

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION**

**MONDAY, JUNE 23, 2025**

**REGULAR MEETING**

**CITY HALL**

**HELEN KLEBERG GROVES COMMUNITY ROOM**

**400 WEST KING AVENUE**

**5:00 P.M. – Regular Meeting**

**Live Videostream:** <https://www.facebook.com/cityofkingsvilletx>

### **I. Preliminary Proceedings.**

#### **OPEN MEETING**

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

**MINUTES OF PREVIOUS MEETING(S)**

Regular Meeting – June 9, 2025

APPROVED BY:

  
Charlie Sosa  
Interim City Manager

### **II. Public Hearing - (Required by Law).<sup>1</sup>**

1. Public hearing on request for a Special Use Permit for an Auto Paint & Body Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at Orig Town, Block 58, Lot E. 118.5' of 1-4, E. 60' of 5,6 also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207) (Director of Planning and Development Services).

### **III. Reports from Commission & Staff.<sup>2</sup>**

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

### **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

**V.**

**Consent Agenda**

**Notice to the Public**

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend donations from Kingsville Steakhouse, Maltby Builders, and Vishal Raju Bhagat Foundation for fire prevention supplies. (Fire Chief).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend the donation from Victor & Lisa Unger for Health Department animal care services. (Health Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend the donation from the Brookshire Foundation for minor equipment and recreational programs. (Parks Director).
4. Motion to approve final passage of an ordinance amending Chapter XIII, Article 2, Offenses Against Public Peace and Safety, Sections 13-2-10 to 13-2-13 and Sections 13-2-20 to 13-2-23, providing for the repeal of the nighttime curfew regulations for minors and the daytime curfew regulations for minors. (due to state legislative change). (City Attorney).

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

**VI. Items for consideration by Commissioners.<sup>4</sup>**

5. Discuss and consider accepting the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for Fiscal Year 2023-2024. (Finance Director).
6. Discuss and consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) in in C2 (Retail) District at 201 S. 6<sup>th</sup> Street, Kingsville, Texas, also known as Original Town, Block 58, Lot E. 118.5' of 1-4, E. 60' of 5,6, (Property ID 11207); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (P&Z June 18, 2025) (Director of Planning and Development Services).
7. Discussion with City's Representative on the Kleberg County Appraisal District Board of Directors. (Commissioner Lopez).

8. Workshop: Discussion on proposed Employee Health Insurance Benefits, City Fund Balance, and related items. (Human Resources Director/Finance Director/ Interim City Manager).
9. Consideration and approval of awarding Bid #25-16 Group Medical Employee Benefits Program for City employees, as per the recommendation of the consultant. (Human Resources Director).
10. Consideration and approval of a resolution authorizing the City to submit an application to the Ed Rachal Foundation for grant funds for equipment for the Kingsville Police Department. (Police Chief).
11. Consideration and approval of a resolution authorizing the City to submit an application to the Gary Sinise Foundation for grant funds for equipment for the Kingsville Police Department. (Police Chief).
12. Consideration and approval of a resolution authorizing the City to submit an application to the 1PointFive First Responder Donation Program for grant funds for First Responder equipment, gear, and training for the Kingsville Police Department. (Police Chief).
13. Discuss and consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate additional funding for Fire Department vehicle maintenance. (Fire Chief).
14. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX, Article 7-Nuisances, Section 2, adopting the 2024 Edition of the ICC International Property Maintenance Code. (Director of Planning and Development Services).
15. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 15-1-6, 11, & 12, adopting the 2024 International Building Code. (Director of Planning and Development Services).
16. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 36, 37, 40 & 43, adopting the 2024 Edition of the ICC International Fuel Gas Code. (Director of Planning and Development Services).
17. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 75 & 76, adopting the 2024 Edition of the ICC International Residential Code for One-and-Two Family Dwellings. (Director of Planning and Development Services).
18. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 151 & 152, adopting the 2024 Edition of the ICC International Swimming Pool & Spa Code. (Director of Planning and Development Services).
19. Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 302 & 303, adopting the 2024 Edition of the ICC International Residential Code for One-and-Two Family Dwellings. (Director of Planning and Development Services).
20. Discussion and presentation regarding the certification of recall petitions received on June 6, 2025. (City Secretary).

## **VII. Adjournment.**

- 1<sup>a</sup>. 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 Commission Chambers 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](mailto: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 at City Hall, City of Kingsville, 400 West King Avenue, Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

June 18, 2025, at 9:30 A.M. and remained so posted continuously for at least 72 hours proceeding the scheduled 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)**

**JUNE 9, 2025**

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 9, 2025, 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  
Edna Lopez, Commissioner  
Norma Alvarez, Commissioner  
Hector Hinojosa, Commissioner  
Leo Alarcon, Commissioner

**CITY STAFF PRESENT:**

Charlie Sosa, Interim City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Derek Williams, Systems Administrator  
Emilio Garcia, Health Director  
Leticia Salinas, Accounting Manager  
Juna J. Adame, Fire Chief  
Diana Gonzales, Human Resources Director  
Kobby Agyekum, Senior Planner/HPO  
Susan Ivy, Parks Director  
Rudy Mora, City Engineer  
Deborha Balli, Finance Director  
Mike Mora, Capital Improvements Manager  
John Blair, Police Chief  
James Creek, Captain  
Steve Palacios, Fire Marshall  
Connie Womack, Tourism Director  
Nick Rivas, Administrative Assistant  
Manny Salazar, Economic Development  
Carol Rogers, Human Resources Specialist  
Raul Soliz, Human Resources Specialist, Safety & Training

**I. Preliminary Proceedings.**

**OPEN MEETING**

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

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

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

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting – May 27, 2025**

**Motion made by Commissioner Lopez to approve the minutes of May 27, 2025 as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.**

**II. Public Hearing - (Required by Law).<sup>1</sup>**

None.

**III. Reports from Commission & Staff.<sup>2</sup>**

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

Mr. Charlie Sosa, Interim City Manager, gave a brief report on street projects.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission meeting is scheduled for June 23, 2025. She further announced that city offices will be closed on June 19, 2025, in observance of Juneteenth Holiday.

Commissioner Lopez stated that at a previous meeting, she requested the city's representative to the Kleberg County Appraisal Board to come in and give the commission an update on the appraisal district.

Mr. Sosa stated that the individual was out of town and was preparing for what the commission would be asking for, so he would conduct some research before making his presentation to the Commission. Mr. Sosa further stated that he would probably be here on June 23<sup>rd</sup>.

Commissioner Lopez commented that she would have liked to have been made aware that the individual was not going to be in attendance, as she thought he would have been here today.

#### **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

Mr. Joel Saenz, 307 W. Ailsie commented that he would like to comment on the request for a recall for the following reasons: 1) harassing personnel should have been addressed by the HR Director and forwarded to the City Attorney, EEOC, TML, or Kleberg County DA; 2) Fiscal responsibilities, what monies and for which project; 3) City Commission behavior, private lives, executive session meetings or open debate discussion during commission meetings referring to city charter; 4) negligence of city policy and procedures, Mayor, Ex-City Manager previous City Secretary with more than 60 years' experience should know city charter and book of ordinances. Enforce city policies as administrators, you would know this by hard. Mr. Saenz further commented, please vote no to this matter on the personal interest of families having done this.

#### **V.**

##### **Consent Agenda**

##### **Notice to the Public**

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*discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

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

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

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

**1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for a mobile home/manufactured home on a parcel of land in AG (Agricultural District) at KT&I Co., Block 5, Lot Pt 11, acres 2.0, also known as 2630 E. Santa Gertrudis Ave., Kingsville, TX 78363 (Property ID 10264); amending the comprehensive plan to account for any deviations from the existing comprehensive plan (Director of Planning and Development Services).**

**2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 7, Food Sales and Food Establishments, Mobile Food Units, Section 22-Operation Requirements and Restrictions; adding new fire safety measure for mobile food units. (Fire Chief).**

**3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX, Article 5, Fire Prevention and Protection, revising the permit fee schedule in Section 14. (Fire Chief).**

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

**VI. Items for consideration by Commissioners.<sup>4</sup>**

**4. Consideration and approval of awarding Bid #25-18 Low Water Crossing Repairs and Improvements for W. D Ave., as per the recommendation of the consulting engineer. (To be paid from Fund 055 Utility Storm Water Drainage Fund) (City Engineer).**

Mr. Rudy Mora, City Engineer, stated that this item is to approve awarding Bid 25-18 Low Water Crossing Repairs and Improvement for W. D. Ave. The Engineering Department was made aware of the damage to the low-water crossing at W D Ave. and Tranquitas Creek location on August 15, 2024. Mr. Mora stated that they recommend the location be repaired immediately. The project will perform much-needed repairs, including culverts, concrete headwall, concrete riprap, and address any erosion. The project shall be completed 90 calendar days after the notice to proceed is given.

**Motion made by Commissioner Hinojosa to approve the awarding Bid #25-18 Low Water Crossing Repairs and Improvements for W. D Ave., as per the recommendation of the consulting engineer. (To be paid from Fund 055 Utility Storm Water Drainage Fund), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting “FOR”.**

**5. Consideration and approval of a resolution authorizing the Interim City Manager to execute the Construction Contract with Etech Construction Inc. for Low Water**

**Crossing Repairs and Improvements for W. D Ave. (Bid #25-18 awarded 6/09/25; to be paid from Fund 055 Utility Storm Water Drainage Fund) (City Engineer).**

Motion made by Commissioner Alarcon to approve the resolution authorizing the Interim City Manager to execute the Construction Contract with Etech Construction Inc. for Low Water Crossing Repairs and Improvements for W. D Ave. (Bid #25-18 awarded 6/09/25; to be paid from Fund 055 Utility Storm Water Drainage Fund), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

**6. Consideration and approval of a resolution of the City Commission of Kingsville, Texas, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the General Land Office (GLO) Community Development Block Grant-Mitigation Program (CDBG-MIT) Method of Distribution (MOD) Contract Number 24-065-140-E998. (City Engineer).**

Mr. Mora stated that GLO requires subrecipients of CDBG-MIT funds to formally identify at least two individuals authorized to sign contractual and financial documents. These individuals will be authorized to sign necessary documents throughout the administration of contract No. 24-065-14-E998. The Mayor, Interim City Manager, City Engineer, and Finance Director will be authorized to execute the financial documents required for requesting funds approved in the Community Development Block Grant Mitigation MOD Program.

Motion made by Commissioner Alarcon to approve the resolution of the City Commission of Kingsville, Texas, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the General Land Office (GLO) Community Development Block Grant-Mitigation Program (CDBG-MIT) Method of Distribution (MOD) Contract Number 24-065-140-E998, seconded by Commissioner Hinojosa and Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

**7. Consideration and approval of a resolution of the City of Kingsville, Texas, regarding Civil Rights, Citizen Participation Plan & Grievance Procedures, Section 3, Excessive Force, Section 504 & Grievance Procedures, and Fair Housing Policies for CDBG-MIT MOD Program Compliance. (GLO CDBG-MIT MOD Program Contract #24-065-140-E998). (City Engineer).**

Mr. Mora stated that to comply with federal civil rights requirements and the State of Texas grant administration standards, the City must adopt specific civil rights policies and procedures.

Motion made by Commissioner Hinojosa to approve the resolution of the City of Kingsville, Texas, regarding Civil Rights, Citizen Participation Plan & Grievance Procedures, Section 3, Excessive Force, Section 504 & Grievance Procedures, and Fair Housing Policies for CDBG-MIT MOD Program Compliance. (GLO CDBG-MIT MOD Program Contract #24-065-140-E998), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

**8. Consideration and approval of a resolution of the City of Kingsville designation the month of April as Fair Housing Month and supporting fair housing activities within the City. (Proclamation of April as Fair Housing Month). (for GLO CDBG-MIT MOD Program Contract #24-065-140-E998). (City Engineer).**

Motion made by Commissioner Alvarez to approve the resolution of the City of Kingsville designation the month of April as Fair Housing Month and supporting fair housing activities within the City. (Proclamation of April as Fair Housing Month). (for

GLO CDBG-MIT MOD Program Contract #24-065-140-E998), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

**9. Consideration and approval of a resolution authorizing the Mayor to execute Amendment No. 1 to the Agreement for Grant Administration Services for mitigation services under the U.S. Department of Housing and Urban Development Community Development Block Grant Program between the City of Kingsville and Langford Community Management Services. (GLO CDBG-MIT MOD Program Contract #24-065-140-E998). (City Engineer).**

Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to execute Amendment No. 1 to the Agreement for Grant Administration Services for mitigation services under the U.S. Department of Housing and Urban Development Community Development Block Grant Program between the City of Kingsville and Langford Community Management Services. (GLO CDBG-MIT MOD Program Contract #24-065-140-E998), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

**10. Discuss and consider accepting a donation of mattresses for the Fire Department. (Fire Chief).**

Agenda item #10 was moved up before item #4.

Mr. James Creek, Captain, stated that Rogue Medical has donated 13 mattresses to the Kingsville Fire Department, which would significantly improve the living conditions for our firefighters during their 24-hour shifts. This donation is valued at approximately \$2,500.

Commissioner Lopez asked who the donation was coming from. Captain Creek stated that it was coming from Rogue Medical.

Motion made by Commissioner Alvarez to approve the donation of mattresses for the Fire Department, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

**11. Discuss and consider accepting monetary donations for fire prevention supplies. (Fire Chief).**

Captain Creek stated that three local businesses have made significant contributions for Fire Prevention supplies that will directly benefit school-aged children during Fire Prevention Week. The following businesses made the donations Kingsville Steakhouse donated \$50.00; Maltby Builders, Inc. donated \$300.00, and Vishal Raju Bhagat Foundation donated \$300.00.

Motion made by Commissioner Lopez to accept the monetary donations for fire prevention supplies, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

**12. Discuss and consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend donations from Kingsville Steakhouse, Maltby Builders, and Vishal Raju Bhagat Foundation for fire prevention supplies. (Fire Chief).**

Introduction item.

**13. Discuss and consider accepting a monetary donation for animal care at the Health Department. (Health Director).**

Mr. Emilio Garcia, Health Director stated that this is a request for approval to accept a monetary donation from Mr. & Mrs. Victor E. & Lisa A. Unger in the amount of \$200.00 for minor vet care and medical vet supplies.

**Motion made by Commissioner Lopez to accept the monetary donation for animal care at the Health Department, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".**

**14. Discuss and consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend the donation from Victor & Lisa Unger for Health Department animal care services. (Health Director).**

Introduction item.

**15. Discuss and consider accepting a monetary donation for the Parks Department for recreation programs and minor equipment. (Parks Director).**

Mrs. Susan Ivy, Parks Director, stated that this is to approve the donation from Brookshire Foundation to Parks and Recreation.

**Motion made by Commissioner Alarcon to accept a monetary donation for the Parks Department for recreation programs and minor equipment, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alarcon, Lopea, Alvarez, Hinojosa, Fugate voting "FOR".**

**16. Discuss and consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend the donation from the Brookshire Foundation for minor equipment and recreational programs. (Parks Director).**

Introduction item.

**17. Discuss and consider introduction of an ordinance Chapter XIII, Article 2, Offenses Against Public Peace and Safety, Sections 13-2-10 to 13-2-13 and Sections 13-2-20 to 13-2-23, providing for the repeal of the nighttime curfew regulations for minors and the daytime curfew regulations for minors. (due to state legislative change). (City Attorney).**

The state legislature has repealed the statute that allowed municipalities to impose a juvenile curfew ordinance, negating the city's ability to enforce its existing curfew ordinance.

Introduction item.

**18. Discussion regarding proposal for an 8-week trial period for select staff to work 4 day/ 10-hour work weeks from June 22-August 16, 2025. (Interim City Manager).**

Mr. Sosa stated that this item discusses an 8-week trial for a 4-day/10-hour work week pilot program for designated departments as determined by the City Manager's Office. The program is to allow designated staff to work 4-day/10-hour work weeks from 7:00 a.m. to 5:30 p.m. with a 30-minute lunch break, given the employees Fridays off. The program will begin on June 22, 2025, and run through August 16, 2025. While some services will continue as scheduled for the operation of city functions, some modifications to services will occur, including but not limited to: Parks & Recreation will continue all summer activities and summer programs; Planning will schedule all inspections and reviews Monday – Thursday; Public Works Divisions will be called out, as needed, for emergencies or may continue normal operations depending on the division; sanitation and landfill will continue normal work schedules; and Tourism will schedule staff to be present to hand out city literature.

Commissioner Lopez commented that longer days can be more stressful for the employee. Commissioner Lopez further commented that she is not against the program, but we need to make sure those employees working outside are okay, especially with the hot days ahead of us.

Commissioner Alarcon commented that it would be a blessing to have a three-day weekend.

Commissioner Hinojosa commented that the decision is up to the City Manager.

Commissioner Hinojosa commented that if the program does not work, it could always be stopped.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:29 p.m.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary



# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**

DRAFT



## MEMO

**Date:** June 10<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor for a Special Use Permit for Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5, 6, also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207)

**Summary:** Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner, approached the Planning Department on April 23<sup>rd</sup>, 2025, requesting approval of a Special Use Permit for an Auto Paint & Body Shop on a parcel of land in C2 (Retail District) at 201 S. 6th St., Kingsville, TX 78363 to tint windows on vehicles.

**Background:** In accordance with the City of Kingsville's Land Use Chart, an "Auto Paint & Body Shop" within land zoned as "C2 – Retail District" is permitted, provided a Special Use Permit is applied for and approved.

The Planning and Zoning Commission meeting was held on June 18<sup>th</sup>, 2025, with X of 7 members in attendance.

Members deliberated over the request to recommend approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at 201 S. 6th St., Kingsville, TX 78363 (Property ID 11207). 7 Notice Letters were sent out to neighbors within the 200 feet buffer and the city has received no feedback as of today.

