

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, MARCH 13, 2023 REGULAR MEETING

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

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

OR

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

I. Preliminary Proceedings.

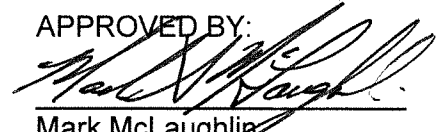
OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting February 27, 2023

APPROVED BY:


Mark McLaughlin
City Manager

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

1. Public hearing for proposed rezone of KT&I Co., Block 17, Lot Pt 6, 8.71 acres, also known as 1420 Senator Carlos Truan Blvd., Kingsville, Texas 78363 from R1 (Single Family) to R3 (Multi Family). Rick Deyoe, applicant. (Director of Planning & Development Services).
2. Public hearing for proposed replat of Tranquitas 2, Block 2, Lots 5, 6, 7 & 8, also known as 168 West Ave. D, Kingsville, Texas 78363. Santiago Cantu Jr., owner/applicant. (Director of Planning & Development Services).
3. Public hearing for creation of nine (9) neighborhood districts proposed for district map needed for new master plan. (Director of Planning & Development Services).

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, Proposed Development Report; Accounting & Finance – Financial & Investment

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

IV. Public Comment on Agenda Items.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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Discussion regarding financing options for certain city equipment and/or projects. (ie, water meters). (Finance Director).
2. Consideration and approval of a plan of finance and a resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation. (City Attorney).
3. Consideration and approval of a resolution declaring intention to reimburse certain expenditures. (City Attorney).
4. Consider a resolution suspending the May 1, 2023, effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas-South Texas Division, to implement interim GRIP Rate Adjustments for gas utility investment in 2022 and requiring delivery of this resolution to the company and legal counsel. (City Attorney).
5. Consider request to replat Tranquitas 2, Block 2, Lots 5, 6, 7 & 8, also known as 168 West Ave. D, Kingsville, Texas 78363. (Director of Planning & Development Services).

6. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 17, Lot Pt 6, (8.71 acres), also known as 1420 Senator Carlos Truan Blvd., Kingsville, Texas from R1 (Single Family Residential District) to R3 (Multi-Family Residential District); amending the Comprehensive Plan to account for any deviations from the existing Comprehensive Plan. (Director of Planning & Development Services).
7. Consider a resolution adopting a neighborhood/district map of the City for the new Comprehensive Master Plan. (Director of Planning & Development Services).
8. Consider a resolution authorizing the Mayor to execute an Economic Development Grant Letter of Commitment between the City of Kingsville and LeRoy David Thibodeaux. (City Attorney).
9. Consider awarding bid for RFP#23-04 to Donald Hubert Construction Company Inc. for the 2023 Municipal Building Park Lot Maintenance Project, as per staff recommendation, and approve resolution authorizing the City Manager to execute an Agreement for RFP#23-04 Municipal Building Parking Lot Maintenance Project. (City Engineer).
10. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for Municipal Building Parking Lot Maintenance. (City Engineer).
11. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate Tourism ARP Funding for projects approved in FY21-22 but not completed in FY21-22 and not rolled forward to FY22-23. (Finance Director).
12. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to appropriate funding for a new laptop for the warrant officer and scanners for the Municipal Court. (Finance Director).
13. Consider awarding bid to R.L. Abatement, Inc. via TIPS Purchasing Cooperative as per staff recommendation for asbestos remediation, demolition, and disposal costs of old hospital building. (Purchasing Manager).
14. Consider introduction of an ordinance amending the Fiscal Year 2022-2023 Budget to reallocate UF ARP Funding to GF ARP Funding for the asbestos removal, air monitoring, and demolition of the old Kleberg County Hospital. (City property on E. Caesar Ave.) (Purchasing Manager).
15. Consider authorizing use of ARP Funds for installation of access control system and double gate system at the City's Dr. Pepper Building located on Lee Street. (Purchasing Manager).
16. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (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:

March 9, 2023 at 2:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

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

MINUTES OF PREVIOUS MEETING(S)

FEBRUARY 27, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 27, 2023, 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 (Arrives @ 5:49 P.M.)

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Derek Williams, IT
Emilio Garcia, Health Director
Deborah Balli, Finance Director
Charlie Sosa, Purchasing Manager
Bill Donnell, Public Works Director
Rudy Mora, Engineer
Susan Ivy, Parks Director
Kwabena Agyekum, Interim Director of Planning & Development Services/Senior Planner/HPO
Joseph Ramirez, Engineers Assistant
Mike Mora, Capital Improvements Manager
Ricardo Torres, Chief of Police
Diana Gonzales, Human Resources Director
Cameron Whittington, Water Supervisor

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with four Commission members present. Commissioner Torres arrived at 5:49 P.M.

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 February 13, 2023

Motion made by Commissioner Lopez to approve the minutes of February 13, 2023, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting “FOR”.

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

1. Public hearing for the submission of a Main Street Grant Application to the Texas Department of Agriculture as part of the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:01 P.M.

Ms. Alvarez reported that the notice for this public hearing was published in the newspaper on February 16, 2023.

Mr. Kwabena Agyekum, Interims Director of Planning & Development Services stated that the community development needs for Main Street are sidewalks, lighting, road construction, renovation, and curb and gutter. The target areas are Kleberg between 6th and 7th street intersections. The amount of funding available is \$500,000 with a cash match required of \$18750.00. Staff would like to submit for this grant to go towards these needs. Mr. Agyekum further displayed a sketch map of the location where the project would take place.

Mayor Fugate asked that on the map there is a star in the middle of red brick on the road, and asked if the star was going to be located in that area.

Mr. Agyekum stated that paving would form the star in the middle of the brick area. The star can be of any color that is chosen.

Mr. McLaughlin commented that this is the intersection of Kleberg and 7th Street which is concrete that has been cut multiple times, so if the city will be replacing any part of the street, this will be the first part of it.

Commissioner Lopez commented that this is good but she would have wished that it would have gone a bit further down the road as the worst part is on 8th street.

Mr. McLaughlin stated that bids have already been received for the street which is well over \$1 million.

Commissioner Alvarez asked if the curbs will be lowered. Mr. McLaughlin responded that wherever it exceeds the height of the standard step, one or two steps will be placed. He further stated that the north side of Kleberg will probably have one step up to the sidewalk with the south side having two steps.

Mr. Agyekum stated that there is room for ADA compliance. He further stated that the funds needed are \$500,000 with a match of 3.5% cash match which totals \$17,500 with in-kind of \$30,000 for engineering services and in-kind of \$8,500 for administrative services.

Commissioner Alvarez asked for clarification on the cash match, as one slide showed \$18,500 and the other shows \$17,500.

Mr. McLaughlin stated that the correct amount is \$17,500.

Mr. Agyekum further stated that what is also being proposed are bollards.

Ms. Alvarez commented that bollards are installed at Texas A&M University-Kingsville on Santa Gertrudis and University Boulevard which are used when they want to close down the university from Santa Gertrudis to the main building. These bollards are the type that is screwed on and off.

Mayor Fugate asked if the bricks would be higher than the original road. Mr. McLaughlin responded that the bricks would be blended into the same level of the existing road.

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

There being no further comments Mayor Fugate closed this public hearing at 5:05 P.M.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal

League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water, And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.”

Mayor Fugate read and presented the Key to the City and a proclamation to Mr. Glen Jones, NAS Kingsville Community Liaison Officer. Mr. Jones will be retiring at the end of March 2023, and therefore the City of Kingsville would like to acknowledge all his hard work while in Kingsville.

Mr. Mark McLaughlin, City Manager complimented Mr. Glen Jones for all the hard work he has done within the community. He further introduced the city's new Building Official, Ms. Berlinda Tarver. Mr. McLaughlin further stated that a Wine Walk was held this past weekend and was very well attended. He also reported that the greens at the Golf Course will open for tournaments in March, 8 tournaments are scheduled for the upcoming month. The street sweeper contract will begin this Wednesday. Mr. McLaughlin gave a brief update on the TML Region 11 Quarterly Meeting that was held in Yoakum. There are several House Bills and Senate Bills that the city would need to keep an eye out for, as they could bring some changes to the city. He further stated that House Bill 2127 and Senate Bill 814 are companion bills that are going through. These bills would give the state exclusive authority over any activity contained in the agricultural code, finance code, insurance code, labor code, natural resources code, and occupation code. Some of those areas include drought, weedy lots, which the city deals with all the time, the raising of animals and predatory lending, and pawn shops. What this means is that unless the state law expressly authorizes the city or county to act in these fields any local ordinance or order that attempts to regulate any activity within these codes will be voided. Mr. McLaughlin further stated that if these were to pass then the city would need to look into its ordinance and see what the impact on our city would be.

Commissioner Hinojosa stated that most of the losses that have occurred have been an act of nature. The cyber attack is a human error as we go in and go phishing the web. He further stated that staff is doing a great job as everyone has to go through cybersecurity training.

Mr. McLaughlin further reported that the next TML Region 11 Quarterly meeting will be held in Victoria, but no date has been announced.

Mr. Ricardo Torres, Chief of Police gave an update on the situation that transpired at H.M. King High School on Thursday, February 23, 2023, where it was reported by students that someone may have been carrying a weapon on campus. He further discussed the timeline from the time the call was received to the first officer arriving on campus. Within 15 minutes from the initial call coming into dispatch, 100 law enforcement officers responded to the location of possible threat. He further stated that officers were deployed inside the campus to clear every room with the school. After the clearing the room students were dismissed to a safe location located across the street from the campus. At that point, students were reunited with their parents or put on the school bus to go home. He further stated that law enforcement closed down a section of Brahma Boulevard, in front of the school so that

school buses could pick up those students riding the bus home. Chief Torres stated that although a weapon was not found, this was a great exercise for everyone involved. A plan was put in place by all law enforcement agencies that responded and worked very well to insure the safety of the students and faculty. He further stated that he would like to thank all law enforcement agencies that responded on a job well done and further thanked the parents of the students for being patient while waiting for officers to clear the location before releasing students to their parents.

Mayor Fugate thanked KPD Officers and all law enforcement agencies for their quick response in this situation.

Ms. Courtney Alvarez, City Attorney reported that the next scheduled Commission meeting is set for Monday, March 13, 2023. The deadline for staff to submit their agenda items is scheduled for Friday, March 3, 2023. Ms. Alvarez further reminded everyone that March 13th is the start of Spring Break for our students and encouraged everyone to drive a little slower through our city streets, as children will be home. She further stated the Police Department is having a Warrant Roundup. Voluntary compliance period where one can go to Municipal Court and take care of their citations without being arrested runs until the end of this week, March 3rd. Beginning on Saturday, March 4th, active enforcement will begin.

Commissioner Lopez stated that although she was confused with the location that was discussed during the public hearing, she would like for the location between 9th Street and 10th Street to be looked into as a lot of citizens have fallen in this area during parades. She further stated that she would like something to be done to prevent our citizens from falling and getting hurt.

Mr. McLaughlin stated that he will have the Street Department look into this and see if there is a fix for this.

Commissioner Alvarez asked for a brief update on water meters, as it had been mentioned some time back.

Mr. McLaughlin responded that it has been about a year since the city had an outside agency to assess the city and they came back with a price of over \$10 million to replace all of the water meters. This information was briefed to the Commission and at that time Mayor Fugate asked for staff to get a second opinion. Staff has received a second opinion which dropped by a few million dollars, but the costs were still considerably higher than if we did it a different way. Staff worked with its financial advisors and they advised us on a better way to do it. He further stated that staff has informed the company that did the second assessment that we have complied with the contract and cut them off at a certain point and paid them for the first part of the assessment. Staff had a meeting last week to see what the different options are on paying for it using the meter company that can install it themselves. He further stated that this will be in the \$6 million range to do all the meters in the city. He further stated that what also needs to be done is a lead and copper, which is required by law where an assessment needs to be done for every pipe coming in and out.

Commissioner Alvarez further asked if some meters could be done this fiscal year and the rest the following fiscal year.

Mr. McLaughlin responded that staff has talked about possibly doing residential meters first, as they are smaller pipes and easier to do. He further stated that the issue would be finding a larger meter and it having cast iron on the city side and is supposed to be a 4

inch but when it's opened there is only about 1 inch left on the inside. The question then is what does the city do, place a brand new meter on a bad pipe or fix the entire line? He further stated that there are a lot of things to take into consideration.

Mayor Fugate asked for the status of the demolition of the gas station located on King Street and Hwy 77.

Mr. McLaughlin responded that the property had been sold and the new owner is not aware that this location had been condemned. Staff will need to get with the new owner and see what the plans are for this location. He did state that the old hospital located on Caesar Street will be demolished soon, and a budget amendment will be brought forth to the Commission for this project. He further stated that no matter how hard they tried, the experts could not get the asbestos count below 1%, which would have been cheaper to demolish. The count, in some areas, is 5% to 8% asbestos. This will increase the price to about \$200,000. Once the funds are secure, the demolition can begin, as 75% of the hospital will be easy to demolish as parts of the building don't have asbestos. The area that has the asbestos will be done at the very end of the project.

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 submitted by Ms. Jozannah Quintanilla, 201 Jay Vee Lane, Kingsville, TX. Public comment read as followed:

Dear Mayor and Kingsville City Leaders, I'm writing to discuss my concerns on an issue and incident involving my father, Joe Quintanilla. I also want to inform the mayor and city leaders of the disrespect and treatment shown to my father, an upstanding loyal citizen who has lived in this town all his life. Not to mention he is an elderly man who should be shown compassion like you would any of your elderly loved ones. My father has been trying to get a permit for a shed he bought for his home that was authorized by the city on January 6th. He has been given the run around at the permit department and was never issued one. Now Fast forward to February 7th where an incident occurred at my father's home at 201 Jay Vee. My father was inside his home cutting an apple with a very small paring knife when he saw what he described as suspicious activity at his property. He described a man in ordinary clothes with a fishing hat, holding something in his hand and looking onto the property. My father, who has had lots of things stolen from his property, ran outside not even realizing he still had the apple and the paring knife in his hand.... asked the guy what he was doing? The man we now have identified as Uche did not show a city badge and was rude and yelled to my dad he was with the city. That's all he said. Again, he was in ordinary clothes like a citizen and wearing a hat. He would not tell my father what he was doing there and was holding a camera where my dad said he was taking pictures of the property. Again, my dad asked what do you want... the man never spoke clearly and was pointing to possibly the shed and then got into his car and sped off. He did not explain anything about what he was doing and did not even offer to give his information to call his office. When my father went back to the permits office again to try to figure out what was happening with his permit and was denied again came to find out the man taking pictures was Uche with the city permits office. That brings us to the concerns I have with how city leaders handled this situation. When my brother posted on Facebook about what happened and the way my father was treated ... Anne Marie Torres who neither of us know personally was the one who responded and said she would send the concern to the appropriate person with the permits department. The most disturbing response was from city manager Mark McLaughlin. I could not believe he would email back that my father should have been arrested because my elderly father had come at

Uche with a knife. I was like this has to be a joke.... absolutely absurd in this matter. To put the blame on an elderly man who was simply scared and ran out thinking there was possibly a suspicious person looking onto his property and even taking pictures. A man who never made it clear who he was or what he was doing. How dare Mr. McLaughlin make my dad out to be a criminal and slander his name. Instead of resolving the issue and helping an elderly citizen he acted like a bully. He only heard Uche and his lie and never talked to my dad or the family. Nobody has helped my dad to figure out what to do to get this permit he sped off in front of him. More like that car could have been called a weapon if he had hit my dad on the street when he sped off so fast. You all should be ashamed of yourselves treating the great citizens of Kingsville this way. As a former news journalist of 16 years, I know wrong within a city government or city practices when I see it. This is just wrong all the way around. Change your practices on how you get permits...in today's day and age with all the shootings and crime happening you can't expect elderly citizens to trust any suspicious activity. For God sakes... when there are people being shot in shopping malls and churches and elderly people being shot and carjacked in daylight. You think this is, okay? I have called to talk to Uche since my dad started experiencing stress and chest pains from all the distress. Uche would not return my calls. Mr. McLaughlin has not reached out to my father also. This is not even about a permit anymore...it's the thought of these ridiculous and unsafe practices for a permit. Also, if this happened to an upstanding citizen like my father... then how many other citizens will be mistreated and not helped. Thank You, Jozannah Quintanilla, His Devoted Daughter.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider a resolution of the City Commission of Kingsville, Texas authorizing the submission of an application to the Texas Department of Agriculture for the Texas Community Development Block Grant Program, Main Street Grant Application; and authorizing the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program for improvements in the downtown area. (Director of Planning & Development Services).

Motion made by Commissioner Lopez to approve the resolution of the City Commission of Kingsville, Texas authorizing the submission of an application to the Texas Department of Agriculture for the Texas Community Development Block Grant Program, Main Street Grant Application; and authorizing the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program for improvements in the downtown area, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

2. Consider a resolution authorizing participation in 2023 State Homeland Security Grant Program-Regular Projects with the Office of the Governor, Public Safety Office, Homeland Security Grants Division for law enforcement equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. Ricardo Torres, Chief of Police stated that the Kingsville Police Department is applying for equipment under the 2023 State Homeland Security Program. The grant amount is \$29,365.00 with no cash match. Staff is looking into a drone program and the drones that they are looking at purchasing have been tested by our officers and flown inside a building where they can provide live feeds of the subject as well as audio of anything the suspect may be saying. These drones are small enough that officers on patrol can have them at the ready and deploy them to assist in locating absconders from their pursuits.

Motion made by Commissioner Lopez to approve the resolution authorizing participation in 2023 State Homeland Security Grant Program-Regular Projects with the Office of the Governor, Public Safety Office, Homeland Security Grants Division for law enforcement equipment; authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

3. Consider authorizing purchase of Rotary Broom for Street Department via BuyBoard as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the purchase of a new Broce Rotary Broom RCT-350 from Nueces Power Equipment through BuyBoard Purchasing Cooperative Contract #685-22 for the City of Kingsville Street Department. The existing Rotary Broom is 20-plus years old and has been sent in for repairs frequently. The Street Department rotary broom is used for the construction of hot mix materials and seal coating for the city's street program. Frequent repairs have caused the Street Department to use rental equipment thus increasing maintenance and operation expenses. The purchase of a new Broce Rotary Broom will increase productivity and decrease operating expenses. Mr. Sosa further stated that funds are available through 115-5-3050-71200 of which \$74,791.00 are available this fiscal year. The purchase price is estimated to be \$73,931.66.

Motion made by Commissioner Alvarez to authorize purchase of Rotary Broom for Street Department via BuyBoard as per staff's recommendation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

4. Consider out of state travel for Mayor, City Manager, and Economic Development Director to attend the International Council of Shopping Centers (ICSC) Conference in Las Vegas, Nevada from May 20-24, 2023. (City Manager).

Motion made by Commissioner Alvarez to approve the out-of-state travel for the Mayor, City Manager, and Economic Development Director to attend the International Council of Shopping Centers (ICSC) Conference in Las Vegas, Nevada from May 20-24, 2023, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".

5. Consider a resolution authorizing the City Manager to execute a Consulting Servicers Agreement with Evergreen Solutions, LLC for a compensation and benefits study. (Purchasing Manager).

Mr. Sosa stated that this item authorizes the city to approve a contract with Evergreen Solutions LLC to conduct a classification and compensation study for the City of Kingsville. The request for proposal was published in the newspaper on December 22, 2022, and January 5, 2023. Responses were accepted until 2:00 P.M. on January 31, 2023. The city received six responses from Gallagher Benefit Services, McGrath Human Resources Group, PayPoint HR LLC, Baker Tilly US, LLP, JER HR Group, and Evergreen Solutions LLC. The compensation review committee reviewed proposals and found the information received to be responsive. The review committee scored the firms based on understanding the task, related experience, references, cost of services, and time to complete tasks. Based on the criteria listed the review committee selected Evergreen Solutions LLC. The review committee consisted of Diana Gonzalez, Human Resources Director for the city. Mr. Sosa further stated that at a duly posted City Commission meeting on February 13, 2023, the City Commission awarded RFP #23-03 to Evergreen Solutions, LLC. A professional services agreement has been negotiated and needs to be approved by the City Commission. Funds are available through General Fund Amendment Reserves of which \$42,500 are available. The total cost of services is anticipated to be \$34,500.

Commissioner Torres asked if they are the only ones that came in under \$42,000. Mr. Sosa responded no, but they have the most experience.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute a Consulting Servicers Agreement with Evergreen Solutions, LLC for a compensation and benefits study, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

6. Discussion regarding potential ordinance requiring spay and neuter of animals. (Commissioner Torres).

Commissioner Torres stated that we have received a copy of the City of Corpus Christi ordinance regarding spaying and neutering. She stated that with everything that is out there and what she has seen which are a lot of dogs. She stated that she purchased an electric fence, which is humane, to keep her dogs within the property. She also stated that she took advantage of the spay and neuter in Corpus Christi through PAAC and paid a \$50.00 deposit and paid \$100.00 to get her dog neutered. For some, this cost may be expensive, but if our citizens aren't going to be responsible for their pets, then we must do something. She knows that the Animal Control Division is trying its best and doing a good job at the rescues and trying to get them adopted, but she doesn't feel that this will be successful if they continue having puppies.

Mr. Emilio Garcia, Health Director stated that the city has partnered with People Assisting Animal Control (PAAC) as they have received a grant on September 2022 for an amount of \$125,000. These funds are to be used for free spay and neutering, for both dogs and cats, within seven counties. He further stated that his department contacted Ms. Martinez who explained how the program was to work. Our part was to

identify target areas in the community where staff felt that the need for spay and neutering was needed. Once the targeted areas were provided the organization came in and spoke to individuals regarding the free sterilization program. The animal would need to be transported to Corpus Christi to be spayed or neutered. The service would not only be the sterilization of the animal but also comes with other grooming services and vaccinations as well as a small kennel for the dog or cat. In the first phase of this program, we had 28 animals that were sterilized and during the second phase, there were 68 animals sterilized. Phase three has just begun with about eight or nine streets that are on the target list. Once those areas are taken care of, Ms. Martinez contacts staff for any other targeted areas that need to be focused on. Mr. Garcia stated that the grant came from the Council of Governments (COG) which assist communities in getting animals spayed and neutered.

Commissioner Torres commented that the spay and neuter ordinance, after reviewing it, would be an option for us to move forward with and asked if it would help.

Mr. Garcia responded that it could help and cannot help. If you are not offering an incentive to assist the citizens in getting their animal spayed or neutered they may say to have the animal control pick up the animal, which will then fill up the animal control shelter. If we then can't get the animals adopted or rescued, then it leaves no other choice but to euthanize the animal when the shelter is over capacity. He further stated that the ordinance from Corpus Christi is not mandatory for every animal within that city. If the animal gets impounded, then a letter of violation is sent, then once the animal is released to the owner the owner has 30 days to sterilize that animal.

Commissioner Torres commented that one thing is that the shelter is overpopulated.

Mr. Garcia commented that the shelter is up to capacity most of the time. If we can get animal owners to get their animals sterilized, then it would slow down the shelter.

Commissioner Alvarez commented that on TV, there was a gentleman from Alice where they showed a large black bus that is used to load animals and take them to other cities and states that are wanted. What they were asking for is for citizens to donate to cover the cost of fuel.

Mr. Garcia stated that this individual goes around the surrounding counties and sees what is available to transport for rescue.

Commissioner Torres asked if the city was going to look into one of the mobile buses at one time.

Mr. Garcia responded that they were going to look at STARR but they buddied with PeeWees in Nueces County for that service. He further stated that he did speak with Ms. Martinez, once their spay and neuter program started if she was willing to bring down her mobile unit to Kingsville for one day and park at the Health Department facility and sterilize animals for our citizens, but she hasn't responded just yet.

Commissioner Torres further asked if the Health Department is eligible to take the pets that are in the shelter in for sterilization.

Mr. Garcia responded that if the city took animals to sterilization, Ms. Martinez would provide so many sterilizations for the animals in our shelter.

Mayor Fugate asked about Phase 3 of the program. Mr. Garcia stated that Phase 3 is in the area by Perez Elementary School. Mayor Fugate further asked if our city had an

ordinance in place that if the owner of an animal was to go pick up their dog or cat from the shelter, they would be required to sterilize that animal within 30 days.

Mr. Garcia responded this is the ordinance that is currently in Corpus Christi. The City of Kingsville does not have that ordinance in place, but it is something that our city could implement.

Mayor Fugate stated that he would like for staff to look into possibly setting aside some funds and see if the city can start a program for spay and neutering animals.

7. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Mayor Fugate read and convened the meeting into executive session at 6:15 P.M.

Mayor Fugate convened the meeting into open session at 6:41 P.M.

8. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Attorney. (Mayor Fugate).

Mayor Fugate read and convened the meeting into executive session at 6:41 P.M.

Mayor Fugate convened the meeting into open session at 6:48 P.M.

9. Consider approval of compensation adjustment for City Attorney position. (Mayor Fugate).

Motion made by Commissioner Lopez to approve the compensation adjustment for the City Attorney position to \$150,000 annually, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:51 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

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



Pub. Hrg
- Rezone

MEMO

Date: March 1, 2023

To: Mark McLaughlin City Manager)

From: Kobby Agyekum (Senior Planner, Planning and Development Services)

Subject: **Rick Doyoe, Applicant; requesting the Rezoning of KT & 1 CO, Block 17, Lot PT, 6, Acres 8.71, also known as 1420 Senator Carlos Truan BLVD, Kingsville, Texas from R1 (Single Family) to R3 (Multi Family).**

The Planning and Zoning Commission meeting was held as scheduled this evening, March 1, 2023, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone of **KT & 1 CO, Block 17, Lot PT, 6, Acres 8.71, also known as 1420 Senator Carlos Truan BLVD, Kingsville** to enable the applicant to create a multi-family living area for Senior Apartments. Letters were sent out to neighbors and the City received no feedback. Commissioners, after deliberations, voted to approve the recommendation to rezone the said property from R1 (Single Family) to R3 (Multi Family). A recorded vote of all members present was taken and Commissioners Larry Garcia, Mike Klepac, Rev. Idotha Battle and the Acting Chairman – Brian Coufal all voted 'YES'.

