					
1030	City Special	Downtown Revitalization	71216	\$15,000	

[To amend the City of Kingsville FY 21-22 Budget to provide funding for the downtown planter boxes. This expenditure will come from unappropriated CO Series 2016 fund balance.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: June 23, 2022

SUBJECT: Planning Dept. Budget Amendment

Summary:

Operating costs for printers in the Planning Department were not budgeted fully in FY 21-22 due to equipment movements and the price of fuel has significantly increased causing shortages in the motor gas and oil line item.

Financial Impact:

This Budget Amendment request for \$8,707 will be funded through the unappropriated fund balance of General Fund 001.

Recommendation:

Staff recommends the approval of the budget amendment for increased costs in the Planning Department for operating leases and motor gas and oil.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE ADDITIONAL FUNDING FOR COST OVERRUNS ON OPERATING LEASES AND MOTOR GAS AND OIL IN PLANNING.

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 #50

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001-General Fund					
<u>Expenditures-5</u>					
1601	Planning	Leases	64100	\$5,981	
1602	Bldg	Motor Gas & Oil	21500	\$1,300	
1602	Bldg	Leases	64100	\$1,426	

[To amend the City of Kingsville FY 21-22 Budget to provide additional funding for operating leases and motor gas & oil for Planning Department. Funding will come from the unappropriated fund balance of General Fund 001.]

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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: July 05, 2022

SUBJECT: Budget Amendment – Fund 086 Closeout

Summary:

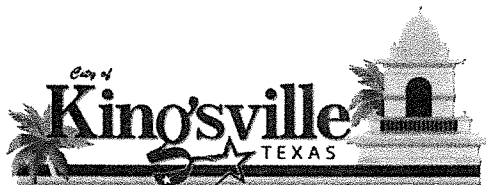
Fund 086 was a fund used to account for a Texas CDBG grant that was completed in FY 21-22. Once grants are closed and all expenditures and revenues have been accounted for, there may be funding left over. Such is the case with fund 086. Once the final revenues were booked and the last invoice was paid, there was a small difference that was transferred back to Fund 051. A budget amendment is requested to record these final transactions and the support documentation shows that the grant is fully closed with zero balances in all balance sheet accounts.

Financial Impact:

Small balance was transferred back to Fund 051.

Recommendation:

Staff recommends the approval of the budget amendment request to close out grant Fund 086.





City of Kingsville, TX

Budget Report

Account Summary

For Fiscal: 10/2021-09/2022 Period Ending: 07/31/2022

Fund: 086 - TX CDBG Grant #7218269									
Revenue									
086-47000-72010	State Grants	0.00	0.00	0.00	2,534.20	2,534.20	0.00 %		
Revenue Total:		0.00	0.00	0.00	2,534.20	2,534.20	0.00 %		
Expense									
086-56900-80051	Transfer to Fund 051	0.00	0.00	0.00	645.33	-645.33	0.00 %		
086-56900-80054	Transfer to Fund 054	0.00	0.00	0.00	3,825.00	-3,825.00	0.00 %		
Expense Total:		0.00	0.00	0.00	4,470.33	-4,470.33	0.00 %		
Fund: 086 - TX CDBG Grant #7218269 Surplus (Deficit):		0.00	0.00	0.00	-1,936.13	-1,936.13	0.00 %		
Report Surplus (Deficit):		0.00	0.00	0.00	-1,936.13	-1,936.13	0.00 %		

Group Summary

Account Type...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 086 - TX CDBG Grant #7218269						
Revenue	0.00	0.00	0.00	2,534.20	2,534.20	0.00 %
Expense	0.00	0.00	0.00	4,470.33	-4,470.33	0.00 %
Fund: 086 - TX CDBG Grant #7218269 Surplus (Deficit):	0.00	0.00	0.00	-1,936.13	-1,936.13	0.00 %
Report Surplus (Deficit):	0.00	0.00	0.00	-1,936.13	-1,936.13	0.00 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
086 - TX CDBG Grant #7218269	0.00	0.00	0.00	-1,936.13	-1,936.13
Report Surplus (Deficit):	0.00	0.00	0.00	-1,936.13	-1,936.13



City of Kingsville, TX

Balance Sheet

Account Summary

As Of 09/30/2022

Account	Name	Balance	
Fund: 086 - TX CDBG Grant #7218269			
Assets			
<u>086-0-01000</u>	Claim on Pooled Cash	0.00	
<u>086-0-32000</u>	Due From Other Governments	0.00	
	Total Assets:	0.00	0.00
Liability			
<u>086-1-21300</u>	Accounts Payable	0.00	
<u>086-1-22000</u>	Retainage Payable	0.00	
<u>086-1-27000</u>	Deferred Revenues	0.00	
	Total Liability:	0.00	
Equity			
<u>086-2-61002</u>	Restricted-TXCDBG Grant	1,936.13	
	Total Beginning Equity:	1,936.13	
Total Revenue		2,534.20	
Total Expense		4,470.33	
Revenues Over/Under Expenses		-1,936.13	
	Total Equity and Current Surplus (Deficit):	0.00	
	Total Liabilities, Equity and Current Surplus (Deficit):		0.00

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO CLOSE OUT FUND 086 – TX CDBG GRANT #7218269.

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 #57

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 086 – TX CDBG Grant #7218269					
<u>Revenues</u>					
7000	VWV	State Grants	72010	\$2,534.20	
<u>Expenditures</u>					
6900	Transfer	Transfer to Fund 051	80051	\$645.33	
6900	Transfer	Transfer to Fund 054	80054	\$3,825.00	
Fund 051 – Utility Fund					
<u>Revenues</u>					
0000	Transfer	Transfer from Fund 086	75086	\$645.33	
Fund 054 – UF Capital Projects					
0000	Transfer	Transfer from Fund 086	75086	\$3,825.00	

[To amend the City of Kingsville FY 21-22 Budget to close out Fund 086 – TX CDBG Grant #7218269. These revenues & expenditures represent the final numbers and closes out the grant 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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief

DATE: June 23, 2022

SUBJECT: Fire Department Budget Amendment

Summary:

Due to the increased fuel cost the Kingsville Fire Department has exceed the amount of funds budgeted to cover the cost of fuel.

Background:

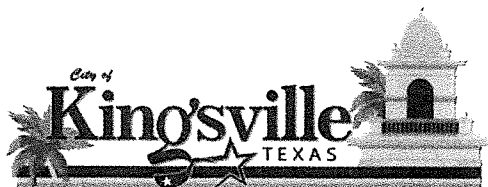
The fire department budgeted \$20,500 for the cost of fuel. These funds have been expended. Additional funding is requested to cover the cost of fuel for the reest of the fiscal year.

Financial Impact:

The fire department is requesting a budget amendment in the amount of \$10,500 to cover the cost of fuel for the remainder of the budget year.

Recommendation:

The fire department recommends a budget transfer in the amount of \$10,500.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE ADDITIONAL FUNDING FOR COST OVERRUNS ON MOTOR GAS AND OIL IN FIRE.

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 #51

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001-General Fund					
<u>Expenditures-5</u>					
2200	Fire	Motor Gas & Oil	21500	\$10,500	

[To amend the City of Kingsville FY 21-22 Budget to provide additional funding for motor gas & oil for the Fire Department. Funding will come from the unappropriated fund balance of General Fund 001.]

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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

City of Kingsville Police Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin/City Manager

FROM: Ricardo Torres, Chief of Police

DATE: July 5, 2022

SUBJECT: Request for budget amendment to accept and expend \$21,000.00 awarded by the Ed Rachal Foundation for equipment and software.

Summary:

The Kingsville Police Department is requesting a budget amendment to accept and expend \$21,000.00 awarded by the Ed Rachal Foundation for equipment and software.

Background:

The Kingsville Police Department had a bicycle patrol program. The bicycles have aged and need to be replaced. We will use the grant funds awarded for the purchase of eight bicycles and equipment to be used by the officers of the department as part of the patrol function.

As part of our less lethal response equipment we are replacing our PepperBall® launchers. We are including the purchase of two new PepperBall® launchers and associated equipment.

As part of our field training program we will purchase software to better track the progress of our police cadets. It will also help us to maintain critical training records to defend our city and the officers from litigation.

Financial Impact:

The budget for the equipment is listed below:

BIKE QUOTE

.8- Scott Aspect 950 Mountain Bike:	\$800.00ea : \$6400.00
.16-Heavy Duty Tubes:	\$15.00ea: \$240.00
.8- Kickstands:	\$22.00ea: \$176.00.
.8- Bike Racks Rear Mount:	\$33.00ea: \$264.00
.8- Police Bags for Rear Rack:	\$90.00ea :\$720.00
.8- Specialized Align Helmets White:	\$55.00ea : \$440.00



**City of Kingsville
Police Department**

.8- Specialized BG Gel Gloves:	\$35.00ea: \$280.00
.8- Specialized Water Bottle Zee Cage:	\$25.00ea : \$200.00
.8- Camelbak Thermal Water Bottles:	\$18.00ea: \$144.00
.8- Nite Rider Digital Patrol LED Lights:	\$400.00ea: \$3200.00
.8- Nite Rider Police Taillight:	\$70.00ea : \$560.00
.8- Odyssey Grandstand Aluminum Pedals:	\$40.00ea : \$ 320.00
.8- Specialized Switch Tool Emergency Air Pumps:	\$30.00ea : \$240.00
.1- Specialized Air Tool Floor Pump:	\$60.00
8- Specialized RBX Cycling Shorts:	\$70.00ea: \$560.00
.8- Park Tool WTK-2 Essential Tool Kit:	\$30.00ea = \$240.00
.8- Serfas E-Gel Hybrid Saddles:	\$25.00ea: \$200.00
.1- Park Tool PCS-9.3 Home Repair Stand:	\$220.00
.1- Park Tool SK-4 Home Starter Tool Kit:	\$185.00

TOTAL \$14,649.00

.2 VKS™ Launchers with EL2™ Hopper
.2 Free Seats in the PepperBall® Training Course of Your Choice
150 Count of VXR™ Inert Powder Projectiles
90 Count of Live-X™ Projectiles
One SCUBA Fill Tank
One Air Fill Adapter

TOTAL \$1,999.00

FTO Cloud-Based Training Program

- | | |
|-----------------------|------------|
| • One-Time Set Up Fee | \$1,000.00 |
| • Annual Subscription | \$3,000.00 |

TOTAL \$4,000.00

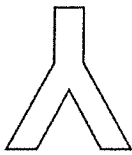
GRAND TOTAL REQUEST \$20,648.00

This grant does not have a cash match and was fully funded in the amount of \$21,000.00.

Recommendation:

We request a budget amendment to accept and expend \$21,000.00 awarded by the Ed Rachal Foundation for equipment and software for inclusion in this year's budget to expend said funds.





ED RACHAL FOUNDATION

June 28, 2022

Mark McLaughlin
City of Kingsville Police Department
P.O. Box 1458
Kingsville, TX 78363

Dear Mark McLaughlin:

I am happy to inform you that the Board of Directors of the Ed Rachal Foundation approved a grant to City of Kingsville Police Department in the amount of \$21,000.00. The grant funds will be forwarded upon our receipt of the enclosed completed Grant Agreement. Please do not fill in the date of payment line.

If you have any questions, please email bbillings@edrachal.org.