The Planning and Zoning Commission board members voted to approve the recommendation of a Special Use Permit for an "Auto Paint & Body Shop" at 201 S. 6th St., Kingsville, TX 78363. A recorded vote of all members present was taken and board members Steve Zamora, Larry Garcia, Rev. Idotha Battle, Debbie Tiffie, Mike Klepac, Brian Coufal and Krystal Emery all voted "YES."

The meeting was adjourned at X:XX p.m.

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services



## MEMO

**Date:** June 10<sup>th</sup>, 2025

**To:** Planning & Zoning Commission

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor for a Special Use Permit for Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5, 6, also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207)

**Summary:** Items 1 & 2: Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner, approached the Planning Department on April 23<sup>rd</sup>, 2025, requesting approval of a Special Use Permit for an Auto Paint & Body Shop on a parcel of land in C2 (Retail District) at 201 S. 6th St., Kingsville, TX 78363 to tint windows on vehicles.

**Background:** Items 1 & 2: In accordance with the City of Kingsville's Land Use Chart, an "Auto Paint & Body Shop" within land zoned as "C2 – Retail District" is permitted, provided a Special Use Permit is applied for and approved.

**Erik Spitzer**  
Director of Planning and Development Services

### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, June 18, 2025, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following item and at which time all interested persons will be heard:

**Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner; requesting approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5,6 also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207).**

The meeting will be held at City Hall, 400 West King Ave., Kingsville, TX 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, June 23, 2025, 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:

**Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner; requesting approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5,6 also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207).**

The meeting will be held at City Hall, 400 West King Ave., 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.



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

email: [hsolis@cityofkingsville.com](mailto:hsolis@cityofkingsville.com) / Phone (361) 595-8055

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address 201 S. 6th St. Kingsville, TX, 78363 Nearest Intersection King Ave. And 6th St

(Proposed) Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description ORIG TOWN, BLOCK 58, LOT E 118.5' OF 1-4, E 60' OF 5-6

Existing Zoning Designation C2, RETAIL DISTRICT Future Land Use Plan Designation \_\_\_\_\_

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Jose Alberto Lopez Phone (361) 355-3188

Email Address (for project correspondence only): jlopez123173@gmail.com

Mailing Address 1214 E Huisache Ave. City Kingsville State TX Zip 78363

Property Owner Herman H. Ohlenbusch Phone (361) 271-9957 FAX \_\_\_\_\_

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

Mailing Address P.O. Box 1574 City Kingsville State TX Zip 78364

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	<input type="checkbox"/> Re-plat _____	\$250.00
<input checked="" type="checkbox"/> SUP Request/Renewal _____	\$250	<input type="checkbox"/> Vacating Plat _____	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____	\$250	<input type="checkbox"/> Development Plat _____	\$100.00
<input type="checkbox"/> PUD Request _____	\$250	<input type="checkbox"/> Subdivision Variance Request _____	\$25.00 ea

Please provide a basic description of the proposed project:

Existing building is a service station and was a prior transmission repair shop. we are wanting to open a window tinting store.

Offering window tint for residential & commercial Buildings as well as vehicles

There will be no changes to the building other then cleaning the place up and minor cosmetic repairs.

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 [Signature] Date: 5/21/25

Property Owner's Signature [Signature] (Property manager) Date: 5/21/25

Accepted by: [Signature] Date: 5/22/2028

## Kleberg CAD Property Search

## Property Details

<b>Account</b>		
<b>Property ID:</b>	11207	<b>Geographic ID:</b> 100105801000192
<b>Type:</b>	R	<b>Zoning:</b> C2
<b>Property Use:</b>		
<b>Location</b>		
<b>Situs Address:</b>	201 S 6TH ST TX	
<b>Map ID:</b>	C1	<b>Mapsco:</b>
<b>Legal Description:</b>	ORIG TOWN, BLOCK 58, LOT E 118.5' OF 1-4, E 60' OF 5, 6	
<b>Abstract/Subdivision:</b>	S001	
<b>Neighborhood:</b>		
<b>Owner</b>		
<b>Owner ID:</b>	30455	
<b>Name:</b>	OHLENBUSCH HERMAN H	
<b>Agent:</b>		
<b>Mailing Address:</b>	PO BOX 1574 KINGSVILLE, TX 78364-1574	
<b>% Ownership:</b>	100.0%	
<b>Exemptions:</b>	For privacy reasons not all exemptions are shown online.	

## Property Values

<b>Improvement Homesite Value:</b>	\$0 (+)
<b>Improvement Non-Homesite Value:</b>	\$64,920 (+)
<b>Land Homesite Value:</b>	\$0 (+)
<b>Land Non-Homesite Value:</b>	\$66,830 (+)
<b>Agricultural Market Valuation:</b>	\$0 (+)
<b>Market Value:</b>	\$131,750 (=)
<b>Agricultural Value Loss: ⓘ</b>	\$0 (-)
<b>Appraised Value: ⓘ</b>	\$131,750 (=)
<b>HS Cap Loss: ⓘ</b>	\$0 (-)
<b>Circuit Breaker: ⓘ</b>	\$0 (-)
<b>Assessed Value:</b>	\$131,750
<b>Ag Use Value:</b>	\$0

VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## Property Taxing Jurisdiction

**Owner: OHLENBUSCH HERMAN H %Ownership: 100.0%**

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax
CKI	CITY OF KINGSVILLE	0.770000	\$131,750	\$131,750	\$1,014.48
GKL	KLEBERG COUNTY	0.771870	\$131,750	\$131,750	\$1,016.94
SKI	KINGSVILLE I.S.D.	1.410400	\$131,750	\$131,750	\$1,858.20
WST	SOUTH TEXAS WATER AUTHORITY	0.065695	\$131,750	\$131,750	\$86.55

**Total Tax Rate: 3.017965**

**Estimated Taxes With Exemptions: \$3,976.17**

**Estimated Taxes Without Exemptions: \$3,976.17**



## Property Improvement - Building

**Type:** COMMERCIAL **Living Area:** 1724.0 sqft **Value:** \$64,920

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	SG2L	1960	1404
CN1	CANOPY BASIC (20%)	*	1960	189
CON	CONCRETE SLAB COMMERCIAL	*	1960	4366
MA	MAIN AREA	OF2L	1999	320
ASP	ASPHALT (100%)	*	1960	6547

## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
F1	F1	0.27	11,850.00	100.00	118.50	\$53,330	\$0
F1	F1	0.07	3,000.00	50.00	60.00	\$13,500	\$0

### Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$64,920	\$66,830	\$0	\$131,750	\$0	\$131,750
2024	\$46,510	\$66,830	\$0	\$113,340	\$0	\$113,340
2023	\$39,010	\$81,680	\$0	\$120,690	\$0	\$120,690
2022	\$33,940	\$81,680	\$0	\$115,620	\$0	\$115,620
2021	\$36,080	\$81,680	\$0	\$117,760	\$0	\$117,760
2020	\$14,020	\$40,840	\$0	\$54,860	\$0	\$54,860
2019	\$14,570	\$40,840	\$0	\$55,410	\$0	\$55,410
2018	\$15,230	\$40,840	\$0	\$56,070	\$0	\$56,070
2017	\$15,895	\$40,840	\$0	\$56,735	\$0	\$56,735

### Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
12/30/1999	WD	WARRANTY DEED	HOSE PETROLEUM CO	OHLENBUSCH HERMAN H	190	185	

## APPENDIX A. - LAND USE CATEGORIES

## Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

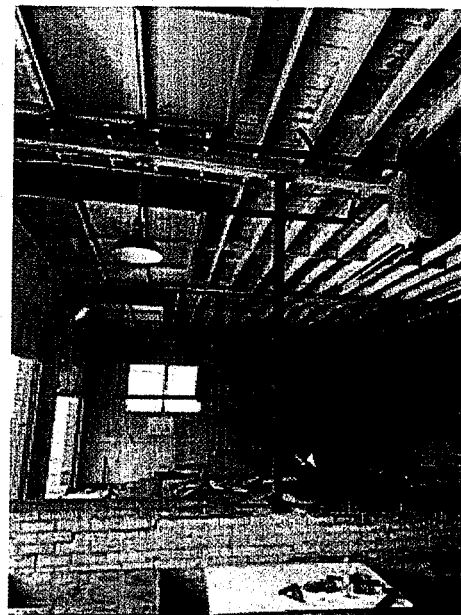
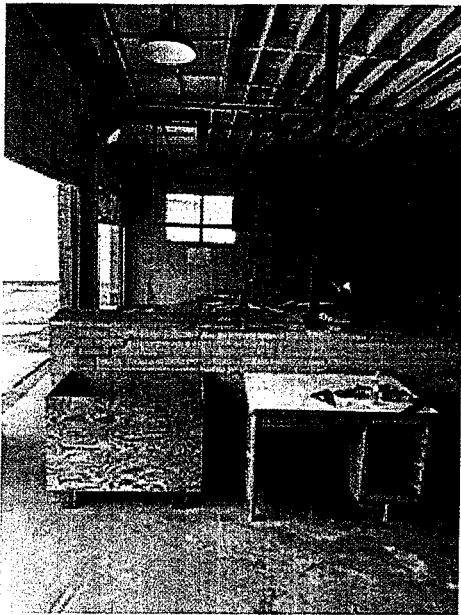
Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Dwelling, one-family det.	P	P		P	P	P	P	P	P				P
Dwelling, one-family att.		P	P	P	P		S	P					P
Dwelling, two-family		P		P	P		S	P					
Dwelling, multi-family				P	P		P	P	P				
Tiny Homes		P	P			P							
Dwelling, above business									P				
Work/live units									P				
Boarding or rooming house					P			S	P	P			
Hotel or motel					P			S	P	P			
Dormitory					P								
Fraternity, sorority					P								

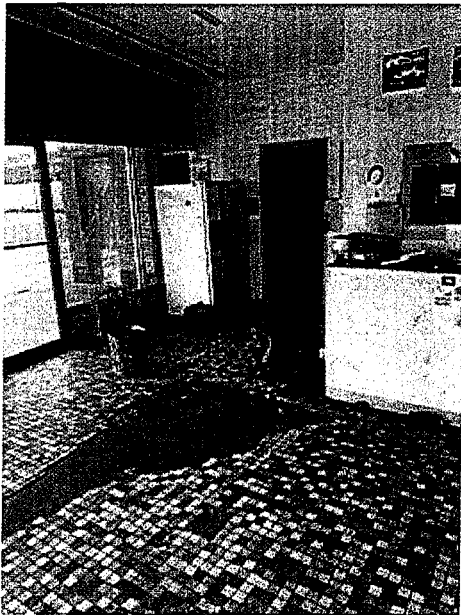
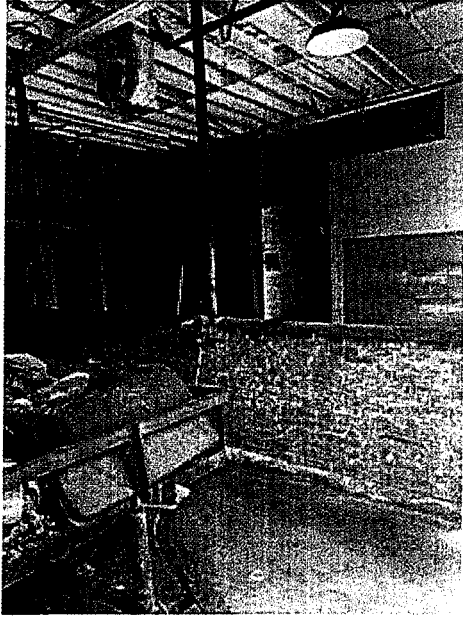
## Land Use Chart

Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	<del>C3</del>	C4	I1	I2	Ag
Amusement, commercial indoor								S	P	P			
Carnival										S	P	P	P
Temporary carnival (14 days - 200 ft. setback from residential property)								S	P	P			
Provisioning and recreational sporting goods sales including boats and vehicles								S	P	P			
Shooting galleries and pistol [ranges] (indoor)								S	P	P			
Souvenir, curio								S	P				
<i>Automobile Related Uses</i>													
Car wash							P	S	P	P	P		
Auto sales, repairs including motorcycles								S	P	P	P		
Auto paint and body shop								S	P	P	P		
Drag strip, race track											S	S	
Gasoline service station								P	P	P	P		

Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Gasoline sales							S	P	P	P	P		
Commercial parking structure auto only								S	P	P	P		
Truck storage								S	S	P	P	P	
Used auto parts, sales, indoors								S	P	P	P	P	
New or reconditioned auto parts, indoors								S	P	P	P		
Seat cover or muffler installation shop								S	P	P	P		
Tire recapping and retreading shop										S	P	P	
Wrecking or salvage yards for auto or parts										S	S		
Storage of autos								S	S	P	S	P	
<i>Retail or Related Uses</i>													
Antique or collectable shop							S	S	P	P			
Art supply store							S	P	P	P			
Animal clinic or pet hospital, no outdoor pens								P	S	P	P		

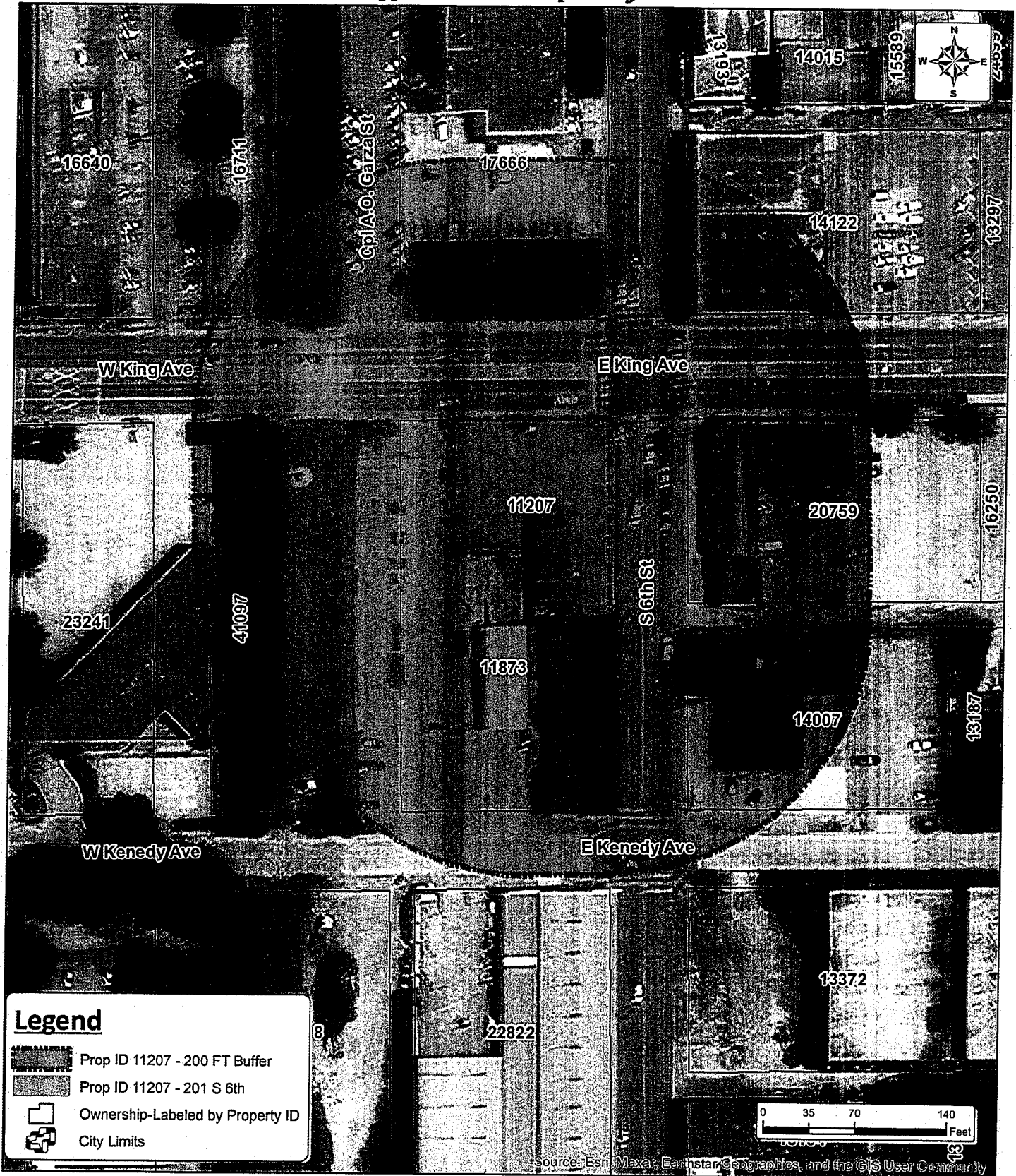









# 200-FT Buffer at Property ID 11207



Page: 1 / 1	Drawn By: R. PICK	<b>DISCLAIMER:</b> 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.	 <b>CITY OF KINGSVILLE</b> <b>ENGINEERING DEPARTMENT</b> 400 W King Ave; Kingsville, TX 78363 Office: (361) 595-8007 Fax: (361) 595-8064
	Last Update: 5/22/2025		
	Note: Ownership is labeled with its Prop ID.		

# **CONSENT AGENDA**

# **AGENDA ITEM #1**

B. H. - fire  
prevtn. supplies

**City of Kingsville  
Fire Department**

---

**TO:** Mayor and City Commissioners  
**CC:** Charlie Sosa, Interim City Manager  
**FROM:** Juan J. Adame, Fire Chief  
**DATE:** May 30, 2025  
**SUBJECT:** Donations for Fire Prevention Supplies

---

**Summary:**

The Kingsville Fire Department respectfully requests the City Commission's to accept three checks that are donations from Kingsville Steakhouse, Maltby Builders, Inc., and Vishal Raju Bhagat Foundation that are valued businesses in our Kingsville community.