The meeting was adjourned by about 6.23 p.m.

Thank you.

A handwritten signature in black ink, appearing to read "Kobby Agyekum", written in a cursive style.

Kobby Agyekum
Senior Planner
Planning and Development Services

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

PROPERTY INFORMATION: (Please PRINT or TYPE)Project Address 1420 Senator Carlos Truan Blvd. TX Nearest Intersection _____(Proposed) Subdivision Name _____ Lot PT 6 Block 17Legal Description: Legal Description (KT & I CO, BLOCK 17, LOT PT 6, ACRES 8.71Existing Zoning Designation R1- Single Family Future Land Use Plan Designation R3-Multi-family**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**Applicant/Authorized Agent Rick Deyoe Phone (512)426-5202 FAX _____Email Address (for project correspondence only): Rdeyoe@realtexdevelopment.comMailing Address 1114 Lost Creek Blvd. City Austin State TX Zip 78746Property Owner GHRAOWI FAMILY INVESTMENTS Phone 361-815-8902 FAX _____Email Address (for project correspondence only): sohairsabawi@yahoo.comMailing Address 204 Shore Dr. City Portland State TX Zip 78374
13631 WILLOWOOD LN City REDDING State CA Zip 96003

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

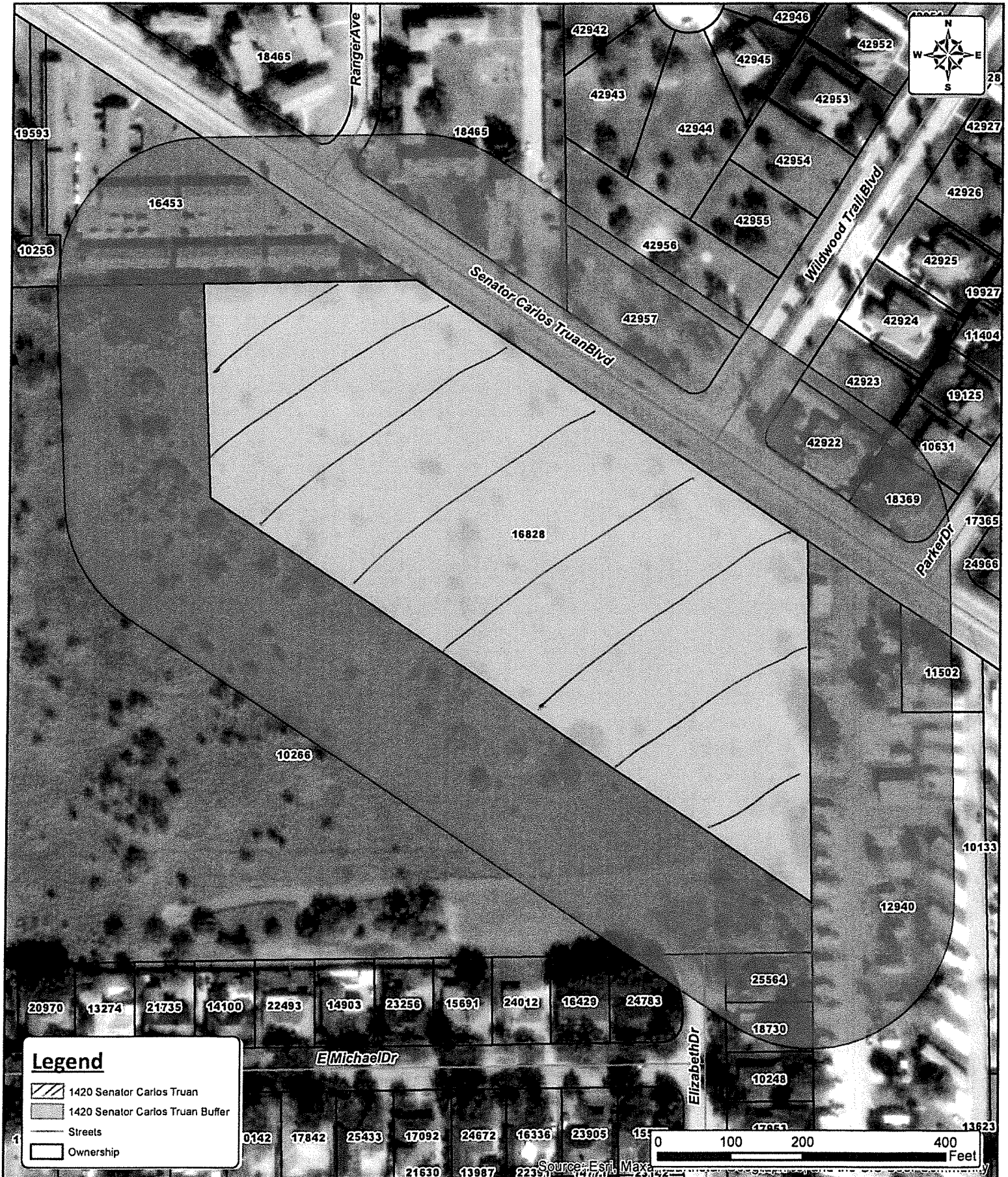
<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/>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

Please provide a basic description of the proposed project:
Multi-Family-Senior Housing Apartment Homes

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

Applicant's Signature Rick J. Deyoe Date: 01/20/2023Property Owner's Signature _____ Date: 1/22/2023Accepted by: _____ Date: 1/22/2023 2/12/2023

200ft Buffer at 1420 Senator Carlos Truan



John C Tames
823 Kinney St
Corpus Christi, TX 78401
#10266

Wright's RV Park LLC
881 E County Road 2198
Kingsville, TX 78363
#11502

City Of Kingsville
Attention: Bill Donnell
PO Box 1458
Kingsville, TX 78364
#10256

Wright's RV Park LLC
881 E County Road 2198
Kingsville, TX 78363
#12940

TQR Kingsville LLC
25047 Toutant Beaugard RD
San Antonio, TX 78255
#16453

Lisa G Schonefeld
1806 Elizabeth Ave
Kingsville, TX 78363
#18730

Rockstar Kingsville Pointe LLC
720 N Post Oak RD STE 650
Houston, TX 77024
#18465

Lowell M Burris
Etux Frances Jean
1514 Michael St
Kingsville, TX 78363
#24783

Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42957

Carlos Ortiz
PO Box 294
Kingsville, TX 78364
#25564

Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42956

Andrew J Wisegarver
3809 Copper Pond
Anacortes, WA 98221
#42922

Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42923

Randal E Nielsen
403 S 6th St
Kingsville, TX 78363
#10631

Zelina Zavala
3916 S 6th St
Kingsville, TX 78363
#18369

16828

16828/2023 - 11008 0000 - 0000 0000
 16828/2023 - 11008 0000 - 0000 0000

2023 - Values not available

16828

Account

Property ID: 16828 Legal Description: K T & I CO, BLOCK 17, LOT PT 6, ACRES 8.71

Geographic ID: 290001706110192 Zoning:

Type: Real Agent Code:

Property Use Code:

Property Use Description:

Location

Address: 1420 SENATOR CARLOS TRUAN BLVD Mapsco:
TX

Neighborhood: Map ID: B2

Neighborhood CD:

Owner

Name: GHRAOWI FAMILY INVESTMENTS Owner ID: 49923

Mailing Address: 13631 WILDWOOD LN % Ownership: 100.000000000000%

REDDING, CA 96003-7045

Exemptions:

16828

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

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

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

(=) Assessed Value:	=	N/A

Property Information

Owner: GHRAOWI FAMILY INVESTMENTS

% Ownership: 100.000000000000%

Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			

Taxes w/Current Exemptions: N/A

Taxes w/o Exemptions: N/A

Improvements / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	IMPR2	IMPROVED PASTURE	8.7100	379407.60	0.00	0.00	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$121,940	900	900	\$0	\$900
2021	\$0	\$121,940	1,210	1,210	\$0	\$1,210
2020	\$0	\$121,940	1,090	1,090	\$0	\$1,090
2019	\$0	\$121,940	1,310	1,310	\$0	\$1,310
2018	\$0	\$121,940	1,380	1,380	\$0	\$1,380
2017	\$0	\$121,940	1,290	1,290	\$0	\$1,290
2016	\$0	\$121,940	1,190	1,190	\$0	\$1,190
2015	\$0	\$121,940	1,110	1,110	\$0	\$1,110
2014	\$0	\$121,940	1,050	1,050	\$0	\$1,050
2013	\$0	\$121,940	980	980	\$0	\$980
2012	\$0	\$121,940	1,270	1,270	\$0	\$1,270
2011	\$0	\$121,940	1,250	1,250	\$0	\$1,250
2010	\$0	\$121,940	1,500	1,500	\$0	\$1,500
2009	\$0	\$54,840	1,640	1,640	\$0	\$1,640

Property Details - 66 (70), 25.6 AC

Estimated 2023 Market Value: \$121,940. Estimated 2023 Ag Valuation: \$900. Estimated 2023 Appraised Value: \$900. Estimated 2023 HS Cap: \$0. Estimated 2023 Assessed Value: \$900.

Website version: 1.0.0.23

Created & last updated on 2/13/2023 by GPC

Print Name: Douglas, Christopher

Superintendent

CONTINUED FROM PAGE 1



Pictured are: TAMUK Leaders attend Valentine Lunch with KISD Superintendent from left to right: Dr. Lucy Villarreal, Dr. Linda Villarreal, Dr. Robert Vela President of TAMUK, and Henry Burgos. (Photo by Ted Figueroa)

Superintendent

CONTINUED FROM PAGE 1

asked the high school students to write her letters during their "Brahma time" and asked them to write about what they wanted for our district. The students asked for more tutoring options, class pets that can assist them with coping after traumatic events, and soccer goals for the soccer fields.

Commissioners

CONTINUED FROM PAGE 1

services with the U.S. Department of Commerce Economic Development Administration. Judge Madrid noted that phase one of the J.K. Northway is complete, they have broken ground on the Emergency Operations Center and the parking lot is under construction.

Approval was granted for computers and updates to J.P. Pct. 4 and J.P. Pct. 2 offices with funds coming from the JP Tech Fund. A memorandum of understanding between the Kleberg County Sheriff's Office and the Coastal Bend College Police Program to bring on interns to learn and develop professional skills at the Sheriff's Office.

A resolution authorizing the Kleberg and Kenedy Counties District Attorney's Office to apply for, submit, and seek continuance of it's (Victim's Assistance Grant No. 2899707), for the program year 2023 through 2024 was approved.

The Commissioners agreed to allow the library director to apply for the Ed Rachel Grant, in the amount of \$50,000, as well as to replace 40 Dell Inspiron computers. The Commissioners then approved a payment to Macareno Signs in the amount of \$19,850 for the work done at J.K. Northway.

The court created a line item for an IT position at Kleberg County Human Services, to be funded by TxDot and the university, with the base pay to be \$14 per hour.

The Director's Position at the Kleberg County Vaccine Clinic will have a salary increase to \$25.00 an hour. A resolution authorizing the Kleberg County Sheriff to apply for the 2022 Operation Stone Garden Grant for the period of 3-1-2023 to 02-28-2024 was approved. Approval was granted to the Kleberg County Clerk to hire a new employee to begin on Feb 21, 2023.

?? TRIVIA ??

HOW SMART ARE YOU?

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

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

Questions:

1. Each Valentine's Day, the city of Verona, Italy, receives about 1,000 Valentine's cards addressed to a famous fictional character. Name that character.
 2. What was President John F. Kennedy's mother's first name?
 3. In what state would you find the city "Lovefield" once a hub for fur trading and named after a railroad President?
 4. First invented by a man named Milton in 1907, 70 million of what Valentine's Day favorites are now made every single day?
 5. In which U.S. city would one find an airport named "Love Field"?
 6. Name the comedy/drama that aired from 1977 to 1987 on ABC featuring a Captain and a Gopher.
 7. Before "X" stood for a kiss, what did it represent at the end of a letter?
 8. When did Sweethearts first get their shape?
 9. In the Victorian era, mean spirited Valentine's Day cards were called "_____ Valentines."
 10. About how many roses are sent for Valentine's Day each year?
- (Answers will be on next issue!)
- HOW SMART ARE YOU:
- 9-10. Okay Einstein, quit bragging
 - 7-8 Pick up your PhD at TAMUK
 - 5-6 You are on your way to your B.S. degree
 - 3-4 Do not skip any more school
 - 2 or less—don't leave home without a chaperon

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

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

TRIVIA ANSWERS

February 9, 2023 issue

1. Brown
2. Prunes
3. Switzerland
4. Tandoori
5. Tea
6. Honey
7. China
8. Netherlands
9. Coca-Cola
10. Gin

Kingsville police recover stolen property from numerous thefts



Pictured above from left to right: Patrolman Robert Garcia, Senior Detective Cindi Flores, and Gang Officer Richard Beltrami, with recovered stolen items. (Submitted photo)

By TED FIGUEROA
REPORTER

A man thought to be responsible for thefts of tools in motel parking lots over the past several months was arrested by Kingsville police. Jose De La Rosa, 32, was charged with theft of property valued at more than \$100 and less than \$750 and theft of property values at less than \$2,500, two or more previous convictions, according to Kingsville Police Chief Ricardo Torres.



Jose De La Rosa
(Submitted photo)

De La Rosa posted bond and has been released.

Torres said the crimes are still under investigation and further charges

may lead to the previous ones being enhanced. He asks citizens who may have had tools or other items stolen from their vehicles or who may have any tips regarding these thefts to call Sr. Det. Cindi Flores at the Kingsville Police Department Criminal Investigations Bureau. Torres praised officers and investigators for their "diligent work" in recovering several tools and work items that have been stolen from work trucks at local motels.

PUBLIC HEARING NOTICE

CITY OF KINGSVILLE (KLEBERG COUNTY)
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Kingsville is giving notice of the City's intent to submit Texas Community Development Block Grant Program grant applications for a Main Street grant request of \$500,000 for the installation of ADA compliant sidewalks and lighting activity; road construction/renovation to include curb and gutter and related drainage; demolition and clearance activity. The public hearing will be held on Monday, February 27, 2023, at 5:00 PM. Para mas informacion en espanol, comuniquese con Herlinda Solis al 361-595-8055.

If you have any questions, do not hesitate to contact me.

Thank you

Yours Sincerely,

Uche Echeozo
Director of Planning
and Development Services

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 1, 2023 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: Rick Deyoe Applicant; requesting the Re-zoning of KT & I CO, Block 17, Lot PT 6, Acres 8.71 also known as 1420 Senator Carlos Truan BLVD, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 13, 2023 at 5:00 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard: Rick Deyoe Applicant; requesting the Re-zoning of KT & I CO, Block 17, Lot PT 6, Acres 8.71 also known as 1420 Senator Carlos Truan BLVD, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.



**ADVERTISE YOUR
BUSINESS IN THE
KINGSVILLE
RECORD!**

ORDINANCE #2023-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO, BLOCK 17, LOT PT 6, (8.71 ACRES), ALSO KNOWN AS 1420 SENATOR CARLOS TRUAN BLVD, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R3 (MULTI-FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Rick Deyoe, owner/applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 1, 2023 during a meeting of the Planning and Zoning Commission, and on Monday, March 13, 2023 during a meeting of the City Commission, in the Helen Kleberg Groves Community Room at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

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

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of KT&I CO, Block 17, Lot Pt 6, (8.71 acres), also known as 1420 Senator Carlos Truan Blvd., Kingsville, Texas, from R1-Single Family Residential District to R3-Multi-Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 13th day of March, 2023.

PASSED AND APPROVED on this the 27th day of March, 2023.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

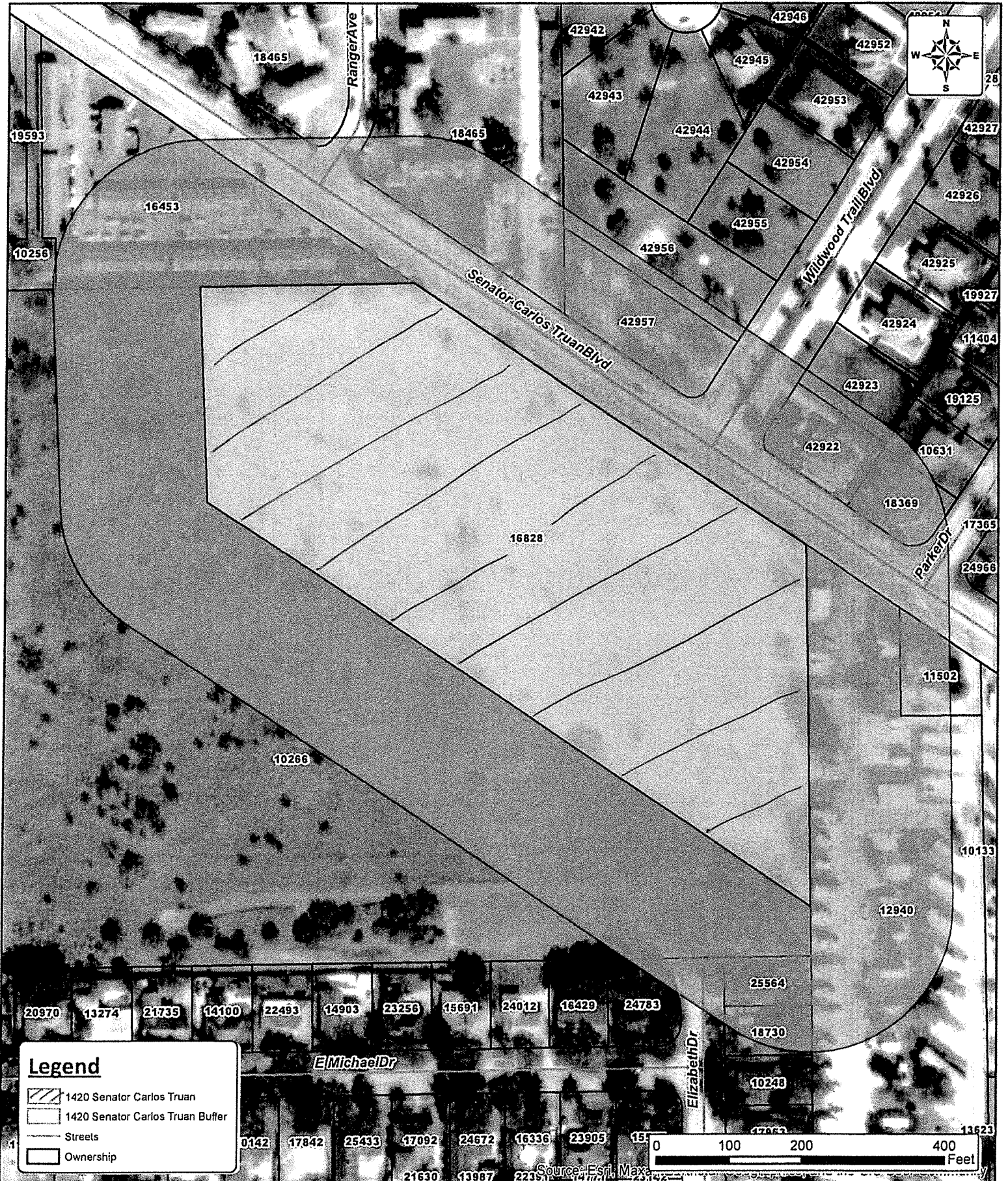
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

200ft Buffer at 1420 Senator Carlos Truan



PUBLIC HEARING #2

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



MEMO

Date: March 1, 2023

To: Mark McLaughlin City Manager)

From: Kobby Agyekum (Senior Planner, Planning and Development Services)

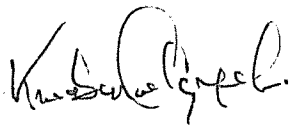
Subject: **Santiago Cantu, Owner/Applicant; requesting the Re-plat of Tranquitas 2, Block 2, LOTS 5, 6, 7, & 8, also known as 168 West Avenue D, Kingsville, Texas from one Property to 2 Separate Properties**

The Planning and Zoning Commission meeting was held as scheduled this evening, March 1, 2023, with 4 members in attendance.

Members deliberated over the issue of granting approval for a re-plat of **Tranquitas 2, Block 2, LOTS 5, 6, 7, & 8, also known as 168 West Avenue D, Kingsville** to enable the applicant to create two separate properties with individual addresses. Letters were sent out to neighbors and the City received no feedback. Commissioners, after deliberations, voted to approve the recommendation for the re-plat of the said property from one property to two properties. A recorded vote of all members present was taken and Commissioners Larry Garcia, Mike Klepac, Rev. Idotha Battle and the Acting Chairman – Brian Coufal all voted 'YES'.

The meeting was adjourned by about 6.23 p.m.

Thank you.



Kobby Agyekum
Senior Planner
Planning and Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

168 replat

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 168 W D Ave Nearest Intersection 6th Street

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: Lots 5-8 Tranquitas Addition No. 2

Existing Zoning Designation R-3 Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Santiago Cantu Phone 956 778 7709 FAX _____

Email Address (for project correspondence only): sancan4@aol.com

Mailing Address PO Box 197 City La Blanca State TX Zip 78558

Property Owner Santiago Cantu Phone 956 778 7709 FAX _____

Email Address (for project correspondence only): sancan4@aol.com

Mailing Address PO Box 197 City La Blanca State TX Zip 78558

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

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

Please provide a basic description of the proposed project:

I have 4 lots and want to replat to
2 lots + 2 lots

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

Applicant's Signature Santiago Cantu Date: _____
Property Owner's Signature _____ Date: _____
Accepted by: [Signature] Date: 1/31/2023

Mayor proclaims month of February 'Teen dating Violence Awareness Month'

By Ted Figueroa
Reporter

The Kingsville City Commission held a regularly scheduled meeting on February 13th at City Hall. Mayor Sam Fugate was joined by a representative from the Purple Door for the reading of a proclamation designating the month of February as Teen Dating Violence Awareness Month. Mayor Fugate noted that we need to be aware of and know the signs of teen dating violence in order to help and assist our youth. The Purple Door provides assistance to those involved in abusive relationships.

During reports from Commission and staff, City Manager Mark McLaughlin said that 30 oak trees will be in on Thursday for Chamberlain Park. He also

said the Fire Department is having some mechanic trouble with some of the ambulances and assured the Commission that there is an ambulance still in service and a back-up ambulance service is ready to be deployed if needed. The City Manager also praised the citizens of Kingsville for the sales taxes that came in for the month of December, they are the best Kingsville has ever seen and he thanked everyone for shopping local. It was also announced that the Kingsville Police will be conducting a warrant round up beginning February 20 and it will run through March 3rd.

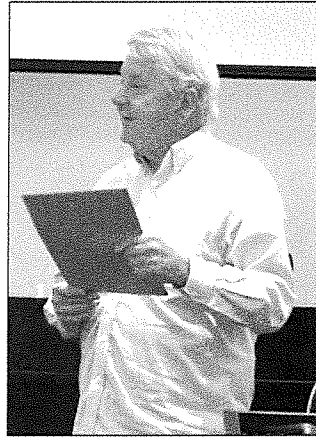
There were no public comments and the consent motions, resolutions, ordinances, and ordinances from the previous meetings were all approved.

A resolution was passed approving the agreement for the Defense Economic Adjustment Assistance Grant between the City of Kingsville and the Office of the Governor, Texas Military Preparedness Commission, authorizing the City Manager to execute such agreement. The City of Kingsville's match was \$500,000, while the state put in \$1.7 million and the United States Navy gave \$1.5 million. The agreement will improve infrastructure at the base and provide fire response units that can assist with emergencies.

The City passed a resolution supporting the Competitive Housing Tax Credit Application of Majestic Villas, Ltd. for an affordable senior citizen rental housing development in Kingsville that is planned for an

area on Senator Carlos Truett Blvd.

The Commission approved out of state travel for the Mayor and City Manager to Washington D.C. from February 15-17, 2023 for military preparedness and economic development matters. They also approved out of state travel for the Mayor, City Commissioners, City Manager, and Economic Development Director to Mobile, Alabama from April 20-23, 2023 for the christening of the USS Kingsville vessel. Out of state travel was also approved for Commissioners Alvarez and Torres to New York, New York from July 10-14, 2023 to attend the 40th annual National Association of Latino Elected Officials. The next meeting is scheduled for February 27, 2023.



Mayor Sam Fugate reads proclamation.
(Photo by Ted Figueroa)

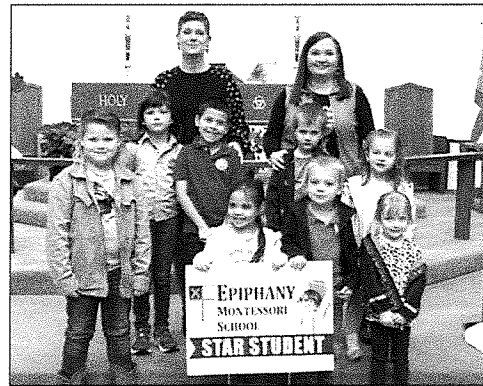
Texas A&M AgriLife Extension Service presents "Be Heart Strong"

Kingsville, TX - The "Be Heart Strong" event will be offered on Thursday, February 16th, at Weavers of Love, 720 E. Lee Ave in Kingsville, Texas.

The event brought you by the Texas A&M AgriLife Extension Service in partnership with Weavers of Love, Community Action Corp. of South Texas, Methodist Healthcare Ministries, and Healthy South Texas. This event will be offered from 10:00 am to 2:00 pm at the Weavers of Love in Kleberg

County at 720 E. Lee Ave. "The goal of the Be Heart Strong event is to educate about healthy lifestyle habits to prevent heart disease and to connect attendees to community resources," said Amanda Ortega Assistant Family and Community Health Agent. During this event, participants will receive information related to heart health such as reducing your risk for heart conditions, understanding your numbers, and personal testimony. "We're going

to address all areas of heart health. In addition to the education, participants will learn how to make physical activity fun and do-able, healthy eating with live cooking demonstrations and a healthy lunch, and a bingo to wrap it all up," said Zelina Zavala, Health Agent. To register, call Zelina Zavala or Amanda Ortega, at 361-595-8655, or scan QR code on the flyer. Space is limited and registration for the event will end on Feb. 16.