Sincerely,

Bettie Billings
Assistant Comptroller

Enclosure

GRANT AGREEMENT

Grant Number 2021-195

Organization City of Kingsville Police Department

Address P.O. Box 1458 Kingsville, TX 78363

Amount of Grant \$ 21,000.00 Date of Payment _____

Project Name Bike Patrol / Pepperball Launcher / Field Training Software Project

The following terms are agreed upon as conditions for this grant:

1. The tax-exempt status verified in the proposal is still valid; any changes in the organization that could lead to a change in this status will be reported to the Ed Rachal Foundation immediately.
2. The organization has considered the impact of this grant on its operations and determined that this grant will not affect the organization's public charity status.
3. The organization will keep and maintain records of expenditures adequate to readily verify the use of the grant funds. A report detailing the expenditure of grant funds will be completed and returned to the Ed Rachal Foundation. Please reference the grant number assigned to this award in your report.
4. Grant funds will be used solely for the purposes described in the Grant Application. The organization agrees to repay to the Ed Rachal Foundation any portion of the funds not expended for the purposes outlined in the Grant Application, unless permission to redirect the unused grant funds is authorized by the Ed Rachal Foundation.
5. The grant amount reflected above is the TOTAL extent to which the Ed Rachal Foundation is financially obligated at this time. Should these funds be used for a continuing program, any additional funds must be authorized pursuant to a separate Grant Application.
6. The organization will cooperate fully with the Ed Rachal Foundation's independent auditors in the completion of the Ed Rachal Foundation's annual audit.
7. All funds will be expended within the State of Texas and to the benefit of the residents of Texas. No portion of the funds provided will be used for lobbying or political purposes.

Ricardo Torres
Signature

Ricardo Torres, Chief of Police
Printed Name and Title

July 5, 2022
Date

RESOLUTION # 2022- 23

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE ED RACHAL FOUNDATION FOR GRANT FUNDS FOR EQUIPMENT FOR THE KINGSVILLE POLICE DEPARTMENT.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the Kingsville Police Department participate in an application for grant monies for equipment to be used by the department members; and

WHEREAS, the officers have the need for various equipment to improve public safety such as PepperBall launchers and associated equipment, field training software to track cadet progress, and bicycles and related equipment for the Patrol Division to ensure they are able to meet the needs presented from various service calls and community events; and

WHEREAS, the Kingsville Police Department has been called on to participate in various community events and to provide assistance to neighboring communities who also participate in the Coastal Bend Council of Governments Master Mutual Aid Agreement; and

WHEREAS, the requested equipment would assist with the diverse types of scenarios that can be encountered when the police officers respond to an event and provide public safety services within the community; and

WHEREAS, the Ed Rachal Foundation does not require a cash match and may award part, none, or all of the funds requested, though any monetary award would require a budget amendment; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Police Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City;

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


I.

THAT the City Commission approves the submission of a grant application to the Ed Rachal Foundation for equipment for the Kingsville Police Department, with no anticipated cash match and authorizes the Police Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City.

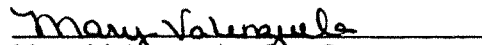
II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 25th day of April, 2022.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM


Courtney Alvarez, City Attorney

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND GRANT FUNDING FROM THE ED RACHAL FOUNDATION FOR MINOR EQUIPMENT FOR THE POLICE DEPARTMENT.

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

I.

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

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT #59

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 124 – Ed Rachel Foundation					
<u>Revenues</u>					
0000	Police	Foundation Grant	72037	\$21,000	
<u>Expenditures</u>					
2102	Police	Minor Equipment	21700	\$21,000	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend grant funding from the Ed Rachal Foundation for minor equipment for the Police Department. Funding will come from the grant funds received for the stated purposes.]

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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #8

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: June 30, 2022

SUBJECT: Request for Budget Amendment

Summary:

The police department is requesting additional funding for overtime and motor gas and oil in the Patrol Division 2102 to finish out FY2021-2022.

Background:

We are requesting \$43,000.00 additional funding for the Patrol Division 2102 due to the increase in cost for gas and oil. During our budget process for this year in June-July 2021 the price of fuel was approximately \$2.30 to \$2.60 per gallon. We did plan for the cost of gas and oil to go up but not near the price well over \$4.00 per gallon that it has been during most of this fiscal year. We require more funds to finish out the year.

The SWAT Overtime line item was left out due to an oversight during the last budget cycle. Savings from positions that have not been filled were used to cover some of the overtime costs. However we will need \$6,000.00 to finish out the year. These funds are used to cover expenses for SWAT call outs as well as overtime for training.

Financial Impact:

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures</u>					
2102	Patrol	Motor Gas & Oil	21500	\$43,000	
2102	Patrol	Overtime-SWAT	11206	\$6,000	



**City of Kingsville
Police Department**

Recommendation:

We request that a budget amendment be approved for additional expense in Motor Gas & Oil in the amount of \$43,000.00 to finish out the year as well as for additional funding for Overtime for SWAT in the amount of \$6,000.00. The total request is for the amount of \$49,000.00 Thank you for your consideration and assistance.



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE ADDITIONAL FUNDING FOR MOTOR GAS AND OIL AND SWAT OVERTIME FOR THE POLICE PATROL DIVISION.

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 #54

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures</u>					
2102	Patrol	Motor Gas & Oil	21500	\$43,000	
2102	Patrol	Overtime-SWAT	11206	\$6,000	

[To amend the City of Kingsville FY 21-22 Budget to provide additional funding for motor gas & oil and SWAT overtime for the Police Patrol division. This expenditure will come from unappropriated fund balance of General Fund 001.]

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 11th day of July 2022.

PASSED AND APPROVED on this the 25th day of July 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

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



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

To: Mark McLaughlin, City Manager

From: Susan Ivy, Parks Director

Date: July 13, 2022

Re: City Commission Agenda Request – Resolution authorizing grant application to Ed Rachal Foundation for Ball Field Improvements

Summary – We are asking Commission to approve the resolution authorizing a grant application to the Ed Rachal Foundation for Ball Field Improvements at Dick Kleberg Park.

History – Kingsville Parks has been working on renovations to athletic fields in Dick Kleberg Park. We have recently completed the renovation of 2 baseball fields through Texas Parks & Wildlife Grant that did not include lighting. We would like to gather funds to replace the lighting in at least 1 ball field but our goal would be 2. Additional lighting is also needed at the Soccer complex as well and the multipurpose field.

. We have received a generous \$25000 donation from the Brookshire Foundation to apply to this project and would like to submit an application to the Ed Rachal Foundation as well. We will be applying for \$50,000 in funding from this foundation. We are reaching out to other foundations to request assistance. We ask your approval of the resolution authorizing this application.

Financial Impact: None at this time. This item will be brought back to Commission if funding is approved.

GRANT APPLICATION

Ed Rachal Foundation
555 N. Carancahua St., Suite 700
Corpus Christi, TX 78401

SECTION A: ORGANIZATION

Legal Name of Organization: City of Kingsville Parks and Recreation

Assumed Name / Doing Business As: Kingsville Parks and Recreation

Mailing Address: P. O. Box 1458

City: Kingsville

State Texas

Zip Code 78363

Organization Website: www.cityofkingsville.com/departments/parks

Federal Tax ID# 74-6001513

Year Established: 1914

501(c) (3)

Yes

☐

No

☒

Type of Entity: Government Entity

☐

SECTION B: ORGANIZATION PRESIDENT / EXECUTIVE OFFICER

Name of Executive Director: Sam R. Fugate

Title of Executive: Mayor, City of Kingsville

Phone Number 361-592-8002

Fax Number

Email Address srfugate@sbcglobal.net

SECTION C: CONTACT PERSON

Name of Contact: Susan Ivy

Title of Contact: Director of Parks & Recreation

Mailing Address: P. O. Box 1458

City: Kingsville

State Texas

Zip Code 78364

Phone Number 361-522-1202

Fax Number

Email Address sivy@cityofkingsville.com

SECTION D: ORGANIZATION BUDGET AND STAFF

Total Organization Budget \$ 1,725,210.74	Number of Board Members 5
Number of Paid Staff 45 including seasonal summer	Number of Volunteers varies

SECTION E: ORGANIZATION MISSION STATEMENT**Mission Statement:**

The Kingsville Parks & Recreation Department operates and maintains recreational programming, facilities, open spaces and parks, organizes and assists with community cultural events and festivities and communicates all opportunities to enrich local quality of life services to the citizens of Kingsville, Texas.

SECTION F: BRIEF DESCRIPTION OF ORGANIZATION

Kingsville Parks and Recreation is a department within the City of Kingsville, Texas. We have 5 divisions, Administrative, Golf Course, Maintenance, Recreation, Youth Baseball/Softball League.

As mentioned above we have 45 employees including seasonal staff that run summer rec camps, aquatics facilities and activities and youth and adult baseball and softball. We have agreements with Kingsville Youth Soccer Association, Kingsville Swim Team and Javelina Summer Track to assist with the operation of those leagues as well.

We maintain and operate Dick Kleberg Park, a 468 acre park on the south side of Kingsville, 8 neighborhood parks, L.E. Ramey Golf Course, Brookshire Pool, Flores Park Skate Park, 6 baseball fields, 6 softball fields, 10 soccer fields and 1 multipurpose field, disc golf field and numerous playgrounds units, picnic facilities and the Recreation Hall in Dick Kleberg Park.

We host and partner with numerous special events and programs such as Butterfly Blitz, Ranch Hand Festival, La Posada de Kingsville, Spring Break events, Fiesta de la Loteria, Summer Camps, Kingsville Parks Youth Baseball and Softball League.

SECTION G: GEOGRAPHIC AREA SERVED IN TEXAS

City of Kingsville and Kleberg County, Texas

SECTION H: PREVIOUS GRANTS RECEIVED FROM US

Amount (1)	Date (1)
Amount (2)	Date (2)
Amount (3)	Date (3)

SECTION I: PROPOSAL REQUEST

Project Name Baseball Field Lighting Dick Kleberg Park Field #6

Requested Amount \$ \$50,000

Type of Request Capital Campaign

**SECTION II: DESCRIPTION OF REQUEST**

One of our biggest goals at this time is the renovation of our athletic facilities and to bring tournament play into our community to help bring in revenue to support the parks and facilities. These fields are all very old and in need of repair. At the same time we have taken control of our community's Pony League Baseball and Softball and we had 624 kids registered this last year.

A few years ago we received a grant from Texas Parks & Wildlife to renovate two of the fields and that work is 99% completed with a little sidewalk work left. They are very nice but there was no funding available for the lights on the two fields that were renovated. We currently only have lights on one of 6 baseball fields. This makes league play difficult to get done in a timely manner and hosting tournaments almost impossible.

City of Kingsville currently has \$60,000 in place for the project and we are soliciting support to get Field #6 lighted before the next spring season. We are attaching a quote from Musco Lighting indicating the turnkey price for lighting the field is \$193,000.00. There will be some electric work to do as well but most of that was put in place during a previous improvement project.

We are asking your Foundation for \$50,000 to be used with City, possibly County and other solicited funding to assist us in getting this field lighted.

I have reviewed this application and all information provided herewith and believe it to be true, correct and complete. I further represent that the governing body of the organization authorizes the preparation of this form and the request for funds. I certify that the organization will keep and maintain adequate records to verify the actual use of any funds received pursuant to this request and will fully cooperate with the Foundation's independent auditors in the completion of the Foundation's annual audit and tax return. I further certify that all funds will be utilized within the State of Texas and for the benefit of the residents of Texas.

Signature_____
Date**NOTE: Please submit with all required documents as stated in the Grant Guidelines**

Quote

Date: July 7, 2022
Expiration Date: September 7, 2022
To: Susan Ivy
Parks & Recreation Director, Kleberg County

Project: Kleberg County Park Softball Phase 2
Kingsville, TX
Ref: 119640

BuyBoard

Master Project: 196290, Contract Number: 592-19, Expiration: 09/30/2022
Commodity: Parks and Recreation Equipment and Field Lighting Products and Installation

All purchase orders should note the following:
BuyBoard purchase – Contract Number: 592-19

Quotation Price – Materials Delivered to Job Site and Installation

Field 1 – 315' x 350' x 315' \$ 337,000

***Assumes 480v service is available within 150' of the field*

Field 3 – 217' x 211' x 216' \$ 190,000

Field 4 – 200' x 200' x 200' \$ 168,000

Field 6 – 225' x 225' x 225' \$ 193,000

Sales tax and bonding are not included.

Quote is confidential. Pricing and lead times are effective for 60 days only. Prices are subject to change if the order is not released within 60 days from the date of the purchase.