**Background:**

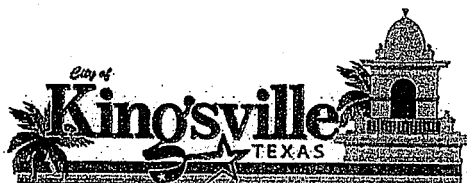
Three local businesses have made significant contributions to the Kingsville Department for Fire Prevention supplies that will directly benefit schoolchildren during Fire Prevention Week. Kingsville Steakhouse donated \$50.00, Maltby Builders, Inc. donated \$300.00, and Vishal Raju Bhagat Foundation donated \$300.00. These generous donations ensure that Kingsville's youngest residents will receive engaging and effective fire safety education during this crucial awareness week, potentially saving lives through early prevention education.

**Financial Impact:**

No impact on the City. The donated checks will be placed into account 001-5-2200-21100 (Supplies).

**Recommendation:**

The Kingsville Fire Department recommends that the City Commission accepts the donations.



**ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO ACCEPT AND EXPEND DONATIONS FROM KINGSVILLE STEAKHOUSE, MALTBY BUILDERS AND VISHAL RAJU BHAGAT FOUNDATION FOR FIRE PREVENTION SUPPLIES.**

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

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT – BA#42**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
<u>Revenues</u>					
2200	Fire	Donations	72030	\$650.00	
<u>Expenditures</u>					
2200	Fire	Supplies	21100	\$650.00	

[To amend the City of Kingsville FY 24-25 budget to accept and expend donations from Kingsville Steakhouse, Maltby Builders & Vishal Raju Bhagat Foundation. Funding for this will come from the donations received for the stated purpose.]

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 9th day of June 2025.

**PASSED AND APPROVED** on this the 23rd day of June 2025.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #2**

B.A.

## City of Kingsville-Health Department Animal Control & Care Center

---

**TO:** Mayor and City Commissioners  
**CC:** Charlie Sosa, Interim City Manager  
**FROM:** Emilio H. Garcia, City of Kingsville, Health Director  
**DATE:** June 2, 2025  
**SUBJECT:** Accept Monetary Donation from Mr. & Mrs. Victor E. & Lisa A. Unger

---

**Summary:**

The City of Kingsville-Health Department/Animal Control & Care Center is requesting approval to accept a monetary donation from Mr. & Mrs. Victor E. & Lisa A. Unger in the amount of \$200.00 (Check #8384).

**Background:**

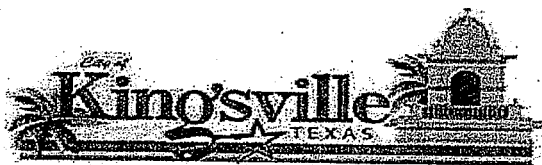
The monetary donation is from a personal account. The Unger's donation is to help our efforts to keep animals safe.

**Financial Impact:**

No negative financial impact. The monetary donation will be used in the Health Department/Animal Control & Care Center for minor vet care and medical vet supplies.

**Recommendation:**

To accept the monetary donation from Mr. & Mrs. Victor E. & Lisa A. Unger in the amount of \$200.00.





PLEASE ACCEPT THIS DONATION IN MEMORY OF "WALNUT".  
MY DAUGHTER ASHLEY GOT HIM FROM AN ANIMAL SHELTER  
17 YEARS AGO WHILE SHE WAS A COLLEGE STUDENT. HE  
HAS TRAVELED MANY PLACES WITH HER BEFORE SETTLING  
WITH HER AND HER HUSBAND EVAN IN KINGSVILLE.  
ASHLEY & EVAN ADOPTED A COMPANION FOR "WALNUT"  
AT YOUR SHELTER ABOUT 2 YEARS AGO. THEY NAMED  
HER "SABIE". SHE IS VERY SWEET, PERFECT FIT FOR  
WALNUT. I'M SORRY TO SAY THAT WALNUT PASSED  
AWAY 5-20-25; BUT GLAD TO SAY HE LIVED A FULL  
& HAPPY LIFE.

I APPRECIATE THE WORK THAT YOUR SHELTER DOES  
IN FINDING HOMES & CARING FOR THE ANIMALS  
THAT NEED HELP IN YOUR AREA. THE JOY THAT IT  
HAS BROUGHT TO OUR FAMILY IS PRICELESS.

THANK YOU

VICTOR & LISA UNGER

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO ACCEPT AND EXPEND THE DONATION FROM VICTOR AND LISA UNGER FOR HEALTH DEPARTMENT ANIMAL CARE SERVICES.**

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

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT – BA#40

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
<u>Revenues</u>					
4400	Health	Donations	72030	\$2,000	
<u>Expenditures</u>					
4400	Health	Animal Care	21900	\$2,000	

[To amend the City of Kingsville FY 24-25 budget to accept and expend the donation from Victor & Lisa Unger for Health Department animal care. Funding for this will come from the donation received for the stated purpose.]

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 9th day of June 2025.

**PASSED AND APPROVED** on this the 23rd day of June 2025.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #3**

B.A.

**City of Kingsville  
Parks & Recreation Department**

**TO:** Mayor and City Commissioners  
**CC:** Interim City Manager, Charlie Sosa  
**FROM:** Susan Ivy, Parks Director  
**DATE:** May 17, 2025  
**SUBJECT:** Agenda Request – Request for Approval of Donation from Brookshire Foundation

---

**Summary:** We are asking that Commission approve the receipt and associated Budget Amendment for a \$33,220.09 donation from Brookshire Foundation to Parks and Recreation.

**Background:** This donation is committed as follows:

\$ 6,150.00 Pool Vacuum  
\$ 7,933.78 New Lane lines for competitive and lap swim at Brookshire Pool  
\$ 1,137.12 Starter System for swim Meets  
\$16,000.00 Recreation Programs  
\$ 1,000.00 Summer Track  
\$ 1,000.00 Summer Swim Team

**\$ 33,220.09 Total Request**

**Financial Impact:** The will add \$15,220.09 to Minor Equipment line item 001-5-4513-21700  
And \$18,000 to Rec Programs 001-5-4513-31499.

**Recommendation:** Approve the recommended Budget amendment.



City of Kingsville  
Parks & Recreation Department

1:32

5G

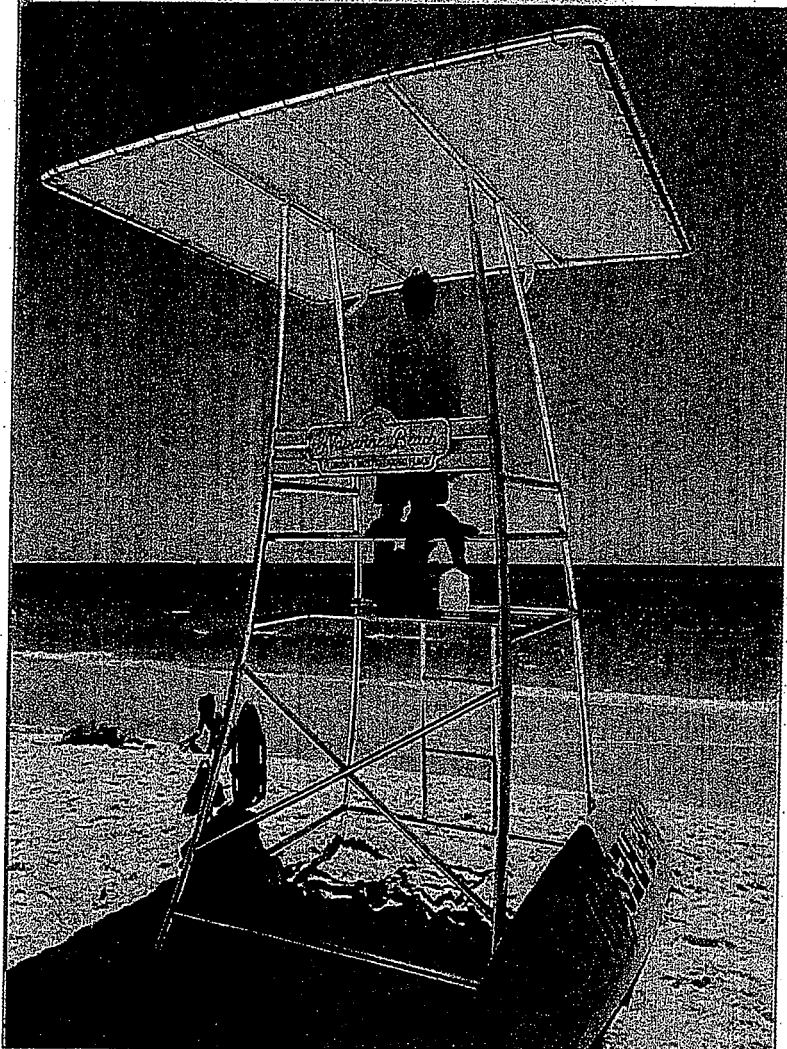
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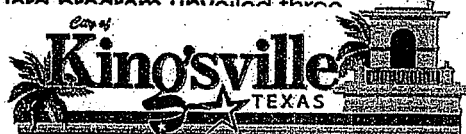
Subscribe Sign In

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Copy URL



The Navarro Beach Lifeguard program unveiled three



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



For Information on events and facilities  
[www.cityofkingsville.com/departments/parks](http://www.cityofkingsville.com/departments/parks)  
Email: [sivy@cityofkingsville.com](mailto:sivy@cityofkingsville.com)  
or follow us on Facebook  
Kingsville Parks and Recreation

**To: B.C. & Addie Brookshire Foundation**  
**From: Susan Ivy, Director of Parks & Recreation**  
**Date: May 19, 2025**  
**Subject: Request for Assistance**

**Greetings Brookshire Board Members,**

Before we move forward with our request I wanted to update you on our purchases from last year. The umbrellas were changed to guard chairs due to the inability to sink the base in the decking of the pool per engineering. We did get 4 new guard chairs that are made like the tall seats on fishing boats with the same type of shade cover. The guards love them and they are working great so far. The lane lines we ordered last year never came in despite frequent promises that they would be right here. In the late fall we finally reversed our order with that vendor and got bids from another vendor close to same price for a little bit larger lane line. They were just received recently and the swim team loves them. Pictures are attached. We thank you for assisting us with those things we needed at the pool. We spent \$16,000 on 4 chairs and \$7,000 on the lane lines

This year, we have found that the reels the lane lines are stored on are in need of replacement and would like to ask for two to hold all of the new, larger lines. They are quoted at \$\_\_3966.89\_\_ each times two (2) or 7933.78.

The Swim Team has 90 kids signed up this year and are hosting their own Swim Meet soon. They are asking for a meet starting machine which is a sound system for announcing "on your mark, etc. A starting button that simulates a large horn with a microphone. From Rec supply pool supply it is quoted at \$1137.12.

We also need to address our pool vacuums. We have two old ones that we continually have issues with and have to drive them to Sequin for repair and then drive back to pick them up. The repairs are expensive and our budget was not allowed any funds for equipment or projects. We have quoted a new Gemini vacuum from Rec Supply for \$6150.00.

**To summarize:**

**Summer camp anticipated expenses     \$16,000.00**

**This includes additional Rainbow Camps for kids with special needs.**

**Summer Track over 100 kids             \$1000.00**

**Summer Swim Team 90 kids             \$1000.00**

**IST Swimstart Meet Starter             \$1,137.12**

**Lane Line Reels x 2                        7933.78**

**Pool Vacuum                                6,150.00 to replace two old ones that barely work**

**Total Request                               \$31,220.09**

**Your kind consideration of our requests are appreciated and will make our job so much easier in providing these great services to our communities.**

**Sincerely,**

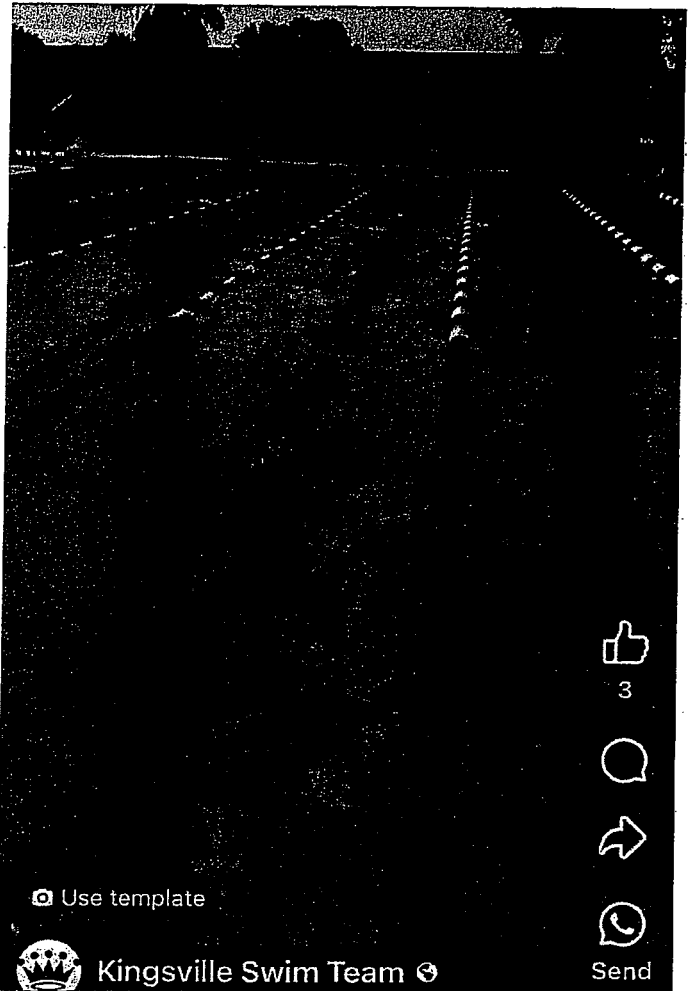
**Susan Ivy,**

**Director**

**Kingsville Parks and Recreation**



NEW LANE LINES FUNDED LAST YEAR



3



Send

Use template



Kingsville Swim Team



NEW GUARD CHAIRS

# SUMMER CAMP EXPENSES FOR 50 CAMPERS

Name	Summer Camp 2025	Department	PARKS AND RECREATION
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## FIELD TRIPS

Dates	LOCATION	AMOUNT
JUNE 5	NATURAL BRIDGE CAVERNS, SAN ANTONIO TX	1,500.00
JUNE 12	PORT ARANSAS TEXAS	250.00
JUNE 18	KING RANCH TOUR	1300.00
JULY 9	BAFFIN BAY, RIVIERA TX	100.00
JULY 10	LAKE CORPUS CHRISTI, MATHIS, TX	200.00
JULY 16	TAMUK SPORT CENTER	250.00
JULY 17	NAS BOWLING, KINGSVILLE TX	400.00
JULY 18	HURRICANE ALLEY, CORPUS CHRISTI, TX	1,500.00

TOTAL 5,500.00

Category	FIELD TRIPS	LOCATIONS	Amount
Transportation	DATES	MILEAGES ROUND TRIP/ PLUS DRIVERS HOURS	
KISD BUS TRANSPORTATION	JUNE 5	NATURAL BRIDGE CAVERNS, SAN ANTONIO TX = 362 MILES	
	JUNE 12	PORT ARANAS, TX = 148 MILES	
	JUNE 18	KING RANCH TOUR, = 12 MILES	
	JULY 9	BAFFIN BAY, RIVIERA, TX = 60 MILES	
	JULY 10	LAKE CORPUS CHRISTI, MATHIS TX = 120.00 MILES	
	JULY 16	TAMUK SPORT CENTER KINSVILLE, TX = 10 MILES	
	JULY 17	NAS BOWLING, KINSVILLE, TX 10 MILES	
	JULY 18	HURRICAN ALLEY, CORPUS CHRISTI, TX = 100 MILES	
TOTAL			3,000.00
ACTIVITIES /EXPENSES	DATE	SUPPLIES	
		ROLLS OF BUTCHER PAPERS FOR BANNER/PAINT, BRUSHES, PENCILS, GLUE AND OTHER MATERIALS FOR PROJECT, DECORATOIN FOR ALL TEHEMES	400.00
JURASSIC JUNGLE ADVENTURE	6/3-6/5	CANVAS, DINOSAURS FOR ART SHADOWING, SUPPLIES FOR ANIMAL TRACKS AND STEM PROJECTS	200.00
UNDER THE SEA	6/10 - 6/12	AIR DRY CLAY, CANVAS, POOL NOODLES	200.00
WILD WEST	6/17 - 6/18	PLASTIC SNAKES, OUTDOOR COOKING SUPPLIES, Outdoor Craft	150.00
WAND & WONDER CAMP	6/24 - 6/26	Broomsicks, Ring Toss, Beach Balls, Poster Boards, Fabric Paint, Bottles, Jars, Vase, Plastic Cauldrons Vinegar, and Bicarbonate Soda, Sugar, Yeast and Funnels, Table Tennis Balls, Feathers, etc.	200.00
OUTDOOR ADVENTURES	7/8 - 7/10	SCAVENGAR HUNT SUPPLIES, BIRD JOUNALS, SKETCHBOOK FOR OUTDOOR DRAWING, COOLING TOWELS, ETC	200.00
SPORTS MANIA	7/15-7/17	PADDLES/BALLS, FOR PICKLE BALL/ SUPPLIES FOR MUD RUN - WOOD FOR WALK WALL, ROPES, HOOKS AND TARPS, WATERHOSE, AND NAILS, SCREWS AND POOLS	300.00
SPLASH 'N' DASH	7/22-7/24	WATER DAY ACTIVITES - WILL NEED BALLOONS (LOTS) BUCKETS, CUPS, SPONGES, POOLS, WATER GUNS, SUPPLIES FOR MINUTE TO WIN IT.	200.00
MISCELLANEOUS:		BREAKFAST BARS, SNACKS AND WATERS FOR ALL DAILY ACTIVITIES & FIELD TRIPS, SUNBLOCK, MOSQUITO SPRAY, AND SUPPLIES FOR LUNCH FOR THE MONTH OF JULY	2,000.00
		ALL STAFF SHIRTS, CAPS AND WHISTLES	650.00
	TOTAL	SUPPLIES FOR RAINBOW SPEICAL NEED CAMP	3,000.00
TOTAL			16,000.00