Pictured from left to right: Epiphany Montessori School teachers Mrs. Kim Binkley and Mrs. Lindy Rogers. Pictured in the middle from left to right: Emerson Guajardo, Josiah Galvan, Cooper Vannetta, Ann Kiser. Pictured at bottom from left to right: Sawyer Allen, Naomi Huizer, Ty Whittis, Jolie Buehler (Submitted photos)

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 1, 2023 at 6 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: Santiago Cantu Jr Owner/Applicant; requesting the re-plat of Tranquitas 2, Block 2, Lots 5, 6, 7 & 8 also known as 168 W. Ave D, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 13, 2023 at 5 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard: Santiago Cantu Jr Owner/Applicant; requesting the re-plat of Tranquitas 2, Block 2, Lots 5, 6, 7 & 8 also known as 168 W Ave D, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

PUBLIC HEARING NOTICE



Kingsville Independent School District
2021-2022 Texas Academic Performance Report (TAPR)
February 27, 2023

A Public Hearing will be held in conjunction with the regularly scheduled Kingsville ISD board meeting at 5:00 PM on February 21, 2023. In compliance with Texas Education Code §39.053, the district will annually publish the Texas Academic Performance Report (TAPR), hold a hearing for public comment on the report, and disseminate the report within the district.

The meeting will be held in the Kingsville ISD Board Room at 207 North Third Street, Kingsville, Texas.

If you have any questions, please contact the Curriculum & Instruction Department at (361) 592-3387 ext. 8126.



City Sanitation, City Hall and other Administrative Offices will be closed on Monday, February 20, 2023 in observance of President's Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of February 20th through February 24th.

Residential Sanitation Schedule

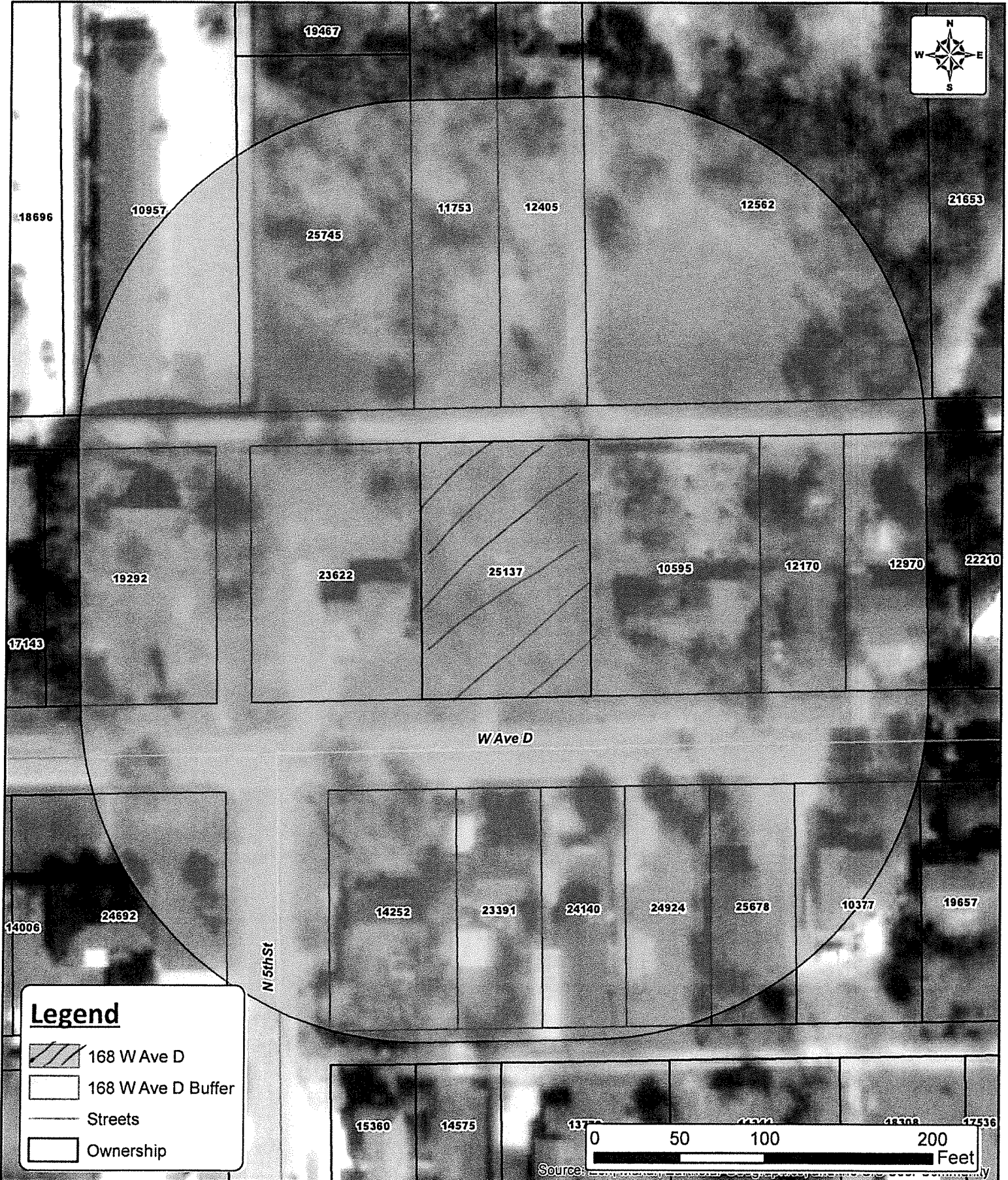
Monday/ Thursday service will be done on Tuesday/Thursday
Tuesday/ Friday service will be done on Wednesday/Friday

Commercial Sanitation Schedule





Monday service will be done on Tuesday.
The schedule will resume to its normal schedule on February 27, 2023.

KINGSVILLE
RECORD
ADVERTISE
TODAY

200 ft Buffer at 168 W Ave D



Legend

-  168 W Ave D
-  168 W Ave D Buffer
-  Streets
-  Ownership

Drawn By: G. AMAYA
 Last Update: 1/18/2023
 Note: Ownership is labeled with their deed info.

DISCLAIMER:
 THIS MAP IS FOR VISUAL PURPOSES ONLY.
 THE INFORMATION ON THIS SHEET MAY
 CONTAIN INACCURACIES OR ERRORS.
 THE CITY OF KINGSVILLE IS NOT
 RESPONSIBLE IF THE INFORMATION
 CONTAINED HEREIN IS USED FOR ANY
 DESIGN, CONSTRUCTION, PLANNING, BUILDING,
 OR ANY OTHER PURPOSE.



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave; Kingsville, TX 78363
 Office: (361) 595-8007
 Fax: (361) 595-8064

Abraham G Garza Est
Etux Alicia C
155 W D Ave
Kingsville TX 78363
#25678

Irma R Perez
AKA Irma G Rodriguez
175 W D Ave
Kingsville, TX 78363
#14252

SC Construction LLC
PO Box 197
La Blanca TX 78558
#10957

Marcelino Barron
Etux Maria Manuela
185 W Corral
Kingsville, TX 78363
#12405

Ramiro Barrera Jr
201 W Corral Ave
Kingsville, TX 78363
#25745

Margaret Ashley Clack
602 W Doddridge Ave
Kingsville, TX 78363
#24924

Ricardo G Vega
Etux Gloria B
805 W Kleberg Ave
Kingsville, TX 78363
#11753

Manuel Raul Falcon
156 W D Ave
Kingsville, TX 78363
#12170

Juan J Cantu
Etux Mary B
173 W Corral Ave
Kingsville, TX 78363
#12562

George Alvarez
Etux Gracie (Life Est)
Christina Smith
171 W D Ave
Kingsville, TX 78363
#23391

Josefa H Castillo (Life Est)
Alicia C Garza ETAL
1702 Lawndale Dr
Kingsville, TX 78363
#19292

Guadalupe Villarreal Est
165 W Ave D
Kingsville, TX 78363
#24140

Gahangir Hossain
Etux Habiba Khan
2804 River Birch PL
Amarillo, TX 79124
#23622

Unknown Taxpayer
149 W Ave D
Kingsville, TX 78363
#10377

Raul Roy Gonzalez
162 W Ave D
Kingsville, TX 78363
#10595

Romero George Luis Sr
148 W Ave D
Kingsville, TX 78363
#12970

Corina Rodriguez
203 W Ave D
Kingsville, TX 78363
#24692

Kleberg CAD

Property Search > 25137 CANTU SANTIAGO JR for Tax Year: 2023 - Values not available
Year 2023

Property

Account

Property ID:	25137	Legal Description:	TRANQUITAS 2, BLOCK 2, LOT 5-8
Geographic ID:	178500205000192	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	168 W AVE D	Mapsco:	
Neighborhood:		Map ID:	A1
Neighborhood CD:			

Owner

Name:	CANTU SANTIAGO JR	Owner ID:	57543
Mailing Address:	PO BOX 1193 LA BLANCA, TX 78558-1193	% Ownership:	100.0000000000%
		Exemptions:	

Values

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

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

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

(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: CANTU SANTIAGO JR

% Ownership: 100.000000000000%

Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
	Total Tax Rate:	N/A			

Taxes w/Current Exemptions: N/A

Taxes w/o Exemptions: N/A

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	C1	C1	0.3439	14980.00	100.00	149.80	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$8,160	0	8,160	\$0	\$8,160
2021	\$0	\$8,160	0	8,160	\$0	\$8,160
2020	\$0	\$8,160	0	8,160	\$0	\$8,160
2019	\$0	\$8,160	0	8,160	\$0	\$8,160
2018	\$0	\$8,160	0	8,160	\$0	\$8,160
2017	\$0	\$8,160	0	8,160	\$0	\$8,160
2016	\$0	\$8,160	0	8,160	\$0	\$8,160
2015	\$0	\$8,160	0	8,160	\$0	\$8,160
2014	\$0	\$8,160	0	8,160	\$0	\$8,160
2013	\$0	\$8,160	0	8,160	\$0	\$8,160
2012	\$6,010	\$8,160	0	14,170	\$0	\$14,170
2011	\$6,010	\$8,160	0	14,170	\$0	\$14,170
2010	\$8,370	\$8,160	0	16,530	\$0	\$16,530
2009	\$8,370	\$8,160	0	16,530	\$0	\$16,530

Questions Please Call (361) 595-5777

This year is not certified and ALL values will be represented with "N/A"

PUBLIC HEARING #3

City of Kingsville
Planning and Development Services Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Uche Echeozo, Director of Planning & Development Services

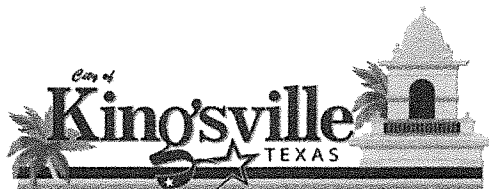
DATE: March 3, 2023

SUBJECT: Request for a Public Hearing to Create Nine Neighborhood Districts to Facilitate and Form Part of the Emerging Comprehensive Plan and to Adopt the District Map.

Summary: The Planning and Development Services Department of the City of Kingsville, in the process of preparing a comprehensive plan for the city, is delineating the city into nine administrative neighborhoods/districts. Consequently, a request is made for a Public Hearing geared towards engaging members of the community and for the adoption of the districts.

Background: The Planning and Development Services Department of the City of Kingsville is currently preparing an updated comprehensive plan for the City of Kingsville. To facilitate this, the city is being divided into 9 neighborhoods or districts geared towards effective administration. These neighborhoods/districts are known as:

1. Downtown
2. West Side
3. East Side
4. Northwest
5. Northeast
6. North Side
7. District 7
8. Southeast
9. South Side



City of Kingsville
Planning and Development Services Department

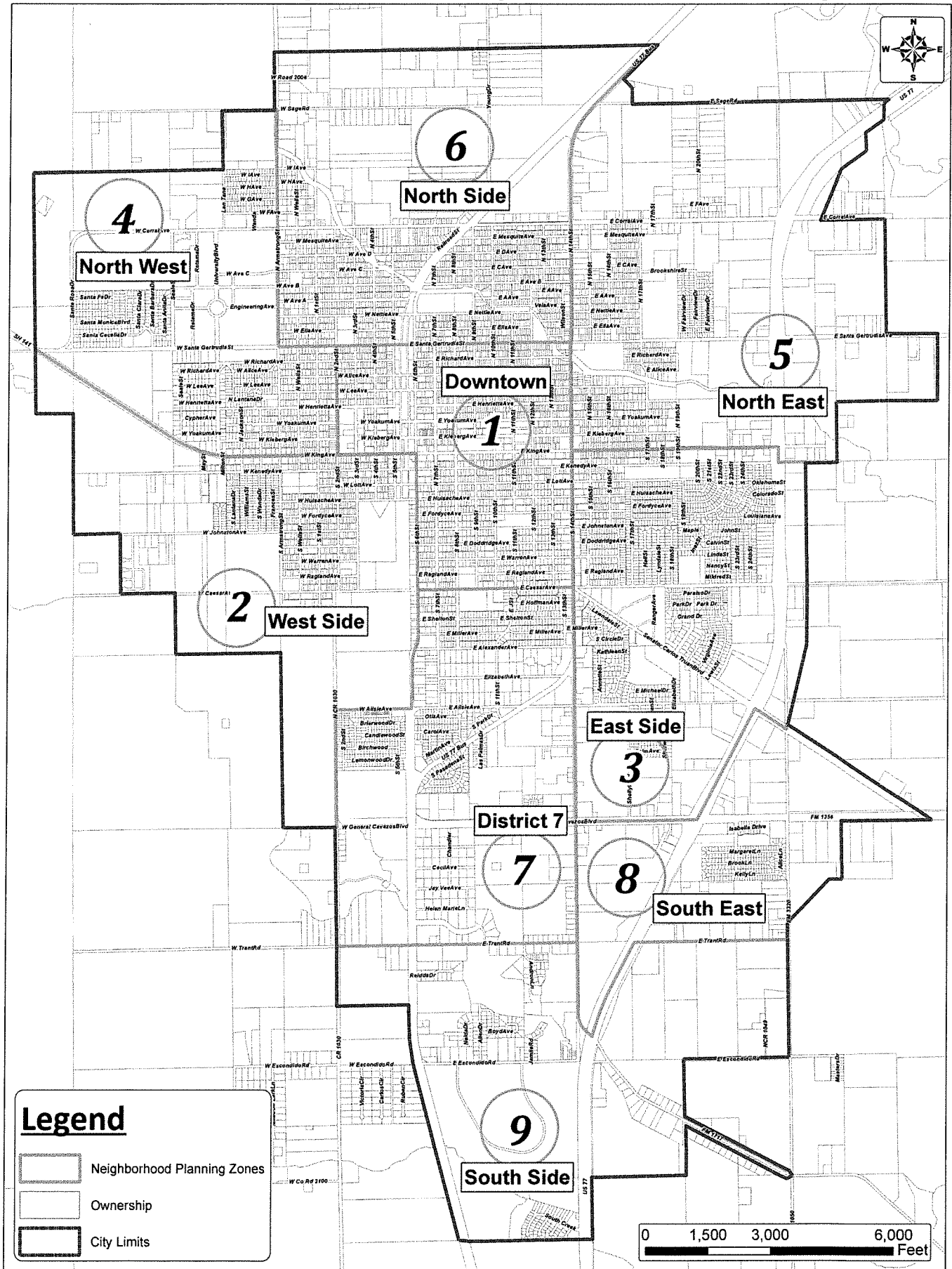
A public hearing is part of the requirements needed to ensure members of the community are adequately briefed on the details of the plan. Subdividing the city into these districts enables effective community engagement during the plan preparation and, in future, foster a more robust monitoring and review. A neighborhood planning map is attached

Financial Impact: None.

Recommendation: Hold the public hearing and approve the Administrative
Neighborhoods/Districts. ←



City Of Kingsville - Neighborhood Planning



REGULAR AGENDA

AGENDA ITEM #1

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 9, 2023

SUBJECT: Proposed Funding For Water Meter Project

Summary:

The City Commission has approved a Water Meter Replacement project with \$1 million of ARP funding. The total cost of the project is estimated to be \$6.5 million and will need to be funded through an outside bond issue paid back over 1-15 years with increased revenues resulting from the new water meters.

Information will be provided by the City's Financial Advisors and Bond Counsel at the City Commission meeting on the financing options, timetable of events and other items related to the issuance of debt for this project.



AGENDA ITEM #2

RESOLUTION #2023-_____

**RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION
TO ISSUE CERTIFICATES OF OBLIGATION**

WHEREAS, the City Commission (the “City Commission”) of the City of Kingsville, Texas (the “City”), finds that financing the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of the public property, as well as the payment of fees for professional services related thereto, described in Exhibit A hereto would be beneficial to the inhabitants of the City, and such property is needed to perform essential governmental functions; and the City Commission has determined that one or more series of certificates of obligation (the “Certificates of Obligation”) should be issued pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 *et seq.*, Texas Local Government Code, for such purposes;

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation in a newspaper of general circulation in the City, the notice stating (i) the time and place the City Commission tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purposes for which the Certificates of Obligation are to be issued, and (iv) the manner in which the City Commission proposes to pay the Certificates of Obligation;

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

Section 1. Attached hereto and marked Exhibit A is the “Notice of Intention to Issue Certificates of Obligation” (the “Notice”), the form and substance of which are hereby adopted and approved.

Section 2. The Mayor or the City Secretary shall cause the Notice to be published in a newspaper, as defined in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks, the date of first publication to be at least 45 days prior to the date tentatively set for adoption of one or more ordinances authorizing the issuance of the Certificates of Obligation.

Section 3. The Mayor and the City Secretary are hereby authorized and directed to execute the Certificate to which this Resolution is attached on behalf of the City Commission and to do any or all things proper and necessary to carry out the intent thereof.

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of March, 2023.

ATTEST:

Mary Valenzuela, City Secretary

Sam Fugate, Mayor

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE is hereby given that it is the intention of the City Commission (the "City Commission") of the City of Kingsville, Texas (the "City") to adopt one or more ordinances providing for the issuance of one or more interest-bearing obligations of the City presently contemplated to be designated and known as the "CITY OF KINGSVILLE, TEXAS CERTIFICATES OF OBLIGATION" (the "Certificates of Obligation") for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, purchasing, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including (i) improvements to the water and sewer system including water meters and related technology; and (ii) payment of contractual obligations for professional services in connection therewith (to wit: consulting, engineering, financial advisory, and legal).

The City Commission tentatively proposes to authorize the issuance of the Certificates of Obligation (one or more series) at its regular meeting place at 400 West King Avenue, Kingsville, Texas, at a meeting of the City Commission to be commenced at 5:00 p.m. on May 8, 2023, in a maximum total amount expected not to exceed \$6,500,000. In the event the City Commission will be unable to meet at this location on May 8, 2023, the City will post information on its website for attending the meeting by telephone, teleconference, or other electronic means. The City Commission proposes to provide for payment of the Certificates of Obligation from a pledge of an annual ad valorem tax, as well as a subordinate lien pledge of the net revenues of the City's waterworks and sewer system. The City Commission reasonably expects to provide for payment of debt service on the Certificates of Obligation from a subordinate lien pledge of the net revenues of the City's waterworks and sewer system, but in the event such self-supporting source of revenues is inadequate for such purpose, the City will be obligated to levy an annual ad valorem tax to pay debt service due on the Certificates of Obligation. The Ordinance in which the City makes a self-supporting designation is available upon request.

In accordance with the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended ("Chapter 271"), the following information has been provided by the City (excludes \$12,726,839 principal amount of outstanding debt obligations the City has designated as self-supporting and which the City reasonably expects to pay from revenue sources other than ad valorem taxes; provided, however, that in the event such self-supporting revenues sources are insufficient to pay debt service, the City is obligated to levy ad valorem taxes to pay such debt obligations): The current principal of all outstanding debt obligations of the City is \$20,241,000, the combined principal and interest required to pay all currently outstanding debt obligations of the City on time and in full is \$8,392,623, the estimated combined principal and interest required to pay the Certificates of Obligation on time and in full is \$22,365,763, the estimated interest rate for the Certificates of Obligation is 4.25%, and the maximum maturity date of the Certificates of Obligation will not exceed the maximum allowed by law. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with one or more series of the Certificates of Obligation. The resolution designating certain outstanding debt obligations of the City as self-supporting for purposes of Chapter 271 is available upon request sent to the City at the address noted above.

/s/ Sam Fugate
Mayor, City of Kingsville, Texas

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 March 13, 2023 (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 AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

(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 MARCH 13, 2023.

City Secretary

Mayor

(CITY SEAL)

AGENDA ITEM #3

RESOLUTION NO. 2023-_____

RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES

WHEREAS, the City of Kingsville, Texas (the "City") desires to pay expenditures in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of the project or facilities described in Exhibit A attached hereto (the "Project");

WHEREAS, Chapter 1201, Texas Government Code (the "Code") permits the City to use the proceeds of obligations to reimburse the City for costs attributable to the Project paid or incurred before the date of issuance of such obligations; and

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the objectives of the City's programs and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

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

Section 1. This Resolution declares the intention of the City to reimburse the expenditures for the Project with the proceeds of obligations. The City presently intends to reimburse the expenditure by incurring obligations issued under Texas law, the interest on which is excludable from gross income under section 103 of the Internal Revenue Code of 1986, as amended.

Section 2. The City reasonably expects to incur debt, in one or more series of obligations, in an aggregate maximum principal amount now estimated to be \$6,500,000 for the purpose of paying the costs for the acquisition of certain property and related improvements for the City.

Section 3. The City intends to reimburse the expenditures hereunder not later than 18 months after the date the original expenditure is paid or the date the Project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid unless the Project is a construction project for which the City and a licensed architect or engineer have certified that at least five years are necessary to complete the Project in which event the maximum reimbursement period is five years after the date of the original expenditure.

Section 4. The City intends that this Resolution satisfy the official intent requirement set forth in Section 1.150-2 of the Treasury Regulations and evidences its intentions under Section 1201.042(c) of the Code.

Section 5. This Resolution shall be liberally construed to evidence the intent of the City to comply with state law and federal income tax law in the issuance of tax-exempt obligations for the Project.

Approved on this the 13th day of March, 2023 by a majority vote of the City Commission of the City of Kingsville, Texas.

/s/ Sam R. Fugate
Mayor

Attest: /s/ Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EXHIBIT A

PROJECT DESCRIPTION

Providing for the payment of contractual obligations to be incurred in connection with the purchasing, of certain City-owned public property, including (1) improvements to the water and sewer system including water meters and related technology, and (2) payment of contractual obligations for professional services in connection therewith (to wit: consulting, engineering, financial advisory, and legal).

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 March 13, 2023 (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 DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES

(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 MARCH 13, 2023.

City Secretary

Mayor

(CITY SEAL)

AGENDA ITEM #4

**City of Kingsville
Legal Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: March 8, 2023

SUBJECT: Resolution to Suspend the Effective Date of CenterPoint Energy Resources Corp., d/b/a and CenterPoint Energy Entex and CenterPoint Energy Texas Gas-South Texas Division Requested Interim GRIP Rate Adjustment for Gas Utility Investment in 2022 to Permit the City Time to Study the Request

Summary: CenterPoint Energy Entex and CenterPoint Energy Texas Gas-South Texas Division ("CenterPoint" or "Company") filed notice of its 2023 Annual GRIP Adjustment for the South Texas Division with the City of Kingsville on March 2, 2023, seeking to adjust its gas rates starting May 1, 2023.

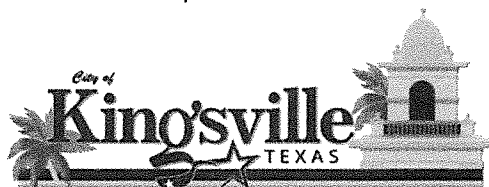
The resolution authorizes the City of Kingsville ("City") to suspend the date the rate increase takes effect for a period of no longer than forty-five (45) days, which means the new rates would start about June 14, 2023. The City proposes the delay to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

Background: Cities used to have authority to contest any type of rate increase, the but the Legislature has limited that ability over the last few years. Now cities are not able to contest rate increases filed as GRIP Rate Adjustments. (GRIP stands for gas reliability infrastructure program.) Currently, cities can only delay the start date of the new rate to ensure compliance with the statutory process and Texas Railroad Commission procedures. Cities may still contest applications for full rate case increases, but this is not one of those.

The City of Kingsville has previously delayed the start of GRIP Rate Adjustment filings and has participated with other Cities served by CenterPoint in prior gas rate case and cost recovery filings. As there is no individual or agency that reviews the rate cases and recovery requests on behalf of the affected parties/citizens, the Legislature has given cities authority to do so with the utility company paying for the expenses involved in the review of full rate increase filings.

Financial Impact: This action has no financial impact to the City.

Recommendation: Approve the resolution as presented.





March 2, 2023

CenterPoint Energy
1111 Louisiana Street
Houston, TX 77002-5231
P.O. Box 2628
Houston, TX 77252-2628

Mayor and City Council
City of Kingsville
Kingsville, Texas

Hand-Delivered

Re: CenterPoint Energy 2023 Annual GRIP Adjustment for the South Texas Division

Dear Madam or Sir:

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint" or the "Company"), files the tariffs and supporting documents in electronic form, with the City of Kingsville ("City") consistent with Section 7.7101 of the Railroad Commission of Texas ("Commission") Gas Services Division Rules and Section 104.301 of the Texas Utilities Code to establish the annual gas reliability infrastructure program ("GRIP") interim rate adjustment ("IRA") for the Company's South Texas Division, which includes the City. The proposed IRA will affect rates for natural gas service customers located in the City. Simultaneously with this filing, CenterPoint makes the same GRIP filing with the Commission for customers located in the City's environs and cities of the South Texas Division that have ceded original jurisdiction to the Commission.

CenterPoint consistently supplies its customers in the South Texas Division with safe and dependable natural gas service by prudently investing in additions and upgrades to its delivery system. The Company will continue to prudently invest in its infrastructure in order to improve its natural gas service to its customers and to anticipate and meet their needs under all operating conditions. The GRIP program enables a gas utility such as CenterPoint to begin recovery of its incremental capital investment in the system, subject to a prudence review in its next rate case. This reduces regulatory lag and incentivizes needed investment. Consistent with Section 104.301 of the Texas Utilities Code and Commission precedent, the City's review of this GRIP filing is limited to a ministerial review to ensure compliance with the GRIP statute.