Light-Structure System™ with Total Light Control – TLC for LED™ technology

Guaranteed Lighting Performance

- Guaranteed light levels of 50fc Infield / 30fc Outfield and uniformity of 2:1 / 2.5:1
- BallTracker® technology – targeted light, optimizing visibility of the ball in play with no glare in the players typical line-of-sight

System Description

- Factory aimed and assembled luminaires, including BallTracker® luminaires
- (13) Galvanized steel poles
- (13) Pre-cast concrete bases with integrated lightning grounding
- Pole length factory assembled wire harnesses
- Factory wired and tested remote electrical component enclosures
- UL listed assemblies

Control Systems and Services

- Control-Link® control and monitoring system to provide remote on/off and dimming (high/medium/low) control and performance monitoring with 24/7 customer support

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years



RESOLUTION # 2022-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE ED RACHAL FOUNDATION FOR GRANT FUNDS FOR BALL FIELD LIGHTING IMPROVEMENTS AT DICK KLEBERG PARK.

WHEREAS, the City Commission of the City of Kingsville has prioritized the improvement of the athletic facilities at Dick Kleberg Park as directed in the Parks Master Plan; and

WHEREAS, Dick Kleberg Park is a central location in South Texas to bring in tournament play from the Rio Grande Valley to Victoria and from San Antonio; and

WHEREAS, there have been recent renovations to two (2) of the six (6) baseball fields at Dick Kleberg Park but there is still only one (1) ball field with lighting for night games; and

WHEREAS, the need for night games during league play, the heat of summer, and for tournament play is necessary for the complex to attract the events that will increase the health and safety of the youth playing, as well as reduce teams' travel expenses, and possibly increase revenue generated from the fields that can be used for future improvements; and

WHEREAS, the cost to install new lighting has been quoted at \$193,000, which requires outside funding from donations, foundations, and grants; and

WHEREAS, the Ed Rachal Foundation provides funding assistance with non-profits and governmental agencies in South Texas and does not require any grant match; and

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the Kingsville Parks Department participate in an application for grant monies for lighting equipment at the ball fields; and

WHEREAS, the Ed Rachal Foundation does not require a cash match and may award part, none, or all of the funds requested, though any monetary award would require a budget amendment; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Parks Director to submit a grant application requesting \$50,000 in funding and to administer the grant and necessary paperwork if the grant is awarded to the City;

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

I.

THAT the City Commission approves the submission of a grant application to the Ed Rachal Foundation for Ball Field improvements at Dick Kleberg Park, with no anticipated cash match and authorizes the Parks Director to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 25th day of July, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #10

Accept Donations

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: July 13, 2022

Re: City Commission Agenda Request – Receipt of Donations from Various Businesses for AllStar Expenses

Summary – We are asking Commission to approve the receipt of \$ 6,750.00 in donations from various businesses and families to be used to pay expenses of the Pony League Allstar Teams traveling to competition.

History – The Kingsville Parks Youth Pony League had several teams that have and are traveling to AllStar Competitions in McAllen, Laredo and Youngsville, Louisiana. The teams have done many roadside fundraisers and have also solicited funds from businesses wanted to make tax deductible donations. Those funds were turned into the Park Office, receipted and deposited in the bank. We in turn are issuing payments for gate fees and hotel stays for the exact amount of funds collected and deposited. The funds need to be formally received and approved for expenditure for the purpose of their donation.

The funds were collected as follows:

- Girls 6u regional tournament \$2110.00 McAllen
- Girls 8u regional tournament \$300.00 McAllen
- Boys 8u World Series \$2400.00 Youngsville, Louisiana
- Boys 14u World Series \$1940.00 Youngsville, Louisiana

Financial Impact – This budget amendment will provide an additional \$ 6,750.00 to the professional services line item used to issue the payments 001-5-4514-31400.

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

Girls 8u -	
Big House Burgers	\$300.00

Girls 6u –	
Nursing Services and Con. Of Laredo	\$300.00
Tiny Hands Learning	100.00
Ready Flo	400.00
Brush Country CASA	300.00
Reliance Equip	250.00
Benjamin Boyce	100.00
Silverbell Pediatrics	300.00
Reynaldo Alvarez	20.00
Druscilla Lomas	40.00
Family Smiles Dental	300.00
Total Girls 6u	2,110.00

Boys 8u	
Knights of Columbus	\$500.00
Coastal Bend Cowboy Fellowship	200.00
Prosperity Bank	200.00
Robert Garza	100.00
Amy Gonzales Insurance	200.00
Polhemus Construction	200.00
HOE Utility	400.00
Michael Raquel Alvarez	200.00
Kingsville Lash Studio	200.00
D. Zavala	200.00
Neessen Chevrolet	200.00
Total 8u Boys	2,400.00

Continued on next page

Boys 14u		
Ruben Alvarez	100.00	
Margaritaville	50.00	
Amy Gonzales Insurance	100.00	
Guadalupe Mendoza	500.00	
King St. Barber	200.00	
David Flores Jr.	100.00	
JM Olivarez	100.00	
Paul J. Loney	40.00	
Rudy's Pest Control	100.00	
Javcon LLC	250.00	
Cristina Rosales Soliz	100.00	
Uresti Senior Services	100.00	
El Tapatio Restaurant	200.00	
Total Boys 14u		Total \$1940.00
Total All Donations for Allstar Travel		\$6750.00

AGENDA ITEM #11

Budget Am.

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: July 13, 2022

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History – The Kingsville Parks Youth Pony League had several teams that have and are traveling to AllStar Competitions in McAllen, Laredo and Youngsville, Louisiana. The teams have done many roadside fundraisers and have also solicited funds from businesses wanted to make tax deductible donations. Those funds were turned into the Park Office, receipted and deposited in the bank. We in turn are issuing payments for gate fees and hotel stays for the exact amount of funds collected and deposited. The funds need to be formally received and approved for expenditure for the purpose of their donation.

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Amy Gonzales Insurance	200.00
Polhemus Construction	200.00
HOE Utility	400.00
Michael Raquel Alvarez	200.00
Kingsville Lash Studio	200.00
D. Zavala	200.00
Neessen Chevrolet	200.00
Total 8u Boys	2,400.00

Continued on next page

Boys 14u		
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Paul J. Loney	40.00	
Rudy's Pest Control	100.00	
Javcon LLC	250.00	
Cristina Rosales Soliz	100.00	
Uresti Senior Services	100.00	
El Tapatio Restaurant	200.00	
Total Boys 14u		Total \$1940.00

Total All Donations for Allstar Travel

\$6750.00

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND DONATIONS FOR THE PONY LEAGUE ALLSTAR TEAMS TRAVEL EXPENDITURES TO COMPETITIONS.

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 #62

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues</u>					
4514	League	Donations-League Sponsor	58003	\$6,750	
<u>Expenditures</u>					
4514	League	Professional Services	31400	\$6,750	

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

II.

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

III.

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

IV.

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

INTRODUCED on this the 25rd day of July 2022.

PASSED AND APPROVED on this the 8th day of August 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

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
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Email:
sivy@cityofkingsville.com
or follow us on Facebook
Kingsville Parks and Recreation

To: Mark McLaughlin, City Manager

From: Susan Ivy, Parks Director

Date: July 6, 2022

Re: City Commission Agenda Request - Budget Amendment for Additional funds for Utilities in Parks Division 4502

Summary – We are requesting Commission approval for the attached budget amendment for additional funds for the utility line item in Parks Division 4502 – Golf Course.

History – Due to increased watering at the Golf Course and the nationwide price increases and extreme heat our utility bills are much higher than previous years. Better care of the course, babysitting newly planted sod and seed requires increased irrigation time.

Financial Impact – This budget amendment will provide an additional \$28,000.00 in our utility line item.

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

Delete  Print Screen   Help  Documents

30/2022

Packet	Description	Amount	Module	Pro
CT46	L E Rame	4,169.98	General L	GLJ
CT47	L E Rame	3,918.52	General L	GLJ
CT47	L E Rame	3,704.82	General L	GLJ
CT48	L E Rame	3,187.81	General L	GLJ
CT48	L E Rame	3,565.17	General L	GLJ
CT49	L E Rame	4,252.09	General L	GLJ
CT49	L E Rame	5,324.63	General L	GLJ
CT50	L E Rame	4,541.80	General L	GLJ

10/1/2020 - 9/30/2021

Pending

Post Date	Packet	Description	Amount	Module	Process	Period
10/31/202	GLPKT40	GEXA En	2,547.31	General L	GLJournal	October
11/30/202	GLPKT41	GEXA En	2,424.40	General L	GLJournal	November
12/31/202	GLPKT41	GEXA En	1,932.73	General L	GLJournal	December
1/31/2021	GLPKT42	GEXA En	2,250.37	General L	GLJournal	January
2/28/2021	GLPKT42	GEXA En	2,125.28	General L	GLJournal	February
3/31/2021	GLPKT43	GEXA En	2,228.84	General L	GLJournal	March
4/30/2021	GLPKT43	GEXA En	2,743.08	General L	GLJournal	April
5/31/2021	GLPKT44	L E Rame	1,600.80	General L	GLJournal	May
6/30/2021	GLPKT44	L E Rame	2,234.83	General L	GLJournal	June
7/31/2021	GLPKT45	L E Rame	1,886.57	General L	GLJournal	July
8/31/2021	GLPKT45	L E Rame	2,786.08	General L	GLJournal	August
9/30/2021	GLPKT46	L E Rame	3,560.35	General L	GLJournal	Septembe

28,320.64

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO PROVIDE ADDITIONAL FUNDING FOR UTILITIES AT THE GOLF COURSE.

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 #60

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures</u>					
4502	Golf	Utilities	32300	\$28,000	

[To amend the City of Kingsville FY 21-22 Budget to provide additional funding for utilities at the Golf Course. Funding 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 25th day of July 2022.

PASSED AND APPROVED on this the 8th day of August 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

City of Kingsville Police Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: July 15, 2022

SUBJECT: FY2023 Operation Lone Star Grant Program (OLS)

Summary:

The Kingsville Police Department is requesting a resolution to apply for and if awarded to accept and expend FY2023 Operation Lone Star Grant Program (OLS) funds.

Background:

The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity and detain non-citizen inmates. Program participants shall assist in the execution of coordinated border security operations in an effort to:

Law Enforcement

1. Increase the effectiveness and impact of Operation Lone Star.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
9. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
10. Increase coordination between local and state law enforcement agencies in planning, execution, and analysis of border security operations



City of Kingsville Police Department

Financial Impact:

Funding may be used to provide additional personnel, equipment, supplies, contractual support, travel, and training in support of Operation Lone Star activities, including for any one or more of the following activities.

Operation Lone Star - Law Enforcement. Activities related to law enforcement operations in support of OLS:

• LAW ENFORCEMENT PERSONNEL - OVERTIME

- o Overtime for increased patrol, search and rescue, recovery operations, and/or investigative capacity for certified peace officers.
- o Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in Operation Lone Star, such as Communications Officer/Dispatcher overtime necessary to maintain a safe Officer to Dispatcher ratio.
- o Overtime for non-exempt administrative personnel supporting Operation Lone Star.
- o Overtime backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the nonborder county intends to provide law enforcement personnel.

• LAW ENFORCEMENT PERSONNEL – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS

- o Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during Operation Lone Star.
- o Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- o Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- o Regular time for administrative personnel supporting OLS law enforcement activities.
- o Hiring or contracting temporary staff to support OLS law enforcement activities.
- o Personnel backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the nonborder county intends to provide law enforcement personnel.

• LAW ENFORCEMENT - EQUIPMENT & TECHNOLOGY

- o Costs for equipment, technology, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during Operation Lone Star.

• LAW ENFORCEMENT - SUPPLIES and DIRECT OPERATING EXPENSE



City of Kingsville Police Department

- o General office supplies and program supplies related to OLS law enforcement activities. Operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services preapproved by the PSO that are critical to success of the program. Examples include:
 - ♣ The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
 - ♣ Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
 - ♣ Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.