SKU #	DESCRIPTION	SERVICE	COLOR	Womens Size	-	-	-	-	0	2	4	6	8	10	12	14	16	-	-	TOTAL UNITS	UNIT PRICE	TOTAL
				Women Chest	22	24	26	28	30	32	34	36	38	40	42	44	46	48	50			
				Men Waist	-	-	22	24	26	28	30	32	34	36	38	40	42	44	-			
				Watermen Sizes	-	-	JS	JM	JL	XS/JXL	S	M	L	XL	2XL	3XL	4XL	5XL	6XL			
3 RL 200510	Competitor Classic Plus Stor Lane Reel																				\$3,443.70	\$6,887.40
	Tax Exempt																					\$0.00
	Shipping Estimate																					\$711.11
GRAND TOTAL:																						\$7,598.51



SCP Distributors LLC dba RecSupply  
PO Box 2757  
Bismarck, ND 58502-2757  
P: (800) 437-8072

<b>BILL TO:</b> City of Kingsville
Susan Ivy Po Box 1458 Kingsville, TX 78364 P: (361) 522-1202

<b>QUOTE</b>
<b>QUOTE # QTE105797</b>

Page 1/2

*Please refer to this quote number when purchasing.*

<b>SHIP TO:</b> City of Kingsville
Susan Ivy 501 E Escondido Road Kingsville, TX 78363 P: (361) 522-1202

Customer ID	Ship Via	Sales Rep	Terms	Document Date	Expires
151543	BEST	BRAD	NET 30	5/22/2025	05/29/2025

Quantity	UOM	Item Number	Description	Unit Price	Extended Price
1	EA	MMSSTR150	DROPSHIP: SWIMSTART	1,137.12	1,137.12



SCP Distributors LLC dba RecSupply  
PO Box 2757  
Bismarck, ND 58502-2757  
P: (800) 437-8072

**BILL TO:**

City of Kingsville

Susan Ivy  
Po Box 1458  
Kingsville, TX 78364  
P: (361) 522-1202

**QUOTE****QUOTE # QTE105765**

Page 1/2

*Please refer to this quote number when purchasing.*

**SHIP TO:**

City of Kingsville

Jennifer Bernal  
501 E Escondido Road  
Kingsville, TX 78363  
P: (361) 522-1202

Customer ID	Ship Via	Sales Rep	Terms	Document Date	Expires
151543	BEST	BRANDON	NET 30	5/20/2025	05/27/2025

Quantity	UOM	Item Number	Description	Unit Price	Extended Price
1	EA	CCAQGEM68	GEMINI POOL CLEANER (INCLUDES CART); PVC BRUSHES	6,150.00	6,150.00

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO ACCEPT AND EXPEND THE DONATION FROM THE BROOKSHIRE FOUNDATION FOR MINOR EQUIPMENT AND RECREATIONAL PROGRAMS.**

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

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT – BA#41

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
<u>Revenues</u>					
4513	Parks	Donations	72030	\$33,220.09	
<u>Expenditures</u>					
4513	Parks	Minor Equipment	21700	\$15,220.09	
4513	Parks	Recreational Programs	31499	\$18,000.00	

[To amend the City of Kingsville FY 24-25 budget to accept and expend the donation from the Brookshire Foundation for minor equipment and recreational programs. Funding for this will come from the donation received for the stated purpose.]

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 9th day of June 2025.

**PASSED AND APPROVED** on this the 23rd day of June 2025.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #4**

ORDINANCE NO.2025-\_\_\_\_\_

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XIII, ARTICLE 2, OFFENSES AGAINST PUBLIC PEACE AND SAFETY, SECTIONS 13-2-10 TO 13-2-13 AND SECTIONS 13-2-20 TO 13-2-23, PROVIDING FOR THE REPEAL OF THE NIGHTTIME CURFEW REGULATIONS FOR MINORS AND THE DAYTIME CURFEW REGULATIONS FOR MINORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

**WHEREAS**, the state legislature has repealed the statute that allowed municipalities to impose a juvenile curfew ordinance, negating the City's ability to enforce its existing curfew ordinance;

**WHEREAS**, it is prudent to repeal the existing curfew ordinance since state law supersedes it;

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

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

I.

**THAT** Sections 13-2-10 to 13-2-13 and sections 13-2-20 to 13-2-23 of Article 2: Offenses Against the Public Peace and Safety of Chapter XIII, General Offenses, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§ 13-2-10 DEFINITIONS.**

~~For the purpose of this subarticle, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

**CURFEW HOURS.**

~~(1) 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and~~

~~(2) 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.~~

**EMERGENCY.** ~~An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.~~



**ESTABLISHMENT.** Any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

**GUARDIAN.**

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

**MINOR.** Any person under 17 years of age.

**OPERATOR.** Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

**PARENT.** A person who is:

(1) A natural parent, adoptive parent, or step-parent of another person; or

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody for a limited time for a specific purpose of a minor.

**PUBLIC PLACE.** Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

**REMAIN.**

(1) To linger or stay; or

(2) To fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

**SERIOUS BODILY INJURY.** Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

**§ 13-2-11 OFFENSES.**

(A) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(B) A parent or guardian of a minor commits an offense if he knowingly or acting with criminal negligence permits or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(C) The owner, operator, or any employee of an establishment commits an offense if he knowingly or acting with criminal negligence allows a minor to remain upon the premises of the establishment during curfew hours.

#### **§ 13-2-12 DEFENSES TO PROSECUTION.**

(A) It is an affirmative defense to prosecution under § 13-2-11 that the minor was:

(1) Accompanied by the minor's parent or guardian;

(2) In a motor vehicle involved in interstate travel;

(3) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

(4) Involved in an emergency;

(5) On the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the police department about the minor's presence;

(6) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;

(7) Married or had disabilities of minority removed in accordance with TEX. FAM. CODE, Ch. 31.

(B) It is a defense to prosecution under § 13-2-11(C) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

#### **§ 13-2-13 ENFORCEMENT.**

Before taking any enforcement action under this section, a peace officer shall ask the apparent offender's age and reason for being in the public place or on the premises of the establishment. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in § 13-2-12 is present.

#### **§ 13-2-20 DEFINITIONS.**

For the purpose of this subarticle, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

##### **CURFEW HOURS.**

(1) 9:00 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday; provided however, the hours defined in this definition shall not be considered as curfew hours for minors not subject to compulsory school attendance pursuant to TEX. EDUC. CODE § 25.085, nor shall the hours herein defined be considered as curfew hours on days or during periods in which the school where the applicable minor is enrolled is closed or classes for which the applicable minor is enrolled have been cancelled under the order and direction of officials authorized to issue such orders and directives.

**EMERGENCY.** An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

**ESTABLISHMENT.** Any privately owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

##### **GUARDIAN.**

(1) A person who, under court order, is the guardian of the person of a minor; or

(2) A public or private agency with whom a minor has been placed by a court.

**MINOR.** Any person subject to compulsory school attendance.

**OPERATOR.** Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

**PARENT.** A person who is:

(1) A natural parent, adoptive parent, or step-parent of another person;  
or

(2) At least 18 years of age and authorized by a parent or guardian to have the care and custody for a limited time for a specific purpose of a minor.

**PUBLIC PLACE.** Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

**REMAIN.**

(1) To linger or stay; or

(2) To fail to leave premises when requested to do so by a peace officer or the owner, operator, or other person in control of the premises.

**SERIOUS BODILY INJURY.** Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

#### **§ 13-2-21 OFFENSES.**

(A) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(B) A parent or guardian of a minor commits an offense if he knowingly or acting with criminal negligence permits, or by insufficient control, allows the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(C) The owner, operator, or any employee of an establishment commits an offense if he knowingly or acting with criminal negligence allows a minor to remain upon the premises of the establishment during curfew hours.

#### **§ 13-2-22 DEFENSES TO PROSECUTION.**

(A) It is an affirmative defense to prosecution under § 13-2-21 that the minor was:

(1) Accompanied by the minor's parent or guardian;

~~(2) In a motor vehicle involved in interstate travel;~~

~~(3) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;~~

~~(4) Involved in an emergency;~~

~~(5) On the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the police department about the minor's presence;~~

~~(6) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;~~

~~(7) Married or had disabilities of minority removed in accordance with TEX. FAM. CODE Ch. 31.~~

~~(B) It is a defense to prosecution under § 13-2-21(C) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during curfew hours and refused to leave.~~

#### **§ 13-2-23 ENFORCEMENT.**

~~Before taking any enforcement action under this section, a peace officer shall ask the apparent offender's age and reason for being in the public place or on the premises of the establishment. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in § 13-2-22 is present.~~

## II.

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

## III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final

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

IV.

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

**INTRODUCED** on this the 9th day of June, 2025.

**PASSED AND APPROVED** on this the 23rd day of June, 2025.

**EFFECTIVE DATE:** \_\_\_\_\_, 2025

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **REGULAR AGENDA**

# **AGENDA ITEM #5**





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## MEMORANDUM

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TO: Charlie Sosa, Interim City Manager  
FROM: Deborah Balli, Finance Director  
DATE: June 12, 2025  
SUBJECT: FY 23-24 Audit Report Acceptance

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**Summary:**

The FY 23-24 audit is complete and requires acceptance by the City Commission.

**Background:**

The auditors have completed their work on FY 23-24. This year, Finance had to request (1) 30-day extensions. The audit for FY 23-24 resulted in no findings.

**Financial Impact:**

The final bill for the audit has not been received.

**Recommendation:**

Staff recommends accepting the FY 23-24 audit report.

# **AGENDA ITEM #6**

Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8055

DRAFT



## MEMO

**Date:** June 10<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor for a Special Use Permit for Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5, 6, also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207)

**Summary:** Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner, approached the Planning Department on April 23<sup>rd</sup>, 2025, requesting approval of a Special Use Permit for an Auto Paint & Body Shop on a parcel of land in C2 (Retail District) at 201 S. 6th St., Kingsville, TX 78363 to tint windows on vehicles.

**Background:** In accordance with the City of Kingsville's Land Use Chart, an "Auto Paint & Body Shop" within land zoned as "C2 – Retail District" is permitted, provided a Special Use Permit is applied for and approved.

The Planning and Zoning Commission meeting was held on June 18<sup>th</sup>, 2025, with X of 7 members in attendance.

Members deliberated over the request to recommend approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at 201 S. 6th St., Kingsville, TX 78363 (Property ID 11207). 7 Notice Letters were sent out to neighbors within the 200 feet buffer and the city has received no feedback as of today.

The Planning and Zoning Commission board members voted to approve the recommendation of a Special Use Permit for an "Auto Paint & Body Shop" at 201 S. 6th St., Kingsville, TX 78363. A recorded vote of all members present was taken and board members Steve Zamora, Larry Garcia, Rev. Idotha Battle, Debbie Tiffie, Mike Klepac, Brian Coufal and Krystal Emery all voted "YES."

The meeting was adjourned at X:XX p.m.

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

TRAD



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## MEMO

**Date:** June 10<sup>th</sup>, 2025

**To:** Planning & Zoning Commission

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor for a Special Use Permit for Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5, 6, also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207)

**Summary:** Items 1 & 2: Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner, approached the Planning Department on April 23<sup>rd</sup>, 2025, requesting approval of a Special Use Permit for an Auto Paint & Body Shop on a parcel of land in C2 (Retail District) at 201 S. 6th St., Kingsville, TX 78363 to tint windows on vehicles.

**Background:** Items 1 & 2: In accordance with the City of Kingsville's Land Use Chart, an "Auto Paint & Body Shop" within land zoned as "C2 – Retail District" is permitted, provided a Special Use Permit is applied for and approved.

**Erik Spitzer**  
Director of Planning and Development Services

### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, June 18, 2025, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following item and at which time all interested persons will be heard:

**Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner; requesting approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5,6 also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207).**

The meeting will be held at City Hall, 400 West King Ave., Kingsville, TX 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, June 23, 2025, 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:

**Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner; requesting approval of a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on a parcel of land in C2 (Retail) District at ORIG TOWN, BLOCK 58, LOT E 118.5' of 1-4, E 60' of 5,6 also known as 201 S. 6<sup>th</sup> St., Kingsville, TX 78363 (Property ID 11207).**

The meeting will be held at City Hall, 400 West King Ave., 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.



# MASTER LAND USE APPLICATION

email: [hsolis@cityofkingsville.com](mailto:hsolis@cityofkingsville.com) / Phone (361) 595-8055

## PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 201 S. 6th St. Kingsville, TX, 78363 Nearest Intersection King Ave. And 6th St

(Proposed) Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description ORIG TOWN, BLOCK 58, LOT E 118.5' OF 1-4, E 60' OF 5-6

Existing Zoning Designation C2, RETAIL DISTRICT Future Land Use Plan Designation \_\_\_\_\_

## OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Jose Alberto Lopez Phone (361) 355-3188

Email Address (for project correspondence only): jlopez123173@gmail.com

Mailing Address 1214 E Hulsache Ave. City Kingsville State TX Zip 78363

Property Owner Herman H. Ohlenbusch Phone (361) 271-9957 FAX \_\_\_\_\_

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

Mailing Address P.O. Box 1574 City Kingsville State TX Zip 78364

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	<input type="checkbox"/> Re-plat _____	\$250.00
<input checked="" type="checkbox"/> SUP Request/Renewal _____	\$250	<input type="checkbox"/> Vacating Plat _____	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____	\$250	<input type="checkbox"/> Development Plat _____	\$100.00
<input type="checkbox"/> PUD Request _____	\$250	<input type="checkbox"/> Subdivision Variance Request _____	\$25.00 ea

Please provide a basic description of the proposed project:

Existing building is a service station and was a prior transmission repair shop. we are wanting to open a window tinting store.

Offering window tint for residential & commercial Buildings as well as vehicles

There will be no changes to the building other then cleaning the place up and minor cosmetic repairs.

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 [Signature] Date: 5/21/25

Property Owner's Signature [Signature] Date: 5/21/25

Accepted by: [Signature] Date: 5/22/2028

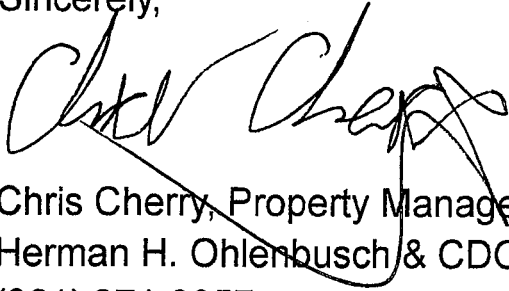
This form available on our website: <https://www.cityofkingsville.com/departments/planning-and-development-services/>

To Whom It May Concern,

This letter is to confirm that Jose A. Lopez is currently leasing the property located at 201 S. 6th St., Kingsville, TX 78363, from us. The intended use is a residential, commercial, & auto tint store.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cherry". The signature is stylized with a large, sweeping "C" and a long, horizontal stroke extending to the right.

Chris Cherry, Property Manager  
Herman H. Ohlenbusch & CDO Properties  
(361) 271-9957  
hermansleasing@gmail.com  
205 E. King Ave, Suite 1  
Kingsville, TX 78363



## Property Details

### Account

Property ID: 11207

Geographic ID: 100105801000192

Type: R

Zoning: C2

Property Use:

Location

Situs Address: 201 S 6TH ST TX

Map ID: C1

Mapsco:

Legal Description: ORIG TOWN, BLOCK 58, LOT E 118.5' OF 1-4, E 60' OF 5, 6

Abstract/Subdivision: S001

Neighborhood:

Owner

Owner ID: 30455

Name: OHLENBUSCH HERMAN H

Agent:

Mailing Address: PO BOX 1574  
KINGSVILLE, TX 78364-1574

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

## Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$64,920 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$66,830 (+)
Agricultural Market Valuation:	\$0 (+)
Market Value:	\$131,750 (=)
Agricultural Value Loss: ⓘ	\$0 (-)
Appraised Value: ⓘ	\$131,750 (=)
HS Cap Loss: ⓘ	\$0 (-)
Circuit Breaker: ⓘ	\$0 (-)
Assessed Value:	\$131,750
Ag Use Value:	\$0

VALUES DISPLAYED ARE 2025 PRELIMINARY VALUES AND ARE SUBJECT TO CHANGE PRIOR TO CERTIFICATION.