Pursuant to applicable law, the proposed IRA will become effective on May 1, 2023, unless the City suspends that date for a period of no longer than forty-five (45) days. The approved IRA will be applied to the monthly customer charge and will remain in effect until superseded by the earlier of (1) the effective date of the Company's next annual GRIP adjustment for the South Texas Division; or (2) the issuance of a final order in a rate setting proceeding for the South Texas Division.

As detailed in the attached schedules and supporting material, the Company invested \$68,292,974 in its South Texas Division in calendar year 2022, and the applicable IRA is:

Rate Schedule	Current Customer Charge	Proposed 2023 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
R-2097-I-GRIP 2023; R-2097-U-GRIP 2023 Residential	\$27.03 per customer per month	\$3.72 per customer per month	\$30.75 per customer per month	\$3.72 per customer per month
GSS-2097-I-GRIP 2023; GSS-2097-U-GRIP 2023 General Service Small	\$41.42 per customer per month	\$7.51 per customer per month	\$48.93 per customer per month	\$7.51 per customer per month
GSLV-628-I-GRIP 2023; GSLV-628-U-GRIP 2023 General Service Large Volume	\$210.33 per customer per month	\$59.85 per customer per month	\$270.18 per customer per month	\$59.85 per customer per month

Along with and in support of the proposed IRA, CenterPoint includes the following:

- (a) An earnings monitoring report showing the Company's earnings for the South Texas Division during the 2022 calendar year (under the "Earnings Monitoring Report" section of the enclosed filing).
- (b) An Interim Rate Adjustment Application containing accounting schedules and project reports for the GRIP Adjustment Period including a description of (i) the projects undertaken during the GRIP Adjustment Period (ii) the investment to provide utility service in the South Texas Division, which were both completed and placed in service during the GRIP Adjustment Period, (iii) the Company's prior utility investments in the South Texas Division that were either retired or abandoned during the GRIP Adjustment Period, and (iv) the cost, need and customers benefited by those investments and retirements located in IRAs 12, 13, 14 and 15 which are voluminous and are being provided in electronic form only.
- (c) The Company's calculations of the GRIP Adjustment amount to go into effect on the later of the Planned Effective Date or the end of any suspension period imposed (under the "Interim Rate Adjustment Application" section of the enclosed filing).
- (d) Affidavits by Kara Gostenhofer Ryan, Kimberly Middleton and Tal R. Centers, Jr. (under the "Affidavits" section of the enclosed filing).
 - Ms. Ryan's affidavit verifies (i) that the South Texas Division's books and records are kept in accordance with the rules of the Commission and (ii) that the reports enclosed accurately reflect the

South Texas Division's books and records related to the information in those reports.

- Ms. Middleton's affidavit verifies the notice of the GRIP filing through customer bill inserts.
- Mr. Centers' affidavit concerns the reimbursement of relocation expenses.

In addition, the source documentation and workpapers supporting the data and calculations contained in the foregoing reports is maintained in CenterPoint's electronic databases which are available for review. To schedule an opportunity to review the electronic databases or any hard copy project files related to the new investment or retirements, please contact me at (713) 207-5946.

Notice of this proceeding will be provided to affected customers in the South Texas Division by bill insert or by separate mailing within 45 days after the date of this filing in accordance with the applicable law.

Please accept for filing the above-mentioned tariffs, filing package and enclosures and return the enclosed copy of this letter with your file mark thereon to acknowledge such filings for our records. Instead of a binder with a hard copy of the filing, the Company has provided the equivalent in electronic form in the folder called Electronic Copy of Filing.

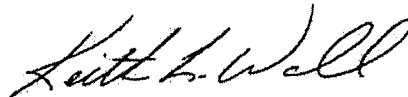
Although only the incorporated tariffs are applicable to the City, the Company has also included in its filing package both incorporated and unincorporated tariffs.

If the City takes any action regarding this filing, please send signed documents, such as, ordinances, resolutions and minutes to the following address:

Keith L. Wall
1111 Louisiana Street
CNP Tower 19th Floor
Houston, Texas 77002

Please do not hesitate to contact me with any questions you may have regarding this filing.

Sincerely,



Keith L. Wall
Director of Regulatory Affairs

City of Kingsville

March 2, 2023

Page 4

Attachments

cc: Mr. Tal Centers

Mr. Mickey Moon

Ms. Gracy Rodriguez

DELIVERED TO:

Mary Valenzuela, City Secretary of
NAME OFFICE (Mayor, City Secretary, etc.)

the City of Kingsville on this 2 day of March 2023.

Mary Valenzuela
SIGNATURE

RESOLUTION #2023-_____

A RESOLUTION BY THE CITY OF KINGSVILLE, TEXAS SUSPENDING THE MAY 1, 2023 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – SOUTH TEXAS DIVISION, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2022 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Kingsville, Texas (“City”) is a gas utility customer of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division, (“CenterPoint” or “the Company”) and a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, CenterPoint made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on March 2, 2023, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by CenterPoint, effective May 1, 2023; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The May 1, 2023 effective date of the GRIP Rate Increases proposed by CenterPoint is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to CenterPoint, care of Keith L. Wall at 1111 Louisiana Street, CNP Tower 19th Floor, Houston, Texas 77002, and to Thomas Brocato, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Signed this _____ day of _____, 2023.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

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



Replat - Action
Item

MEMO

Date: March 1, 2023
To: Mark McLaughlin City Manager)
From: Kobby Agyekum (Senior Planner, Planning and Development Services)
Subject: **Santiago Cantu, Owner/Applicant; requesting the Re-plat of Tranquitas 2, Block 2, LOTS 5, 6, 7, & 8, also known as 168 West Avenue D, Kingsville, Texas from one Property to 2 Separate Properties**

The Planning and Zoning Commission meeting was held as scheduled this evening, March 1, 2023, with 4 members in attendance.

Members deliberated over the issue of granting approval for a re-plat of **Tranquitas 2, Block 2, LOTS 5, 6, 7, & 8, also known as 168 West Avenue D, Kingsville** to enable the applicant to create two separate properties with individual addresses. Letters were sent out to neighbors and the City received no feedback.

Commissioners, after deliberations, voted to approve the recommendation for the re-plat of the said property from one property to two properties. A recorded vote of all members present was taken and Commissioners Larry Garcia, Mike Klepac, Rev. Idotha Battle and the Acting Chairman – Brian Coufal all voted 'YES'.

The meeting was adjourned by about 6.23 p.m.

Thank you.

A handwritten signature in black ink, appearing to read "Kobby Agyekum".

Kobby Agyekum
Senior Planner
Planning and Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

168 replat

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 168 W D Ave Nearest Intersection 6th Street

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: Lots 5-8 Tranquitas Addition No. 2

Existing Zoning Designation R-3 Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Santiago Cantu Phone 956 778 7709 FAX _____

Email Address (for project correspondence only): sancan4@aol.com

Mailing Address PO Box 197 City La Blanca State TX Zip 78558

Property Owner Santiago Cantu Phone 956 778 7709 FAX _____

Email Address (for project correspondence only): sancan4@aol.com

Mailing Address PO Box 197 City La Blanca State TX Zip 78558

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

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

Please provide a basic description of the proposed project:

I have 4 lots and want to replat to
2 lots + 2 lots

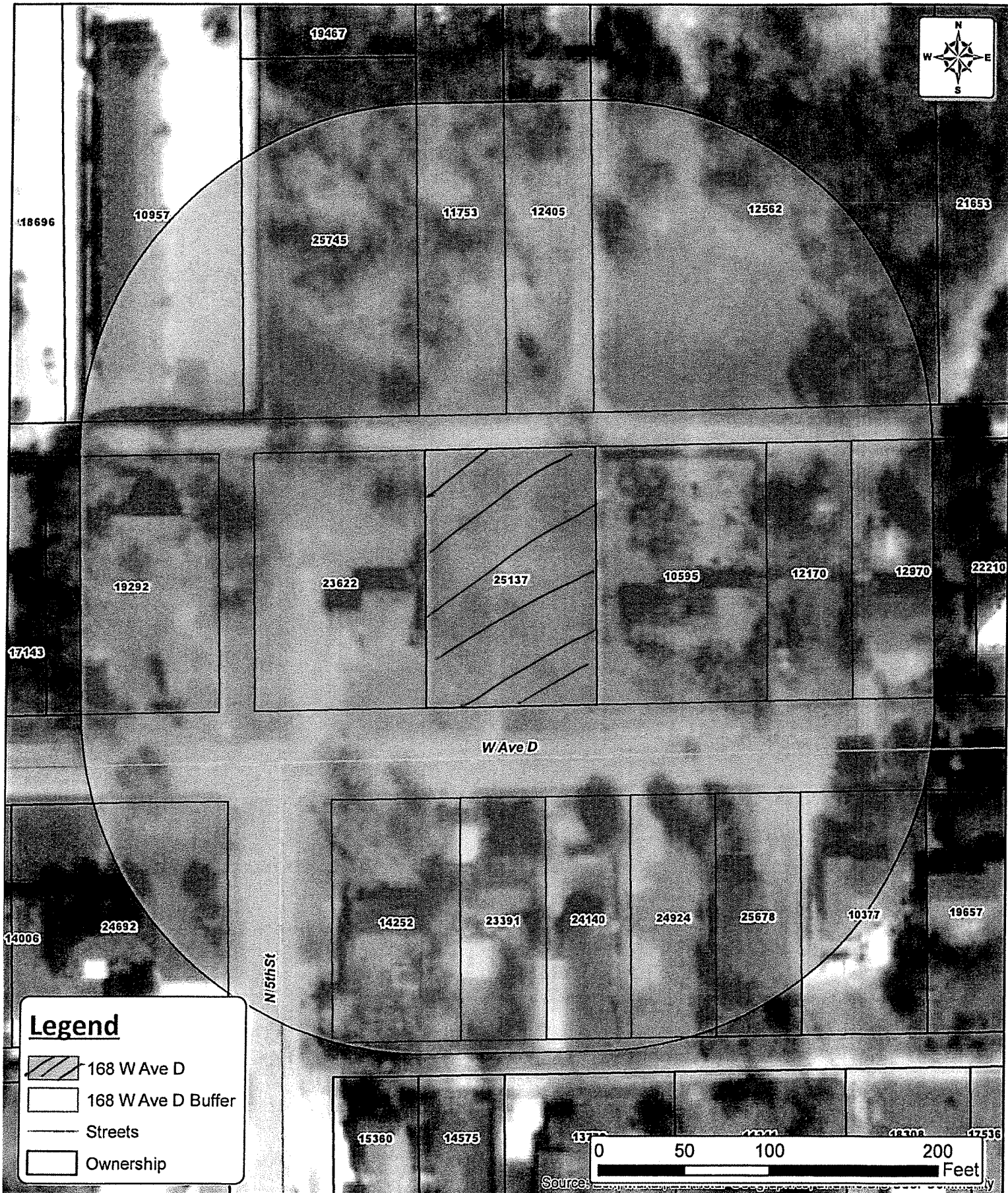
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature _____ Date: _____

Property Owner's Signature Santiago Cantu Date: _____

Accepted by: [Signature] Date: 1/31/2023

200 ft Buffer at 168 W Ave D



Mayor proclaims month of February 'Teen dating Violence Awareness Month'

By TED FIGUEROA
REPORTER

The Kingsville City Commission held a regularly scheduled meeting on February 13th at City Hall. Mayor Sam Fugate was joined by a representative from the Purple Door for the reading of a proclamation designating the month of February as Teen Dating Violence Awareness Month. Mayor Fugate noted that we need to be aware of and know the signs of teen dating violence in order to help and assist our youth. The Purple Door provides assistance to those involved in abusive relationships.

During reports from Commission and staff, City Manager Mark McLaughlin said that 30 oak trees will be in on Thursday for Chamberlain Park. He also

said the Fire Department is having some mechanic trouble with some of the ambulances and assured the Commission that there is an ambulance still in service and a back-up ambulance service is ready to be deployed if needed. The City Manager also praised the citizens of Kingsville for the sales taxes that came in for the month of December, they are the best Kingsville has ever seen and he thanked everyone for shopping local. It was also announced that the Kingsville Police will be conducting a warrant round up beginning February 20 and it will run through March 3rd.

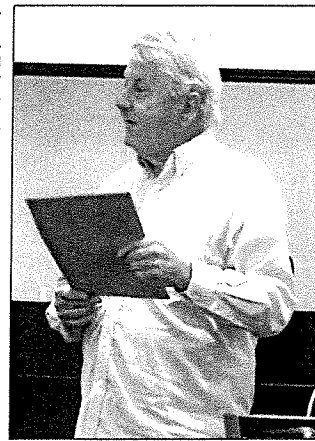
There were no public comments and the consent motions, resolutions, ordinances, and ordinances from the previous meetings were all approved.

A resolution was passed approving the agreement for the Defense Economic Adjustment Assistance Grant between the City of Kingsville and the Office of the Governor, Texas Military Preparedness Commission, authorizing the City Manager to execute such agreement. The City of Kingsville's match was \$500,000, while the state put in \$1.7 million and the United States Navy gave \$1.5 million. The agreement will improve infrastructure at the base and provide fire response units that can assist with emergencies.

The City passed a resolution supporting the Competitive Housing Tax Credit Application of Majestic Villages, Ltd., for an affordable senior citizen rental housing development in Kingsville that is planned for an

area on Senator Carlos Truett Blvd.

The Commission approved out of state travel for the Mayor and City Manager to Washington D.C. from February 15-17, 2023 for military preparedness and economic development matters. They also approved out of state travel for the Mayor, City Commissioners, City Manager, and Economic Development Director to Mobile, Alabama from April 20-23, 2023 for the christening of the USS Kingsville vessel. Out of state travel was also approved for Commissioners Alvarez and Torres to New York, New York from July 10-14, 2023 to attend the 40th annual National Association of Latino Elected Officials. The next meeting is scheduled for February 27, 2023.



Mayor Sam Fugate reads proclamation.
(Photo by Ted Figueroa)

Texas A&M AgriLife Extension Service presents "Be Heart Strong"

Kingsville, TX - The "Be Heart Strong" event will be offered on Thursday, February 16th, at Weavers of Love 720 E. Lee Ave in Kingsville, Texas.

The event brought you by the Texas A&M AgriLife Extension Service in partnership with Weavers of Love, Community Action Corp. of South Texas, Methodist Healthcare Ministries, and Healthy South Texas. This event will be offered from 10:00 am to 2:00 pm at the Weavers of Love in Kleberg

County at 720 E. Lee Ave. "The goal of the Be Heart Strong event is to educate about healthy lifestyle habits to prevent heart disease and to connect attendees to community resources," said Amanda Ortega Assistant Family and Community Health Agent. During this event, participants will receive information related to heart health such as reducing your risk for heart conditions, understanding your numbers, and personal testimony. "We're going

to address all areas of heart health. In addition to the education, participants will learn how to make physical activity fun and do-able, healthy eating with live cooking demonstrations and a healthy lunch, and a bingo to wrap it all up," said Zeldina Zavala, Health Agent. To register, call Zeldina Zavala or Amanda Ortega, at 361-595-8655, or scan QR code on the flyer. Space is limited and registration for the event will end on Feb. 16.



Pictured from left to right: Epiphany Montessori School teachers Mrs. Kim Bailey and Mrs. Lindy Rogers. Pictured in the middle from left to right: Emerson Guajardo, Jeshiah Galewa, Cooper Vannetta, Ava Kysar. Pictured at bottom from left to right: Sawyer Allen, Naomi Huizer, Ty Whittis, Jolie Buchler (Submitted photos)

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 1, 2023 at 6 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: Santiago Cantu Jr Owner/Applicant; requesting the re-plat of Tranquilas 2, Block 2, Lots 5, 6, 7 & 8 also known as 168 W. Ave D, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 13, 2023 at 5 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard: Santiago Cantu Jr Owner/Applicant; requesting the re-plat of Tranquilas 2, Block 2, Lots 5, 6, 7 & 8 also known as 168 W. Ave D, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

PUBLIC HEARING NOTICE



Kingsville Independent School District

2021-2022 Texas Academic Performance Report (TAPR)

February 27, 2023

A Public Hearing will be held in conjunction with the regularly scheduled Kingsville ISD board meeting at 5:00 PM on February 21, 2023. In compliance with Texas Education Code §39.053, the district will annually publish the Texas Academic Performance Report (TAPR), hold a hearing for public comment on the report, and disseminate the report within the district.

The meeting will be held in the Kingsville ISD Board Room at 207 North Third Street, Kingsville, Texas.

If you have any questions, please contact the Curriculum & Instruction Department at (361) 592-3387 ext. 8126.



City Sanitation, City Hall and other Administrative Offices will be closed on Monday, February 20, 2023 in observance of President's Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of February 20th through February 24th.

Residential Sanitation Schedule

Monday/ Thursday service will be done on Tuesday/Thursday

Tuesday/ Friday service will be done on Wednesday/Friday

Commercial Sanitation Schedule

Monday service will be done on Tuesday.

The schedule will resume to its normal schedule on February 27, 2023.

KINGSVILLE
RECORD
ADVERTISE
TODAY

Abraham G Garza Est
Etux Alicia C
155 W D Ave
Kingsville TX 78363
#25678

Irma R Perez
AKA Irma G Rodriguez
175 W D Ave
Kingsville, TX 78363
#14252

SC Construction LLC
PO Box 197
La Blanca TX 78558
#10957

Marcelino Barron
Etux Maria Manuela
185 W Corral
Kingsville, TX 78363
#12405

Ramiro Barrera Jr
201 W Corral Ave
Kingsville, TX 78363
#25745

Margaret Ashley Clack
602 W Doddridge Ave
Kingsville, TX 78363
#24924

Ricardo G Vega
Etux Gloria B
805 W Kleberg Ave
Kingsville, TX 78363
#11753

Manuel Raul Falcon
156 W D Ave
Kingsville, TX 78363
#12170

Juan J Cantu
Etux Mary B
173 W Corral Ave
Kingsville, TX 78363
#12562

George Alvarez
Etux Gracie (Life Est)
Christina Smith
171 W D Ave
Kingsville, TX 78363
#23391

Josefa H Castillo (Life Est)
Alicia C Garza ETAL
1702 Lawndale Dr
Kingsville, TX 78363
#19292

Guadalupe Villarreal Est
165 W Ave D
Kingsville, TX 78363
#24140

Gahangir Hossain
Etux Habiba Khan
2804 River Birch PL
Amarillo, TX 79124
#23622

Unknown Taxpayer
149 W Ave D
Kingsville, TX 78363
#10377

Raul Roy Gonzalez
162 W Ave D
Kingsville, TX 78363
#10595

Romero George Luis Sr
148 W Ave D
Kingsville, TX 78363
#12970

Corina Rodriguez
203 W Ave D
Kingsville, TX 78363
#24692

Text Year: 2023 - Values not available

Owner: CANTU SANTIAGO JR

% Ownership: 100.000000000000%

Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			

Taxes w/Current Exemptions: N/A

Taxes w/o Exemptions: N/A

Improvements: Building

No improvements exist for this property.

Land:

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	C1	C1	0.3439	14980.00	100.00	149.80	N/A	N/A

Roll Value History:

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$8,160	0	8,160	\$0	\$8,160
2021	\$0	\$8,160	0	8,160	\$0	\$8,160
2020	\$0	\$8,160	0	8,160	\$0	\$8,160
2019	\$0	\$8,160	0	8,160	\$0	\$8,160
2018	\$0	\$8,160	0	8,160	\$0	\$8,160
2017	\$0	\$8,160	0	8,160	\$0	\$8,160
2016	\$0	\$8,160	0	8,160	\$0	\$8,160
2015	\$0	\$8,160	0	8,160	\$0	\$8,160
2014	\$0	\$8,160	0	8,160	\$0	\$8,160
2013	\$0	\$8,160	0	8,160	\$0	\$8,160
2012	\$6,010	\$8,160	0	14,170	\$0	\$14,170
2011	\$6,010	\$8,160	0	14,170	\$0	\$14,170
2010	\$8,370	\$8,160	0	16,530	\$0	\$16,530
2009	\$8,370	\$8,160	0	16,530	\$0	\$16,530

Land Value History: Roll (1991) ASP-0 1.0

This report is not certified. It is provided as a reference only. 1/1/23

Website version: 1.2.2.37

Database last updated on: 1/16/2023 8:17 PM

© M. Harris Computer Corporation

AGENDA ITEM #6

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



Rezone - Actn
Item

MEMO

Date: March 1, 2023

To: Mark McLaughlin City Manager)

From: Kobby Agyekum (Senior Planner, Planning and Development Services)

Subject: Rick Doyoe, Applicant; requesting the Rezoning of KT & 1 CO, Block 17, Lot PT, 6, Acres 8.71, also known as 1420 Senator Carlos Truan BLVD, Kingsville, Texas from R1 (Single Family) to R3 (Multi Family).

The Planning and Zoning Commission meeting was held as scheduled this evening, March 1, 2023, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone of **KT & 1 CO, Block 17, Lot PT, 6, Acres 8.71, also known as 1420 Senator Carlos Truan BLVD, Kingsville** to enable the applicant to create a multi-family living area for Senior Apartments. Letters were sent out to neighbors and the City received no feedback. Commissioners, after deliberations, voted to approve the recommendation to rezone the said property from R1 (Single Family) to R3 (Multi Family). A recorded vote of all members present was taken and Commissioners Larry Garcia, Mike Klepac, Rev. Idotha Battle and the Acting Chairman – Brian Coufal all voted 'YES'.

The meeting was adjourned by about 6.23 p.m.

Thank you.

A handwritten signature in black ink, appearing to read "Kobby Agyekum", written in a cursive style.

Kobby Agyekum
Senior Planner
Planning and Development Services

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

PROPERTY INFORMATION: (Please PRINT or TYPE)Project Address 1420 Senator Carlos Truan Blvd. TX Nearest Intersection _____(Proposed) Subdivision Name _____ Lot PT 6 Block 17Legal Description: Legal Description (KT & I CO, BLOCK 17, LOT PT 6, ACRES 8.71Existing Zoning Designation R1- Single Family Future Land Use Plan Designation R3-Multi-family**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**Applicant/Authorized Agent Rick Deyoe Phone (512)426-5202 FAX _____Email Address (for project correspondence only): Rdeyoe@realtexdevelopment.comMailing Address 1114 Lost Creek Blvd. City Austin State TX Zip 78746Property Owner GHRAOWI FAMILY INVESTMENTS Phone 361-815-8902 FAX _____Email Address (for project correspondence only): sohair.sabawi@yahoo.comMailing Address 204 Shore Dr. City Portland State TX Zip 78374
13631 WILLOWOOD LN City REDDING State CA Zip 96003

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

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

Please provide a basic description of the proposed project:
Multi-Family-Senior Housing Apartment Homes

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

Applicant's Signature Rick J. Deyoe Date: 01/20/2023Property Owner's Signature [Signature] Date: 1/22/2023Accepted by: [Signature] Date: 1/22/2023 2/12/2023

Legend

- 1420 Senator Carlos Truan
- 1420 Senator Carlos Truan Buffer
- Streets
- Ownership

0 100 200 400 Feet

Source: Esri, Max

John C Tames
823 Kinney St
Corpus Christi, TX 78401
#10266

Wright's RV Park LLC
881 E County Road 2198
Kingsville, TX 78363
#11502

City Of Kingsville
Attention: Bill Donnell
PO Box 1458
Kingsville, TX 78364
#10256

Wright's RV Park LLC
881 E County Road 2198
Kingsville, TX 78363
#12940

TQR Kingsville LLC
25047 Toutant Beaurgard RD
San Antonio, TX 78255
#16453

Lisa G Schonefeld
1806 Elizabeth Ave
Kingsville, TX 78363
#18730

Rockstar Kingsville Pointe LLC
720 N Post Oak RD STE 650
Houston, TX 77024
#18465

Lowell M Burris
Etux Frances Jean
1514 Michael St
Kingsville, TX 78363
#24783

Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42957

Carlos Ortiz
PO Box 294
Kingsville, TX 78364
#25564


Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42956

Andrew J Wisegarver
3809 Copper Pond
Anacortes, WA 98221
#42922

Zarsky Development CO LLC
PO Box 2527
Victoria, TX 77901
#42923

Randal E Nielsen
403 S 6th St
Kingsville, TX 78363
#10631

Zelina Zavala
3916 S 6th St
Kingsville, TX 78363
#18369


 Tax Year: 2023 - Values not available
Account

Property ID:	16828	Legal Description:	KT & I CO, BLOCK 17, LOT PT 6, ACRES 8.71
Geographic ID:	290001706110192	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	1420 SENATOR CARLOS TRUAN BLVD TX	Map ID:	B2
Neighborhood:			
Neighborhood CD:			

Owner

Name:	GHRAOWI FAMILY INVESTMENTS	Owner ID:	49923
Mailing Address:	13631 WILDWOOD LN REDDING, CA 96003-7045	% Ownership:	100.0000000000%
		Exemptions:	

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

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

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

(=) Assessed Value:	=	N/A
---------------------	---	-----

Property Information

Owner: GHRAOWI FAMILY INVESTMENTS

% Ownership: 100.000000000000%

Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
	Total Tax Rate:	N/A			
Taxes w/Current Exemptions:					N/A
Taxes w/o Exemptions:					N/A

Improvements

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	IMPR2	IMPROVED PASTURE	8.7100	379407.60	0.00	0.00	N/A	N/A

Historical Market

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$121,940	900	900	\$0	\$900
2021	\$0	\$121,940	1,210	1,210	\$0	\$1,210
2020	\$0	\$121,940	1,090	1,090	\$0	\$1,090
2019	\$0	\$121,940	1,310	1,310	\$0	\$1,310
2018	\$0	\$121,940	1,380	1,380	\$0	\$1,380
2017	\$0	\$121,940	1,290	1,290	\$0	\$1,290
2016	\$0	\$121,940	1,190	1,190	\$0	\$1,190
2015	\$0	\$121,940	1,110	1,110	\$0	\$1,110
2014	\$0	\$121,940	1,050	1,050	\$0	\$1,050
2013	\$0	\$121,940	980	980	\$0	\$980
2012	\$0	\$121,940	1,270	1,270	\$0	\$1,270
2011	\$0	\$121,940	1,250	1,250	\$0	\$1,250
2010	\$0	\$121,940	1,500	1,500	\$0	\$1,500
2009	\$0	\$54,840	1,640	1,640	\$0	\$1,640

Property Information - GHRAOWI FAMILY INVESTMENTS

Kleberg County, Texas - 78152 - 100.00% Ownership - 100.00% Ownership - 100.00% Ownership

Kleberg County, Texas

Kleberg County, Texas - 78152 - 100.00% Ownership

Kleberg County, Texas - 78152 - 100.00% Ownership

Superintendent CONTINUED FROM PAGE 1



Pictured are: TAMUK Leaders attend Valentine Lunch with KISD Superintendent from left to right: Dr. Lucy Villarreal, Dr. Linda Villarreal, Dr. Robert Vela President of TAMUK, and Henry Burgess. (Photo by Ted Figueroa)

Superintendent CONTINUED FROM PAGE 1

asked the high school students to write her letters during their "Brainma time" and asked them to write about what they wanted for our district. The students asked for more tutoring options, class pets that can assist them with coping after traumatic events, and soccer goals for the soccer fields.