- **LAW ENFORCEMENT – TRAVEL & TRAINING**

- o Travel, per diem, and lodging costs associated with personnel, augmentees, or contractors engaged in OLS activities.

The grant for “Operation Lone Star” is a reimbursement type has a minimum funding level of \$5,000 with no maximum and does not require any cash match.

Recommendation:

The City of Kingsville Commission approve the resolution for our application and administration and award of this grant.

Please place this on the next available agenda. Thank you for your assistance regarding this matter.





Office of the Governor, Public Safety Office
Homeland Security Grants Division
Funding Announcement: ***FY2023 Operation Lone
Star Grant Program (OLS)***

Purpose

The Public Safety Office (PSO) is soliciting grant applications for local projects that support Operation Lone Star.

The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including funding to help deter and interdict criminal activity related to the border crisis. Program participants shall assist in the execution of coordinated border security operations in an effort to:

Law Enforcement

1. Increase the effectiveness and impact of Operation Lone Star.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
9. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
10. Increase coordination between local and state law enforcement agencies in planning, execution, and analysis of border security operations.

Jail Operations

11. Increase capacity for detention operations and other supporting functions associated with increased criminal activity due to surges in illegal migration.

Human Remains Processing

12. Support county medical examiner offices in the humane processing of the remains of undocumented migrants.

Court Administration

13. Increase capacity and expediency in the case preparation, magistration, pre/post-adjudication proceedings, and criminal trials of OLS defendants.

Indigent Defense

14. Increase capacity to provide indigent defense to OLS defendants in pre/post-adjudication proceedings, and criminal trials.

Available Funding

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 41 for TruSTeed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Eligible Organizations

1. Units of local government; and
2. Federally Recognized Native American tribes.
3. Eligible applicants must be a county or a municipality located in a county that has issued a disaster declaration relating to border security.
4. Preference will be given to eligible applicants within or providing support services to a County that is:
 - a) adjacent to or a portion of which are located within 20 miles of an international border;
 - b) adjacent to two counties located on an international border with a population of more than 5,000 and less than 7,500 according to the most recent federal decennial census; or
 - c) adjacent to the Gulf Intracoastal Waterway, as defined by Section 51.002, Transportation Code;
5. Jurisdictions not physically located within a county described in item 4. above (border county), but applying to provide support services to a jurisdiction that is physically located within a border county must submit a letter of support, memorandum of understanding or other similar documentation from the border county(ies) requesting their supportive services.

Application Process

Applicants must access the Office of the Governor's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. Additional requirements are included within the online application.

Note for All Applicants: Applicants must upload the required Texas Direct Deposit Authorization Form, Texas Application for Payee Identification Number Form, and the IRS W9 Form for each application prior to submission. The eGrants system will not allow an application to be submitted until these forms are attached to the application. These forms are available for download from eGrants at

<https://egrants.gov.texas.gov/updates.aspx> under the Financial Management section of “Forms and Guides” or from the “Forms” link on the Profile/Grant.Vendor tab within the grant application.

Key Dates

Action	Date
Funding Announcement Release	07/07/2022
Online System Opening Date	07/11/2022
Final Date to Submit and Certify an Application	08/31/2022 at 5:00pm CST
Earliest Project Start Date	08/01/2022

Project Period

Projects must begin on or after 08/01/2022 and may not exceed 08/31/2023.

Funding Levels

Minimum: \$5,000

Maximum: None

Match Requirement: None

Standards

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

Eligible Activities & Costs

Funding may be used to provide additional personnel, equipment, supplies, contractual support, travel, and training in support of **Operation Lone Star** activities, including for any one or more of the following activities.

Operation Lone Star - Law Enforcement. Activities related to law enforcement operations in support of OLS:

- **LAW ENFORCEMENT PERSONNEL - OVERTIME**
 - Overtime for increased patrol, search and rescue, recovery operations, and/or investigative capacity for certified peace officers.
 - Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in Operation Lone Star, such as Communications Officer/Dispatcher overtime necessary to maintain a safe Officer to Dispatcher ratio.
 - Overtime for non-exempt administrative personnel supporting Operation Lone Star.

- Overtime backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide law enforcement personnel.
- **LAW ENFORCEMENT PERSONNEL – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**
 - Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during Operation Lone Star.
 - Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
 - Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
 - Regular time for administrative personnel supporting OLS law enforcement activities.
 - Hiring or contracting temporary staff to support OLS law enforcement activities.
 - Personnel backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide law enforcement personnel.
- **LAW ENFORCEMENT - EQUIPMENT & TECHNOLOGY**
 - Costs for equipment, technology, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during Operation Lone Star.
- **LAW ENFORCEMENT - SUPPLIES and DIRECT OPERATING EXPENSE**
 - General office supplies and program supplies related to OLS law enforcement activities. Operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the PSO that are critical to success of the program. Examples include:
 - The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
 - Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
 - Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
- **LAW ENFORCEMENT – TRAVEL & TRAINING**
 - Travel, per diem, and lodging costs associated with personnel, augmentees, or contractors engaged in OLS activities.

Operation Lone Star - Human Remains Processing. Activities related to the humane processing of the remains of undocumented migrants:

- **MEDICAL EXAMINER PERSONNEL – OVERTIME**
 - Overtime for OLS death investigations conducted by a medical examiner, deputy examiner, trained technician, or a forensic pathologist as authorized under Article 49.25 of the Code of Criminal Procedure.
 - Overtime for non-exempt administrative personnel supporting a County Medical Examiner's Office.
- **MEDICAL EXAMINER PERSONNEL – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**
 - Regular time for county medical examiner personnel conducting OLS death investigations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
 - Part-time to Full-Time: Personnel costs for part-time county medical examiner personnel in order to bring them to temporary full-time status.
 - Regular time for administrative personnel supporting a County Medical Examiner's Office.
 - Hiring or contracting temporary staff to assist or conduct OLS death investigations.
- **MEDICAL EXAMINER - EQUIPMENT & TECHNOLOGY**
 - Costs for equipment, technology, or the rental of equipment related to the processing of OLS death investigations, temporary morgues, and/or additional body storage capacity.
- **MEDICAL EXAMINER - SUPPLIES and DIRECT OPERATING EXPENSE**
 - Costs for supplies and direct operating expenses related to conducting OLS death investigations.
- **MEDICAL EXAMINER – CONTRACTUAL**
 - Costs associated with the outsourcing of OLS death investigations, temporary body storage, and other contractual costs incurred by a county medical examiner's office related to the humane processing of the remains of undocumented migrants.

Operation Lone Star – Jail Operations. Activities related to the intake, processing, and holding of OLS inmates in local detention facilities.

- **JAIL OPERATIONS PERSONNEL – OVERTIME**
 - Overtime for jailers and support staff related to the intake, processing, and holding of OLS inmates.
 - Overtime for non-exempt administrative personnel supporting a local detention facility.
 - Overtime backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide jailers.

- **JAIL OPERATIONS PERSONNEL - REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**
 - Augmentees: Personnel costs for jailers who are not regular employees of a funded agency, but are brought on as needed to specifically assist in the intake, processing, and holding of OLS inmates.
 - Regular time for jailers. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
 - Part-time to Full-Time: Personnel costs for part-time jailers in order to bring them to temporary full-time status.
 - Regular time for administrative personnel supporting OLS corrections activities.
 - Hiring or contracting temporary jail staff to support OLS corrections activities.
 - Personnel backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide jailers.
- **JAIL OPERATIONS - EQUIPMENT & TECHNOLOGY**
 - Costs for equipment, technology, or the rental of equipment related to the intake, processing, and holding of OLS inmates.
- **JAIL OPERATIONS - SUPPLIES and DIRECT OPERATING EXPENSE**
 - Costs for office supplies, program supplies, and other direct operating expenses related to the intake, processing, and holding of OLS inmates. Examples include:
 - Inmate transportation to court proceedings or state custody.
 - Medical supplies or care to treat detainees or inmates displaying COVID-19 or other serious medical conditions.
- **JAIL OPERATIONS – CONTRACTUAL**
 - Costs associated with outsourcing OLS inmates to other county jail facilities and/or other contractual costs incurred by a county jail facility related to the intake, processing, and holding of OLS inmates.
- **JAIL OPERATIONS – CONSTRUCTION**
 - Cost associated with constructing, renovating, or repairing a permanent or temporary jail facility in order to increase bed capacity to hold OLS inmates.
 - Construction, renovation, and repair costs may only be funded to the extent that State-supported OLS inmate capacity is unavailable.
- **JAIL OPERATIONS – TRAVEL & TRAINING**
 - Travel, per diem, and lodging costs associated with jail personnel, augmentees, or contractors engaged in OLS corrections activities.

Operation Lone Star – Court Administration. Activities related to the case preparation, magistration, pre/post-adjudication proceedings, and criminal trials of OLS defendants.

- **COURT ADMINISTRATION PERSONNEL – OVERTIME**
 - Overtime for courtroom staff, court coordinators, and clerks supporting court operations, including but not limited to, case preparation, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.
- **COURT ADMINISTRATION PERSONNEL - REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**
 - Regular time for courtroom staff, court coordinators, and clerks. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
 - Part-time to Full-Time: Personnel costs for part-time courtroom staff, court coordinators, and clerks in order to bring them to temporary full-time status.
 - Hiring or contracting temporary courtroom staff, court coordinators, and clerks to support OLS courts activities.
- **COURT ADMINISTRATION - EQUIPMENT & TECHNOLOGY**
 - Costs for equipment and technology to support court operations, including but not limited to, case preparation, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.
- **COURT ADMINISTRATION - SUPPLIES and DIRECT OPERATING EXPENSE**
 - Costs for office supplies, program supplies, and other direct operating expenses to support court operations, including but not limited to, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.
- **COURT ADMINISTRATION – CONTRACTUAL**
 - Costs associated with contractual costs incurred to support court operations, including but not limited to, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

Operation Lone Star – Indigent Defense. Activities related to the assignment of indigent defense to OLS defendants in pre/post-adjudication proceedings, and criminal trials

- **INDIGENT DEFENSE – DIRECT REPRESENTATION**
 - Costs associated with paying for court-appointed counsel, contract defenders, and public defenders to represent OLS defendants, including but not limited to fees, contracts and salaries for attorneys, interpreters, and experts.
- **INDIGENT DEFENSE – TRAVEL**
 - Costs associated with paying for travel for client visitation, investigation, and trials for attorneys, interpreters, and experts.
- **INDIGENT DEFENSE – EQUIPMENT & TECHNOLOGY**

- Costs for equipment and technology to support indigent defense representation, including but not limited to, client visitation, investigation, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

Program-Specific Requirements

1. Eligible applicants, as applicable, assure to continue and/or renew a local disaster declaration relating to border security for the entirety of the project period. The expiration or dissolution of a local disaster declaration may result in the early termination of the grant agreement.
2. Eligible applicants performing indigent defense activities must (a) coordinate with the Office of Court Administration, Texas Indigent Defense Commission (TIDC), and TIDC's designee; (b) comply with Articles 1.051, 15.17, and 26.04 of the Code of Criminal Procedure; (c) submit a modified indigent defense plan to TIDC; and (d) comply with Supreme Court of Texas Emergency Orders regarding the Border Security State of Disaster.
3. Eligible applicants in a border county, as described in the Eligible Organizations section, must upload a letter from the county attorney expressing their office's active participation in prosecuting misdemeanor offenses, as appropriate, in support of Operation Lone Star.
4. Eligible applicants performing law enforcement functions must agree to perform the following activities:
 - a) Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOICs).
 - b) Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
 - c) Report significant border-related events that occur during each 24-hour period.
 - d) Conduct enhanced law enforcement patrolling activities if funded for those activities through this grant.
 - e) Submit information on incidents using the Border Incident Assessment Report (BIAR).