## Property Taxing Jurisdiction

**Owner:** OHLENBUSCH HERMAN H %**Ownership:** 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax
CKI	CITY OF KINGSVILLE	0.770000	\$131,750	\$131,750	\$1,014.48
GKL	KLEBERG COUNTY	0.771870	\$131,750	\$131,750	\$1,016.94
SKI	KINGSVILLE I.S.D.	1.410400	\$131,750	\$131,750	\$1,858.20
WST	SOUTH TEXAS WATER AUTHORITY	0.065695	\$131,750	\$131,750	\$86.55

**Total Tax Rate:** 3.017965

**Estimated Taxes With Exemptions:** \$3,976.17

**Estimated Taxes Without Exemptions:** \$3,976.17

# Property Improvement - Building

Type: COMMERCIAL Living Area: 1724.0 sqft Value: \$64,920

Type	Description	Class CD	Year Built	SQFT
MA	MAIN AREA	SG2L	1960	1404
CN1	CANOPY BASIC (20%)	*	1960	189
CON	CONCRETE SLAB COMMERCIAL	*	1960	4366
MA	MAIN AREA	OF2L	1999	320
ASP	ASPHALT (100%)	*	1960	6547

## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
F1	F1	0.27	11,850.00	100.00	118.50	\$53,330	\$0
F1	F1	0.07	3,000.00	50.00	60.00	\$13,500	\$0

#### Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2025	\$64,920	\$66,830	\$0	\$131,750	\$0	\$131,750
2024	\$46,510	\$66,830	\$0	\$113,340	\$0	\$113,340
2023	\$39,010	\$81,680	\$0	\$120,690	\$0	\$120,690
2022	\$33,940	\$81,680	\$0	\$115,620	\$0	\$115,620
2021	\$36,080	\$81,680	\$0	\$117,760	\$0	\$117,760
2020	\$14,020	\$40,840	\$0	\$54,860	\$0	\$54,860
2019	\$14,570	\$40,840	\$0	\$55,410	\$0	\$55,410
2018	\$15,230	\$40,840	\$0	\$56,070	\$0	\$56,070
2017	\$15,895	\$40,840	\$0	\$56,735	\$0	\$56,735

#### Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
12/30/1999	WD	WARRANTY DEED	HOSE PETROLEUM CO	OHLENBUSCH HERMAN H	190	185	

Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

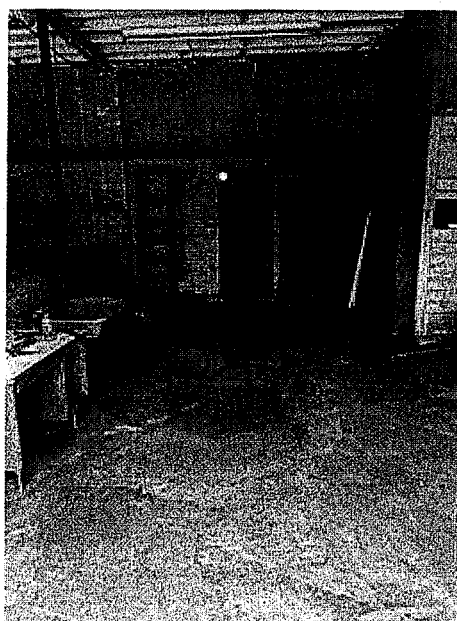
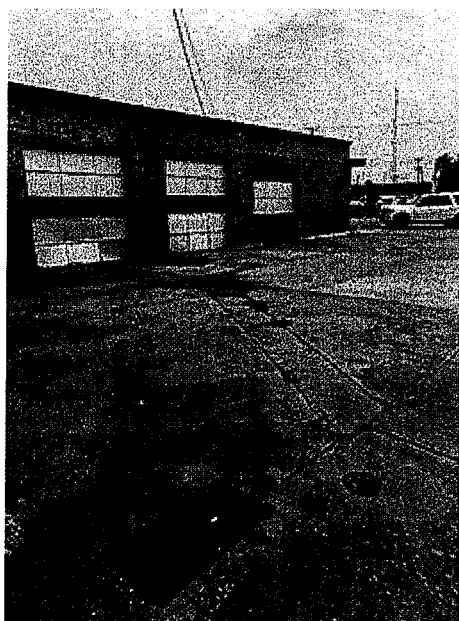
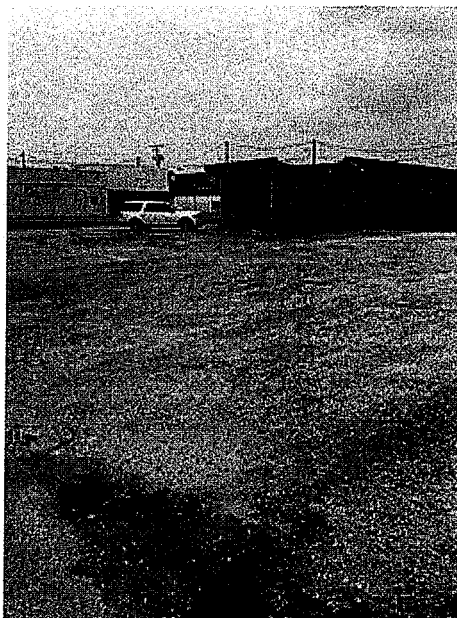
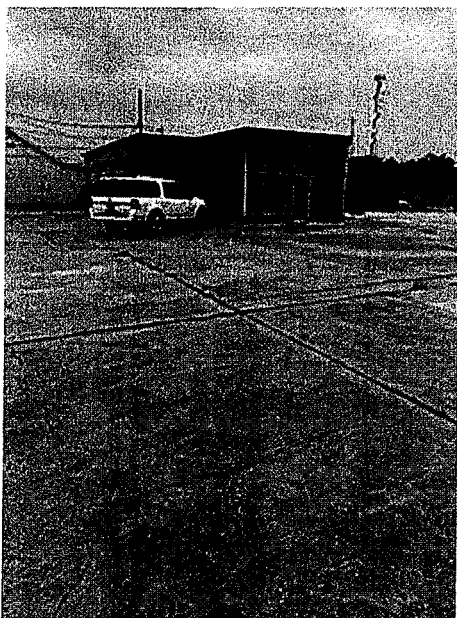
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[Land Use Chart on the following pages]

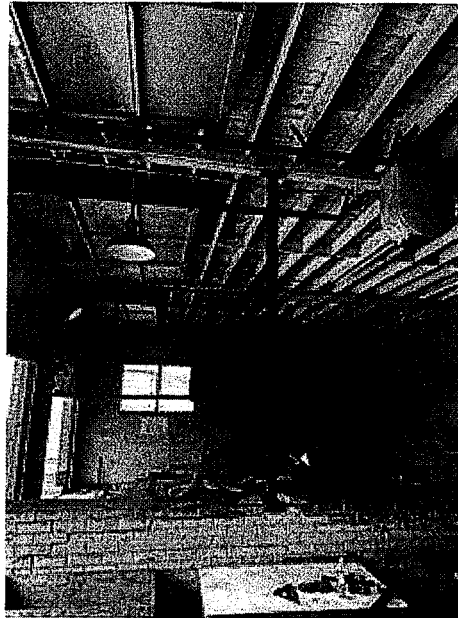
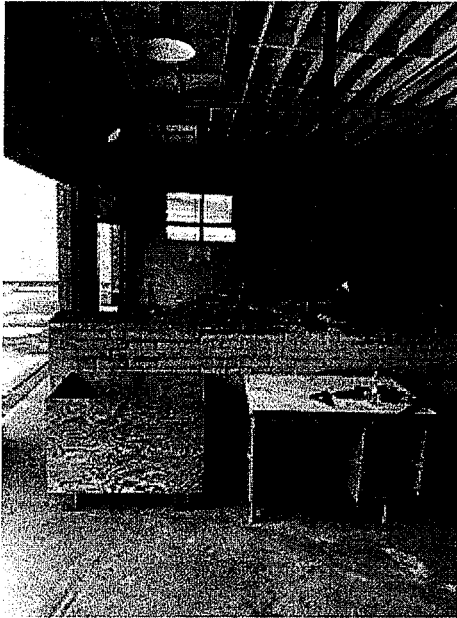
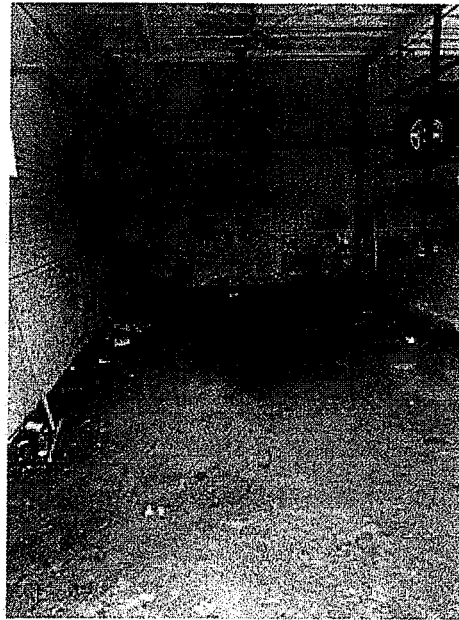
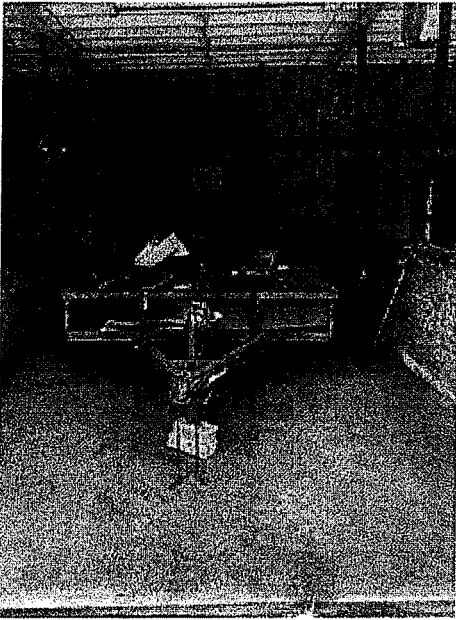
Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Dwelling, one-family det.	P	P		P	P	P	P	P	P				P
Dwelling, one-family att.		P	P	P	P		S	P					P
Dwelling, two-family		P		P	P		S	P					
Dwelling, multi-family				P	P		P	P	P				
Tiny Homes		P	P			P							
Dwelling, above business									P				
Work/live units									P				
Boarding or rooming house					P			S	P	P			
Hotel or motel					P			S	P	P			
Dormitory					P								
Fraternity, sorority					P								

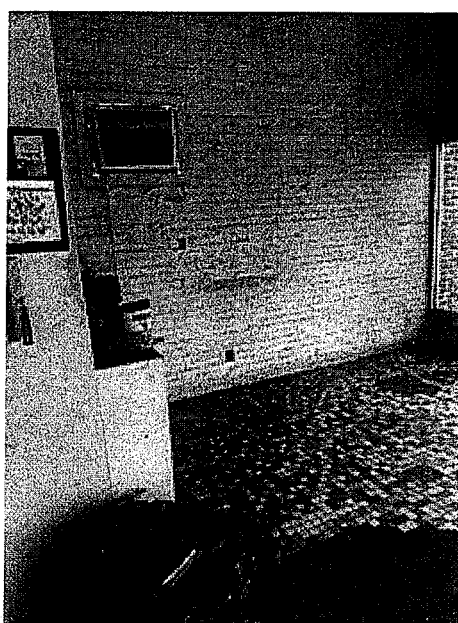
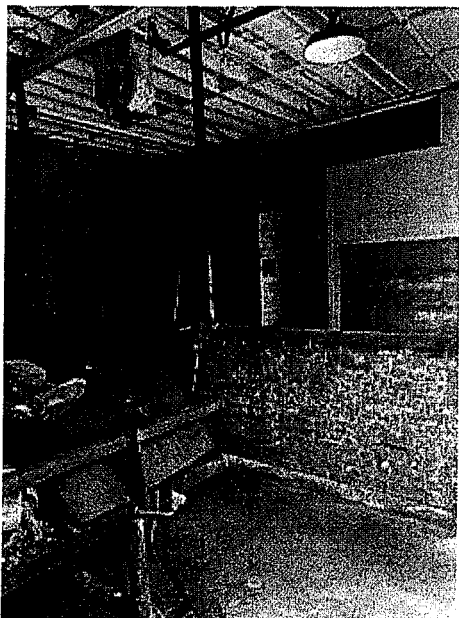
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Amusement, commercial indoor								S	P	P			
Carnival										S	P	P	P
Temporary carnival (14 days - 200 ft. setback from residential property)								S	P	P			
Provisioning and recreational sporting goods sales including boats and vehicles								S	P	P			
Shooting galleries and pistol [ranges] (indoor)								S	P	P			
Souvenir, curio								S	P				
<i>Automobile Related Uses</i>													
Car wash							P	S	P	P	P		
Auto sales, repairs including motorcycles								S	P	P	P		
Auto paint and body shop								S	P	P	P		
Drag strip, race track											S	S	
Gasoline service station								P	P	P	P		

Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Gasoline sales							S	P	P	P	P		
Commercial parking structure auto only								S	P	P	P		
Truck storage								S	S	P	P	P	
Used auto parts, sales, indoors								S	P	P	P	P	
New or reconditioned auto parts, indoors								S	P	P	P		
Seat cover or muffler installation shop								S	P	P	P		
Tire recapping and retreading shop										S	P	P	
Wrecking or salvage yards for auto or parts										S	S		
Storage of autos								S	S	P	S	P	
<i>Retail or Related Uses</i>													
Antique or collectable shop							S	S	P	P			
Art supply store							S	P	P	P			
Animal clinic or pet hospital, no outdoor pens								P	S	P	P		









Personal Property  
C/O Property Tax  
1400 Douglas ST Stop 1640  
Omaha, NE 679-1640  
#16711

United States of America  
103 E Kleberg Ave  
Kingsville, TX 78363  
#17666

King Ranch Saddle Shop INC  
Three Riverway Suite 1600  
Houston, TX 77056  
#14122

Herman H Ohlenbusch  
PO Box 1574  
Kingsville, TX 78364  
#20759

Kingsville C & A Corporation  
230 S 6<sup>th</sup> St  
Kingsville, TX 78363  
#14007

Zarsky Lumber CO  
PO Box 2527  
Victoria, TX 77902-2527  
#11873

Union Pacific Railroad Company  
Personal Property  
C/O Property Tax  
1400 Douglas ST Stop 1640  
Omaha, NE 679-1640  
#41097

Use Avery Template 5160

Bend along line to expose Pop-up Edge

5160 AVERY

## BY VIRTUE OF AN ORDER OF SALE

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR AN AUTO PAINT & BODY SHOP USE (VEHICLE WINDOW TINTING STORE) IN C2 (RETAIL) DISTRICT AT 201 S. 6<sup>TH</sup> STREET, KINGSVILLE, TEXAS, ALSO KNOWN AS ORIGINAL TOWN, BLOCK 58, LOT E. 118.5' OF 1-4, E. 60' OF 5,6, (PROPERTY ID 11207); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission it's reports and recommendations concerning the application by Jose Alberto Lopez, authorized agent and applicant for owner Herman H. Ohlenbusch for amendment to the zoning map of the City of Kingsville;

**WHEREAS**, the property is currently zoned C2-Retail District and it is desired for the area to be used for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store), while its prior use was as an auto repair shop;

**WHEREAS**, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in C2 a special use permit is required to have Auto Paint & Body Shop Use as listed on the SUP application; and

**WHEREAS**, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; and

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, June 18, 2025, during a meeting of the Planning Commission, and on Monday, June 23, 2025, a public hearing was held during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning and Zoning Commission voted ☐ - ☐ to APPROVE/DISAPPROVE, with ☐ abstentions, the requested special use permit; 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 and a Special Use Permit is granted for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) on the premises known as **201 S. 6<sup>TH</sup> STREET, KINGSVILLE, TEXAS, ALSO KNOWN AS ORIGINAL TOWN, BLOCK 58, LOT E. 118.5' OF 1-4, E. 60' OF 5,6, (PROPERTY ID 11207)**, as more specifically describe on site plan attached as Exhibit A.

**SECTION 2.** That the Special Use Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. **ALLOWED USE:** The only uses authorized by this Special Permit other than the permitted "C2" Retail District use is for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store).

2. **STATE LICENSE:** The premises or operator will be licensed or registered by the State of Texas, if needed, to have such a business.

3. **TIME LIMIT:** This Special Permit is good for the duration of the business from the date of this ordinance unless the property is not being used for the purpose outlined in Condition 1 or any other conditions have not been complied with.

4. **SPECIAL CONDITION:** The applicant shall obtain all required background checks, business licenses and have and cooperate with all annual fire safety, health, and sanitation inspections, or other inspections required for this type of use by the City of Kingsville or any State or Federal requirement, in order to maintain compliance with federal, state and city regulations for the facility.

**SECTION 3.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 4.** 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 5.** That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 6.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 7.** 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 23rd day of June, 2025.

**PASSED AND APPROVED** on this the 14th day of July, 2025.

Effective Date: \_\_\_\_\_, 2025

**THE CITY OF KINGSVILLE**

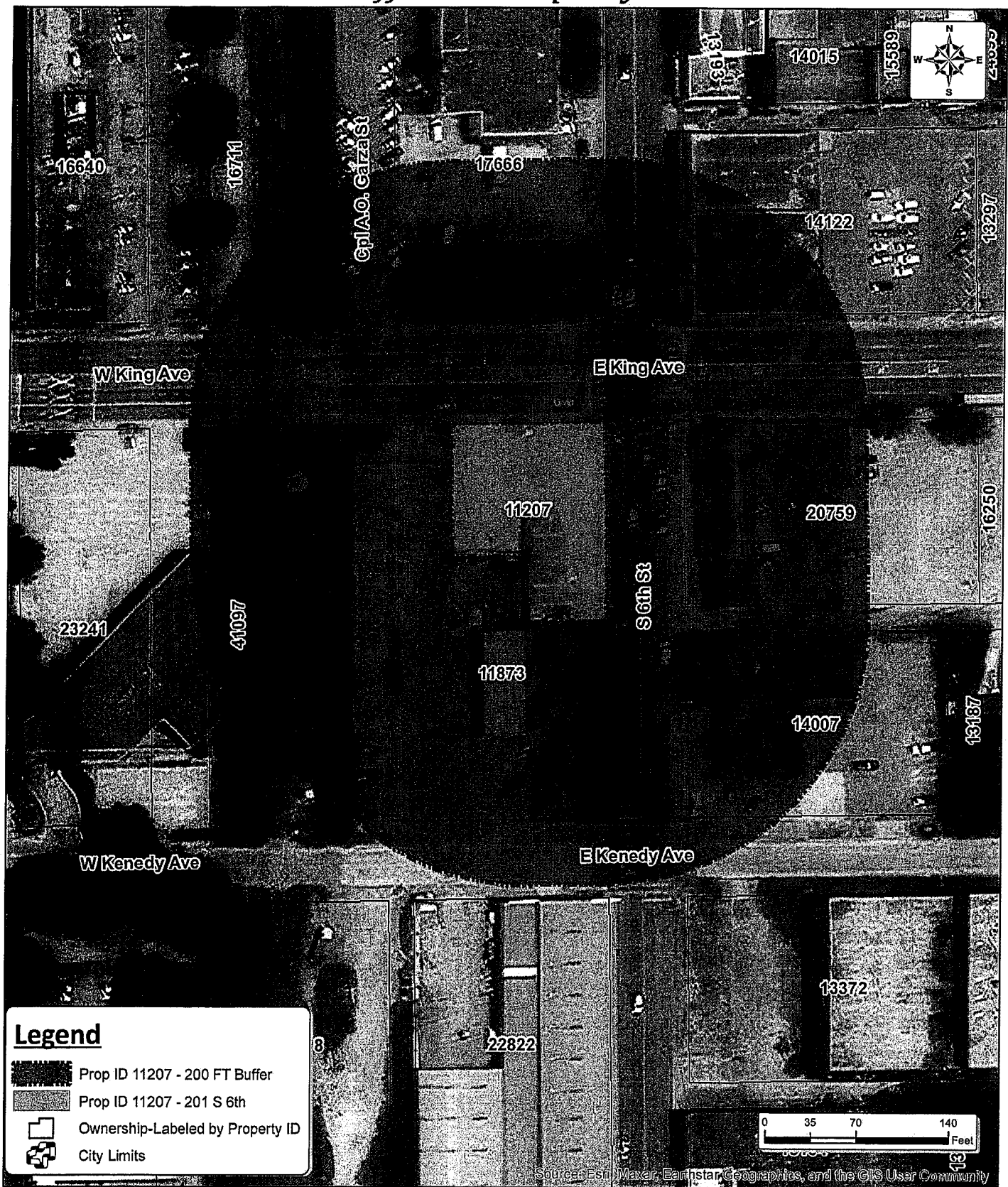
\_\_\_\_\_  
Sam R. Fugate, Mayor


**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



Page: 1 / 1	Drawn By: R. PICK	<b>DISCLAIMER:</b> 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.	 <b>CITY OF KINGSVILLE</b> <b>ENGINEERING DEPARTMENT</b> 400 W King Ave; Kingsville, TX 78363 Office: (361) 595-8007 Fax: (361) 595-8064
	Last Update: 5/22/2025		
	Note: Ownership is labeled with its Prop ID.		