Commissioners

CONTINUED FROM PAGE 1

services with the U.S. Department of Commerce Economic Development Administration. Judge Madrid noted that phase one of the J.K. Northway is complete, they have broken ground on the Emergency Operations Center and the parking lot is under construction.

Approval was granted for computers and updates to J.P. Pet. 4 and J.P. Pet. 2 offices with funds coming from the JP Tech Fund. A memorandum of understanding between the Kleberg County Sheriff's Office and the Coastal Bend College Police Program to bring on interns to learn and develop professional skills at the Sheriff's Office.

A resolution authorizing the Kleberg and Kenedy Counties District Attorney's Office to apply for, submit, and seek continuance of it's (Victim's Assistance Grant No. 2899707) for the program year 2023 through 2024 was approved.

The Commissioners agreed to allow the library director to apply for the Ed Rachel Grant, in the amount of \$50,000, as well as to replace 40 Dell Inspiron computers. The Commissioners then approved a payment to Macareno Signs in the amount of \$19,850 for the work done at J.K. Northway.

The court created a line item for an IT position at Kleberg County Human Services, to be funded by TxDOT and the university, with the base pay to be \$14 per hour.

The Director's Position at the Kleberg County Vaccine Clinic will have a salary increase to \$25.00 an hour. A resolution authorizing the Kleberg County Sheriff to apply for the 2023 Operation Stone Garden Grant for the period of 3-1-2023 to 02-28-2024 was approved. Approval was granted to the Kleberg County Clerk to hire a new employee to

?? TRIVIA ??

HOW SMART ARE YOU?

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

Play Kingsville Trivia brought to you by Harrel's Pharmacy

Questions:

1. Each Valentine's Day, the city of Verona, Italy, receives about 1,000 Valentine's cards addressed to a famous fictional character. Name that character.
 2. What was President John F. Kennedy's mother's first name?
 3. In what state would you find the city "Lowland," once a hub for fur trading and named after a railroad President?
 4. First invented by a man named Milton in 1907, 70 million of what Valentine's Day favorites are now made every single day?
 5. In which U.S. city would one find an airport named "Love Field"?
 6. Name the comedy/drama that aired from 1977 to 1982 on ABC featuring a Captain and a Gopher.
 7. Before "X" stood for a kiss, what did it represent at the end of a letter?
 8. When did Sweethearts first get their shape?
 9. In the Victorian era, mean spirited Valentine's Day cards were called "_____ Valentines".
 10. About how many roses are sent for Valentine's Day each year?
- (Answers will be on next issue)
- #### HOW SMART ARE YOU:
- 9-10. Okay Einstein, quit bragging
 - 7-8. Pick up your PhD at TAMUK
 - 5-6. You are on your way to your D.S. degree
 - 3-4. Do not skip any more school
 - 2 or less—don't leave home without a chaperon

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

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

TRIVIA ANSWERS

February 9, 2023 Issue

1. Brown
2. Prunes
3. Switzerland
4. Tandoori
5. Tea
6. Honey
7. China
8. Netherlands
9. Coca-Cola

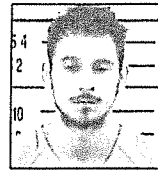
Kingsville police recover stolen property from numerous thefts



Pictured above from left to right: Patrolman Robert Garcia, Senior Detective Cindi Flores, and Gang Officer Richard Beltran, with recovered stolen items. (Submitted photo)

By Ted Figueroa
REPORTER

A man thought to be responsible for thefts of tools in motel parking lots over the past several months was arrested by Kingsville police. Jose De La Rosa, 32, was charged with theft of property valued at more than \$100 and less than \$750 and theft of property values at less than \$2,500, two or more previous convictions, according to Kingsville Police Chief Ricardo Torres.



Jose De La Rosa (Submitted photo)

res.

De La Rosa posted bond and has been released.

Torres said the crimes are still under investigation and further charges

may lead to the previous ones being enhanced. He asks citizens who may have had tools or other items stolen from their vehicles or who may have any tips regarding these thefts to call Sr. Det. Cindi Flores at the Kingsville Police Department Criminal Investigations Bureau. Torres praised officers and investigators for their "diligent work" in recovering several tools and work items that have been stolen from work trucks at local motels.

PUBLIC HEARING NOTICE

CITY OF KINGSVILLE (KLEBERG COUNTY)
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Kingsville is giving notice of the City's intent to submit Texas Community Development Block Grant Program grant applications for a Main Street grant request of \$500,000 for the installation of ADA compliant sidewalks and lighting activity; road construction/renovation to include curb and gutter and related drainage; demolition and clearance activity. The public hearing will be held on Monday, February 27, 2023, at 5:00 PM. Para mas informacion en español, comuniquese con Herlinda Solis al 361-595-8055.

If you have any questions, do not hesitate to contact me.

Thank you

Yours Sincerely,

Uche Echezo
Director of Planning
and Development Services

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 1, 2023 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: Rick Deyoe Applicant; requesting the Re-zoning of KT & I CO, Block 17, Lot PT 6, Acres 8.71 also known as 1420 Senator Carlos Truan BLVD, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 13, 2023 at 5:00 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard: Rick Deyoe Applicant; requesting the Re-zoning of KT & I CO, Block 17, Lot PT 6, Acres 8.71 also known as 1420 Senator Carlos Truan BLVD, Kingsville TX 78363. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.



**ADVERTISE YOUR
BUSINESS IN THE
KINGSVILLE**

ORDINANCE #2023-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO, BLOCK 17, LOT PT 6, (8.71 ACRES), ALSO KNOWN AS 1420 SENATOR CARLOS TRUAN BLVD, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R3 (MULTI-FAMILY RESIDENTIAL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Rick Deyoe, owner/applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 1, 2023 during a meeting of the Planning and Zoning Commission, and on Monday, March 13, 2023 during a meeting of the City Commission, in the Helen Kleberg Groves Community Room at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

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

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of KT&I CO, Block 17, Lot Pt 6, (8.71 acres), also known as 1420 Senator Carlos Truan Blvd., Kingsville, Texas, from R1-Single Family Residential District to R3-Multi-Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 13th day of March, 2023.

PASSED AND APPROVED on this the 27th day of March, 2023.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

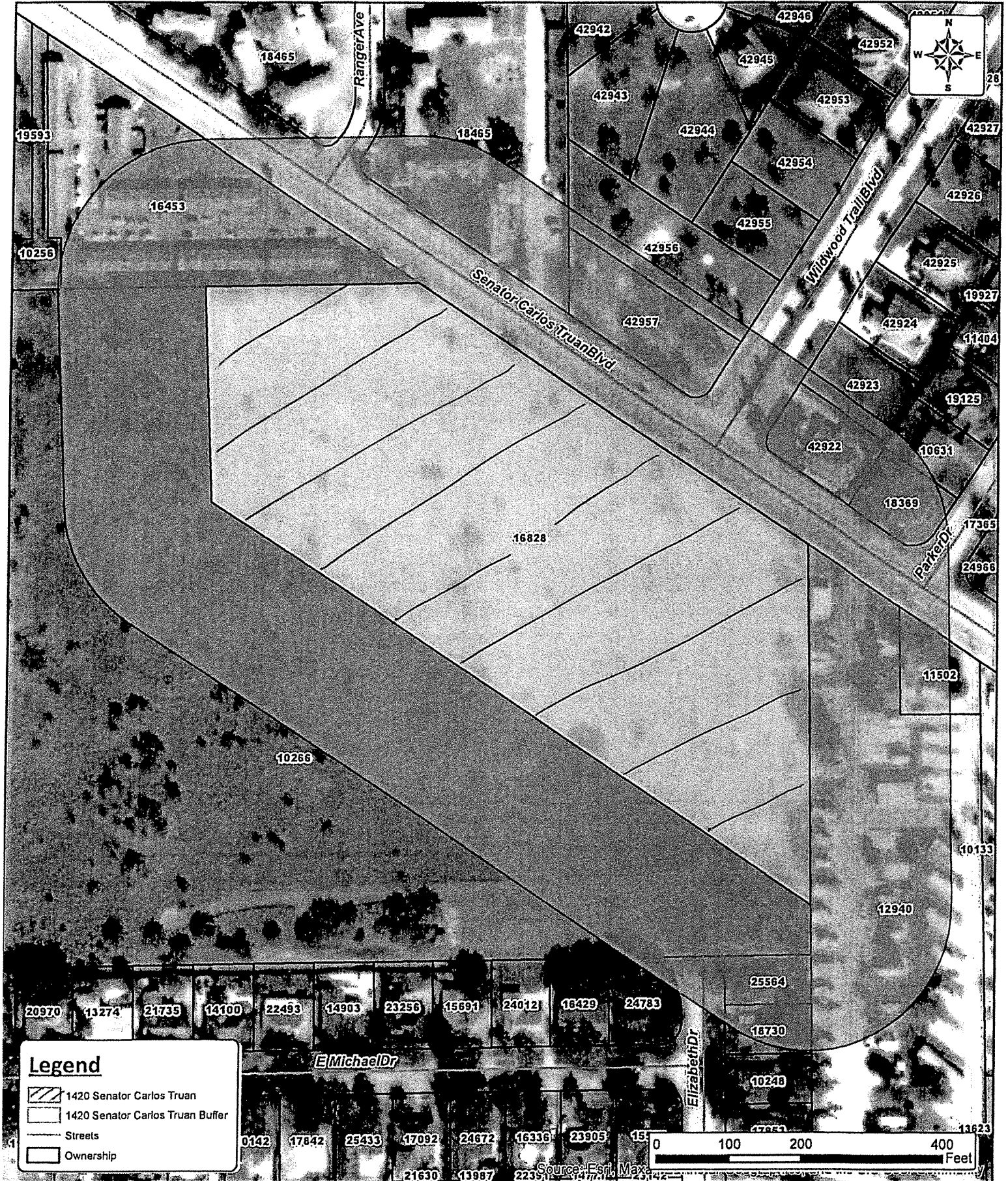
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

200ft Buffer at 1420 Senator Carlos Truan



Page: 1 / 1

Drawn By: G. AMAYA

Last Update: 2/14/2023

Note: Ownership is labeled

DISCLAIMER:
THIS MAP IS FOR VISUAL PURPOSES ONLY.
THE INFORMATION ON THIS SHEET MAY
CONTAIN INACCURACIES OR ERRORS.
THE CITY OF KINGSVILLE IS NOT
RESPONSIBLE IF THE INFORMATION
CONTAINED HEREIN IS USED FOR ANY
DESIGN, CONSTRUCTION, PLANNING, BUILDING,



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 W King Ave; Kingsville, TX 78363
Office: (361) 595-8007

AGENDA ITEM #7

City of Kingsville
Planning and Development Services Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Uche Echeozo, Director of Planning & Development Services

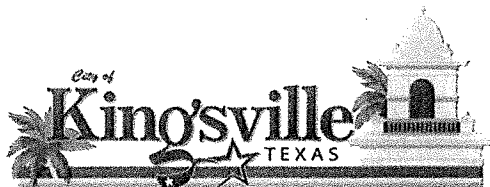
DATE: March 3, 2023

SUBJECT: Request for a Public Hearing to Create Nine Neighborhood Districts to Facilitate and Form Part of the Emerging Comprehensive Plan and to Adopt the District Map.

Summary: The Planning and Development Services Department of the City of Kingsville, in the process of preparing a comprehensive plan for the city, is delineating the city into nine administrative neighborhoods/districts. Consequently, a request is made for a Public Hearing geared towards engaging members of the community and for the adoption of the districts.

Background: The Planning and Development Services Department of the City of Kingsville is currently preparing an updated comprehensive plan for the City of Kingsville. To facilitate this, the city is being divided into 9 neighborhoods or districts geared towards effective administration. These neighborhoods/districts are known as:

1. Downtown
2. West Side
3. East Side
4. Northwest
5. Northeast
6. North Side
7. District 7
8. Southeast
9. South Side



City of Kingsville
Planning and Development Services Department

A public hearing is part of the requirements needed to ensure members of the community are adequately briefed on the details of the plan. Subdividing the city into these districts enables effective community engagement during the plan preparation and, in future, foster a more robust monitoring and review. A neighborhood planning map is attached

Financial Impact: None.

Recommendation: Hold the public hearing and approve the Administrative
Neighborhoods/Districts.



RESOLUTION #2023- _____

A RESOLUTION OF THE CITY OF KINGSVILLE ADOPTING THE DISTRICT MAP FOR THE CITY OF KINGSVILLE UPDATED MASTER PLAN.

WHEREAS, the City of Kingsville needs to update its comprehensive master plan and the City's Planning Department is working on that project;

WHEREAS, part of the process for developing an updated master plan is to divide the city map into districts and then hold a public hearing on the proposed district map for public input prior to having City Commission approve the map;

WHEREAS, staff has prepared a map that creates nine (9) districts within the City and held a public hearing on the map on March 13, 2023 prior to the consideration of this resolution;

WHEREAS, as the District Map has been developed after careful study and is now ready for approval.

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

I.

THAT the City Commission approves and adopts the District Map for the updated Comprehensive Master Plan for the City of Kingsville, which is attached hereto.

II.

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

PASSED AND APPROVED by a majority vote of the Kingsville City Commission the 13th day of March, 2023.

Sam R. Fugate, Mayor

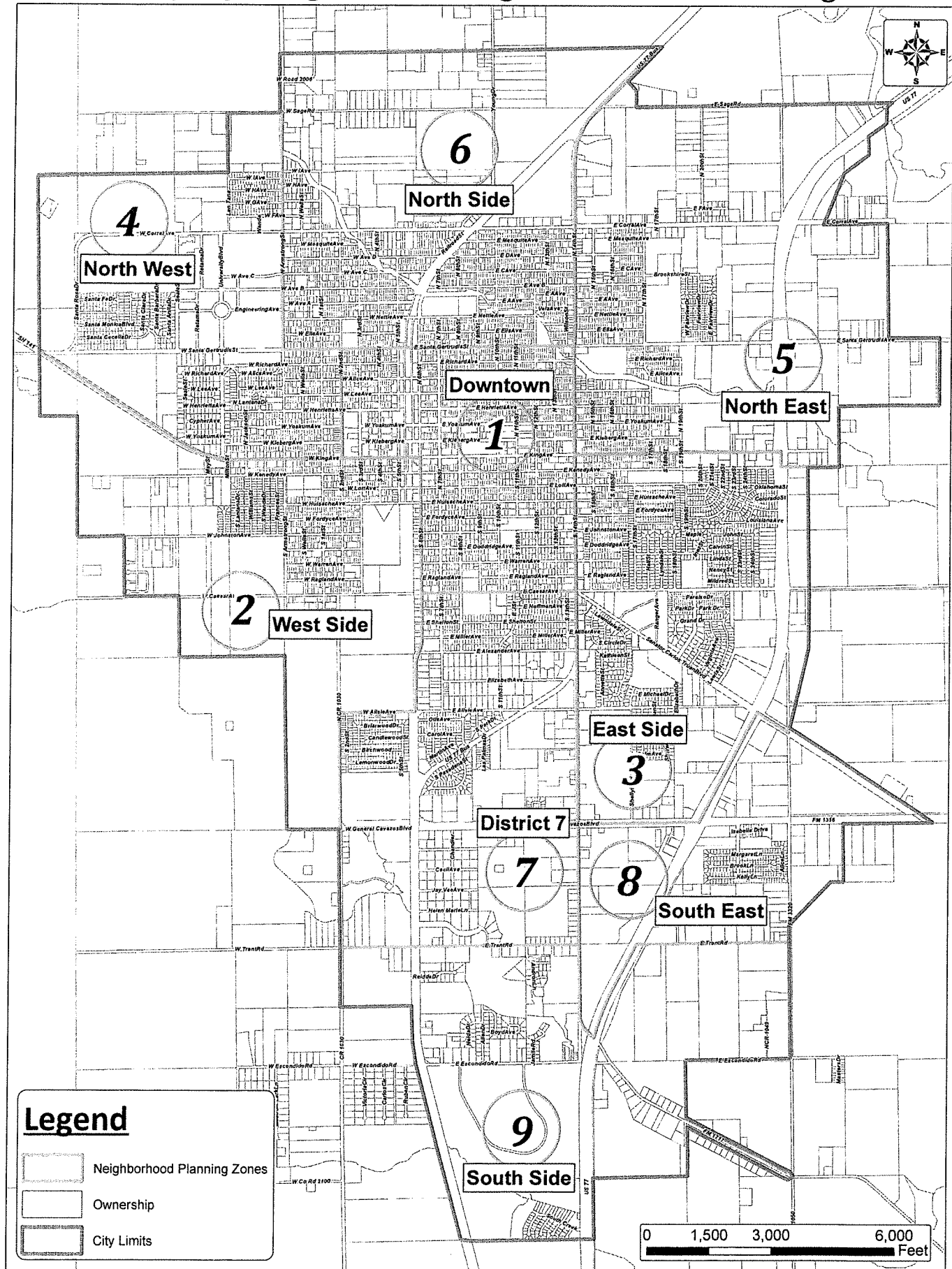
ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

City Of Kingsville - Neighborhood Planning



AGENDA ITEM #8

RESOLUTION #2023-_____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT BETWEEN THE CITY OF KINGSVILLE AND LEROY DAVID THIBODEAUX; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City passed and approved an Economic Development Grant Program and Manual to spur new economic activity within the Kingsville city limits on January 10, 0222 via Resolution #2022-03;

Whereas, an Economic Development Grant (“EDG”) Administrative Board was created to review and make recommendations on grant applications;

Whereas, the grant was widely publicized in the local newspaper, regional television, social media, newsletters, and speaking directly to community organizations, which resulted in several applications for the EDG Administrative Board to review and three were recommended for approval to City Commission;

Whereas, at a duly posted meeting of the City Commission on November 14, 2022 the Commission approved the three grant applications as recommended in a revised manner by the Board;

Whereas, the need for economic development exists within the City based on current demand and the City desires to increase the sales tax and ad valorem tax base of the City to the benefit of citizens and other local taxing entities;

Whereas, the City believes the offering of local economic incentives like this grant will stimulate new development and economic activity within the city;

Whereas, the City desires to approve qualifying applications for Economic Development Grant assistance to stimulate economic development within the city as a local incentive to create additional housing, a higher level of employment, economic activity and stability within the City of Kingsville, which serves a public purpose;

Whereas, the approved EDG Program and Manual provide for the administration of a program that provides money of the city to promote local economic development and to stimulate business and commercial activity in the city, pursuant to authority found in section 380.001 of the Local Government Code;

Whereas, the City has received an application, pursuant to the EDG Program and Manual, from LeRoy David Thibodeaux for up to \$200,000 in funding for electrical, plumbing, ceiling, HVAC/labor, and elevator/install for a property located at 400 E. Kleberg Avenue, Kingsville, Texas, also known as the KATE pursuant to the terms of the Commitment Letter and EDG Program and Manual;

Whereas, the City believes providing economic incentives through this commitment letter with Mr. Thibodeaux will further its objectives of stimulating business and commercial activity and expand the tax base;

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into an Economic Development Agreement between the City of Kingsville and LeRoy David Thibodeaux in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
13th day of March, 2023.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 1 of 7

{Drafted February 7, 2023}

Organization (Grant Recipient): David Thibodeaux

Amount of Award: \$200,000

Project Name: Kate Building, 400 E. Kleberg

Completion Date: February 2024

Project Contact: 01092023Thibodeaux

Date: February 2023

Expected New Jobs Creation: 25-35

City of Kingsville, Texas ("City") agrees to provide grant funding for the above referenced project in the amount and manner set out below as consideration for Grant Recipient satisfactorily performing the project described in the grant application received by the City, attached to and hereby made a part of this Agreement, and subject to the following additional terms and conditions:

1. Project Description: Full project disclosure is described in Exhibit 1, Grant Application. The summary below is the maximum amount of Commission-approved expenses that are eligible for grant funding for Project Contract: 01092023Thibodeaux:

- a. Electric - \$25,362.50
- b. Plumbing - \$22,500.00
- c. Ceiling - \$16,500.00
- d. HVAC/Labor - \$41,393.50
- f. Elevator and Install - \$94,243.53

2. Use of Funds: Funds shall be expended consistent with this Commitment Letter and the Economic Development Grant Program and Administration Manual, and solely on projects that meet the requirements as set forth by the Economic Development Grant Program and Administrative Manual, recommended by the Grant Administrative Board through the application process, and approved by the City of Kingsville City Commission.

2.1.1. Projects must be completed within twelve (12) months of Commitment Letter signature.

2.1.2. Assuming compliance with all requirements, funds shall be distributed by the City of Kingsville Finance Department to the banking institution established by the recipient at a rate equal to the recipient's expense of private resources until all EDG funds for the recipient have been transferred, or until the project is completed, whichever comes first.

2.1.3. Funds not expended within the terms of the Commitment Letter shall be retained by the City for use in future EDG applications.

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 2 of 7

2.1.4. Funds may not be used for projects listed in the Economic Development Grant Program and Administrative Manual, Part I. B. 3: Anticipated EDG Investments, nor may funds be used for items other than those approved by Commission as noted above.

2.1.5. Funds are distributed in a semi-reimbursement method. Funds may either be for a reimbursable expense or with prior proof of invoice and City Manager approval funds may be forwarded to assist in the purchase of the approved project expense. Recipient is responsible for providing all receipts, or invoices, highlighting approved project expenses prior to any City transfer of funds for reimbursement within thirty (30) days of paying for such project expenses. Recipient is responsible for providing all receipts for approved project expenses within seven (7) days of purchase for items where funds are forwarded to assist with the purchase.

2.1.6. No EDG funds shall be used for insurance related to labor including workman's compensation, long or short term disability, social security, Medicare, public or private insurance, or paid time off, etc..

2.1.7. The City of Kingsville City Manager has final authority on approval of funds for release. Project costs in dispute between the City and the Recipient shall be forwarded to the City Manager for final adjudication.

2.1.8. Drawdown requests shall be in writing to the City of Kingsville City Manager, dated, with information explaining the nature of the expense and receipts (if reimbursed) or an invoice (programed expenses). Lack of necessary information to support compliance with the Economic Development Grant Program and Administrative Manual shall result in the City's withholding the release of funds, and possibly result in the Recipient paying back funds previously received from the City.

2.1.9. The City shall provide approved funding in the form agreeable by both parties and payable to the Recipient. Quarterly reports from the Recipient to the City shall show proof of all City funds deposited and expenses incurred.

2.1.10. The total drawdown request submitted to the City should be equal to or less than the total of all attached documentation for said request.

2.1.11. The Recipient shall keep records of all expenditures relating to economic development grant funding. Documents consisting of bills, invoices, canceled checks, receipts, quotes, estimates, etc., will be retained by the Recipient for three (3) years after the submission and acceptance of a final closeout of the EDG grant by the City.

3. Report(s): Recipient shall submit a written report monthly to the City summarizing and evaluating the accomplishments of their project covering the preceding thirty (30) days. Within sixty (60) days of the completion of the project, or no later the 60 days following the completion date shown on this Commitment Letter, Recipient shall provide a summarized report of the entire project, funds received, expenses incurred and reimbursed, and proof of the final building inspection (if required) per the City's adopted version of the applicable International Building Codes and Fire Code.

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 3 of 7

4. Applicable Laws, Legal Advice, and Licenses: Recipient shall comply at their own expense with all laws of any municipal, county, state, federal or other public authority regarding the use of economic development grant funds, which may include public contracting laws. The Grant Recipient shall be responsible for obtaining their own legal advice, if necessary, concerning the applicability of such laws and/or compliance with such laws. The Grant Recipient shall be solely responsible for any licenses or permits required by law, and shall pay all costs, required taxes, fees and charges prescribed by law. The Grant Recipient, throughout the duration of this Agreement and any extensions, shall comply with all federal, state and local laws, regulations, and ordinances applicable to this Agreement or to the Grant Recipient's obligations under this Agreement, as those laws, regulations and ordinances may be adopted or amended from time to time.

4.1. Any violation of terms set forth in this Letter of Commitment shall constitute a material breach of this agreement. Any violation shall entitle the City to terminate this Agreement, to pursue and recover any and all damages that arise from the breach and the termination of this Agreement, to pursue and recover any and all funds provided to Recipient from the City, and to pursue any or all of the remedies available under this Agreement, at law, or in equity, including but not limited to:

- Termination of this Agreement, in whole or in part;
- Exercise of the right to withhold any grant amount not yet paid; and,
- Initiation of an action or proceeding for damages, specific performance, declaratory or injunctive relief. The City may seek reimbursement of funds provided to the Recipient. The City shall be entitled to recover any and all damages suffered as the result of Grant Recipient's breach of this Agreement, including but not limited to direct, indirect, incidental and consequential damages, costs of cure.

4.2. These remedies are cumulative to the extent the remedies are not inconsistent, and the City may pursue any remedy or remedies singly, collectively, successively, or in any order whatsoever.

4.3. This Agreement shall comply with the requirements of the Civil Rights Act of 1964, including the following provisions:

- No person in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving this assistance.
- It shall be an unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual or to otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, segregate, or otherwise adversely affect his status as an employee, because of such individual's race, color, sex, religion, or national origin.