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

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

5. Coordinate planning and execution of border security and supporting operations with the DPS South Texas or West Texas, if requested by those regions.
6. Applicants performing overtime activities must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:
 - i. Clearly describe how overtime will be calculated;
 - ii. Be consistent with the agency's local overtime policy;
 - iii. Treat overtime for grant-paid personnel the same as non-grant paid personnel.
7. Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
 - i. OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
 - ii. OT must be worked to support border security operations.
 - iii. The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
 - iv. Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
 - v. PSO will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

Eligibility Requirements

1. Local units of government, including counties, municipalities, special districts, school districts, junior college districts, or other political subdivisions of the state, must submit a written certification of the local government's compliance with the cybersecurity training required by Section 2054.5191 of the Texas Government Code. A determination of non-compliance with the cybersecurity training requirements will result in a refund of the original grant award as well as ineligibility of future grant awards until the second anniversary of the date the local government is determined ineligible.
2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

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

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS

for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted. Note: UCR is transitioning from summary reporting to NIBRS only in 2021. Applicants are encouraged to transition to NIBRS as soon as possible in order to maintain their grant eligibility.

4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2022 or the end of the grant period, whichever is later.

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

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

Prohibitions

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

1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Vehicles or equipment for government agencies that are for general agency use;
5. Weapons, ammunition, tasers, or explosives;
6. Admission fees or tickets to any amusement park, recreational activity or sporting event;

7. Promotional gifts;
8. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
9. Membership dues for individuals;
10. Any expense or service that is readily available at no cost to the grant project;
11. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
12. Fundraising;
13. Any other prohibition imposed by federal, state, or local law.

Selection Process

Application Screening: PSO will screen all applications to ensure that they meet the requirements included in the funding announcement.

Peer/Merit Review: Applications will be reviewed by PSO staff in consultation with other subject matter experts appointed by the PSO Executive Director. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

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

Final Decisions: The Office of the Governor will consider rankings along with other factors and make all final funding decisions. Other factors may include reasonableness, cost effectiveness, overall funds availability, geographic distribution, or other relevant factors.

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

Contact Information

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

Direct Deposit Authorization

This form may be used by vendors, individual recipients or state employees to receive payments from the state of Texas by direct deposit or to change/cancel existing direct deposit information.

Transaction Types

SECTION 1	1. Select transaction types:
	<input type="checkbox"/> New setup (Sections 2, 3, 5 and 6) <input type="checkbox"/> Change account type (Sections 2, 3, 4, 5 and 6)
	<input type="checkbox"/> Change financial institution (Sections 2, 3, 4, 5 and 6) <input type="checkbox"/> Cancellation (Sections 2 and 6 - Sections 7 and 8 for state agency use)
	<input type="checkbox"/> Change account number (Sections 2, 3, 4, 5 and 6) <input type="checkbox"/> Change custodial agency _____

Payee Identification

SECTION 2	2. Payee type	3. Identification number	4. Mail code (If not known, leave blank.)
	<input type="checkbox"/> State employee <input checked="" type="checkbox"/> Vendor or other recipient	<input type="checkbox"/> Social Security number (SSN)* <input type="checkbox"/> Texas Identification Number (TIN) <input type="checkbox"/> Individual Taxpayer Identification Number (ITIN) <input type="checkbox"/> Employer Identification Number (EIN) _____	_____
	5. Payee name	6. Phone (Area code and number)	
	7. Mailing address (Street, city, state and ZIP code)		() ext. _____

New Account Information (Setups and Changes) (Completion by financial institution is recommended)

SECTION 3	8. Financial institution name	9. City	10. State
	11. Routing number (9 digits)	12. Customer account number (maximum 17 characters)	13. Account type
	_____	_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings
	14. Financial representative name (optional)	15. Title (optional)	
	16. Financial representative signature (optional)	17. Phone (Area code and number) (optional)	18. Date (optional)

Existing Account Information (Changes Only)

SEC 4	19. Routing number (9 digits)	20. Customer account number (maximum 17 characters)	21. Account type
	_____	_____	<input type="checkbox"/> Checking <input type="checkbox"/> Savings

International Payments Verification (required)

SEC 5	22. Will these payments be forwarded to a financial institution outside the United States?..... <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES," also complete the ACH (Direct Deposit) Payment Destination Confirmation (Form 74-227).
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Authorization for Setup, Changes or Cancellation (required)

SECTION 6	I authorize the Texas Comptroller of Public Accounts to electronically deposit my payments from the state of Texas to my financial institution. I understand that the Texas Comptroller of Public Accounts will reverse any payments made to my account in error. I further understand that the Texas Comptroller of Public Accounts will comply at all times with the National Automated Clearing House Association's rules. (For further information on these rules, please contact your financial institution.)		
	23. Authorized signature	24. Printed name	25. Date
	sign here ▶		

Cancellation by Agency (for state agency use)

SEC 7	26. Reason	27. Date

State Agency Contact (for state agency use)

SECTION 8	28. Authorized signature	29. Date
	30. Phone (Area code and number)	31. Agency number
	() ext. _____	300
	32. Agency name Governor's Office	
	33. Comments	

34. Please return to the paying agency at the following address:

Office of the Governor
Attn: Financial Service, Direct Deposit Program
P.O. Box 12428
Austin, Texas 78711
vendor.dd@gov.texas.gov
Please provide applicable grant number(s) on top of form

Instructions for Direct Deposit Authorization

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. To request information for review or to request error correction, use the contact information on this form.

Section 1: Transaction Type(s)

1. Select the appropriate **transaction type(s)** and complete the corresponding sections.

Note: Requests to change custodial agency number are processed based on Payment Services research and guidelines.

Section 2: Payee Identification (Required)

2. **Payee type:** Indicate whether the payee is a **state employee** or a **vendor/recipient**.

Note: Agencies must complete box 34 with the appropriate agency's return address for the selected payee type.

3. **Identification number:** Indicate the type of identification number and provide the associated 9- or 11-digit number.
 4. **Mail code:** Enter the 3-digit mail code.
 5. **Payee name:** Enter the payee's name.
 6. **Phone:** Enter the payee's area code, phone number (and extension, if applicable).
 7. **Mailing address:** Enter the payee's mailing address, city, state and ZIP code.

Section 3: New Account Information (Setups and changes) (Completion by financial institution is recommended)

8. **Financial institution name:** Enter the name of the payee's financial institution.
 9. **City:** Enter the city of the payee's financial institution.
 10. **State:** Enter the 2-character abbreviation for state of the payee's financial institution.
 11. **Routing number:** Enter the 9-digit routing number of the payee's financial institution.
 12. **Customer account number:** Enter the payee's account number (maximum 17 characters).
 13. **Type of account:** Indicate whether the payee's account type is a checking account or a savings account.
 14. **Financial representative name:** (optional) Enter the name of the financial representative.
 15. **Title:** (optional) Enter the title of the financial institution representative.
 16. **Financial representative signature:** (optional) Original signature of the financial representative.
 17. **Phone:** (optional) Enter the area code, phone number (and extension, if applicable) of the financial representative.
 18. **Date:** (optional) Enter the date the financial representative signed the form.

Section 4: Existing Account Information (Changes only)

19. **Routing number:** Enter the 9-digit **routing number** currently on file with the Comptroller's office.
 20. **Customer account number:** Enter the payee's **account number** currently on file with the Comptroller's office.
 21. **Account type:** Select the payee's **account type** currently on file with the Comptroller's office.

Section 5: International Payments Verification (Required)

22. **Payment Destination:** Select **YES** or **NO** to indicate if state payments will be forwarded to a financial institution outside the U.S.
Note: If **YES**, the payee must also complete the ACH (Direct Deposit) Payment Destination Confirmation (Form 74-227).

Section 6: Authorization for Setup, Changes or Cancellation (Required)

23. **Authorized signature:** Original signature of the payee is required.
 24. **Printed name:** Enter or print the name of the payee or vendor/recipient signing the form.
 25. **Date:** Enter or print the date the form was signed.

Section 7: Cancellation by Agency (for state agency use)

26. **Reason:** Enter the reason for cancellation of the payee's direct deposit information.
 27. **Date:** Enter the date the cancellation was determined.

Section 8: State Agency Contact (for state agency use)

28. **Authorized signature:** Original signature of the agency's authorized representative is required.
 29. **Date:** Enter the date the agency's representative signed the form.
 30. **Phone:** Enter the area code, phone number and extension (if applicable) of the agency's representative.
 31. **Agency number:** Enter the 3-digit agency number.
 32. **Agency name:** Enter the agency's name.
 33. **Comments:** (optional) Enter comments, if needed.
 34. **Return to Paying State Agency:** This area autopopulates with the name and address of the paying state agency to which this form will be returned.

Questions?

State Employees:	Contact your agency's Human Resource department or payroll staff.
Vendors/Recipients:	Contact the paying agency's accounts payable staff.
State Agencies:	Contact Fiscal Management, Payment Services at 512-936-8138.

Application for Texas Identification Number

• See instructions on back

1. Is this a new account? <input type="checkbox"/> YES Mail Code 000 <input type="checkbox"/> NO Enter Mail Code _____ Agency number _____ Complete Sections 1 - 5 Complete Sections 1, 2 & 5	
Section 1	2. Texas Identification Number (TIN) - Indicate the type of number you are providing to be used for your TIN <input type="checkbox"/> Employer Identification Number (EIN) (9 digits) <input type="checkbox"/> Social Security number (SSN) (9 digits) Enter the number indicated _____ <input type="checkbox"/> Individual Taxpayer Identification Number (ITIN) (9 digits) <input type="checkbox"/> Comptroller's assigned number (FOR STATE AGENCY USE ONLY) (11 digits) <input type="checkbox"/> Current Texas Identification Number (FOR STATE AGENCY USE ONLY) (11 digits)
Section 2	3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax? <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES," enter Texas Taxpayer Number _____ Payee Information (Please type or print) 4. Name of payee (Individual or business to be paid) _____ 5. Mailing address where you want to receive payments _____ 6. (Optional) _____ 7. (Optional) _____ 8. (Optional) _____ 9. City _____ State _____ ZIP code _____ 10. Payee telephone number (Area code and number) _____ SIC code _____ Security type code (0, 1, 2) _____ Zone code _____
Section 3	11. Ownership Codes - Check only one code by the appropriate ownership type that applies to you or your business. <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> I - Individual Recipient (not owning a business) <input type="checkbox"/> S - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN) Owner's name _____ SSN / ITIN (9 digits) _____ <input type="checkbox"/> P - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN). Name _____ SSN / ITIN / EIN (9 digits) _____ Name _____ SSN / ITIN / EIN (9 digits) _____ <input type="checkbox"/> N - Other: If checked, explain. _____ </div> <div style="width: 48%;"> <input type="checkbox"/> L - Texas Limited Partnership: If checked, enter the Texas File Number _____ <input type="checkbox"/> T - Texas Corporation: If checked, enter the Texas File Number _____ <input type="checkbox"/> A - Professional Association: If checked, enter the Texas File Number _____ <input type="checkbox"/> C - Professional Corporation: If checked, enter the Texas File Number _____ <input type="checkbox"/> O - Out-of-State Corporation <input type="checkbox"/> G - Governmental Entity <input type="checkbox"/> U - State agency / University <input type="checkbox"/> F - Financial Institution <input type="checkbox"/> R - Foreign (out of U.S.A.) </div> </div>
Section 4	12. Payment Assignment? <input type="checkbox"/> YES <input type="checkbox"/> NO Note: A copy of the assignment agreement between payees must be attached. Assignee name _____ Assignee TIN _____ Assignment date _____
Section 5	13. Comments _____ Authorized signature (Applicant or authorized agent) _____ Date _____ 14. sign here _____ Agency name _____ Prepared by _____ Phone (Area code and number) _____ 15. _____



Application for Texas Identification Number

GLENN HEGAR

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Fiscal Management
Austin, TX 78774-0100

Who Must Submit This Application -

This application must be submitted by every person (sole owner, individual recipient, partnership, corporation or other organization) who intends to bill agencies of the state government for goods, services provided, refunds, public assistance, etc. The Texas Identification Number (TIN) will be required on all maintenance submitted by state agencies. The use of this number on all billings will reduce the time required to process billings to the State of Texas.