# **AGENDA ITEM #7**

# **AGENDA ITEM #8**

**City of Kingsville  
Human Resource Department**

**TO:** Interim City Manager Charles Sosa  
**FROM:** Diana Gonzales, Human Resource Director  
**DATE:** June 16, 2025  
**SUBJECT:** RFP 25-16 Group Medical Employee Benefit Program

**Summary:**

The City of Kingsville (City) distributed RFP 25-16 on April 17, 2025, and opened bids on May 20, 2025, at 2 p.m. The City received responses to RFP 25-16 from BlueCross BlueShield and United Healthcare.

As has been indicated during past City Commission meetings, the City has been able to absorb rate increases (12% in 2023 and 14% in 2024) for the past two years utilizing the Health Fund balance. This option was available to assist employees during the transition from a self-funded health plan to a fully funded health plan.

Carlisle Insurance (Acrisure) representative Ms. Valeria Ybarra, a Registered Employee Benefit Consultant (REBC), assisted the City with the RFP process and evaluation of submitted bids.

**Background:**

Fiscal Year 2024-2025 is the third year of the United Healthcare fully funded plan. The City of Kingsville offers three (3) health plan options from which employees may select. Current plans and applicable premiums are listed below:

**Fiscal Year 2024-2025**

HMO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ -	\$ 735.62
ES	\$ 88.26	\$ 1,691.94
EC	\$ 48.94	\$ 1,282.53
EF	\$ 117.34	\$ 2,332.27

EPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 71.40	\$ 803.69
ES	\$ 171.46	\$ 1,946.26
EC	\$ 128.82	\$ 1,455.09
EF	\$ 252.30	\$ 2,661.75

PPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 94.84	\$ 829.61
ES	\$ 227.88	\$ 2,009.30
EC	\$ 171.16	\$ 1,502.10
EF	\$ 334.04	\$ 2,744.38

**Financial Impact:**

Based on the RFP tabulations of 260 employees on the insurance census report at the time the City distributed the RFP, the tabulated costs are as follows:

	United Healthcare	BlueCross BlueShield
Plan Cost	\$5,196,761	\$5,542,913



**City of Kingsville**  
**Human Resource Department**

The following information is from the City Finance Department's preliminary budget figures:

If **ALL** proposed budgeted positions are filled for the *entire* FY25-26, the estimated cost of providing health insurance is \$5,956,300. The following is the recommended distribution of premium costs using the Recommended Plan Premiums below:

**Recommended Plan Premiums**

Fiscal Year 2025-2026

HMO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ -	\$ 753.39
ES	\$ 167.32	\$ 1,655.88
EC	\$ 121.36	\$ 1,242.27
EF	\$ 235.88	\$ 2,272.90

EPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 138.68	\$ 753.39
ES	\$ 335.62	\$ 1,823.19
EC	\$ 251.02	\$ 1,363.62
EF	\$ 461.82	\$ 2,508.77

PPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 217.20	\$ 753.38
ES	\$ 525.62	\$ 1,823.20
EC	\$ 393.14	\$ 1,363.62
EF	\$ 723.26	\$ 2,508.77

**Annual Cost Breakdown Estimate – if all positions filled for the entire FY25-26**

- Employer Contributions: \$4,585,347
- Health Fund Contribution: \$ 507,600
- Employee Contributions: \$ 863,353

These costs are approximate as the type of coverage for vacant positions can only be estimated. In addition, employees can change coverage at open enrollment and with qualifying events during the fiscal year. Furthermore, the City experiences as number of vacancies throughout the year which will also impact insurance costs.

By utilizing some of the remaining Health Fund balance, this allows for the possibility of the Health Fund balance assisting with a portion of premiums in FY26-27.

**Recommendation:**

See attached recommendations from Ms. Valeria Ybarra, REBC. Staff support the consultants' recommendation of the three options with United Healthcare (HMO, EPO and PPO) as per the summarized plans also attached.





To: City of Kingsville

RE: Group Medical Employee Benefits Programs  
RFP Number: 25-16

June 16, 2025

To Whom It May Concern:

I am writing to recommend the proposed funding and replacement plans for the City of Kingsville's group medical employee benefits program, effective October 1, 2025. After a thorough review of the RFP responses and a comprehensive analysis of the current benefits structure, I am confident that the proposed changes will provide significant value to both the City and its employees.

**Recommended Replacement Plans:**

I strongly recommend the implementation of the following replacement plans:

- **HMO Plan:** This plan includes a \$3,000 deductible and 100% coinsurance, reduced out-of-pocket maximums, and maintains the current gated network. The proposed changes reduce the renewal increase from 15% to 2.42%.
- **EPO Plan:** This plan features a \$1,500 deductible, 80% coinsurance, and maintains the current non-gated network. The proposed changes reduce the renewal increase from 15% to 2.94%.
- **PPO Plan:** This plan includes a \$750 deductible, 80% coinsurance, and maintains the current out-of-network coverage. The proposed changes reduce the renewal increase from 15% to 4.99%.

These replacement plans offer comparable benefits and cost savings compared to the current plans and the initial renewal rates proposed by UnitedHealthcare.

**Recommended Funding:**

I recommend adopting the proposed funding structure outlined on the last page of the presentation. This structure represents a balanced approach, optimizing employer contributions while ensuring employees continue to have access to comprehensive healthcare coverage. The proposed funding allocation for the 2024-2025 year is as follows:

- **Total Annual Cost:** \$5,196,761.28
- **Total Annual Paid by Employee:** \$824,588.16 (16% of total)
- **Total Annual Paid by Employer:** \$4,372,173.12 (84% of total)

This funding model is recommended because it achieves the following objectives:

- **Cost Savings:** Reduces the renewal increase across all plans.
- **Employee Benefits:** Maintains comprehensive benefits with minimal disruption.



- **Financial Stability:** Provides a predictable and sustainable funding structure for the City.

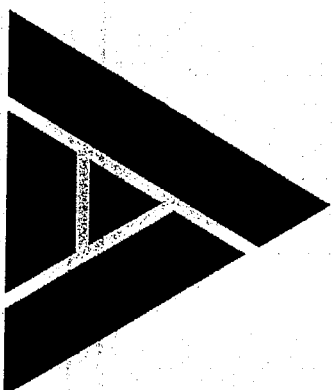
In conclusion, I am confident that implementing the proposed replacement plans and funding structure will result in an effective and efficient group medical employee benefits program for the City of Kingsville. This approach balances cost containment with the need to provide quality healthcare benefits.

Sincerely,

Valeria Ybarra, REBC  
Employee Benefits Consultant

**UNITED HEALTHCARE**  
**Medical Benefits**

Option	Alternate Option 3	Alternate Option 2	Alternate Option 2
Network	Navigate (HMO)	Choice (EPO)	Choice Plus (PPO)
Plan Name	EVL	EYS	EIZ7
Funding	Fully Insured	Fully Insured	Fully Insured
In-Network Benefits			
Deductible			
>Individual	\$3,000	\$1,500	\$750
>Family	\$6,000	\$3,000	\$1,500
Coinsurance	100%	80%	80%
Out-of-Pocket Maximum			
>Individual	\$6,000	\$5,000	\$4,000
>Family	\$12,000	\$10,000	\$8,000
Preventive Care	No Charge	No charge	No charge
Primary Care Office Visit	\$10 copay (no charge under age 19)	\$25 copay (no charge under age 19)	\$25 copay (no charge under age 19)
Specialist Referral Required	Yes	No	No
Specialist Office Visit	\$60 copay	\$25 copay - designated / \$50 copay - non designated	\$25 copay - designated / \$50 copay - non designated
Virtual Visit	No charge by designated virtual network provider	No charge by designated virtual network provider	No charge by designated virtual network provider
Urgent Care	\$25 copay	\$50 copay	\$50 copay
Habilitation Services	\$10 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)	\$25 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)	\$25 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)
Rehabilitation Services	\$10 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)	\$25 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)	\$25 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)
Diagnostic Test (Lab & Xray)	\$40 copay per service	No charge	No charge
Advanced Imaging (CT, PET, MRI, etc.)	\$500 copay per service	20% after deductible	20% after deductible
Surgical Procedures (outpatient)	No charge after deductible	20% after deductible	20% after deductible
Emergency Room Services	\$500 deductible per occurrence	\$500 copay + 20% after deductible	\$500 copay + 20% after deductible
Inpatient Hospital	No charge after deductible	20% after deductible	20% after deductible
Tier I	\$10 copay - retail / \$10 copay - specialty retail	\$10 copay - retail / \$10 copay - specialty retail	\$10 copay - retail / \$10 copay - specialty retail
Tier II	\$50 copay - retail / \$150 - specialty retail	\$50 copay - retail / \$150 - specialty retail	\$50 copay - retail / \$150 - specialty retail
Tier III	\$100 copay - retail / \$500 - specialty retail	\$100 copay - retail / \$500 - specialty retail	\$100 copay - retail / \$500 - specialty retail
Tier IV	n/a	n/a	n/a
Mail Order	2.5 x Tier for 90 day supply (retail only)	2.5 x Tier for 90 day supply (retail only)	2.5 x Tier for 90 day supply (retail only)
Out-of-Network Benefits			
Deductible			
>Individual	n/a	n/a	\$5,000
>Family	n/a	n/a	\$10,000
Coinsurance	n/a	n/a	50%
Out-of-Pocket Maximum			
>Individual	n/a	n/a	\$10,000
>Family	n/a	n/a	\$20,000
Medical Rates			
	Rate	Rate	Rate
Employee Only (EO)	\$753.39	\$892.07	\$970.58
Employee & Spouse (ES)	\$1,823.20	\$2,158.81	\$2,348.82
Employee & Child(ren) (EC)	\$1,363.63	\$1,614.64	\$1,756.76
Employee & Family (EF)	\$2,508.78	\$2,970.59	\$3,232.03



**ACRISURE®**

City of Kingsville

Group Medical Employee Benefits Programs

RFP 25-16

Valeria Ybarra, REBC  
*Employee Benefits Consultant*





## GROUP MEDICAL EMPLOYEE BENEFITS PROGRAMS RFP 25-16

- NEW BENEFITS EFFECTIVE: 10/1/2025
- Open enrollment: August 2025
- Installation: September 2025
- RFP Posted: April 14, 2025
- RFP Due Date: May 20, 2025
- RFP Responses: United Healthcare, Incumbent and Blue Cross Blue Shield of Texas
- United Healthcare Proposed Renewal Increase: +15%

**PLAN 1 - HMO PLAN**

[illegible]

## PLAN 1 – HMO PLAN

### Recommended replacement plan

- \*\$3,000 deductible
- 100% coinsurance
- Reduced out of pocket max
- Reduces increase from 15% to 2.42%
- Reduced primary care physician copay
- Reduced urgent care copay
- Pharmacy stays the same
- Same network as current (gated/PCP required/NO out of network coverage)

## PLAN 2 - EPO PLAN

[illegible]

## PLAN 2 – EPO PLAN

### Recommended replacement plan

- \*\$1,500 deductible
- 80% coinsurance
- Reduces increase from 15% to 2.94%
- Slight increase to primary care physician visit copay
- Same urgent care copay
- Pharmacy stays the same
- Same network as current (non-gated/NO out of network)

## PLAN 3 - PRO PLAN

[illegible]

## PLAN 3 – PPO PLAN

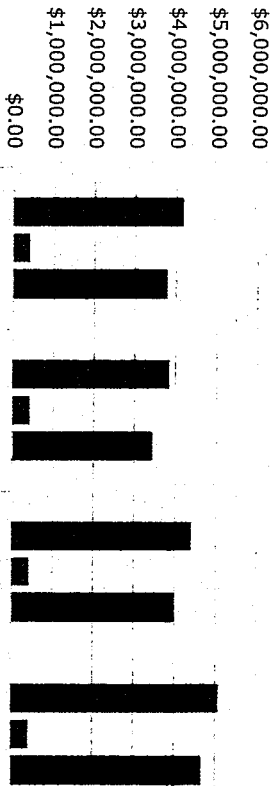
### Recommended replacement plan

- \$750 deductible
- 80% coinsurance
- Reduces increase from 15% to 4.99%
- Slight increase to primary care physician visit copay
- Same urgent care copay
- Pharmacy stays the same
- Same network as current (non-gated/out of network coverage)

# RENEWAL HISTORY & PREMIUM DISTRIBUTION

Plan Year	Carrier	Total Paid	Total Cost Variance	Total Paid by Employee	Employee Variance	Total Paid by Employer	City Variance
2021-2022	Entrust	\$4,160,819.04		\$397,956.00		\$3,762,863.04	
2022-2023	UHC	\$3,829,765.20	-\$334,053.84	\$411,168.48	\$13,212.48	\$3,418,596.72	-\$344,266.32
2023-2024	UHC	\$4,387,173.72	\$557,408.52	\$411,168.48	\$0.00	\$3,976,005.24	\$557,408.52
2024-2025	UHC	\$5,061,432.48	\$674,258.76	\$411,168.48	\$0.00	\$4,650,268.56	\$674,258.32
			\$900,613.44		\$13,212.48		\$887,405.52

## Premium Distribution



■ Total Paid    ■ Total Paid by Employee    ■ Total Paid by Employer



\*Employee contributions increase due to more participation on alternate, "buy up" plans. However, a plan was introduced, decreasing employees' contributions to \$0.



## CURRENT FUNDING

### UHC HMO Navigate - \$250 DED \$15 PCP/\$45 SPC \$50 UC

Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$735.62	\$735.62	100%
Employee & Spouse	\$1,780.20	\$1,691.94	95%
Employee & Child(ren)	\$1,331.47	\$1,282.53	96%
Employee & Family	\$2,449.61	\$2,332.27	95%

Total

Employee Cost	% of total cost
\$0.00	0%
\$88.26	5%
\$48.94	4%
\$117.34	5%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
29	\$0.00	\$21,332.98	\$21,332.98
3	\$264.78	\$5,075.82	\$5,340.60
14	\$685.16	\$17,955.42	\$18,640.58
2	\$234.68	\$4,654.54	\$4,889.22

48

\$1,184.62

\$49,028.76

\$50,213.38

### UHC EPO Choice - \$250 DED \$20 PCP/\$40 SPC \$75 UC

Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$875.09	\$803.69	92%
Employee & Spouse	\$2,117.72	\$1,946.26	92%
Employee & Child(ren)	\$1,583.91	\$1,455.09	92%
Employee & Family	\$2,914.05	\$2,661.75	91%

Total

Employee Cost	% of total cost
\$71.40	8%
\$171.46	8%
\$128.82	8%
\$252.30	9%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
63	\$4,498.20	\$50,632.47	\$55,130.67
20	\$3,429.20	\$38,925.20	\$42,354.40
33	\$4,251.06	\$48,017.97	\$52,269.03
44	\$11,101.20	\$117,117.00	\$128,218.20

160

\$23,279.66

\$254,692.64

\$277,972.30

### UHC PPO Choice Plus - \$250 DED \$20 PCP/\$40 SPC \$75 UC

Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$924.45	\$829.61	90%
Employee & Spouse	\$2,237.18	\$2,009.30	90%
Employee & Child(ren)	\$1,673.26	\$1,502.10	90%
Employee & Family	\$3,078.42	\$2,744.38	89%

Total

Employee Cost	% of total cost
\$94.84	10%
\$227.88	10%
\$171.16	10%
\$334.04	11%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
22	\$2,086.48	\$18,251.42	\$20,337.90
11	\$2,506.68	\$22,102.30	\$24,608.98
7	\$1,198.12	\$10,514.70	\$11,712.82
12	\$4,008.48	\$32,932.56	\$36,941.04

52

\$9,799.76

\$83,800.98

\$93,600.74

Total Monthly Cost: \$421,786.42

Total Annual Cost: \$5,061,437.04

Total Annual Paid by Employee: \$411,168.48

% of Total: 8%

Total Annual Paid by Employer: \$4,650,268.56

% of Total: 92%

# PROPOSED FUNDING

UHC Newgate RHO \$3,000 DED \$10 PCP/\$50 SPC \$25 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$753.39	\$753.39	100%
Employee & Spouse	\$1,823.20	\$1,655.88	91%
Employee & Child(ren)	\$1,363.63	\$1,242.27	91%
Employee & Family	\$2,508.78	\$2,272.90	91%
Total			