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 4 of 7

5. Insurance: Grant Recipient shall procure and maintain in force, for the entire duration of this Agreement, insurance providing coverage for bodily injury and property damage which may arise out of the operations of the Grant Recipient or his subcontractors, employees, agents, assigns or for anyone whose acts any of them may be liable. Such insurance shall have coverage limits equal to or greater than the minimum limits set forth herein.

5.1. Grant Recipient shall furnish to the City a certificate of insurance evidencing the existence of all insurance coverage(s) required by this Agreement prior to the commencement of any work.

5.2. Grant Recipient shall endorse the Grant Recipient's General Liability (CGL) insurance to include the City of Kingsville as an "additional insured", including coverage for products and completed operations, and a copy of this endorsement shall accompany each certificate.

5.3. **NOTICE OF CANCELLATION OR CHANGE.** There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days' prior written notice from the Grant Recipient or its insurer(s) to the City.

5.4. Grant Recipient's insurance shall be primary and not excess to, or contributory with any insurance coverage provided by the City. Grant Recipient's insurance shall be endorsed to provide project specific aggregate limits with respect to project covered by the Agreement.

5.5. Grant Recipient shall ensure that the City is provided with a renewal certificate at least thirty (30) days prior to the expiration date of the coverage in the event that the original certificate expires prior to the scheduled termination of this Agreement.

5.6. Personal Services Agreements should have the following:

~Commercial General Liability (including commercial board form; premises-operations; products/completed operations; contractual liability; independent contractors)- each occurrence \$1,000,000; \$2,000,000 aggregate

~Auto Liability (including owned; hired and non-owned; rented/leased)- Combined Single \$1,000,000

~Workers' Compensation- statutory limits

~Employers Liability- \$500,000/ \$500,000/ \$500,000

6. Indemnification: Grant Recipient agrees to defend, indemnify and save City, its agents, officers and employees harmless from any and all losses, claims, actions, costs, expenses, judgments, subrogation or other damages resulting from injury to any person (including injury resulting in death), or damage

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 5 of 7

(including loss or destruction) to property, arising or resulting from the fault, negligence, wrongful act or wrongful omission of Grant Recipient or its agents or employees. Grant Recipient agrees to defend and hold harmless the City of Kingsville from any claim or action alleging misuse, misappropriation, spending of funds for ineligible expenses, or inadequate oversight related to this grant.

7. Public Access and Use: If Grant Recipient's project includes any capital improvements, Grant Recipient agrees to maintain or ensure continued public access to such improvements.

8. Publicity and Acknowledgement of Support: Grant Recipient agrees to give appropriate credit to the City of Kingsville and the Kingsville Chamber of Commerce for the financial support in any and all press releases, publications, annual reports, video credits, dedications, and other public communications regarding services performed pursuant to this Agreement.

9. Amendments: Should there be any material change in the purpose, character, method of operation, budget, personnel, subcontractors, governance, or grant period for the project as approved by the City of Kingsville, the Grant Recipient will provide timely written notice of these changes to the Kingsville City Manager and City Commission. This Agreement and referenced attachments set forth the entire understanding of the parties and may be modified only by a written instrument duly executed by both the Grant Recipient and the City of Kingsville.

10. Termination: This Agreement may be terminated or modified upon the occurrence of the following circumstances:

10.1. Either party may terminate this Agreement upon thirty (30) days written notice to the other party. Failure to comply with the conditions of the Agreement is cause for the City of Kingsville to terminate and seek reimbursement of all funds provided to Recipient through every legal means available, and for the Grant Recipient to become ineligible for grant funds for the next five (5) years.

10.2. In the event of termination prior to project completion, the City of Kingsville shall cancel all unpaid installments of the project and will be entitled to return of any funding provided to Recipient by the City.

10.3. In the event Grant Recipient fails to comply this Agreement or documents incorporated by reference, Grant Recipient shall refund the entire grant award to the City of Kingsville within thirty (30) days of notice to do so.

10.4. The Agreement terminates no later than twelve (12) months following the date of Agreement signatures unless previously agreed to by both parties. No further drawdowns or extension to the Agreement shall be granted, regardless of project completion, unless the entire agreement is otherwise amended and approved by the City of Kingsville City Commission. All requests for funds and required supporting documentation must be received no later than twelve (12) months following this agreement signature date.

11. Subcontracts: All subcontractors must be licensed with the City of Kingsville.

12. Third Party Beneficiaries: City of Kingsville and Grant Recipient are the only parties to this Agreement and are the only parties entitled to enforce the terms of this Agreement. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right not held by or made generally available to the public, whether directly, indirectly or otherwise, to third persons unless the third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement. The City of Kingsville is an intended beneficiary of the terms of this Agreement.

13. HIPAA Compliance: If the services funded in whole or in part with financial assistance provided under this Agreement are covered by the Health Insurance Portability and Accountability Act or the federal regulations implementing the Act (collectively referred to as HIPAA), Grant Recipient agrees to deliver the services in compliance with HIPAA. Without limiting the generality of the foregoing, services funded in whole or in part with financial assistance provided under this Agreement are covered by HIPAA. Grant Recipient shall comply and cause all providers to comply with the following:

Privacy and Security of Individually Identifiable Health Information. Individually Identifiable Health Information about specific individuals is confidential. Individually Identifiable Health Information relating to specific individuals may be exchanged between Grant Recipient and City for purposes directly related to the provision of services to Grant Recipient's clients, which are funded in whole or in part under this Agreement. However, Grant Recipient shall not use or disclose any Individually Identifiable Health Information about specific individuals in a manner that would violate applicable state and federal law.

14. Severability: If any provision of this Agreement is declared by a court of competent jurisdiction to be illegal or otherwise invalid, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular provision held to be invalid.

15. Attorneys' Fees: Neither City nor Grant Recipient is entitled to recover attorney's fees, court and investigative costs, or any other fees or expenses associated with pursuing a remedy for damages arising out of or relating to this Agreement.

16. Conflict of Interest:

16.1. City of Kingsville desires to have Grant Recipient refrain from activities which could be interpreted as creating an organizational conflict of interest.

16.2. Grant Recipient agrees to avoid any activities which may influence the decisions of the City of Kingsville or which directly or indirectly affect the interest of the City where Grant Recipient has a personal interest in the matter which may be incompatible with the interest of the City of Kingsville as a governmental entity, and to promptly notify the City regarding any change in Grant Recipient's private interests or the services under this Agreement which may result or appear to result in a conflict of interest.

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 7 of 7

17. Authorization: The undersigned certifies under penalty of perjury both individually and on behalf of Grant Recipient that: The undersigned is a duly authorized representative of Grant Recipient, has been authorized by Grant Recipient to make all representations, attestations, and certifications contained in this Agreement and to execute this Agreement on behalf of Grant Recipient.

CITY OF KINGSVILLE:

City of Kingsville
400 W. King Ave
Kingsville, TX 78363
(361) 595-8003

GRANT RECIPIENT

Sam R. Fugate
Mayor

Signature and Printed Name of Authorized Party

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT LETTER OF COMMITMENT

Page 7 of 7

17. Authorization: The undersigned certifies under penalty of perjury both individually and on behalf of Grant Recipient that: The undersigned is a duly authorized representative of Grant Recipient, has been authorized by Grant Recipient to make all representations, attestations, and certifications contained in this Agreement and to execute this Agreement on behalf of Grant Recipient.

CITY OF KINGSVILLE:

City of Kingsville
400 W. King Ave
Kingsville, TX 78363
(361) 595-8003

Sam R. Fugate
Mayor

GRANT RECIPIENT

LEROY THIBODEAUX
3022 S. 6th
Kingsville TX 76363

Leroy David Thibodeaux
Signature and Printed Name of Authorized Party

LEROY DAVID THIBODEAUX

AGENDA ITEM #9

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: March 13, 2023
SUBJECT: Consider Awarding Bid #23-04 to Donald Hubert Construction Company Inc. for the 2023 Municipal Building Parking Lot Maintenance Project.

Purpose:

The purpose of awarding this project is to meet lease agreement requirement with Kleberg First National Bank for parking lot maintenance. The parking lot is located north of the City's Municipal Building at 200 E. Kleberg.

Summary:

On February 21, 2023, three (3) bids were received which included Danny's Paving, Donald Hubert Construction, and Precision Construction and Contracting. RFQ # 23-04 for 2023 Municipal Building Parking Lot Maintenance Project was advertised on February 2, 2023, and February 9, 2023, in the local newspaper and on the City's website. Sealed Bids were due February 21, 2023. Two (2) bids met the bids requirements, and one (1) bid was rejected because of missing documentation. First bid was Donald Hubert Contracting Co. Inc. from Kingsville, Texas. The second bid was Precision Construction and Contracting from Lee's Summit, Montana. The bid totals ranged from \$68,876.00 to \$93,390.00.

Contractor's references were verified. We recommend awarding the project to Donald Hubert Construction Inc., in the amount of \$68,675.00. Hubert Construction has completed several projects and has a great working relationship with the City.

Background:

The project includes asphalt repairs, overlay, and parking lot striping as required per the parking lot agreement between the City and Kleberg Bank.



**City of Kingsville
Engineering Dept.**

Financial Impact:

The General Fund Reserve funds of \$68,675.00 will be used to cover parking lot maintenance agreement.

Recommendation:

Staff recommends:

1. Approving Contract Agreement between City and Donald Hubert Construction Co. Inc. in the amount of \$68,675.00.
2. Authorizing the City Manager to sign the Contract.

Attachments:

Bid Tabulation

Resolution No. 2023-_____

Contract Agreement

Resolution 2021-65 – Lease Agreement with Kleberg First National Bank



Date: February 21, 2023



Donald Hubert Construction Co., Inc. P.O. Box 84 Kingsville, TX 78364				PCC P. O. Box 1000 Lee's Summit, MO 64081			
ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID: 2023 Municipal Parking Lot Maintenance Project							
B1	1	L.S.	Mobilization/Insurance and Bonds	\$4,644.58		\$15,000.00	\$15,000.00
B2	6	S.Y.	Minimum 1" thick Hot Mix Asphalt - Repairs	\$75.57	\$453.42	\$500.00	\$3,000.00
B3	3000	S.Y.	Minimum 1" thick Hot Mix Asphalt - Overlay	\$19.76	\$59,280.00	\$23.00	\$69,000.00
B4	450	Gal	Prime Coat MC-30 (0.15 Gal/SY)	\$4.58	\$2,061.00	\$4.20	\$1,890.00
B5	1800	L.F.	Parking Lot Striping and Goring	\$1.08	\$1,944.00	\$2.00	\$3,600.00
B6	3	Ea.	ADA Handicap Parking Symbols - Pavement Markings	\$97.33	\$292.00	\$300.00	\$900.00
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* DENOTES ERROR IN BID

BID RESULTS RANKING - LOWEST TO HIGHEST:

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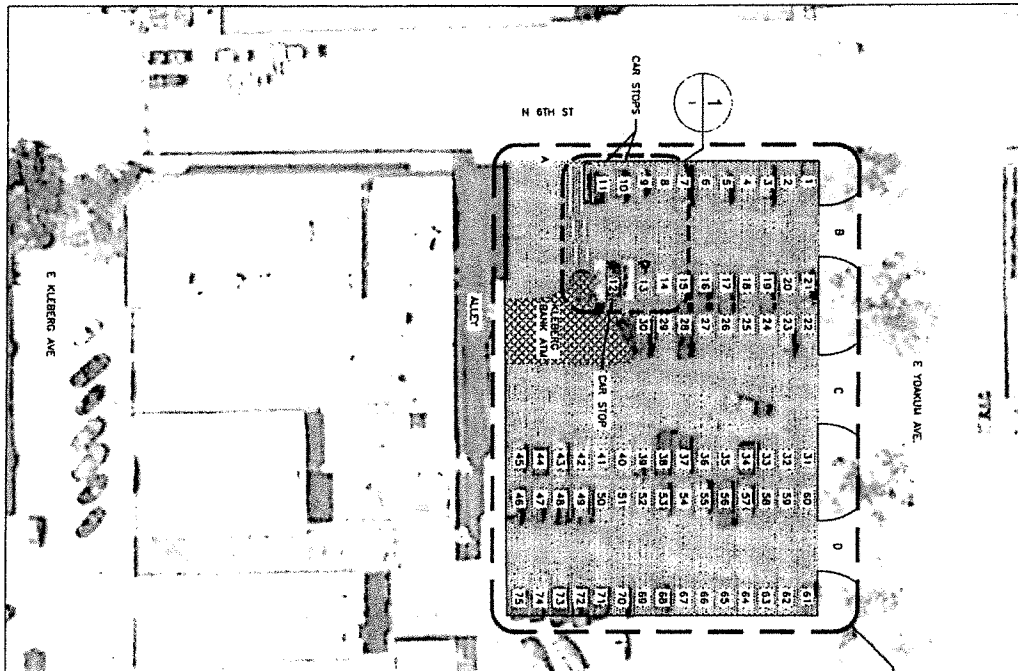


- NOTES:
1. PARKING LOT APPROX. 3,000 SQ. YDS.
 2. SPOTS ARE 18'-0" WIDE BY 10'-0" DEEP. HATCHED IN RED HETTING PATTERN NOT PART OF OVERLAY.
 3. TOTAL NO. OF PARKING SPOTS (75)
 - (1) 18'-0" WIDE BY 10'-0" DEEP
 - (2) HANDICAPPED PARKING SPOTS

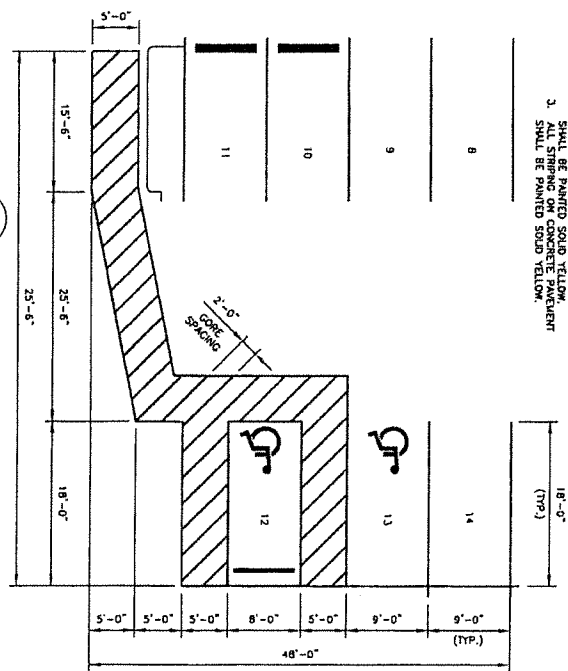
THE SEAL, APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY RUTLIO P. MORA JR., P.E. NO. 111588 AND IS NOT TO BE REPRODUCED OR COPIED WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



Rutlio P. Mora Jr.
RUTLIO P. MORA JR., P.E. NO. 111588
1/30/2023



**EXISTING PARKING LOT PLAN
& STRIPING PLAN**
SCALE: 1/32\"/>



- NOTES:
1. ALL STRIPING SHALL BE 4" WIDE.
 2. ALL STRIPING ON H.A.A.C.P. SHALL BE PAINTED SOLID YELLOW.
 3. ALL STRIPING ON ASPHALT SHALL BE PAINTED SOLID YELLOW.

1 STRIPING DETAIL
3 M.T.S.

CITY OF KINGSVILLE

EXISTING PARKING LOT PLAN & STRIPING PLAN

Drawn by: J. RAMIREZ
Date: 01/23/2023
Checked by: R. MORA
Job:



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**
400 West King
Kingsville, Texas 78263
Office 361.595.8007
Fax 361.595.8035

RESOLUTION NO. 2021- 65

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH KLEBERG FIRST NATIONAL BANK FOR PARKING ON THE NORTH SIDE OF THE MUNICIPAL BUILDING DOWNTOWN.

WHEREAS, the City Commission of the City of Kingsville desires to have sufficient public and employee parking for visitors to the Municipal Building and the downtown area;

WHEREAS, Kleberg First National Bank has a parking lot immediately to the north of the Municipal Building and had entered into an agreement with the City for parking in 1988, which is in need of update; and

WHEREAS, the performance of this agreement will be a benefit to the public.

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

I.

THAT the City Commission authorizes the City Manager to execute the Lease Agreement between the City and Kleberg First National Bank for parking on the north side of the Municipal Building, as per the agreement attached hereto.

II.

THAT the City Manager, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to this contract.

III.

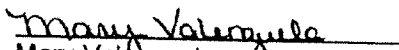
THAT this Resolution shall become effective upon adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 27th day of September, 2021.



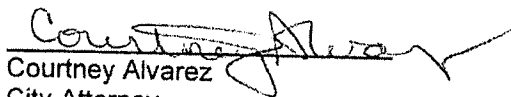
Sam R. Fugate
Mayor

ATTEST:



Mary Valenzuela
City Secretary

APPROVED AS TO FORM:



Courtney Alvarez
City Attorney

THE STATE OF TEXAS §

COUNTY OF KLEBERG §

LEASE AGREEMENT

This Lease Agreement made and entered into as of April 1, 2021 by and between KLEBERG BANK, N.A. hereinafter called Lessor, and the CITY OF KINGSVILLE, a municipal corporation, hereinafter called Lessee.

WITNESSETH:

1. Premises. Lessor hereby leases to Lessee upon the terms and conditions hereinafter stated thirty (30) parking spaces of a parking lot located at the corner of Sixth Street and Yoakum Street in Kingsville, Texas. The parking spaces are designated as City Manager's Parking, City Commissioner, and spaces 30A, 31A, and 18A through 43A as indicated on Exhibit A which is attached hereto and made a part hereof.
2. Use. The leased parking spaces are to be used exclusively for personal vehicles of Lessee's employees working in the adjacent building and Lessee's vehicles used by departments located at the adjacent building.
3. Term. The Term of this Lease is ten (10) years, commencing on April 1, 2021 and ending ten (10) years from the date of commencement under the terms and conditions as set forth herein or March 31, 2031. As consideration for the use of the leased Premises, Lessee agrees to maintain the asphalt parking lot as indicated on Exhibit A, excluding Lessor's concrete ATM drive through, including seal coating and striping of the parking lot when needed, but no less frequently than once every five (5) years. The Lessee also agrees to provide Lessor water for irrigation of plants in and around the parking lot at no charge.
4. Liability and Indemnity. Lessee agrees to indemnify and hold Lessor harmless from all claims (including costs and expenses of defending against such claims) arising from any act or omission, customer, or invitees, or arising from any injury or damage to any person or the property of any person occurring within the leased spaces during the term of this Lease. Lessee agrees to use and occupy the leased Premises at its own risk and hereby releases Lessor, its agents and employees from all claims for any damage or injury except as may be caused by Lessor's negligence.
5. Assignment and Subletting. Lessee will not assign this Lease or sublease the Premises or any part thereof or mortgage or pledge its leasehold interest or grant any concession or license within the leased Premises without prior express written consent of Lessor.
6. Cancellation. It is agreed that this Lease may be canceled by either party upon ninety (90) days written notice to the other party.

7. Entire Agreement. This instrument and any attached addenda or exhibits constitute the entire agreement between Lessor and Lessee; no prior written or prior contemporaneous oral promises or representations shall be binding. This Lease shall not be amended, changed, or extended except by written instrument signed by both parties hereto. Paragraph captions herein are for convenience only, and neither limit nor amplify the provisions of this instrument. The provisions of this instrument shall be binding upon and inure to the benefit of the heirs executors, administrators, successors and assigns of the parties, but this provision shall in no way alter the restriction herein connection with assignment and subletting by Lessee.

EXECUTED in multiple counterparts, each of which shall have the force and effect of an original, as of April 1, 2021.

LESSOR:

KLEBERG BANK, N.A.

By: 

Name: Travis C. Nelson

Title: EVP - CFO

Date: 10-1-2021

LESSEE:

CITY OF KINGSVILLE

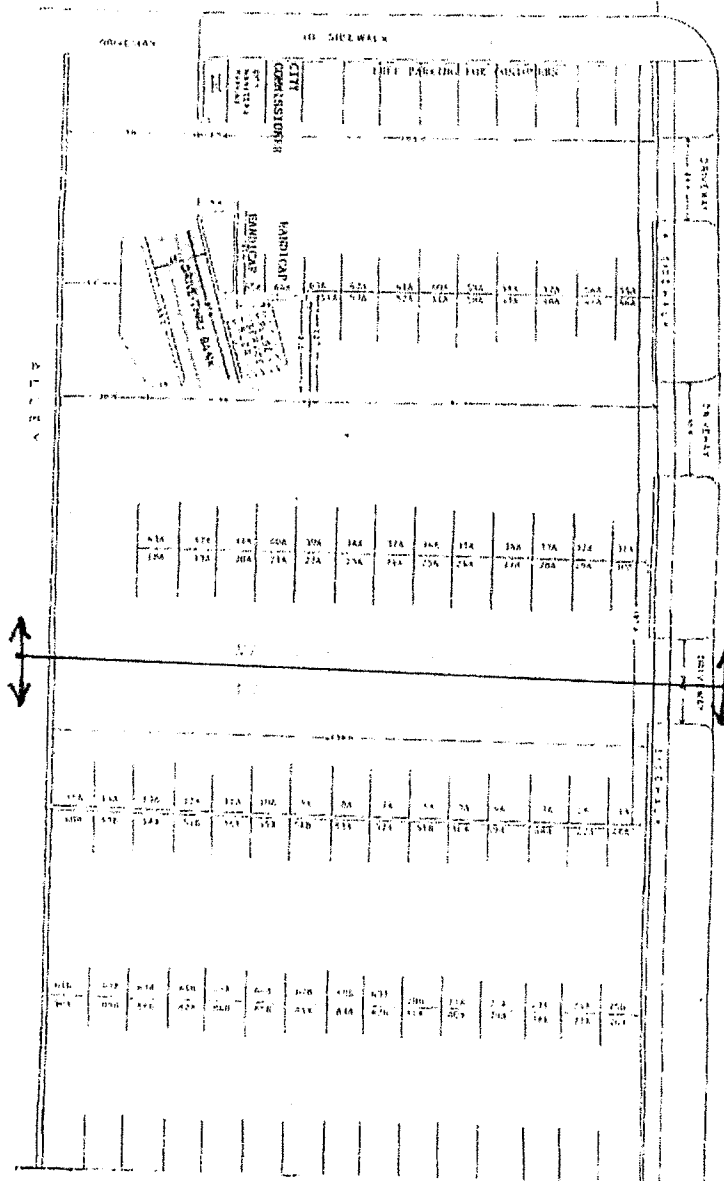
By: 

Name: MARK A. McLAUGHLIN

Title: CITY MANAGER - KINGSVILLE, TX

Date: 9/27/2021

EXHIBIT A



RESOLUTION #2023-_____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DONALD HUBERT CONSTRUCTION COMPANY INC. FOR RFP#23-04 MUNICIPAL BUILDING PARKING LOT MAINTENANCE PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") has a lease agreement with Kleberg First National Bank for the parking lot located north of the City's Municipal Building at 200. E. Kleberg that requires the City maintain the parking lot in exchange for its use; and

WHEREAS, its been several years since repair work was done at the location, the City prepared a Request for Proposal (RFP) #23-04 for 2023 Municipal Building Park Lot Maintenance Project in accordance with state law; and

WHEREAS, the City advertised RFQ #23-04 in the local newspaper on February 2nd & 9th, 2023 and on the City's website with two responsive proposals being received by the February 21, 2023 deadline from Donald Hubert Contracting Company Inc. of Kingsville, Texas and from Precision Construction and Contracting of Lee's Summit, Montana; and

WHEREAS, the contractor's references were verified and it is recommended the RFP be awarded to the lowest responsible bidder who provides the best value to the City, Donald Hubert Contracting Company Inc.;

WHEREAS, the City Commission officially selected Donald Hubert Contracting Company Inc. as the contractor for the 2023 Municipal Building Park Lot Maintenance Project, and staff has negotiated a contract for a fair and reasonable price with the contractor and now brings the contract before City Commission for approval.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute an Agreement with Donald Hubert Contracting Company Inc. for 2023 Municipal Building Park Lot Maintenance Project in accordance with Exhibit A hereto attached and made a part thereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
13th day of March, 2023.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE, TEXAS

CONTRACT AGREEMENT

RFP #23-04 MUNICIPAL PARKING LOT MAINTENANCE PROJECT

STATE OF TEXAS)

COUNTY OF KLEBERG)

THIS AGREEMENT, made and entered into this _____ day of _____, A.D., 2023 by and between the City of Kingsville, a municipal corporation, located in the County of Kleberg and State of Texas, acting through Mark A. McLaughlin, City Manager, thereunto authorized so to do hereafter termed OWNER, and _____, hereinafter termed CONTRACTOR.

WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the OWNER, and under the conditions expressed in the bond bearing even date herewith, the said CONTRACTOR, hereby agrees with the OWNER to commence and complete the construction of certain improvements described as follows:

**RFP #23-04
2023 Municipal Parking Lot Maintenance Project**

and all extra work in connection therewith, under the terms as stated in the General Conditions of the Agreement and at CONTRACTOR'S own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the said construction, in accordance with the conditions and prices stated in the Proposal attached hereto, and in accordance with the Notice to Contractors, General and Special Conditions of Agreement, Plans and other drawings and printed or written explanatory matter thereof, together with the CONTRACTOR'S written proposal, the General Conditions of the Agreement, and the Performance, Maintenance and Payment Bonds hereto attached; all of which are made a part hereof and collectively evidence and constitute the entire contract. All terms, conditions, pricing, and other details presented by the Contractor in their Request for Proposal response are to be made a part of this agreement.

The OWNER agrees to pay the CONTRACTOR in current funds the price or prices shown in the proposal, which forms a part of this contract, such payments to be subject to the General and Special Conditions of the Contract.

IN WITNESS WHEREOF, the parties to these presents have executed this Agreement in the year and day above written.