Note: To expedite processing of this application, please return the completed application to the state agency with which you are conducting business. It is not necessary for the payee to sign or complete this form. The state agency representative may complete the form for the payee.

For Assistance -

For assistance in completing this application, please call the Texas Comptroller's office at 1-800-531-5441, ext. 6-8138, or 512-936-8138.

Notice to State Agencies -

When this form is used to set up additional mail codes, Sections 1, 2 and 5 must be completed. State agencies may refer to the Texas Identification Number System (TINS) Guide at <https://fm.xcpa.state.tx.us/fmx/pubs/tins/tinsguide> for additional information.

General Instructions -

- Do not use dashes when entering Social Security, Employer Identification, Individual Taxpayer Identification or Comptroller's assigned numbers.
- Disclosure of your Social Security number is required. This disclosure requirement has been adopted under the Federal Privacy Act of 1974 (5 U.S.C.A. sec. 552a(note)(West 1977), the Tax Reform Act of 1976 (42 U.S.C.A. sec. 405(c)(2)(C) (West 1992), TEX. GOV'T. CODE ANN. sec. 403.055 (Vernon 2005) and TEX. GOV'T. CODE ANN. sec. 403.056 (Vernon 2005). Your Social Security number will be used to help the Texas Comptroller of Public Accounts administer the state's tax laws and for other purposes. See Op Tex. Att'y Gen. No. H-1255 (1978).

Specific Instructions -

Section 1 - Texas Identification Number

- EIN: For all ownership codes other than Individual Recipient listed in Section 3, enter a 9-digit Employer Identification Number (EIN) issued by the Internal Revenue Service.
- SSN: For Individual Recipient or Sole Owner without an EIN, enter your 9-digit Social Security number (SSN) issued by the Social Security Administration.
- ITIN: For Individual Recipient or Sole Owner without an EIN, enter your 9-digit Individual Taxpayer Identification Number (ITIN) issued by the IRS.
- Comptroller Assigned Number - 11 digits: FOR STATE AGENCY USE ONLY. A Comptroller Assigned Number is an ID number that is given to a state agency that needs to pay either a foreign entity or a foreign individual who does not have an EIN, SSN or ITIN.
- Current Texas Identification Number - 11 digits: FOR STATE AGENCY USE ONLY.

Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax? If "YES," enter Texas Taxpayer Number.

Section 2 - Payee Information

- Items 4 through 8 - Enter the complete name and mailing address where you want payments to be received. Names of individuals must be entered first name first. Each line cannot exceed 50 characters including spaces. If the name is more than 50 characters, continue the name in Item 5 and begin the address in Item 6.
- Item 9 - Enter the city, state and ZIP code.
- Item 10 - Enter payee telephone number.
- SIC code, Security type code and Zone code: FOR STATE AGENCY USE ONLY.

Section 3 - Ownership Codes

- Item 11 - Check the box next to the appropriate ownership code and enter additional information as requested. Please check only one box in this section. The Secretary of State's office may be contacted at 512-463-5555 for information regarding Texas file numbers.

Section 4 - Payment Assignment

- Item 12 - Use when one payee is assigning payment to another payee. When setting up an assignment payment, fill out this section completely and include a copy of the assignment agreement between the assignee and the assignor.

Section 5 - Comments and Identification

- Item 13 - Enter any additional information that may be helpful in processing this application. Items 14 and 15 are for identification purposes. Always complete the identification section, including comments and authorized signature.

Under Ch. 559, Government Code, you are entitled to review, request and correct information we have on file about you, with limited exceptions in accordance with Ch. 552, Government Code. To request information for review or to request error correction, contact us at the address or phone numbers listed on this form.

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-				-			
or											
Employer identification number											
				-							

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Date ►

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, *Withholding of Tax on Nonresident Aliens and Foreign Entities*).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual	Individual/sole proprietor or single-member LLC
• Sole proprietorship, or	
• Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	
• LLC treated as a partnership for U.S. federal tax purposes,	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or	
• LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor [*]

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, HOMELAND SECURITY GRANTS DIVISION'S FY2023 OPERATION LONE STAR GRANT PROGRAM (OLS); AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department apply for and, if awarded, accept and administer the Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2023 Operation Lone Star Grant Program, which provides funding to deter and interdict criminal activity and detain non-citizen inmates and to assist in the execution of coordinated border security operations as described in the grant information; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project as required by the grant application, if any, though no match is expected as this is a reimbursement type grant that has a minimum funding level of \$5,000; and

WHEREAS, to support the safety of officers and citizens, the City would like to use grant funds as allowed by the grant (ie, categories such as overtime, personnel costs, equipment & technology, supplies & direct operating expenses, travel & training); and

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

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer and citizen safety; and

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

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

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2023 Operation Lone Star Grant Program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2023 Operation Lone Star Grant Program, including but not limited to any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 25th day of July, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Michael L. Mora, Capital Improvements Manager

DATE: July 25, 2022

SUBJECT: Consider approving application for the Texas Water Development Board(TWDB) Asset Management Program for Small Systems(AMPSS).

Summary:

AMPSS is a funding opportunity offered by TWDB to assist small water and wastewater systems by creating a comprehensive plan for managing the systems in a financially and technically sustainable manner.

Systems participating in AMPSS will be able to choose a pre-qualified contractor to work with to create an asset management plan, at no cost to the system. There is no financial match required by the system, but they will be required to contribute at least 80 hours of their staff time towards the project.

Financial Impact:

There is no cost to the system to submit this application.

Recommendation:

Staff recommends approval of the submission of this application.

Attachments:



RESOLUTION #2022-_____

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD ASSET MANAGEMENT PROGRAM FOR SMALL SYSTEMS.

WHEREAS, the Texas Water Development Board ("TWDB") has an Asset Management Program for Small Systems, which is a funding opportunity offered to assist small water and wastewater systems by creating a comprehensive plan for managing the systems in a financially and technically sustainable manner;

WHEREAS, if selected, the City would choose a pre-qualified contractor to work with to create an asset management plan at no cost to the City;

WHEREAS, there is no financial match required by the City for this program, but the City would be required to contribute at least 80 hours of City staffs' time towards the project;

WHEREAS, it would be beneficial to have an Asset Management Program in place for the City's water and wastewater systems and there is no cost to apply;

WHEREAS, the City needs to submit an application to the TWDB for the Asset Management Program for Small Systems in order to be considered.

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

I.

THAT the City Manager or designated representative is authorized to submit any necessary paperwork for the grant application process to the Texas Water Development Board for an Asset Management Program for Small Systems.

II.

THAT all proceeds from said grant including any matching grant amount from the City of Kingsville shall be administered in conformity with the grant application, the Award letter, and any approved Budget Summary.

III.

THAT the City Manager is hereby designated as the Authorized Official to accept, alter, or reject the grant.

IV.

THAT in the event of loss or misuse of funds, the City of Kingsville will return all funds to the Texas Water Development Board.

V.

THAT this Resolution shall be effective upon adoption.

PASSED AND APPROVED by a majority vote of the City Commission the 25th day of July, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #15

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: July 25, 2022

SUBJECT: Consider and act upon amending an ordinance to include No Parking Zone for the 1000, 1100 and 1200 BLK of E. Ailsie Avenue and 1400 BLK of E. Lott Avenue.

Summary:

City of Kingsville Engineering Department received a revised resolution from the Kingsville ISD Board of Trustees requesting No Parking Zones in Relation to Student Safety. The request is because the "No Parking Signs" would be located inside of the city's right of way. The agenda item is proposing two new No Parking Zones one for Jesus R. Perez Elementary and the other for A. D. Harvey Elementary Schools. At Perez Elementary the No Parking Zones would impact the 1000, 1100 and 1200 Block of E. Ailsie Avenue (between 14th Street and Shelly Boulevard) northside only. At Harvey Elementary the No Parking Zone would impact the 1400 Block of E. Lott Avenue (between 18th Street and 19th Street) on the southside only. The proposed no parking signs would be in affect during school pick-up from 6:45 am – 8:00 and school drop-off from 2:30 pm – 4:00 pm.

Letters were sent to the adjoining property owners affected along E. Lott Avenue and E. Ailsie Avenue. A total of twelve (12) property owners were notified by certified mail for both proposed no parking zone locations. Engineering Department received a total of six (6) responses from adjoining property owners. Six (6) property owners were "FOR" and six (6) did not respond the no parking zone.

No parking sign will be paid and installed by the city. KISD requests signs be installed prior to the first school day in August.



**City of Kingsville
Engineering Dept.**

Background:

The city has several No Parking Zones throughout. The No Parking Zones are in place for the safety of the citizens and motorist, by providing no parking on streets you increase visibility and safety.

Financial Impact:

Signs will be paid for out from account 001-5-3050-52200 Street Division – Signs and Signals. The total cost is approximately \$500.00.

Recommendation:

Staff recommends approval of No Parking Zones for Jesus R. Perez and A.D. Harvey Elementaries.

Attachments:

Ordinance No. 2022-_____

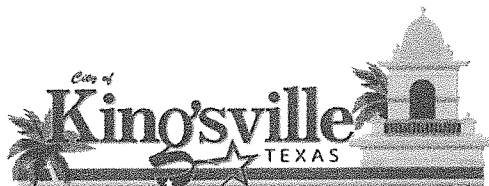
Proposed No Parking Zones – Exhibits

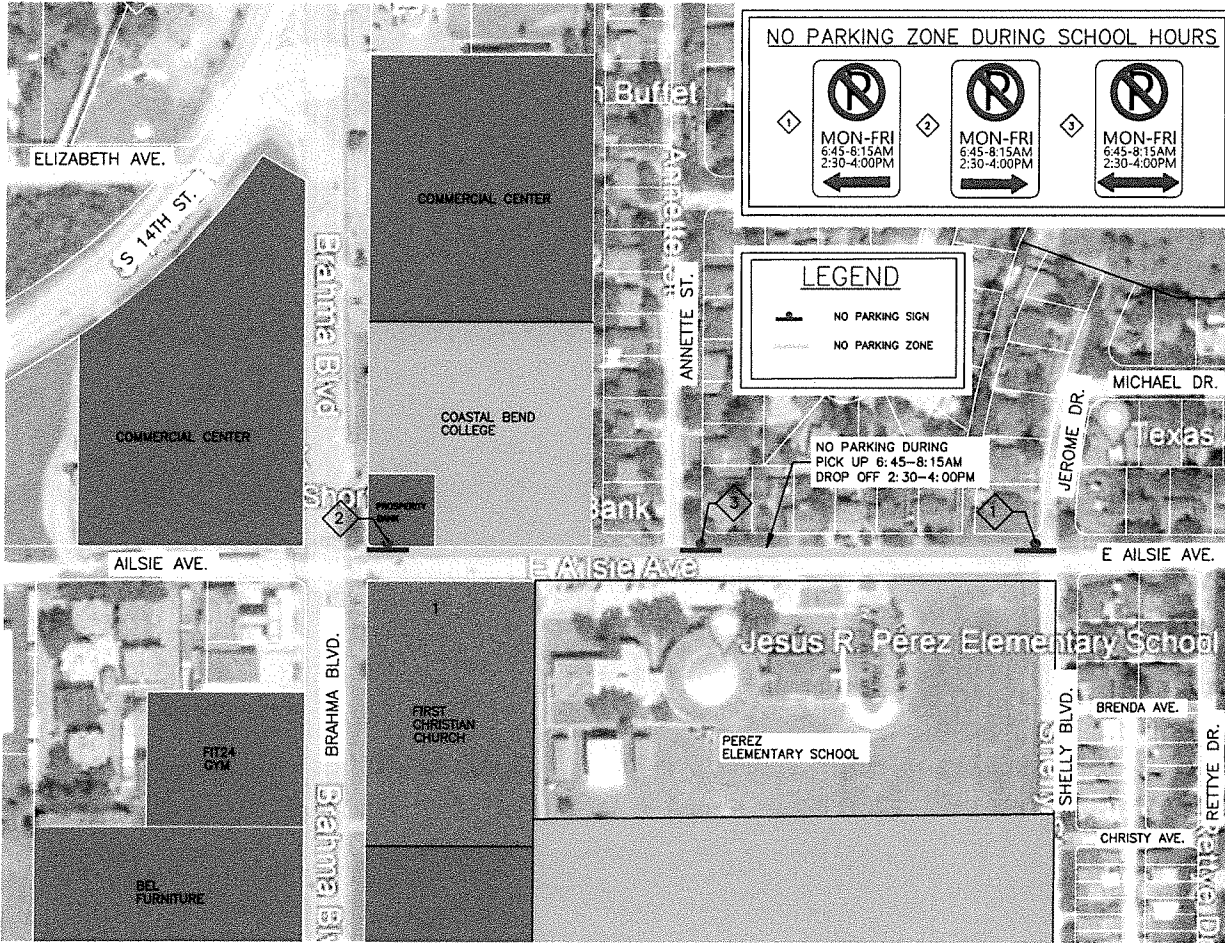
Letter to property owners

List of property owners affected by proposed No Parking Zones

Responses to No Parking Zone from property owners affected by proposed No Parking Zones – Exhibits.