Employee Cost	% of total cost
\$0.00	0%
\$167.32	9%
\$121.36	9%
\$235.89	9%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
29	\$0.00	\$21,848.31	\$21,848.31
3	\$501.96	\$4,967.64	\$5,469.60
14	\$1,699.04	\$17,391.78	\$19,090.82
2	\$471.76	\$4,545.80	\$5,017.56
48	\$2,672.76	\$48,763.53	\$51,436.29

Employee Monthly Variance  
\$0.00  
\$79.06  
\$72.42  
\$118.54

UHC PRO Choice \$1,500 DED \$25 PCP/\$50 SPC \$30 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$592.07	\$753.39	84%
Employee & Spouse	\$2,158.81	\$1,823.20	84%
Employee & Child(ren)	\$1,614.54	\$1,363.63	84%
Employee & Family	\$2,970.59	\$2,508.78	84%
Total			

Employee Cost	% of total cost
\$138.68	16%
\$336.61	16%
\$251.01	16%
\$461.81	16%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
63	\$8,796.94	\$47,463.57	\$56,260.41
20	\$6,712.20	\$36,464.00	\$43,176.20
33	\$8,283.33	\$44,999.79	\$53,283.12
44	\$20,319.64	\$110,386.32	\$130,705.96
160	\$44,052.01	\$239,313.68	\$283,365.69

Employee Monthly Variance  
\$67.28  
\$164.15  
\$122.19  
\$208.51

UHC PRO Choice Plus \$750 DED \$25 PCP/\$50 SPC \$30 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$670.58	\$753.39	78%
Employee & Spouse	\$2,348.82	\$1,823.20	78%
Employee & Child(ren)	\$1,756.76	\$1,363.63	78%
Employee & Family	\$3,232.03	\$2,508.78	78%
Total			

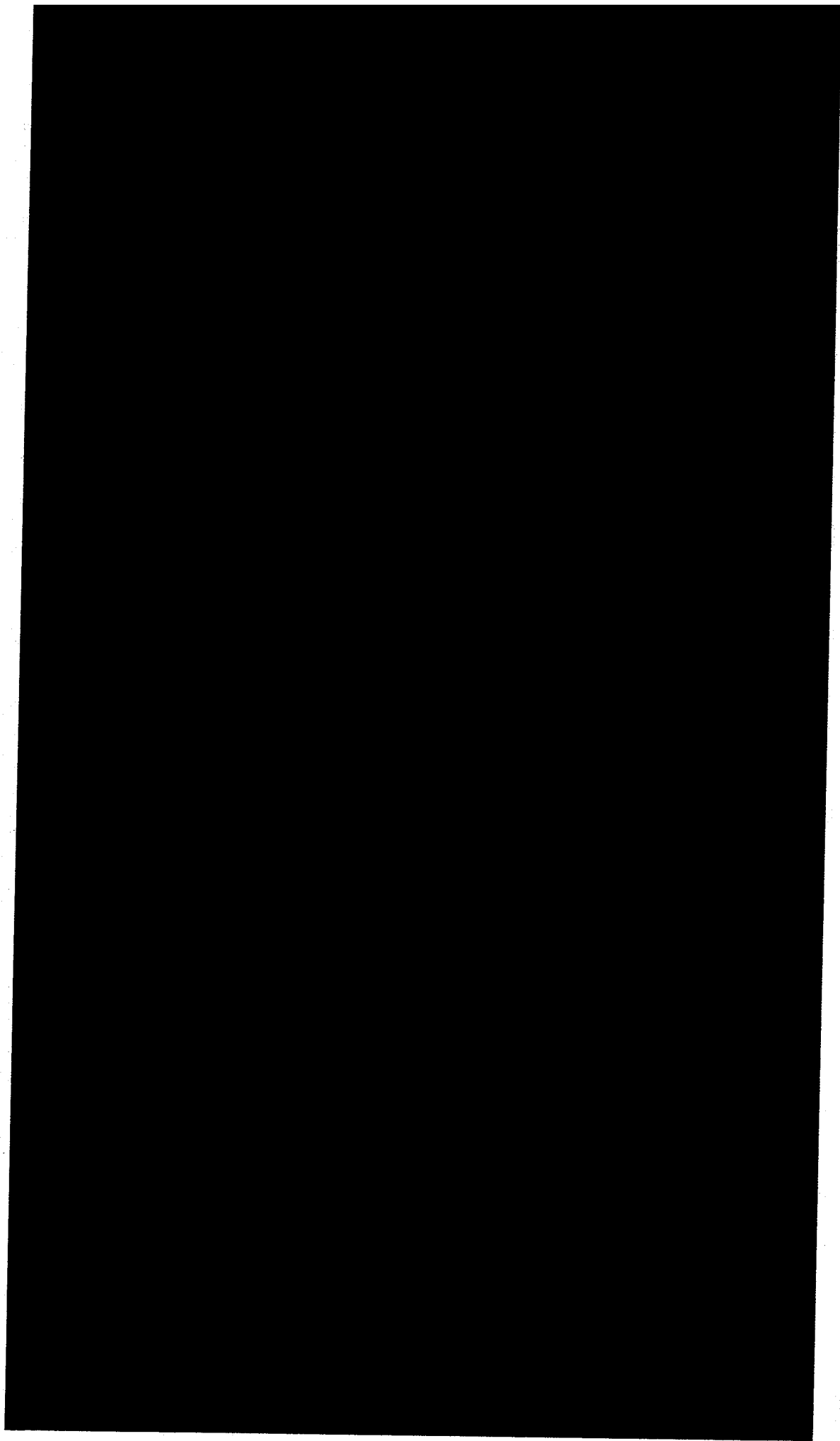
Employee Cost	% of total cost
\$217.19	22%
\$526.62	22%
\$393.13	22%
\$723.25	22%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
22	\$4,778.18	\$16,574.58	\$21,352.76
11	\$5,781.82	\$20,055.20	\$25,837.02
7	\$2,751.91	\$9,545.41	\$12,297.32
12	\$8,679.00	\$30,105.36	\$38,784.36
52	\$21,990.91	\$76,280.55	\$98,271.46

Employee Monthly Variance  
\$122.35  
\$297.74  
\$21.97  
\$389.21

Total Monthly Cost: \$433,063.44  
Total Annual Cost: \$5,196,761.28  
Total Annual Paid by Employer: \$624,598.16  
% of Total: 16%  
Total Annual Paid by Employer: \$4,372,173.12  
% of Total: 84%

Employee Annual Variance	\$413,419.68	101%
Employer Annual Variance:	-\$278,095.44	-5%
Total Annual Variance	\$135,324.24	3%



# **AGENDA ITEM #9**

**City of Kingsville**  
**Human Resource Department**

**TO:** Interim City Manager Charles Sosa  
**FROM:** Diana Gonzales, Human Resource Director  
**DATE:** June 16, 2025  
**SUBJECT:** RFP 25-16 Group Medical Employee Benefit Program

**Summary:**

The City of Kingsville (City) distributed RFP 25-16 on April 17, 2025, and opened bids on May 20, 2025, at 2 p.m. The City received responses to RFP 25-16 from BlueCross BlueShield and United Healthcare.

As has been indicated during past City Commission meetings, the City has been able to absorb rate increases (12% in 2023 and 14% in 2024) for the past two years utilizing the Health Fund balance. This option was available to assist employees during the transition from a self-funded health plan to a fully funded health plan.

Carlisle Insurance (Acrisure) representative Ms. Valeria Ybarra, a Registered Employee Benefit Consultant (REBC), assisted the City with the RFP process and evaluation of submitted bids.

**Background:**

Fiscal Year 2024-2025 is the third year of the United Healthcare fully funded plan. The City of Kingsville offers three (3) health plan options from which employees may select. Current plans and applicable premiums are listed below:

**Fiscal Year 2024-2025**

HMO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ -	\$ 735.62
ES	\$ 88.26	\$ 1,691.94
EC	\$ 48.94	\$ 1,282.53
EF	\$ 117.34	\$ 2,332.27

EPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 71.40	\$ 803.69
ES	\$ 171.46	\$ 1,946.26
EC	\$ 128.82	\$ 1,455.09
EF	\$ 252.30	\$ 2,661.75

PPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 94.84	\$ 829.61
ES	\$ 227.88	\$ 2,009.30
EC	\$ 171.16	\$ 1,502.10
EF	\$ 334.04	\$ 2,744.38

**Financial Impact:**

Based on the RFP tabulations of 260 employees on the insurance census report at the time the City distributed the RFP, the tabulated costs are as follows:

	United Healthcare	BlueCross BlueShield
Plan Cost	\$5,196,761	\$5,542,913



**City of Kingsville**  
**Human Resource Department**

The following information is from the City Finance Department's preliminary budget figures:

If **ALL** proposed budgeted positions are filled for the *entire* FY25-26, the estimated cost of providing health insurance is \$5,956,300. The following is the recommended distribution of premium costs using the Recommended Plan Premiums below:

**Recommended Plan Premiums**

Fiscal Year 2025-2026

HMO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ -	\$ 753.39
ES	\$ 167.32	\$ 1,655.88
EC	\$ 121.36	\$ 1,242.27
EF	\$ 235.88	\$ 2,272.90

EPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 138.68	\$ 753.39
ES	\$ 335.62	\$ 1,823.19
EC	\$ 251.02	\$ 1,363.62
EF	\$ 461.82	\$ 2,508.77

PPO	MONTHLY RATES	
	EMPLOYEE	EMPLOYER
EE	\$ 217.20	\$ 753.38
ES	\$ 525.62	\$ 1,823.20
EC	\$ 393.14	\$ 1,363.62
EF	\$ 723.26	\$ 2,508.77

**Annual Cost Breakdown Estimate – if all positions filled for the entire FY25-26**

- Employer Contributions: \$4,585,347
- Health Fund Contribution: \$ 507,600
- Employee Contributions: \$ 863,353

These costs are approximate as the type of coverage for vacant positions can only be estimated. In addition, employees can change coverage at open enrollment and with qualifying events during the fiscal year. Furthermore, the City experiences as number of vacancies throughout the year which will also impact insurance costs.

By utilizing some of the remaining Health Fund balance, this allows for the possibility of the Health Fund balance assisting with a portion of premiums in FY26-27.

**Recommendation:**

See attached recommendations from Ms. Valeria Ybarra, REBC. Staff support the consultants' recommendation of the three options with United Healthcare (HMO, EPO and PPO) as per the summarized plans also attached.





To: City of Kingsville

RE: Group Medical Employee Benefits Programs  
RFP Number: 25-16

June 16, 2025

To Whom It May Concern:

I am writing to recommend the proposed funding and replacement plans for the City of Kingsville's group medical employee benefits program, effective October 1, 2025. After a thorough review of the RFP responses and a comprehensive analysis of the current benefits structure, I am confident that the proposed changes will provide significant value to both the City and its employees.

**Recommended Replacement Plans:**

I strongly recommend the implementation of the following replacement plans:

- **HMO Plan:** This plan includes a \$3,000 deductible and 100% coinsurance, reduced out-of-pocket maximums, and maintains the current gated network. The proposed changes reduce the renewal increase from 15% to 2.42%.
- **EPO Plan:** This plan features a \$1,500 deductible, 80% coinsurance, and maintains the current non-gated network. The proposed changes reduce the renewal increase from 15% to 2.94%.
- **PPO Plan:** This plan includes a \$750 deductible, 80% coinsurance, and maintains the current out-of-network coverage. The proposed changes reduce the renewal increase from 15% to 4.99%.

These replacement plans offer comparable benefits and cost savings compared to the current plans and the initial renewal rates proposed by UnitedHealthcare.

**Recommended Funding:**

I recommend adopting the proposed funding structure outlined on the last page of the presentation. This structure represents a balanced approach, optimizing employer contributions while ensuring employees continue to have access to comprehensive healthcare coverage. The proposed funding allocation for the 2024-2025 year is as follows:

- **Total Annual Cost:** \$5,196,761.28
- **Total Annual Paid by Employee:** \$824,588.16 (16% of total)
- **Total Annual Paid by Employer:** \$4,372,173.12 (84% of total)

This funding model is recommended because it achieves the following objectives:

- **Cost Savings:** Reduces the renewal increase across all plans.
- **Employee Benefits:** Maintains comprehensive benefits with minimal disruption.



- **Financial Stability:** Provides a predictable and sustainable funding structure for the City.

In conclusion, I am confident that implementing the proposed replacement plans and funding structure will result in an effective and efficient group medical employee benefits program for the City of Kingsville. This approach balances cost containment with the need to provide quality healthcare benefits.

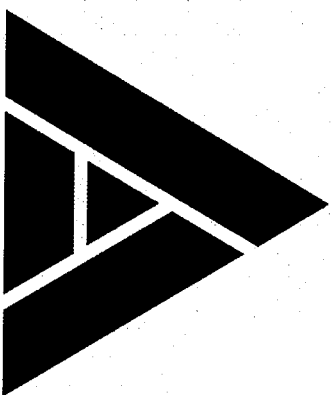
Sincerely,

Valeria Ybarra, REBC  
Employee Benefits Consultant



**UNITED HEALTHCARE**  
**Medical Benefits**

Option	Alternate Option 3	Alternate Option 2	Alternate Option 2
Network	Navigate (HMO)	Choice (EPO)	Choice Plus (PPO)
Plan Name	EIVL	EIYS	EIZ7
Funding	Fully Insured	Fully Insured	Fully Insured
<b>In-Network Benefits</b>			
<b>Deductible</b>			
>Individual	\$3,000	\$1,500	\$750
>Family	\$6,000	\$3,000	\$1,500
Coinsurance	100%	80%	80%
<b>Out-of-Pocket Maximum</b>			
>Individual	\$6,000	\$5,000	\$4,000
>Family	\$12,000	\$10,000	\$8,000
Preventive Care	No Charge	No charge	No charge
Primary Care Office Visit	\$10 copay (no charge under age 19)	\$25 copay (no charge under age 19)	\$25 copay (no charge under age 19)
Specialist Referral Required	Yes	No	No
Specialist Office Visit	\$60 copay	\$25 copay - designated / \$50 copay - non designated	\$25 copay - designated / \$50 copay - non designated
Virtual Visit	No charge by designated virtual network provider	No charge by designated virtual network provider	No charge by designated virtual network provider
Urgent Care	\$25 copay	\$50 copay	\$50 copay
Habilitation Services	\$10 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)	\$25 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)	\$25 copay (services provided under and limits are combined with rehabilitation services, NO LIMITS apply for autism or early childhood intervention)
Rehabilitation Services	\$10 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)	\$25 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)	\$25 copay (physical, occupational, speech, pulmonary: 20 visit limit each; cardiac: 36 visits)
Diagnostic Test (Lab & Xray)	\$40 copay per service	No charge	No charge
Advanced Imaging (CT, PET, MRI, etc.)	\$500 copay per service	20% after deductible	20% after deductible
Surgical Procedures (outpatient)	No charge after deductible	20% after deductible	20% after deductible
Emergency Room Services	\$500 deductible per occurrence	\$500 copay + 20% after deductible	\$500 copay + 20% after deductible
Inpatient Hospital	No charge after deductible	20% after deductible	20% after deductible
Tier I	\$10 copay - retail / \$10 copay - specialty retail	\$10 copay - retail / \$10 copay - specialty retail	\$10 copay - retail / \$10 copay - specialty retail
Tier II	\$50 copay - retail / \$150 - specialty retail	\$50 copay - retail / \$150 - specialty retail	\$50 copay - retail / \$150 - specialty retail
Tier III	\$100 copay - retail / \$500 - specialty retail	\$100 copay - retail / \$500 - specialty retail	\$100 copay - retail / \$500 - specialty retail
Tier IV	n/a	n/a	n/a
Mail Order	2.5 x Tier for 90 day supply (retail only)	2.5 x Tier for 90 day supply (retail only)	2.5 x Tier for 90 day supply (retail only)
<b>Out-of-Network Benefits</b>			
<b>Deductible</b>			
>Individual	n/a	n/a	\$5,000
>Family	n/a	n/a	\$10,000
Coinsurance	n/a	n/a	50%
<b>Out-of-Pocket Maximum</b>			
>Individual	n/a	n/a	\$10,000
>Family	n/a	n/a	\$20,000
<b>Medical Rates</b>	<b>Rate</b>	<b>Rate</b>	<b>Rate</b>
Employee Only (EO)	\$753.39	\$892.07	\$970.58
Employee & Spouse (ES)	\$1,823.20	\$2,158.81	\$2,348.82
Employee & Child(ren) (EC)	\$1,363.63	\$1,614.64	\$1,756.76
Employee & Family (EF)	\$2,508.78	\$2,970.59	\$3,232.03



**ACRISURE®**

City of Kingsville

Group Medical Employee Benefits Programs

RFP 25-16

Valeria Ybarra, REBC  
*Employee Benefits Consultant*



## GROUP MEDICAL EMPLOYEE BENEFITS PROGRAMS RFP 25-16

- NEW BENEFITS EFFECTIVE: 10/1/2025
- Open enrollment: August 2025
- Installation: September 2025
- RFP Posted: April 14, 2025
- RFP Due Date: May 20, 2025
- RFP Responses: United Healthcare, Incumbent and Blue Cross Blue Shield of Texas
- United Healthcare Proposed Renewal Increase: +15%

**PLAN 1 – HMO PLAN**

[illegible]

## PLAN 1 – HMO PLAN

### Recommended replacement plan

- \*\$3,000 deductible
- 100% coinsurance
- Reduced out of pocket max
- Reduces increase from 15% to 2.42%
- Reduced primary care physician copay
- Reduced urgent care copay
- Pharmacy stays the same
- Same network as current (gated/PCP required/NO out of network coverage)