The City of Kingsville , Texas
OWNER

By: _____
Mark A. McLaughlin, City Manager

CONTRACTOR

By: _____

Print or Type Name

Title: _____
(President/Vice-President)

ATTEST:

ATTEST:

Mary Valenzuela, City Secretary

Corporation Secretary

Date:

By authority of Council Commission Date

Print or Type Name

Approved as to Content:

Courtney Alvarez, City Attorney

AGENDA ITEM #10

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: March 13, 2023
SUBJECT: Consider introduction of an ordinance amending the Fiscal Year 2022-2023 budget to cover 2023 Municipal Building Parking Lot Maintenance Lease Agreement with Kleberg First National Bank.

Summary:

The Budget Amendment will allocate funds to meet the parking lot agreement with Kleberg Bank used by Municipal Building employees, city vehicles, visitors, parking for city sponsored events. The agreement was entered on April 1, 2021, and expires on March 31, 3031, regarding the City's responsibility for parking lot maintenance per agreement.

Project includes maintenance of asphalt parking lot excluding concrete ATM drive for seal coating and striping for the parking lot as needed.

Financial Impact:

The General Fund Reserve funds of \$68,675.00 will be used to cover parking lot maintenance agreement.

Recommendation:

Staff recommends approval of the Budget Amendment.

Attachments:

Ordinance No. 2023-_____

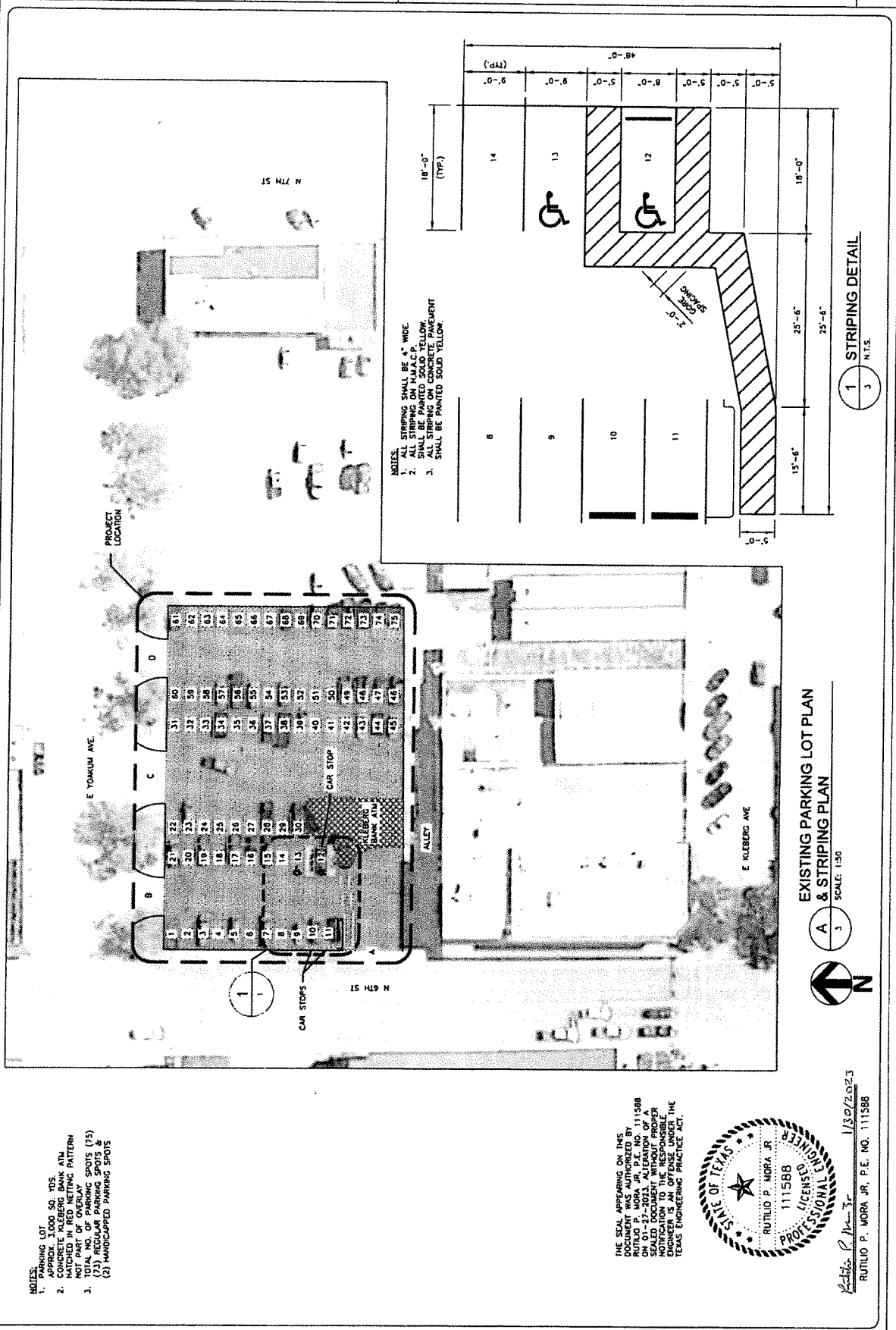
Exhibit of Proposed Parking Lot Improvements

Resolution 2021-65 – Lease Agreement with Kleberg First National Bank

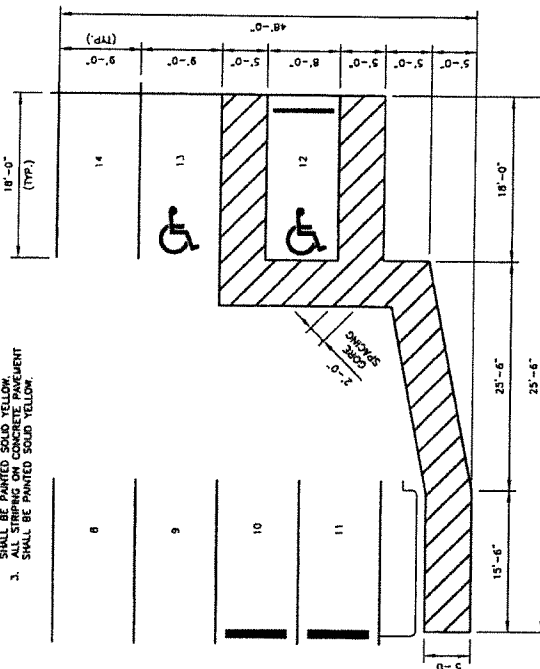
Bid Proposal - Hubert Construction – Parking Lot Maintenance

Budget Amendment





NOTES:
1. ALL STRIPING SHALL BE 4" WIDE
2. ALL STRIPING ON H.A.C.P.
SHALL BE PAINTED SOLID YELLOW.
3. ALL STRIPING ON ASPHALT
SHALL BE PAINTED SOLID YELLOW.



1 STRIPING DETAIL
N.T.S.

- NOTES:
1. PARKING LOT
APPROX. 3,000 SQ. YDS.
2. CONCRETE KLEBERG BANK ATM
MATCHED IN RED NETTING PATTERN
3. TOTAL NO. OF PARKING SPOTS (75)
(73) REGULAR PARKING SPOTS &
(2) HANDICAPPED PARKING SPOTS

THE SEAL, APPEARING ON THIS
DOCUMENT WAS AUTHORIZED BY
THE STATE OF TEXAS, BOARD OF
ENGINEERING EXAMINERS, ON
01-27-2023, ALTERATION OF A
SEALED DOCUMENT WITHOUT PROPER
AUTHORIZATION TO THE EXAMINER
ENGINEER IS A VIOLATION OF THE
TEXAS ENGINEERING PRACTICE ACT.



Rutilio P. Mora, Jr.
RUTILIO P. MORAN, JR., P.E. NO. 111588
1/30/2023

EXISTING PARKING LOT PLAN
& STRIPING PLAN
SCALE: 1/32"



BID PROPOSAL

ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	1	L.S.	Mobilization/ Insurance and Bonds		\$4644. ⁵⁸
2	6	S.Y.	Minimum 1" thick Hot Mix Asphalt - Repairs	\$75.57	\$ 453. ⁴²
3	3,000	S.Y.	Minimum 1" thick Hot Mix Asphalt - Overlay	\$19.76	\$59,280. ⁰⁰
4	450	Gal	Prime Coat MC-30 (0.15 Gal/SY)	\$ 4.58	\$ 2,061. ⁰⁰
5	1800	L.F.	Parking Lot Striping and Goring	\$ 1.08	\$ 1,944. ⁰⁰
6	3	Ea.	ADA Handicap Parking Symbols – Pavement Markings	\$ 97. ³³	\$ 292. ⁰⁰
TOTAL					\$68,675. ⁰⁰

RESOLUTION NO. 2021- 65

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH KLEBERG FIRST NATIONAL BANK FOR PARKING ON THE NORTH SIDE OF THE MUNICIPAL BUILDING DOWNTOWN.

WHEREAS, the City Commission of the City of Kingsville desires to have sufficient public and employee parking for visitors to the Municipal Building and the downtown area;

WHEREAS, Kleberg First National Bank has a parking lot immediately to the north of the Municipal Building and had entered into an agreement with the City for parking in 1988, which is in need of update; and

WHEREAS, the performance of this agreement will be a benefit to the public.

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

I.

THAT the City Commission authorizes the City Manager to execute the Lease Agreement between the City and Kleberg First National Bank for parking on the north side of the Municipal Building, as per the agreement attached hereto.

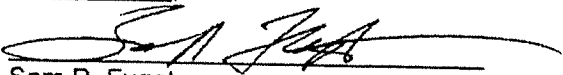
II.

THAT the City Manager, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to this contract.

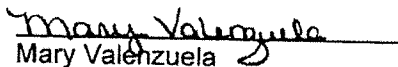
III.

THAT this Resolution shall become effective upon adoption.

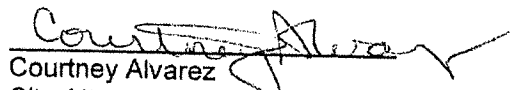
PASSED AND APPROVED by a majority vote of the City Commission on the 27th day of September, 2021.


Sam R. Fugate
Mayor

ATTEST:


Mary Valenzuela
City Secretary

APPROVED AS TO FORM:


Courtney Alvarez
City Attorney

THE STATE OF TEXAS §

COUNTY OF KLEBERG §

LEASE AGREEMENT

This Lease Agreement made and entered into as of April 1, 2021 by and between KLEBERG BANK, N.A. hereinafter called Lessor, and the CITY OF KINGSVILLE, a municipal corporation, hereinafter called Lessee.

WITNESSETH:

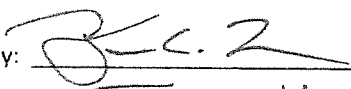
1. Premises. Lessor hereby leases to Lessee upon the terms and conditions hereinafter stated thirty (30) parking spaces of a parking lot located at the corner of Sixth Street and Yoakum Street in Kingsville, Texas. The parking spaces are designated as City Manager's Parking, City Commissioner, and spaces 30A, 31A, and 18A through 43A as indicated on Exhibit A which is attached hereto and made a part hereof.
2. Use. The leased parking spaces are to be used exclusively for personal vehicles of Lessee's employees working in the adjacent building and Lessee's vehicles used by departments located at the adjacent building.
3. Term. The Term of this Lease is ten (10) years, commencing on April 1, 2021 and ending ten (10) years from the date of commencement under the terms and conditions as set forth herein or March 31, 2031. As consideration for the use of the leased Premises, Lessee agrees to maintain the asphalt parking lot as indicated on Exhibit A, excluding Lessor's concrete ATM drive through, including seal coating and striping of the parking lot when needed, but no less frequently than once every five (5) years. The Lessee also agrees to provide Lessor water for irrigation of plants in and around the parking lot at no charge.
4. Liability and Indemnity. Lessee agrees to indemnify and hold Lessor harmless from all claims (including costs and expenses of defending against such claims) arising from any act or omission, customer, or invitees, or arising from any injury or damage to any person or the property of any person occurring within the leased spaces during the term of this Lease. Lessee agrees to use and occupy the leased Premises at its own risk and hereby releases Lessor, its agents and employees from all claims for any damage or injury except as may be caused by Lessor's negligence.
5. Assignment and Subletting. Lessee will not assign this Lease or sublease the Premises or any part thereof or mortgage or pledge its leasehold interest or grant any concession or license within the leased Premises without prior express written consent of Lessor.
6. Cancellation. It is agreed that this Lease may be canceled by either party upon ninety (90) days written notice to the other party.

7. Entire Agreement. This instrument and any attached addenda or exhibits constitute the entire agreement between Lessor and Lessee; no prior written or prior contemporaneous oral promises or representations shall be binding. This Lease shall not be amended, changed, or extended except by written instrument signed by both parties hereto. Paragraph captions herein are for convenience only, and neither limit nor amplify the provisions of this instrument. The provisions of this instrument shall be binding upon and inure to the benefit of the heirs executors, administrators, successors and assigns of the parties, but this provision shall in no way alter the restriction herein connection with assignment and subletting by Lessee.

EXECUTED in multiple counterparts, each of which shall have the force and effect of an original, as of April 1, 2021.

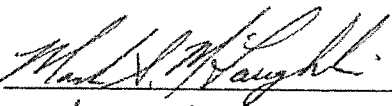
LESSOR:

KLEBERG BANK, N.A.

By: 
Name: Travis C. Nelson
Title: EVP - CFO
Date: 10-1-2021

LESSEE:

CITY OF KINGSVILLE

By: 
Name: MARK A. McLAUGHLIN
Title: CITY MANAGER - KINGSVILLE, TX
Date: 9/27/2021

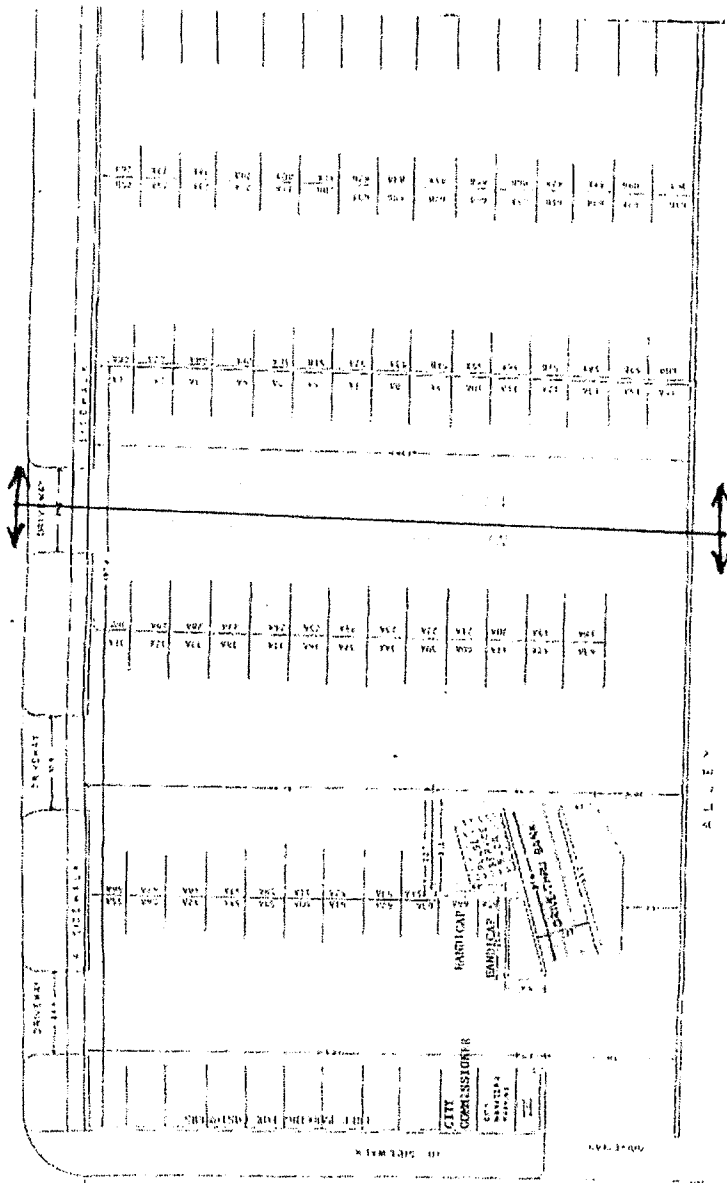


EXHIBIT A

ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO APPROPRIATE FUNDING FOR MUNICIPAL BUILDING PARKING LOT MAINTENANCE.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2022-2023 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#33

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund Reserve					
<u>Expenditures</u>					
1030	City Special	Grounds and Permanent Fixtures	59100	\$68,675.00	
1030	City Special	Budget Amendment Reserve	86000		\$68,675.00

[To amend the City of Kingsville FY 22-23 budget to appropriate funding for Municipal Building Parking Lot Maintenance. Funding will come from the Budget Amendment Reserve line item in City Special Division of the General Fund.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of March 2023.

PASSED AND APPROVED on this the ____ day of March 2023.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 8, 2023

SUBJECT: Budget Amendment For Tourism ARP Rollover Projects

Summary:

In FY 21-22, wayfinding signs and promotional frames were approved for Tourism ARP funding. These projects were not completed in FY 21-22 and the budget was not rolled over into the current fiscal year budget. These projects are now completed, and budgets need to be established to cover these expenditures.

Financial Impact:

Funding for these expenditures will be covered by the Tourism ARP funding fund balance.

Recommendation:

Staff recommends the approval of the budget amendment for the Tourism ARP Rollover Projects.



ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO APPROPRIATE TOURISM ARP FUNDING FOR PROJECTS APPROVED IN FY 21-22 BUT NOT COMPLETED IN FY 21-22 AND NOT ROLLED FORWARD TO FY 22-23.

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 2022-2023 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#35

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 205 – Tourism ARP Funding					
<u>Expenditures</u>					
1071	Tourism	Promotional Supplies	23200	\$9,824	
1071	Tourism	Wayfinding Signs	52201	\$5,000	

[To amend the City of Kingsville FY 22-23 budget to appropriate Tourism ARP funding for projects approved in FY 21-22 but not completed in FY 21-22 and not rolled forward to FY 22-23. Funding for the project will come from the Tourism ARP funding in Fund 205.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of March 2023.

PASSED AND APPROVED on this the ____ day of March 2023.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 8, 2023

SUBJECT: Budget Amendment for Municipal Court Technology Fund Equipment

Summary:

The Warrant Officer needs a new laptop and the Municipal Court staff needs new scanners. These items are required to perform the duties of the Court.

Financial Impact:

Funding for these expenditures will come from the Municipal Court Technology Fund.

Recommendation:

Staff recommends the approval of the budget amendment for Municipal Court technology equipment.



ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO APPROPRIATE FUNDING FOR A NEW LAPTOP FOR THE WARRANT OFFICER AND SCANNERS FOR THE MUNICIPAL COURT.

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 2022-2023 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#36

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 031 – Municipal Court Technology Fund					
<u>Expenditures</u>					
1800	Finance	Computers & Assoc Equip	22600	\$8,600	

[To amend the City of Kingsville FY 22-23 budget to appropriate funding for a new laptop for the Warrant Officer and scanners for Municipal Court. Funding for the appropriation will come from the fund balance of the Municipal Court Technology Fund.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of March 2023.

PASSED AND APPROVED on this the ____ day of March 2023.

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
Purchasing Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: February 28, 2023
SUBJECT: Demolition of the Old Kleberg County Hospital Building

Summary:

This item authorizes the City to approve a contract with R.L. Abatement Inc. for the asbestos removal, air monitoring and demolition of the old Kleberg County hospital for the City of Kingsville through TIPS Purchasing Cooperative Contract #210205.

Background:

City staff has been directed by the City Commission to search for an economical solution for the demolition of the old hospital, which is owned by the City. The first priority was to have an independent asbestos detection company perform a test of the building. After asbestos was detected, further testing was needed but all the debris in the building prevented that, so removal of all the debris was done. You may recall that the old hospital was most recently used as a storage facility prior to the City purchasing it. After the removal of debris, staff located another asbestos company from a purchasing cooperative list to perform an updated asbestos report. The information in the report still showed signs of the asbestos being over the state regulated amount thus requiring abatement by the company prior to demolition of the building.

The company, R.L. Abatement Inc., is a member of the TIPS purchasing cooperative and can perform the asbestos removal, air monitoring, demolition, and disposal of the old hospital. The TIPS Purchasing Cooperative Contract number is #210205. As the vendor is a member of the Purchasing Cooperative, the procurement of their services meets Local Government Code Chapter 271 Subchapter F, which allows for the use of a cooperative purchasing program. Specifically, section 271.102(c) states, "A local government that purchases good and service under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of goods and service." Therefore, competitive bidding statutes have been met. After numerous meetings and negotiations with the abatement company, City staff negotiated the best value for the City with the vendor.



City of Kingsville
Purchasing Department

Financial Impact:

Funding is available through a Budget Amendment for line item 121-5-1030-31400, which is the General Fund (GF) ARP Funding-City Special-Professional Services line item. The total cost of services is \$683,750.00. Currently, \$400,000 exists in the line item. A budget amendment for \$283,000 is needed to transfer funds from the Utility Fund ARP funding to this line item in the General Fund ARP funding in order to cover the full cost of the project. Please see attached Bid Proposal and budget amendment.

Recommendation:

It is recommended that the City Commission: 1) award the project and approve a contract with R.L. Abatement Inc. for asbestos removal, air monitoring, demolition, and disposal of the old hospital, which is City-owned property located on E. Caesar Ave., Kingsville, Texas; and 2) approve a budget amendment to cover the project cost.



R.L. ABATEMENT, INC.

P.O. BOX 332

WESLACO, TEXAS 78599

TEL: 956-968-2265 FAX: 956-968-3301

Email: rlai@rlabatement.com



REVISED BID PROPOSAL

Proposal No: 23-3446

Date: 02-17-2023

TIPS Contract No.: 210205

Submit: City of Kingsville

Project: Former Hospital
Austin, Texas

RE: Asbestos

BID ITEM: Removal and disposal of asbestos materials throughout basement, first and second floor. Material consists of ceiling texture, thermal insulation on pipping, vinyl floor tile and mastic throughout.

1. Total cost for complete abatement of 1st and 2nd floors and basement.

..... \$323,750.00

(Three Hundred Twenty-Three Thousand Seven Hundred Fifty Dollars and Zero Cents.)

2. Complete demolition and disposal of building plus back-fill to ground level.

..... \$310,000.00

(Three Hundred Ten Thousand Dollars and Zero Cents.)

3. Professional field services, includes project management, specifications, and air quality services.

..... \$50,000.00

(Fifty Thousand Dollars and Zero Cents.)

Total Project Cost for the Three Bid Items: \$ 683,750.00

(Six Hundred Eighty-Three Thousand Seven Hundred Fifty Dollars and Zero Cents.)

Exclusions:

- *Hiring an Asbestos Consultant who will need to prepare specifications, conduct air monitoring and clearance testing, if applicable.
- *Notification filing fees and State fees (ARU), which will be mailed directly to the owner, if applicable.
- *Build Back or Replacements
- *Payment / Performance Bonds
- *Excess / Umbrella Liability, if applicable

R.L. ABATEMENT, INC. will provide labor, materials, equipments and insurances. Proposal is subject to change in accordance with the project's specifications as prepared by an asbestos consultant. All rules and regulations will be enforced according to the Texas Dept. of Health, OSHA, EPA, and any other state and federal regulations.

Submitted by: Roberto Valladares, Jr. Print Name: Roberto Valladares, Jr. Title: President Date: 02 / 17/ 2023

Acceptance of Proposal: The above price, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signature: _____ Print Name: _____ Title: _____ Date: _____

Note: This proposal is good for 30 days from date submitted. If your firm is exempt from any and all taxes, please provide our office with a Tax Exempt Form. If Tax Exempt form is not received in our office, you will be charged 8.25% (taxes) on invoice

R.L. ABATEMENT, INC.

P.O. BOX 332

WESLACO, TEXAS 78599

TEL: 956-968-2265 FAX: 956-968-3301

Email: rlai@rlabatement.com



BID PROPOSAL

Proposal No: 23-3446

Date: 02-03-2023

TIPS Contract No.: 210205

Submit: City of Kingsville

Project: Former Hospital
Austin, Texas

RE: Asbestos

BID ITEM: Removal and disposal of asbestos materials throughout basement, first and second floor. Material consists of ceiling texture, thermal insulation on pipping, vinyl floor tile and mastic throughout.

1. Total cost for complete abatement of 1st and 2nd floors and basement.

..... \$385,979.00

(Three Hundred Eighty-Five Thousand Nine Hundred Seventy-Nine Dollars and Zero Cents.)

2. Complete demolition and disposal of building plus back-fill to ground level.

..... \$399,700.00

(Three Hundred Ninety-Nine Thousand Seven Hundred Dollars and Zero Cents.)

3. Professional field services, includes project management, specifications, and air quality services.

..... \$88,500.00

(Eighty-Eight Thousand Five Hundred Dollars and Zero Cents.)

Total Project Cost for the Three Bid Items: \$ 874,179.00

(Eight Hundred Seventy-Four Thousand One Hundred Seventy-Nine Dollars and Zero Cents.)

Exclusions:

*Hiring an Asbestos Consultant who will need to prepare specifications, conduct air monitoring and clearance testing, if applicable.

*Notification filing fees and State fees (ARU), which will be mailed directly to the owner, if applicable.

*Build Back or Replacements

*Payment / Performance Bonds

*Excess / Umbrella Liability, if applicable

R.L. ABATEMENT, INC. will provide labor, materials, equipments and insurances. Proposal is subject to change in accordance with the project's specifications as prepared by an asbestos consultant. All rules and regulations will be enforced according to the Texas Dept. of Health, OSHA, EPA, and any other state and federal regulations.

Submitted by: Roberto Valladares, Jr. Print Name: Roberto Valladares, Jr. Title: President Date: 02 / 03/ 2023

Acceptance of Proposal: The above price, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signature: _____ Print Name: _____ Title: _____ Date: _____

Note: This proposal is good for 30 days from date submitted. If your firm is exempt from any and all taxes, please provide our office with a Tax Exempt Form. If Tax Exempt form is not received in our office, you will be charged 8.25% (taxes) on invoice

AGENDA ITEM #14

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: February 28, 2023
SUBJECT: Demolition of the Old Kleberg County Hospital Building

Summary:

This item authorizes the City to approve a contract with R.L. Abatement Inc. for the asbestos removal, air monitoring and demolition of the old Kleberg County hospital for the City of Kingsville through TIPS Purchasing Cooperative Contract #210205.