KISD Board of Trustees – Resolution request for No Parking Zones in relation to Student Safety





B
2

PEREZ ELEMENTARY SCHOOL
SCALE 1:250

CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 East King
Kingsville, Texas 78643
Office 361.595.8807
Fax 361.595.8805




Drawn by: V. ESCUVEL
Date: 05/05/2022
Checked by: R. MORA
Job:
Scale: AS NOTED


PEREZ ELEMENTARY SCHOOL
**PROPOSED NO PARKING
ZONE AND SIGN**

SHEET
2

NO PARKING ZONE DURING SCHOOL HOURS





MON-FRI
6:45-8:15AM
2:30-4:00PM

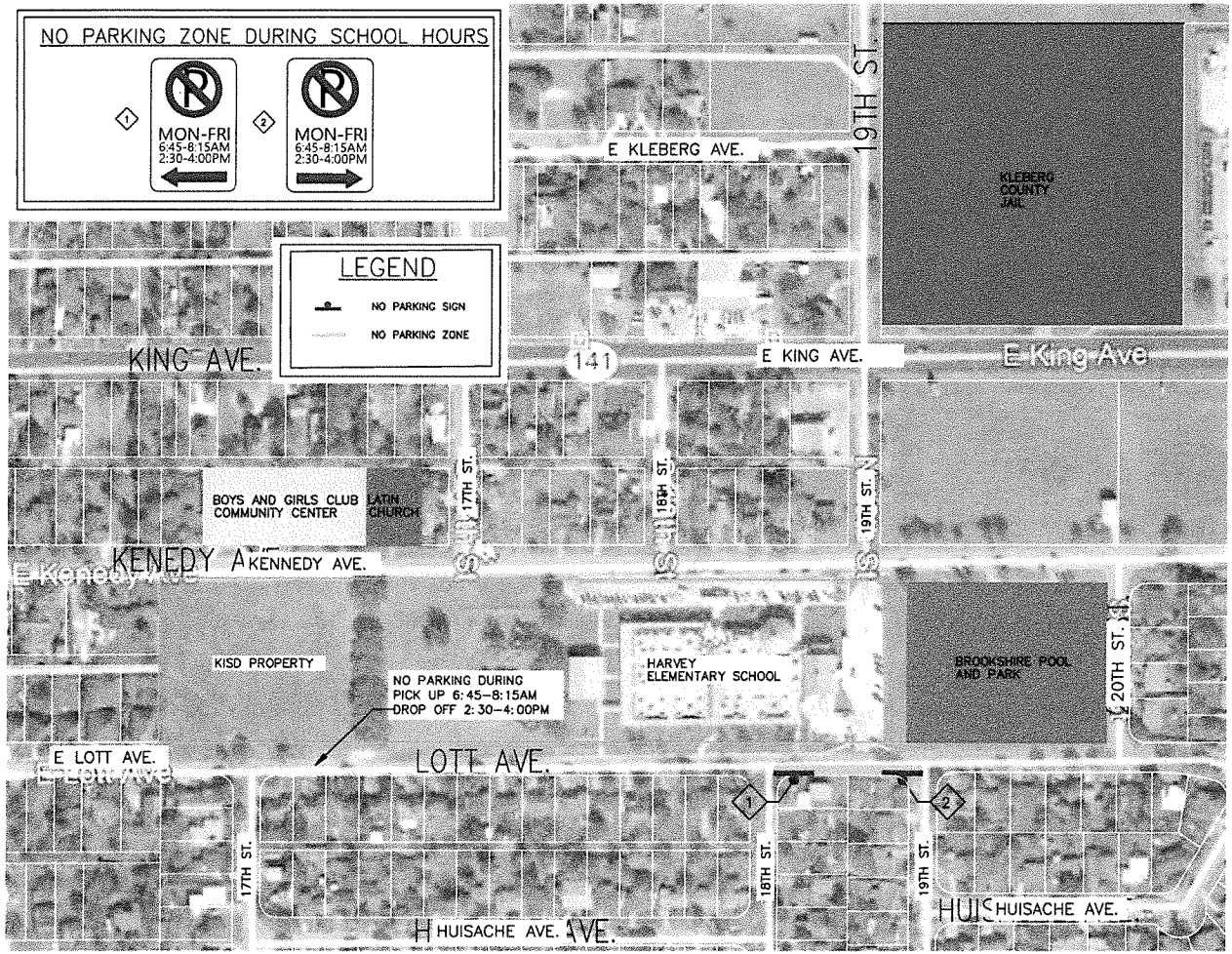


MON-FRI
6:45-8:15AM
2:30-4:00PM

LEGEND

 NO PARKING SIGN

 NO PARKING ZONE



CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 East King Kingsville, Texas 78343 Phone: 361/593-8007 Fax: 361/593-8035	
	
Drawn by: V. ESQUIVEL	
Date:	
Checked by: R. MORA	
Job:	
Scale: AS NOTED	
HARVEY ELEMENTARY SCHOOL	
NO PARKING ZONES	
SHEET 1	



LEGEND

	NO REPLY
	AGAINST THE "NO PARKING" SIGNS
	FOR THE "NO PARKING" SIGNS



B PEREZ ELEMENTARY SCHOOL
 2 SCALE 1:250

CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 East King Kingsville, Texas 78663 Phone: 361/586-0707 Fax: 361/595-0033	Drawn by: V. ESQUIVEL	CITY OF KINGSVILLE ENGINEERING DEPARTMENT
	Date:	
PEREZ ELEMENTARY SCHOOL	Checked by: R. MORA	CITY OF KINGSVILLE ENGINEERING DEPARTMENT
	Job:	
RESPONSES TO NO PARKING ZONES	Scale: AS NOTED	CITY OF KINGSVILLE ENGINEERING DEPARTMENT
SHEET 2		



LEGEND

	NO REPLY
	AGAINST THE "NO PARKING" SIGNS
	FOR THE "NO PARKING" SIGNS

A

1
1:250

HARVEY ELEMENTARY SCHOOL

<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT</p> <p>400 East King Kingsville, Texas 78663 Office 361.595.8807 Fax 361.595.8035</p>	
<p>Drawn by: V. ESQUEVEL</p> <p>Date: _____</p> <p>Checked by: R. MORA</p> <p>Job: _____</p> <p>Scale: AS NOTED</p>	<p>HARVEY ELEMENTARY SCHOOL</p> <p>RESPONSES TO NO PARKING ZONES</p>
<p>SHEET</p> <p>1</p>	

Resolution of the Board of Trustees

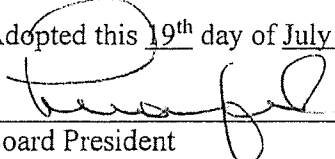
Regarding No Parking Zones in Relation to Student Safety

WHEREAS, the safety of Kingsville Independent School District students and staff is of paramount priority;

WHEREAS, the Board of Trustees recognizes and acknowledges that parking in front of Perez Elementary School and behind Harvey Elementary School during pick-up and drop-off times creates a hazardous environment for pedestrians and traffic;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Kingsville Independent School District authorizes this Resolution formally requesting the City of Kingsville to designate "No-Parking Zones" in front of Perez Elementary and behind Harvey Elementary on school days between 6:45-8:15 AM and 2:30-4:00 PM. The proposed Perez Elementary no-parking zone is located on the north side of Ailsie Avenue from Brahma Blvd to Jerome Drive. The proposed Harvey no-parking zone is located on the south side of Lott Avenue from 18th Street to 19th Street.

Adopted this 19th day of July 2022, by the Board of Trustees.



Board President



Board Secretary

Prosperity Bank c/o 1830 S Brahma
Blvd
P.O. Box G
El Campo, Texas 77437-1470

Ruben Soliz Jr
1830 Annette St
Kingsville, Texas 78363

Vimal Kumar
1122 E Ailsie
Kingsville, Texas 78363

Beatriz Ortiz
1829 Jerome
Kingsville, Texas 78363

Coastal Bend College c/o 1814 S
Brahma Blvd
3800 Charco Rd
Beeville, Texas 78102

Oralia Garcia
1110 Ailsie
Kingsville, Texas 78363

James Colley
1202 E Ailsie
Kingsville, Texas 78363

Joel Anderson
403 S 19th St
Kingsville, Texas 78363

Roldan Hinojosa
1030 E Ailsie
Kingsville, Texas 78363

Jesus Jaime c/o 1116 Ailsie
P.O. Box 769
Kingsville, Texas 78363

Maria Haase
1210 E Ailsie
Kingsville, Texas 78363

Jose Ochoa c/o 418 S 18th
227 W Ave C
Kingsville, Texas 78363

CITY OF KINGSVILLE



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

May 5, 2022

KISD

P.O. Box 871

Kingsville, Texas 78363

Re: City of Kingsville – No Parking Zones in relation to Student Safety

To Whom It May Concern,

The City of Kingsville received a request from the Kingsville Independent School District to create a “No Parking Zone” along both sides of Ailsie Avenue between Brahma Blvd and Shelly Street. This request is to discourage parking and reduce traffic congestion along Aisle Avenue during school day pick-up and drop-off times for Jesus R Perez Elementary. School pick-up times are from 6:45AM to 8:00AM and drop-off times from 2:30PM to 4:00PM. Attached is a map of the proposed No Parking Zone and sign locations.

We are contacting you as an adjoining property owner and would like to know if you ‘AGREE’ or ‘DISAGREE’ to the proposed No Parking zones in the designated areas.

We appreciate any information, comments or feedback you can give.

Feel free to call me at 361-595-8007 or email me a rmora@cityofkingsville.com. Please respond by 5:00pm May 20, 2022.

Respectfully,

Rutilio P. Mora Jr., P.E.

City Engineer

Enclosure: Proposed No Parking Zones and Signs

ORDINANCE NO. 2022-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 6, TRAFFIC CONTROL DEVICES; PROVIDING FOR THE RESTRICTION OF PARKING DURING CERTAIN HOURS ON THE NORTH SIDE OF EAST AILSIE AVENUE BETWEEN 14TH STREET AND SHELLY BLVD. AND ON THE SOUTH SIDE OF EAST LOTT AVENUE BETWEEN 18TH AND 19TH STREETS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Kingsville Independent School District Board of Trustees has requested two no parking zones during certain hours around Perez Elementary School and A.D. Harvey Elementary School due to concerns over traffic congestion and safety during drop-off and pick-up times;

WHEREAS, the City has notified 12 property owners in the two proposed no parking zone areas and has received 6 responses in favor and none against the proposed zones;

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

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

I.

THAT Schedule II of Article 6: Parking Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

Sec. 7-6-2. Schedule II, Parking Restricted on Certain Streets.

SCHEDULE II. PARKING RESTRICTED ON CERTAIN STREETS.

It shall hereafter be unlawful for any person to park or leave standing any vehicle on the following streets:

TABLE INSET:

Street	Location	Side	Time Limit	Ord. No.	Date Passed
...
Mesquite Ave.	Lying anywhere between its intersection with Armstrong St. and its intersection with	Both	7:00 a.m. to 5:00 p.m.,	2011-	--

	Wells Ave.		Monday-Friday		
<u>East Ailsie Ave.</u>	<u>Lying anywhere between its intersection with 14th Street and Shelly Blvd.</u>	<u>North</u>	<u>6:45am-8am and 2:30pm-4:00pm Monday-Friday</u>	<u>2022-__</u>	
<u>East Lott Ave.</u>	<u>Lying anywhere between its intersection with 18th and 19th Streets</u>	<u>South</u>	<u>6:45am-8am and 2:30pm-4:00pm Monday-Friday</u>	<u>2022-__</u>	

II.

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

III.

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

IV.

THAT this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 25th day of July, 2022.

PASSED AND APPROVED on this the 8th day of August, 2022.

Effective Date: _____

Sam Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: July 25, 2022

SUBJECT: Consider awarding Request for Qualifications (RFQ 22-13) 2022 N. 6th Street and Tranquitas Creek – Bridge Repairs.

Summary:

RFQ # 22-13 for 2022 N. 6th Street and Tranquitas Creek – Bridge Repairs was advertised on June 16, 2022, and June 23, 2022, in the local newspaper and on the City's website. Statement of Qualifications (SOQ's) were due July 12, 2022. One (1) SOQ was received from International Consulting Engineers (ICE) located in Corpus Christi, Texas.

The Evaluation committee included Purchasing Manager, Capital Improvements Manager, Public Works Director, and City Engineer.

The Evaluation Committee reviewed the one (1) Statement of Qualification received, from International Consulting Engineers (ICE). The committee is recommending the RFQ be awarded to ICE. The next step is to negotiate a contract for professional engineering services.

Background:

On February 15, 2022, the Engineering Department received a Bridge Inspection Report from Texas Department of Transportation (TxDOT) regarding the bridge at Tranquitas Creek and N. 6th Street. The bridge was inspected on March 8, 2021, by TxDOT's consultant. The report addresses the condition of the Deck, Superstructure, Substructure, Channel, Culverts, and Approaches. This bridge at N. 6th Street is heavily utilized and classified as a Principal Arterial Street.



**City of Kingsville
Engineering Dept.**

Financial Impact:

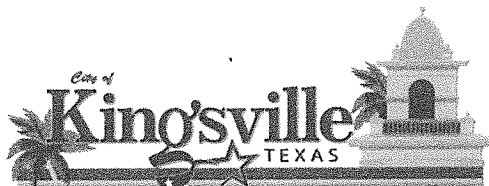
There is no financial impact by awarding RFQ#22-13 for Professional Engineering Services. Once the negotiated contract is executed the project will be paid from FUND 068.

Recommendation:

The Evaluation Committee recommends awarding RFQ#22-13 for Professional Engineering Services to International Consulting Engineers and to begin negotiating a contract.

Attachments:

None.



AGENDA ITEM #17

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: July 25, 2022

SUBJECT: Consider introduction of an ordinance amending the Fiscal Year 2021-2022 budget to cover operational costs.

Summary:

The budget Amendment is needed to cover increased operational costs. The operational costs will address the following:

<u>Acc. No.</u>	<u>Account Name</u>	<u>Justification</u>
21500	Motor Gas & Oil	Fuel price inflation.
31500	Printing & Pub.	Certified letters.
41100	Vehicle Maint.	Vehicle safety beacon.

Financial Impact:

The Utility fund will cover the costs of \$1,300.00.

Recommendation:

Staff recommends approval of the Budget Amendment.

Attachments:

Ordinance No. 2022-_____



ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2021 BUDGET TO COVER ADDITIONAL BUDGET COSTS FOR THE ENGINEERING DEPARTMENT DUE TO INCREASED OPERATING 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 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT #61

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 – Utility Fund					
<u>Expenditures - 5</u>					
8000	Engineering	Motor Gas & Oil	21500	\$500.00	
8000	Engineering	Printing & Publishing	31500	\$500.00	
8000	Engineering	Vehicle Maintenance	41100	\$300.00	
		Total Budget Amendment		\$1,300.00	

[To amend the City of Kingsville FY 21-22 Budget to cover additional budget costs for the Engineering Department due to increased operational costs. The funding will come from the unappropriated Utility Fund balance.]

II.

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

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission

that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 25th day of July 2022.

PASSED AND APPROVED on this the 8th day of August 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #18

**RESOLUTION AMENDING A RESOLUTION ACCEPTING A PETITION FOR
AND CALLING FOR A PUBLIC HEARING ON THE CREATION OF THE
SOMERSET PUBLIC IMPROVEMENT DISTRICT NUMBER 1 WITHIN THE
CITY OF KINGSVILLE, TEXAS PURSUANT TO CHAPTER 372 OF THE TEXAS
LOCAL GOVERNMENT CODE AND AUTHORIZING THE MAILING AND
PUBLICATION OF NOTICE OF THE PUBLIC HEARING**

WHEREAS, the City Commissioners of the City (the "City Commission") of Kingsville, Texas (the "City") received a petition (the "Petition") requesting creation of a public improvement district (the "PID") under Chapter 372 of the Texas Local Government Code (the Act), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Kleberg County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment under the proposal; and

WHEREAS, pursuant to such Petition, the City adopted a "Resolution Accepting a Petition for and Calling for a Public Hearing on the Creation of the Somerset Public Improvement District Number 1 Within the City of Kingsville, Texas Pursuant to Chapter 372 of the Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing" (the "Original Resolution") dated July 11, 2022 to authorize a public hearing regarding the same; and

WHEREAS, the Petitioner and the City hereby desire to amend the Original Resolution to reflect a revised date for such hearing to August 22, 2022; and

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

SECTION 1: Section 1 of the Original Resolution is hereby amended as follows:

SECTION 1: THAT a public hearing is hereby scheduled at 5:00 p.m. on August 22, 2022, at City Hall, Helen Kleberg Groves Community Room, 400 West King Avenue, Kingsville, Texas 78363 to receive public comment on the creation of the PID in the area described in the petition attached as Exhibit A and as shown on the map in Exhibit B, pursuant to the Act; and

SECTION 2: Exhibit C is revised as attached hereto to reflect the new date; and

Passed by the City Commission of the City of Kingsville this 25th day of July 2022.

Sam Fugate, Mayor
City of Kingsville, Texas

ATTEST:

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

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney
City of Kingsville, Texas

EXHIBIT C
Notice of Public Hearing

NOTICE OF PUBLIC HEARING OF THE CITY COMMISSION OF THE CITY OF
KINGSVILLE TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC
IMPROVEMENT DISTRICT WITHIN THE CITY TO MAKE CERTAIN IMPROVEMENTS
OVER CERTAIN PROPERTIES LOCATED WITHIN THE CITY

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Kingsville, Texas (the “City”), pursuant to Chapter 372.005 Local Government Code, as amended, (the “Act”), will hold a public hearing at 5:00 p.m. on Monday, August 22, 2022, at City Hall, 400 West King Ave., Kingsville, Texas 78363, for the purpose of considering the establishment of a public improvement district to be located within the City

In accordance with the Act, the City Secretary has received a petition (the “Petition”) from a certain property owner within the City (the “Petitioner”) that request the establishment of a public improvement district for the Somerset development within the City.

The Petition and the legal description of the properties to be included in the public improvement district is on file and open for public inspection in the office of the City Secretary at the address stated above. The public hearing is being held with respect to the advisability of creating a public improvement district for the Somerset development and the Authorized Improvements (as defined below) to be made therein.

General Nature of the Authorized Improvements: The purpose of the public improvement district is to provide funds for public improvement projects authorized by the Act that are necessary for development of District property, which public improvements will include: onsite roads (including, but not limited to a collector road) and associated utility improvements (water, sewer, drainage), offsite sewer extension (and if needed, offsite roads, water, and drainage), onsite public improvements for residential lots (sewer, water, streets, and drainage), the improvement and construction of water, sanitary sewer, drainage, dry utilities (gas and electric), detention ponds, storm sewer, road, landscaping in public rights of way, or sidewalks, right of way acquisition costs, easement acquisition costs, appraisal costs, geotechnical and hydrological engineering costs, environmental inspections/testing/and remediation costs, well plugging costs, demolition costs, floodplain reclamation costs, tree mitigation costs, park/entry/amenity improvement costs, including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries; flood plain and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements (collectively, the “Authorized Improvements”). Further, the public improvements financed by the District may include public improvements in compliance with Chapter 372 and in accordance with governing laws. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Estimated Cost of the Authorized Improvements: The estimated cost to fund the Authorized Improvements is \$15,000,000.

Boundaries of the Proposed District: The public improvement district would include the Property as depicted in Exhibit A.

Proposed Method of Assessment for the Public Improvement District. The City shall levy assessments on each lot within the public improvement district in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed in part by the assessment and must continue for a period necessary to retire the indebtedness on those Authorized Improvements (including interest).

Proposed Apportionment of Costs between the District and the City for the Public Improvement District. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the public improvement district and/or from other sources of funds, if any, available to the Petitioner, including lawfully available funds of the City from the sources and in the amounts as directed by the City Commission.

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of a public improvement district for the Somerset development and the Authorized Improvements to be made therein. Questions or requests for additional information may be directed to Courtney Alvarez, City Attorney at calvarez@cityofkingsville.com.

Any interested persons unable to attend the hearing may submit their views in writing to Mary Valenzuela, City Secretary at mvalenzuela@cityofkingsville.com prior to the date scheduled for the hearing.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

GIVEN THIS _____ day of _____, 2022.

CITY OF KINGSVILLE, TEXAS

EXHIBIT A

Boundaries

Approximately 58 acres located in the City of Kingsville, bound by General Cavazos Blvd., Brahma Blvd., and E. Trant Rd. A full description of the boundaries of the proposed Somerset Public Improvement District Number 1 is available at City Hall, 400 West King Ave., Kingsville, Texas 78363.

CERTIFICATE FOR RESOLUTION

We, the undersigned Mayor and City Secretary of the City of Kingsville, Texas (the "City"), hereby certify as follows:

1. The City Commission of the City (the "City Commission") convened in regular session, open to the public, on July 25, 2022 (the "Meeting"), at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Commission, to wit:

Sam R. Fugate, Mayor
Hector Hinojosa, Mayor Pro Tem
Norma Nelda Alvarez, Commissioner

Edna Lopez, Commissioner
Ann Marie Torres, Commissioner

and all of said persons were present, except _____, thus constituting a quorum. Whereupon among other business, the following was transacted at the Meeting: a written Resolution entitled:

RESOLUTION AMENDING A RESOLUTION ACCEPTING A PETITION FOR AND
CALLING FOR A PUBLIC HEARING ON THE CREATION OF THE SOMERSET
PUBLIC IMPROVEMENT DISTRICT NUMBER 1 WITHIN THE CITY OF
KINGSVILLE, TEXAS PURSUANT TO CHAPTER 372 OF THE TEXAS LOCAL
GOVERNMENT CODE AND AUTHORIZING THE MAILING AND PUBLICATION
OF NOTICE OF THE PUBLIC HEARING

(the "Resolution") was duly introduced for the consideration of the Commission. It was then duly moved and seconded that the Resolution be finally passed and adopted; and after due discussion, such motion, carrying with it the adoption of the Resolution prevailed and carried by the following vote:

YES: _____ NOES: _____ ABSTENTIONS: _____

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the City Commission's minutes of the Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the City Commission's minutes of the Meeting pertaining to the adoption of the Resolution; the persons named in the above and foregoing paragraph are duly chosen, qualified, and acting officers and members of the City Commission as indicated therein; each of the officers and members of the City Commission was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting, and that the Resolution would be introduced and considered for adoption at the Meeting and each of such officers and members consented, in advance, to the holding of the Meeting for such purpose; and the Meeting was open to the public, and public notice of the time, place, and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE,
TEXAS ON JULY 25, 2022.

City Secretary

Mayor

(CITY SEAL)