Background:

City staff has been directed by the City Commission to search for an economical solution for the demolition of the old hospital, which is owned by the City. The first priority was to have an independent asbestos detection company perform a test of the building. After asbestos was detected, further testing was needed but all the debris in the building prevented that, so removal of all the debris was done. You may recall that the old hospital was most recently used as a storage facility prior to the City purchasing it. After the removal of debris, staff located another asbestos company from a purchasing cooperative list to perform an updated asbestos report. The information in the report still showed signs of the asbestos being over the state regulated amount thus requiring abatement by the company prior to demolition of the building.

The company, R.L. Abatement Inc., is a member of the TIPS purchasing cooperative and can perform the asbestos removal, air monitoring, demolition, and disposal of the old hospital. The TIPS Purchasing Cooperative Contract number is #210205. As the vendor is a member of the Purchasing Cooperative, the procurement of their services meets Local Government Code Chapter 271 Subchapter F, which allows for the use of a cooperative purchasing program. Specifically, section 271.102(c) states, "A local government that purchases good and service under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of goods and service." Therefore, competitive bidding statutes have been met. After numerous meetings and negotiations with the abatement company, City staff negotiated the best value for the City with the vendor.



City of Kingsville
Purchasing Department

Financial Impact:

Funding is available through a Budget Amendment for line item 121-5-1030-31400, which is the General Fund (GF) ARP Funding-City Special-Professional Services line item. The total cost of services is \$683,750.00. Currently, \$400,000 exists in the line item. A budget amendment for \$283,000 is needed to transfer funds from the Utility Fund ARP funding to this line item in the General Fund ARP funding in order to cover the full cost of the project. Please see attached Bid Proposal and budget amendment.

Recommendation:

It is recommended that the City Commission: 1) award the project and approve a contract with R.L. Abatement Inc. for asbestos removal, air monitoring, demolition, and disposal of the old hospital, which is City-owned property located on E. Caesar Ave., Kingsville, Texas; and 2) approve a budget amendment to cover the project cost.



R.L. ABATEMENT, INC.

P.O. BOX 332

WESLACO, TEXAS 78599

TEL: 956-968-2265 FAX: 956-968-3301

Email: rlai@rlabatement.com



REVISED BID PROPOSAL

Proposal No: 23-3446

Date: 02-17-2023

TIPS Contract No.: 210205

Submit: City of Kingsville

Project: Former Hospital
Austin, Texas

RE: Asbestos

BID ITEM: Removal and disposal of asbestos materials throughout basement, first and second floor. Material consists of ceiling texture, thermal insulation on pipping, vinyl floor tile and mastic throughout.

1. Total cost for complete abatement of 1st and 2nd floors and basement.

..... \$323,750.00

(Three Hundred Twenty-Three Thousand Seven Hundred Fifty Dollars and Zero Cents.)

2. Complete demolition and disposal of building plus back-fill to ground level.

..... \$310,000.00

(Three Hundred Ten Thousand Dollars and Zero Cents.)

3. Professional field services, includes project management, specifications, and air quality services.

..... \$50,000.00

(Fifty Thousand Dollars and Zero Cents.)

Total Project Cost for the Three Bid Items: \$ 683,750.00

(Six Hundred Eighty-Three Thousand Seven Hundred Fifty Dollars and Zero Cents.)

Exclusions:

- *Hiring an Asbestos Consultant who will need to prepare specifications, conduct air monitoring and clearance testing, if applicable.
- *Notification filing fees and State fees (ARU), which will be mailed directly to the owner, if applicable.
- *Build Back or Replacements
- *Payment / Performance Bonds
- *Excess / Umbrella Liability, if applicable

R.L. ABATEMENT, INC. will provide labor, materials, equipments and insurances. Proposal is subject to change in accordance with the project's specifications as prepared by an asbestos consultant. All rules and regulations will be enforced according to the Texas Dept. of Health, OSHA, EPA, and any other state and federal regulations.

Submitted by: Roberto Valladares, Jr. Print Name: Roberto Valladares, Jr. Title: President Date: 02 / 17/ 2023

Acceptance of Proposal: The above price, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signature: _____ Print Name: _____ Title: _____ Date: _____

Note: This proposal is good for 30 days from date submitted. If your firm is exempt from any and all taxes, please provide our office with a Tax Exempt Form. If Tax Exempt form is not received in our office, you will be charged 8.25% (taxes) on invoice

ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022-2023 BUDGET TO REALLOCATE UF ARP FUNDING TO GF ARP FUNDING FOR THE ASBESTOS REMOVAL, AIR MONITORING AND DEMOLITION OF THE OLD KLEBERG COUNTY HOSPITAL.

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 2022-2023 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#34

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 125 – UF ARP Funding					
<u>Expenditures</u>					
7001	WW	Professional Services	31400		\$283,000
6900	Transfer	Transfer to Fund 121	80121	\$283,000	
Fund 121 – GF ARP Funding					
<u>Revenues</u>					
0000	Transfer	Transfer From Fund 125	75125	\$283,000	
<u>Expenditures</u>					
1030	City Spec	Professional Services	31400	\$283,000	

[To amend the City of Kingsville FY 22-23 budget to reallocate UF ARP funding to GF ARP funding to cover the shortfall in project costs for the asbestos removal, air monitoring and demolition of the old Kleberg County hospital that is owned by the City. Funding for the project will come from the GF ARP funding in Fund 121.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of March 2023.

PASSED AND APPROVED on this the 27th day of March 2023.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Charlie Sosa, Purchasing Manager

DATE: March 6, 2023

SUBJECT: Access Control System and Gates for Dr. Pepper Building via ARP Funding

Summary:

This item authorizes approval to use ARP Funds for the installation of 1) an Access Control System for the City's Dr. Pepper Building by American Integrated Solutions of Corpus Christi, Texas, through GoodBuy Purchasing Cooperative Contract # 22-23-7A000 22 and 2) a new Double Gate System on the West Lee Side of the building by D&C Fence Company of Corpus Christi, Texas, for the City of Kingsville Police Department.

Background:

Currently the Dr. Pepper Building has locksets on all doors throughout the building. The new access control system will allow the Police Department to isolate offices used for Slot and provide access for City Employees to enter the building. The Police Department also has a gym in the building that can be used for fitness for all city employees. The new access control system will allow city employees to access the gym using their current ID badges. The project will consist of a two-component purchase 1) Access Control System for all doors and 2) new Double Gate on the West Lee Side of the building.

Financial Impact:

Funds are available through General Fund ARP line item 121-5-2000-71200, of which \$45,000.00 are available this fiscal year. The purchase price is estimated to be \$43,703.63, so there is adequate funding for this item.

Please see attached proposals for above mentioned work.

Recommendation:

It is recommended the City approve the use of ARP funds for the installation of an Access Control System for the Dr. Pepper Building with American Integrated Solutions of Corpus Christi, Texas and the installation of a Double Gate System for the City's Dr. Pepper Building with D&C Fence Company of Corpus Christi, Texas.





City of Kingsville, TX

Budget Report

Account Summary

For Fiscal: 10/2022-09/2023 Period Ending: 03/31/2023

		Original	Current	Period	Fiscal	Encumbrances	Variance	Percent
		Total Budget	Total Budget	Activity	Activity		Favorable (Unfavorable)	Remaining
Fund: 121 - GF-ARP STATE & LOCAL FISCAL RECOVERY FUNDS								
Expense								
121-5-2104-51100								
Building Maintenance		0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
Expense Total:		0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
Fund: 121 - GF-ARP STATE & LOCAL FISCAL RECOVERY FUNDS Total:		0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
Report Total:		0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %

Group Summary

Account Type	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
Fund: 121 - GF-ARP STATE & LOCAL FISCAL RECOVERY FUNDS Expense	0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
	0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
	0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
Report Total:							

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
121 - GF-ARP STATE & LOCAL FIS	0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %
Report Total:	0.00	45,000.00	0.00	0.00	0.00	45,000.00	100.00 %



American Integrated Solutions
3636 S. Alameda, Ste. B, PMB 165
Corpus Christi, TX 78411
Ph. 361-334-5353 Fax: 361-334-5358
g.violett@aisfirst.com

**PROPOSAL AND
SALES CONTRACT**

Fire Alarms • Security Alarms • Sound Systems • Intercom Systems • Access Control Systems • CCTV Systems • Mobile Surveillance Systems

<u>CUST.PO NO.</u>	<u>SALESMAN</u> Kent Taylor	<u>TERMS</u> NET 30 DAYS	<u>DATE</u> 03/01/2023	<u>JOB NUMBER</u>	<u>TYPE</u> ICT
<u>Invoice To</u> City of Kingsville			<u>Job Location</u>		
P O Box 1458			Dr. Pepper Bottling Building		
Kingsville, TX 78363					
Attn: Kyle Benson		Ph.#	Fax. #	Job Name Access Control	
<p>Price includes: All design, labor, materials, freight, and permit fees to provide the work as detailed hereinafter. All work will be performed during normal weekday working hours and installed in accordance with all state and local codes. Price Excludes: Any Painting, 120 vac Work, Conduit Work, After Hours Work, Drywall Repair, Lift Rental Fees or any Special Equipment Rental Fees. All floor areas are to be cleared by the buyer to facilitate the installation work.</p>					
<p>Scope of Work:</p> <p>AIS will provide the following material that will constitute a complete upgrade/overhaul to the City access control system.</p> <p>Dr. Pepper Bottling Company Building</p> <ul style="list-style-type: none"> - ICT system initial installation, programming, and training - Installation of one ICT Protégé GX 8-door System Controller - Installation of Door Sensors on three (3) roll-up door entrances - Installation of four (4) interior Door Sensors - Installation of three (3) Motion Sensors - Installation of one Door Strike as requested - Installation of six (6) Card Readers - Installation of Gate Locking Hardware, Door Contacts, Card Reader, and Pedestal at vehicle gate - Installation of Gate Locking Hardware, Door Contracts, Card Reader, 6"X6" Steel Housing and REX on pedestrian gate <p>Full product submittal available upon request</p> <p>GoodBuy Contract # 22-23-7A000</p>					
<input type="checkbox"/> TIME AND MATERIAL <input type="checkbox"/> PRICE NOT TO EXCEED \$ _____ <input checked="" type="checkbox"/> FIXED PRICE OF \$ 27,873.63					
<p><u>IMPORTANT NOTICE TO CUSTOMER</u></p> <p>A) THE TERMS OF PAYMENT FOR INVOICES RENDERED AGAINST THIS ORDER SHALL BE <u>NET 30 DAYS</u> FROM DATE OF INVOICE. INVOICES MAY BE RENDERED ON A "PROGRESS" BASIS, AND THE CUSTOMER AGREES TO PAY SUCH PROGRESS BILLINGS IN FULL, IN ACCORDANCE WITH THE TERMS OF PAYMENT.</p> <p>B) THE PRICE FOR WORK TO BE PERFORMED UNDER THIS AGREEMENT SHALL BE BASED UPON THE PREVAILING AMERICAN INTEGRATED SOLUTIONS PRICES FOR MATERIAL, LABOR, AND RELATED ITEMS, IN EFFECT AT THE TIME SUPPLIED UNDER THIS AGREEMENT, FURTHER, IN THE EVENT THAT THIS AGREEMENT IS EXECUTED ON A "PRICE NOT TO EXCEED" BASIS, THE PRICE TO THE CUSTOMER SHALL BE THE LESSER OF 1) THE LIMIT PRICE QUOTED, OR 2) THE ACTUAL CUMULATIVE BILLING BASED ON THE AFOREMENTIONED PREVAILING PRICES.</p> <p>C) THIS PROPOSAL NOT VALID IF NOT EXECUTED WITHIN THIRTY (30) DAYS OF THE DATE OF THE PROPOSAL.</p> <p>D) SEE PAGE TWO OF THIS ORDER FOR OTHER <u>TERMS AND CONDITIONS</u>.</p>					
<p>ACCEPTED BY:</p>					
<p>_____ SIGNATURE OF AUTHORIZED CUSTOMER</p>			<p>_____ DATE</p>		
<p>_____ TITLE OF PERSON SIGNING</p>			<p>I HAVE RECEIVED A COPY OF THE TERMS AND CONDITIONS.</p> <p>_____ INITIALS OF AUTHORIZED CUSTOMER</p>		

TERMS AND CONDITIONS

ENTIRE CONTRACT

The provisions herein contained constitute all the terms and conditions of this contract. No changes or additions hereto shall be binding upon Seller unless in writing and signed by an authorized representative of Seller. Any terms or conditions of Purchaser's order inconsistent herewith or in addition hereto shall be of no force and effect and are hereby expressly rejected and, Purchaser's order shall be governed by only the terms and conditions appearing, herein. A definite and seasonable expression of acceptance or a written confirmation which is sent to Seller within the time specified in the Purchaser's order operates as an acceptance of the terms specified herein.

PROPOSALS AND CONTRACT

Seller's proposal, when accepted, and any resulting contract, are not subject to cancellation, suspension or reduction in amount, except with Seller's written consent and upon terms which reimburse Seller for work performed, plus reasonable overhead and profit.

PRICES

In addition to the prices specified herein, Purchaser shall pay for all extra work requested by Purchaser or made necessary because of incompleteness of or inaccuracy in plans or other information submitted by Purchaser with respect to location, type or occupancy, or other details of work to be performed hereunder. If the work to be furnished hereunder constitutes an addition to Purchaser's existing facilities, prices and delivery and completion dates quoted herein are based on information, if any with respect to layout of such facilities now contained in Seller's engineering records. In the event the layout of Purchaser's facilities has been altered, or is altered by Purchaser prior to completion of this contract, Purchaser shall advise Seller of any such alterations, and prices and delivery and completion dates quoted herein shall be changed by Seller as may be required because of such alterations. Unless prices are stated by Seller in this or other documents forming a part of this contract, the prices applicable to the extra work performed shall be Seller's prices in effect at that time.

PAYMENT

Terms of payment have been set out in Paragraph A of the CONTRACT. Final payment shall be in all cases due and payable within thirty (30) days after final billing. A service charge will be charged and added to the prices on all payments past due and owed by the Purchaser under this contract, and at a rate of 12% per annum, or, if such rate is prohibited under applicable law, then at such lower rate as is the maximum rate permitted to be contracted for under such applicable law. Purchaser shall pay any reasonable attorneys fees incurred in the collection of past due accounts.

DELAYS

Seller shall not be liable for any damage or penalty for delays in work due to acts of God, acts or omissions of the Purchaser, acts of civil or military authorities, Government regulations or priorities, fires, floods, epidemics, quarantine restrictions, war, riots, strikes, differences with workmen, accidents to machinery, car shortages, inability to obtain necessary labor, materials or manufacturing facilities, delay in transportation, defaults of Seller's subcontractors failure of or delay in furnishing correct or complete information by Purchaser with respect to location or other details of work to be performed hereunder, impossibility or impracticability of performance or any other cause or causes beyond the control of Seller, whether or not similar to the foregoing in the event of any delay caused as aforesaid, the completion shall be extended for a period as a result of any such delay. In case work is temporarily discontinued by reason of any of the foregoing all unpaid installments of the contract price less an amount equal to the value of material and labor not furnished shall be due and payable upon receipt of invoice.

SPECIAL CONDITIONS

In the event new equipment is carried into existing equipment, the seller will only test the new work involved any test required on the old work will be an extra to the contract price. The Purchaser assumes full responsibility for the condition of existing equipment.

In the event existing equipment is being repaired, the seller does not assume any responsibility for testing old and new equipment, and any testing will be an extra to the contract price, which will include costs of labor and materials required to make the system operate correctly. The Purchaser assumes full responsibility for the condition of existing equipment.

OSHA and ASBESTOS

Purchaser agrees to indemnify and hold harmless the Seller from and against any claims, demands or damages resulting from the enforcement of the Occupational Safety Health Act (Public Law 91-596), unless said claims, demands or damages are a direct result of causes within the exclusive control of Seller. In the event that the Seller's employees or others are or may be exposed to asbestos fibers during the performance of this contract, all additional costs necessary to protect such individuals, including but not limited to all costs for "Qualified Laboratory Sample Test" of any work area for asbestos exposure concentrations, shall be paid by Buyer and Buyer agrees to indemnify Seller against all claims, demands, injury or damages arising from such exposure.

SITE FACILITIES

Purchaser shall furnish all necessary facilities for performance of its work by Seller, adequate space for storage and handling of material, light, water, heat, local telephone, watchman and crane and elevator service, if available, and necessary permits.

STRUCTURE AND SITE CONDITIONS

While employees of Seller will exercise reasonable care in this respect, Seller shall be under no responsibility for loss or damage due to the character, condition or use of foundations, walls or other structures not erected by it or resulting from excavation in proximity thereto, nor for damage resulting from concealed, wiring, fixtures or other equipment. All shoring or protection of foundations, walls or other structures subject to being disturbed by any excavation required hereunder shall be the responsibility of the Purchaser unless otherwise specified. Purchaser warrants the sufficiency of the structure to support all related equipment. The Purchaser shall have all things in readiness for installation, including, but not limited to, other materials, floor or suitable working base, connections and facilities for erection at the time the materials are delivered. In the event the Purchaser shall fail to have all things in readiness for erection at the time of receipt of the materials at the pace of erection the Purchaser shall reimburse Seller for any and all expenses caused by such failure to have such things in readiness. Failure to make areas available to Seller during performance in accord with schedules which are the basis of Seller's proposal shall be considered a failure to have all things in readiness for erection in accord with the terms of this contract.

LIMITATIONS OF LIABILITY

In no event shall Seller be liable for special or consequential damages. Seller's liability on any claim for loss or liability arising out of or connected with this contract, or any obligation resulting therefrom or from the manufacture, fabrication, sale, delivery, installation, or use of any materials covered by this contract, shall be limited to that set forth in the paragraph entitled "Warranty".

WARRANTY

Seller agrees that for a period of ninety (90) days after completion of said work, it will, at its expense repair or replace any defective materials or workmanship supplied or performed by the Seller. It is understood that the Seller does not guarantee the operation of the system. Seller further warrants the products of other manufacturers supplied hereunder, to the extent of the warranty of the respective manufacturer.

ALL OTHER EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS OR OTHERWISE ARE HEREBY EXCLUDED.

MODIFICATIONS AND SUBSTITUTIONS

Seller reserves the right to modify material of Seller's design sold hereunder and/or the drawings and specifications relating thereto, or to substitute material of later design to fulfill this contract providing that the modifications or substitutions will not materially affect the performance of the material, or lessen in any way the utility of the material to the Purchaser.

SEVERABILITY

If any provisions of the entire contract shall be invalid or unenforceable under the laws of the jurisdiction applicable to the entire contract, such invalidity or unenforceability shall not invalidate or render unenforceable the entire contract, but the entire contract shall be construed as if not containing the particular invalid or

unenforceable provision or provisions, and the rights and obligations of Seller and the Purchaser shall be construed and enforced accordingly.

ASSIGNMENT

Any assignment of this contract by Purchaser without the written consent of Seller shall be void. Seller may assign to its subsidiaries and affiliates.

CHANGES, ALTERATIONS, ADDITIONS

Changes, alterations, and additions to the plans, specifications, or construction schedule for this contract shall be invalid unless approved in writing by Seller. For any such changes approved by Seller in this manner, which will increase or decrease the cost and expense of work to Seller, there shall be a corresponding increase or decrease in the contract price herein provided. The value of additional work shall be agreed upon prior to the performance of said work. However, if no agreement is reached prior to the performance of additional work approved in the manner herein described, and Seller elects to continue performance so as to avoid delays, then the estimate of Seller's Estimating Department as to the value of the work shall be deemed accepted by the Purchaser.

LEGAL NOTICE

For the purpose of any notice permitted or required to be given hereunder, such notice or notices shall be deemed given when received.

CLAIMS

Any claims against Seller arising hereunder must be presented in writing, with particulars, within ten (10) days after they arise.

TERMS AND CONDITIONS/TECHNICAL SPECIFICATIONS

The terms and conditions specified herein shall be in addition to those set out in Seller's technical specifications and any inconsistencies shall be resolved by Seller's authorized representative.

ARBITRATION

At the option of Seller, any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

OVERTIME

Unless otherwise specified by Purchaser, all installation work will be performed during regular working hours. If Purchaser shall require any overtime labor, Purchaser agrees to reimburse Seller for the overtime premium on the same. If overtime labor is required on an emergency basis, Purchaser agrees to reimburse Seller for same.

INCIDENTAL LOSSES

All loss or damage from any cause (not the fault of the Seller) to the materials, tools, equipment, work or workmen of the Seller or its agents or subcontractors while in or about the premises of the Purchaser shall be borne and paid for by the Purchaser.

DEFAULT

In case of any default by Purchaser, Seller may declare the contract price or all unpaid installments thereof to be immediately due and payable (whether or not said work shall have been completed) or may enter said premises and or remove all or any portion of the same. All such remedies of Seller are cumulative and not exclusive.

Default by Purchaser shall consist of Failure to pay any installment of price when due, no demand being necessary, or any act or omission on the part of Purchaser whereby Seller is prevented from completing said installation, or receivership, bankruptcy, assignment for the benefit of creditors or any other form of insolvency proceedings by or against Purchaser or in case said premises or said system shall be attached, lien or seized by process of law and such attachment or lien shall not be vacated or seizure terminated within ten (10) days after its occurrence.

I HAVE REVIEWED ALL TERMS AND CONDITIONS.

SIGNATURE OF AUTHORIZED CUSTOMER

DATE: _____



Proposal

Job Number: CO2312829

P.O. Box 4769
Corpus Christi, Tx 78469
Phone (361) 289-2819 Fax (361) 289-2764

Proposal Submitted To: American Integrated Solutions	Phone: 361-288-6051	Date: 02/28/2023	
Billing Address: 1214 Rickey Dr.		Job Name: American Integrated Solutions/Greg Violet/202 W Lee Ave	
City, State, Zip: Corpus Christi, TX 78412		Job Location: 202 W Lee Ave Kingsville, TX 78363	
Contact/Architect: Greg Violet	Date of Plans:	Email Address: g.violett@aisfirst.com	Mobile/Pager: 361-288-6051

We are pleased to submit this proposal for your consideration:

Bid: Motorized slide gate

D&C Fence to replace existing double swing gates for entrance off of West Lee Ave with v-track style motorized roll gate. Gate opening to be decreased from 20' to a 17' opening to allow room for gate to open up to. Gates to be built to match existing 6'+1' barbed wire industrial grade chain link fence. Operator to be Hy-Security model DC15 with installation to include free exit and safety loop sensor, and entrapment photo sensor. D&C Fence to furnish and install entry equipment (to be furnished and installed by others) concrete mounting base with protective bollards.

D&C Fence to provide 110V power ran from breaker panel at building to operator location and conduit ran from entry equipment location outside of gate to operator and from operator to the building for access equipment wiring (to be furnished and ran by others).

Item Total: \$15,830.00 _____ Initial to accept

Total Estimated: \$15,830.00 _____ Initial to accept

PLUS SALES TAX IF APPLICABLE

Wood Proposal Price is valid for 15 days from creation date and for all other jobs, the price is valid for 30 days from creation date, after said date, price is no longer valid and is subject to change.

If a contract is delayed by the customer for longer than 90 days from acceptance date the price may be subject to change.

If building permit is required additional fees will apply.

Proposal Submitted To: American Integrated Solutions	Phone: 361-288-6051	Date: 02/28/2023
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CONTRACT CONDITIONS

The above Proposal when accepted by D&C Fence Co., Inc. becomes a contract between two parties and is not subject to cancellation. Silence on the part of D&C Fence Co., Inc. shall not be construed as an acceptance of this Proposal.

PAYMENT TERMS FOR ALL CONTRACTS: A DEPOSIT OF 1/2 IS DUE PRIOR TO STARTING JOB ON ALL PROJECTS. THE REMAINING BALANCE IS DUE UPON COMPLETION UNLESS OTHERWISE NOTED ON CONTRACT. More or less material other than the amount contracted for will be debited or credited at current rate acceptance. There will be a 25% charge if customer cancels contract. No cancellation on special order products. D&C Fence may convert their check to an electronic transaction and we are not responsible for any fees charged by their bank.

In case payment is not made as specified in (Terms) D&C Fence Co., Inc. reserves the right to repossess all materials used on this job without recourse. Buyer agrees to a charge of 1 1/2 per month or 18% annual percentage rate on past due balance and to pay a reasonable fee if it becomes necessary to refer this contract to an attorney for collection.

*****D&C Will notify 1-800-DIG-TESS for location of public utilities outside of the property line. Property Owner is **solely responsible** for marking ANY underground or visible lines (miscellaneous: irrigation, pool, gas, electric, etc...) which are located within the property and may interfere with the excavation. D&C Fence will **NOT** be held responsible or liable for damage of any nature to unmarked underground obstructions encountered. Property Owner is responsible for obtaining any surveys, inspections or permits required by the city / town or sub-division.

Contractor is NOT responsible for removal or spreading of excavated dirt unless specified above.

Property owner is solely responsible for securing access to all pools and Jacuzzis during demolition and installation of fence. D&C Fence will **NOT** be held responsible or liable for any damage or accidents or deaths resulting from access to pools or Jacuzzi areas.

Unless otherwise specified customer is responsible for clearing all bushes, trees, and debris from the fence line in order to remove and install the fence.

WARRANTY: Guaranteed to be free from defects in material or workmanship for four years of completion including weather for the first year not including natural disasters. D & C Fence cannot warrant wood products that may over time warp, split, or shrink. This is a natural characteristic of some woods that the Contractor has no control over. **D&C Fence Company offers the BEST warranty compared with our competitors in most cases.**

Aluminum and Vinyl/PVC fence comes with a manufacturer's limited lifetime warranty.

Gate operators come with a manufacturer's warranty plus D&C Fence will warranty labor for one year.

Estimator: Cody Schuchert Ph. 361-946-5501 Email: cschuchert@dcfence.com

By signing you are agreeing to the following terms and conditions listed above.

Accepted: _____ Date: _____

THANK YOU!

AGENDA ITEM #16