## PLAN 2 – EPO PLAN

[illegible]

## PLAN 2 – EPO PLAN

### Recommended replacement plan

- \*\$1,500 deductible
- 80% coinsurance
- Reduces increase from 15% to 2.94%
- Slight increase to primary care physician visit copay
- Same urgent care copay
- Pharmacy stays the same
- Same network as current (non-gated/NO out of network)

## PLAN 3 - PPO PLAN

Medical Benefits			Annual Renewal			Annual Renewal		
Order Number	Coverage Period	Rate Class	Order Number	Coverage Period	Rate Class	Order Number	Coverage Period	Rate Class
Plan Name	D004	Fully insured	Plan Name	D004	Fully insured	Plan Name	D004	Fully insured
Network			Network			Network		
Formulary			Formulary			Formulary		
In-Network Benefits			In-Network Benefits			In-Network Benefits		
Deductible	\$250		Deductible	\$750		Deductible	\$750	
• Family	\$250		• Family	\$750		• Family	\$750	
Consurance	10%		Consurance	8%		Consurance	8%	
Out-of-Pocket Maximum	\$1,750		Out-of-Pocket Maximum	\$4,000		Out-of-Pocket Maximum	\$4,000	
• Individual	\$3,500		• Individual	\$8,000		• Individual	\$8,000	
Physician and diagnostic Services	No charge		Physician and diagnostic Services	No charge		Physician and diagnostic Services	No charge	
Preventive Care	\$20 copy - no charge under age 19		Preventive Care	\$25 copy - no charge under age 19		Preventive Care	\$25 copy - no charge under age 19	
Primary Care Office Visit	No		Primary Care Office Visit	No		Primary Care Office Visit	No	
Specialist Referral Required	\$20 copy - designated / \$50 copy - non designated		Specialist Referral Required	\$25 copy - designated / \$50 copy - non designated		Specialist Referral Required	\$25 copy - designated / \$50 copy - non designated	
Specialist Office Visit	No charge by designated provider		Specialist Office Visit	No charge by designated provider		Specialist Office Visit	No charge by designated provider	
Urgent Care	\$50 copy		Urgent Care	\$50 copy		Urgent Care	\$50 copy	
Diagnostic Test (Lab & X-ray)	No charge		Diagnostic Test (Lab & X-ray)	No charge		Diagnostic Test (Lab & X-ray)	No charge	
Advanced Imaging (CT, PET, MRI, etc.)	No charge after deductible		Advanced Imaging (CT, PET, MRI, etc.)	No charge after deductible		Advanced Imaging (CT, PET, MRI, etc.)	No charge after deductible	
Surgical Procedures (outpatient)	No charge after deductible		Surgical Procedures (outpatient)	No charge after deductible		Surgical Procedures (outpatient)	No charge after deductible	
Hospital and Inpatient Services	\$300 copy		Hospital and Inpatient Services	\$300 copy		Hospital and Inpatient Services	\$300 copy	
Emergency Room Services	No charge after deductible		Emergency Room Services	No charge after deductible		Emergency Room Services	No charge after deductible	
Inpatient Hospital	No charge after deductible		Inpatient Hospital	No charge after deductible		Inpatient Hospital	No charge after deductible	
Pharmacy	\$300 copy		Pharmacy	\$300 copy		Pharmacy	\$300 copy	
Mail Order	2.5 x tier for 90 day supply (real only)		Mail Order	2.5 x tier for 90 day supply (real only)		Mail Order	2.5 x tier for 90 day supply (real only)	
Out of Network Benefits			Out of Network Benefits			Out of Network Benefits		
Deductible	\$3,000		Deductible	\$3,000		Deductible	\$3,000	
• Family	\$10,000		• Family	\$10,000		• Family	\$10,000	
Consurance	7%		Consurance	5%		Consurance	5%	
Out-of-Pocket Maximum	\$10,000		Out-of-Pocket Maximum	\$10,000		Out-of-Pocket Maximum	\$10,000	
• Individual	\$20,000		• Individual	\$20,000		• Individual	\$20,000	
Enrollment Only (EO)	22		Enrollment Only (EO)	22		Enrollment Only (EO)	22	
Employee's Source (ES)	\$2,237.18		Employee's Source (ES)	\$2,572.76		Employee's Source (ES)	\$2,572.76	
Employer's Contribution (EC)	\$1,679.26		Employer's Contribution (EC)	\$1,974.25		Employer's Contribution (EC)	\$1,974.25	
Employee's Family (EF)	\$3,076.42		Employee's Family (EF)	\$3,540.19		Employee's Family (EF)	\$3,540.19	
Cost of Monthly Premium	\$93,600.74		Cost of Monthly Premium	\$107,641.03		Cost of Monthly Premium	\$107,641.03	
Sum of Annual Premium	\$1,122,308.88		Sum of Annual Premium	\$1,219,592.26		Sum of Annual Premium	\$1,219,592.26	
Advance from Carrier (A)	15.0%		Advance from Carrier (A)	15.0%		Advance from Carrier (A)	15.0%	
Advance from Carrier (B)	\$164,432.43		Advance from Carrier (B)	\$55,048.64		Advance from Carrier (B)	\$55,048.64	



## PLAN 3 – PPO PLAN

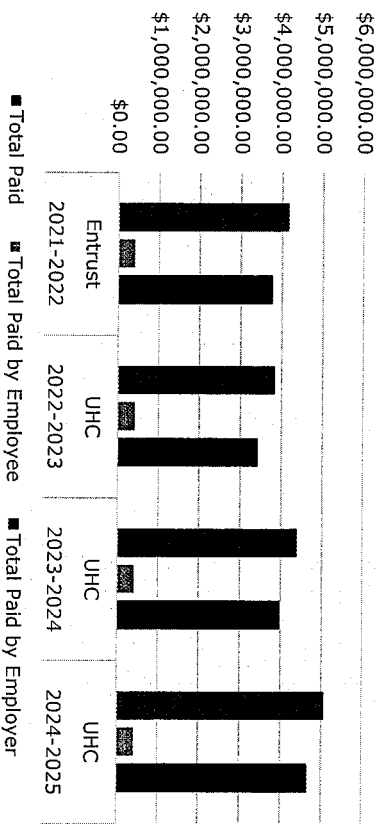
### Recommended replacement plan

- \$750 deductible
- 80% coinsurance
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- Slight increase to primary care physician visit copay
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- Pharmacy stays the same
- Same network as current (non-gated/out of network coverage)

# RENEWAL HISTORY & PREMIUM DISTRIBUTION

Plan Year	Carrier	Total Paid	Total Cost Variance	Total Paid by Employee	Employee Variance	Total Paid by Employer	City Variance
2021-2022	Entrust	\$4,160,819.04	-	\$397,956.00	-	\$3,762,863.04	-
2022-2023	UHC	\$3,829,765.20	-\$331,053.84 -8%	\$411,168.48	*\$13,212.48 3%	\$3,418,596.72	-\$344,266.32 -9%
2023-2024	UHC	\$4,387,173.72	\$557,408.32 15%	\$411,168.48	\$0.00 0%	\$3,976,005.24	\$557,408.52 16%
2024-2025	UHC	\$5,061,432.48	\$674,258.76 15%	\$411,168.48	\$0.00 0%	\$4,650,268.56	\$674,263.32 17%
			\$900,613.44		\$13,212.48		\$887,405.52

## Premium Distribution



\*Employee contributions increase due to more participation on alternate, "buy up" plans. However, a plan was introduced, decreasing employees' contributions to \$0.

## CURRENT FUNDING

UHC HMO Navigate - \$250 DED \$15 PCP/\$45 SPC \$50 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$735.62	\$735.62	100%
Employee & Spouse	\$1,780.20	\$1,691.94	95%
Employee & Child(ren)	\$1,331.47	\$1,282.53	96%
Employee & Family	\$2,449.61	\$2,332.27	95%
Total			

Employee Cost	% of total cost
\$0.00	0%
\$88.26	5%
\$48.94	4%
\$117.34	5%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
29	\$0.00	\$21,332.98	\$21,332.98
3	\$264.78	\$5,075.82	\$5,340.60
14	\$685.16	\$17,955.42	\$18,640.58
2	\$234.68	\$4,664.54	\$4,899.22
48	\$1,184.62	\$49,028.76	\$50,213.38

UHC EPO Choice - \$250 DED \$20 PCP/\$40 SPC \$75 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$875.09	\$803.69	92%
Employee & Spouse	\$2,117.72	\$1,946.26	92%
Employee & Child(ren)	\$1,583.91	\$1,455.09	92%
Employee & Family	\$2,914.05	\$2,661.75	91%
Total			

Employee Cost	% of total cost
\$71.40	8%
\$171.46	8%
\$128.82	8%
\$252.30	9%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
63	\$4,498.20	\$50,632.47	\$55,130.67
20	\$3,429.20	\$38,925.20	\$42,354.40
33	\$4,251.06	\$48,017.97	\$52,269.03
44	\$11,101.20	\$117,117.00	\$128,218.20
160	\$23,279.66	\$254,692.64	\$277,972.30

UHC PPO Choice Plus - \$250 DED \$20 PCP/\$40 SPC \$75 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$924.45	\$829.61	90%
Employee & Spouse	\$2,237.18	\$2,009.30	90%
Employee & Child(ren)	\$1,673.26	\$1,502.10	90%
Employee & Family	\$3,078.42	\$2,744.38	89%
Total			

Employee Cost	% of total cost
\$94.84	10%
\$227.88	10%
\$171.16	10%
\$334.04	11%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
22	\$2,086.48	\$18,251.42	\$20,337.90
11	\$2,506.68	\$22,102.30	\$24,608.98
7	\$1,198.12	\$10,514.70	\$11,712.82
12	\$4,008.48	\$32,932.56	\$36,941.04
52	\$9,799.76	\$83,800.98	\$93,600.74

Total Monthly Cost: \$421,786.42  
 Total Annual Cost: \$5,061,437.04  
 Total Annual Paid by Employee: \$411,168.48  
 % of Total: 8%  
 Total Annual Paid by Employer: \$4,650,268.56  
 % of Total: 92%

## PROPOSED FUNDING

UHC Navigate HMO \$3,000 Ded/\$10 PCP/\$50 SPC \$25 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$753.39	\$753.39	100%
Employee & Spouse	\$1,823.20	\$1,655.88	91%
Employee & Child(ren)	\$1,363.63	\$1,242.27	91%
Employee & Family	\$2,508.78	\$2,272.90	91%

Total

Employee Cost	% of total cost
\$0.00	0%
\$167.32	9%
\$121.36	9%
\$235.88	9%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
29	\$0.00	\$21,848.31	\$21,848.31
3	\$501.96	\$4,987.64	\$5,489.60
14	\$1,699.04	\$17,391.78	\$19,090.82
2	\$471.76	\$4,545.80	\$5,017.56

Employee Monthly  
Variance  
\$0.00  
\$79.06  
\$72.42  
\$118.54

UHC EPO Choice \$1,500 Ded/\$25 PCP/\$50 SPC \$50 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$892.07	\$753.39	84%
Employee & Spouse	\$2,159.81	\$1,823.20	84%
Employee & Child(ren)	\$1,614.64	\$1,363.63	84%
Employee & Family	\$2,970.59	\$2,508.78	84%

Total

Employee Cost	% of total cost
\$138.68	16%
\$335.61	16%
\$251.01	16%
\$461.81	16%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
63	\$8,736.84	\$47,463.57	\$56,200.41
20	\$6,712.20	\$36,464.00	\$43,176.20
33	\$8,283.33	\$44,999.79	\$53,283.12
44	\$20,319.64	\$110,386.32	\$130,705.96

Employee Monthly  
Variance  
\$67.28  
\$164.15  
\$122.19  
\$209.51

UHC PPO Choice Plus \$750 Ded/\$25 PCP/\$50 SPC \$50 UC			
Enrollment Tier	Total Cost	Employer Cost	% of total cost
Employee Only	\$970.58	\$753.39	78%
Employee & Spouse	\$2,348.82	\$1,823.20	78%
Employee & Child(ren)	\$1,756.76	\$1,363.63	78%
Employee & Family	\$3,232.03	\$2,508.78	78%

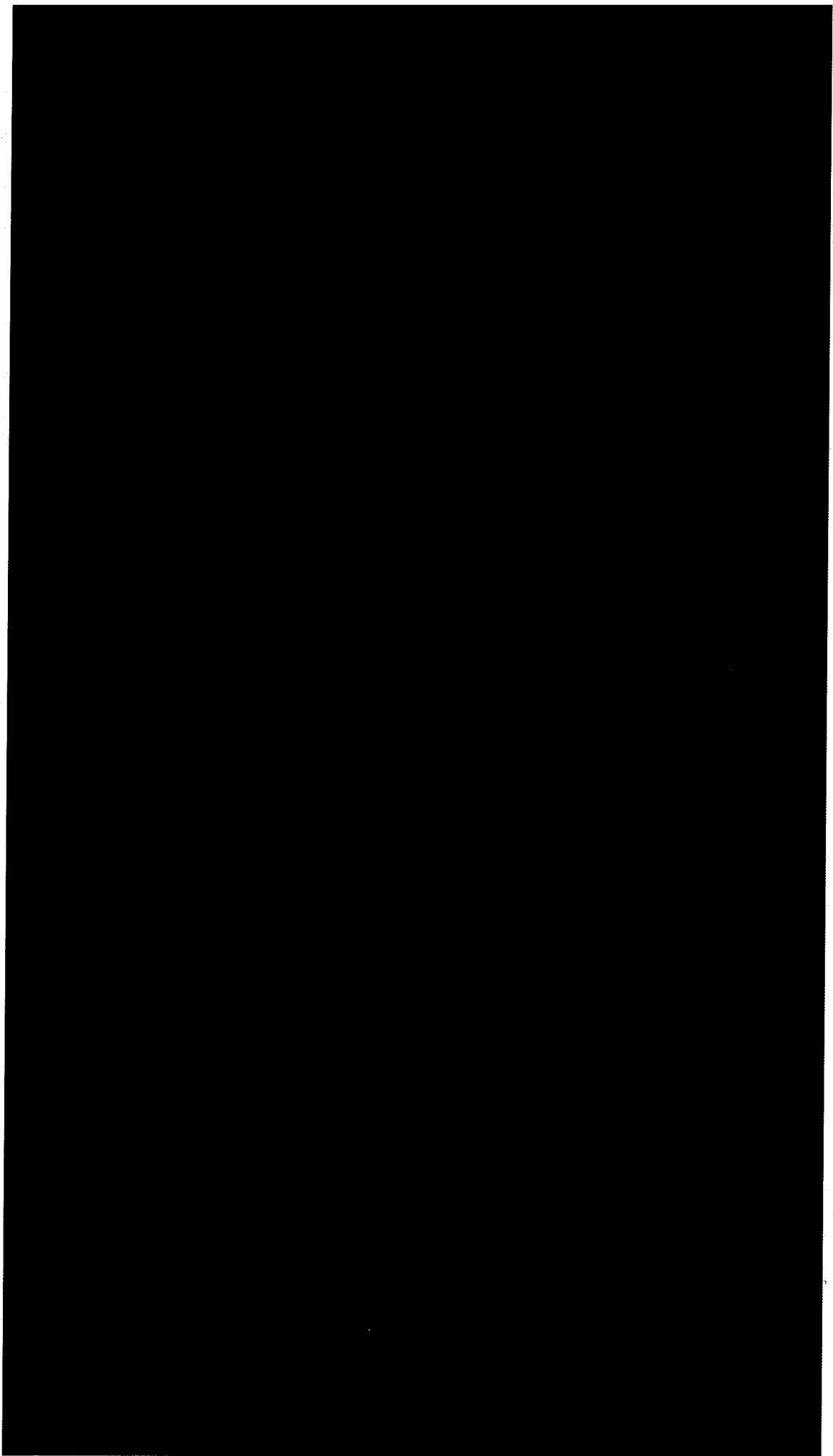
Employee Cost	% of total cost
\$217.19	22%
\$525.62	22%
\$593.13	22%
\$725.25	22%

Enrolled	Total Paid by Employee	Total Paid by Employer	Total Monthly Cost
22	\$4,778.18	\$16,574.58	\$21,352.76
11	\$5,781.82	\$20,055.20	\$25,837.02
7	\$2,751.91	\$9,545.41	\$12,297.32
12	\$8,679.00	\$30,105.36	\$38,784.36

Employee Monthly  
Variance  
\$122.35  
\$297.74  
\$221.97  
\$389.21

Total Monthly Cost: \$433,063.44  
Total Annual Cost: \$5,196,761.28  
Total Annual Paid by Employee: \$824,588.16  
% of Total: 16%  
Total Annual Paid by Employer: \$4,372,173.12  
% of Total: 84%

Employee Annual Variance	\$413,419.68	101%
Employer Annual Variance:	-\$278,055.44	-6%
Total Annual Variance	\$135,324.24	3%



# **AGENDA ITEM #10**



## Kingsville Police Department

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TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: John Blair, Chief of Police

DATE: June 4, 2025

SUBJECT: Request for resolution to apply for the Ed Rachal Foundation for equipment.

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### **Summary:**

The Kingsville Police Department is requesting a resolution to apply to the Ed Rachal Foundation for personal protective equipment.

### **Background:**

The Kingsville Police Department responds to incidents throughout the Coastal Bend as a member of the Coastal Bend Council of Governments (COG) and due to the existing Memorandum of Understanding to aid other cities and counties within the Coastal Bend. During several Law Enforcement and Weather-related incidents where our neighboring entities requested assistance with both manpower and equipment, we were able to send both to assist with the incidents.

### **Financial Impact:**

Critical personal protective equipment for our tactical team will be purchased with this funding. Our current equipment is currently non-functional and outdated. Our Team uses the protective equipment to engage in a multitude of scenarios not limited to, high-risk warrant service, barricaded gunman, and severe weather incidents such as floods, hurricanes, etc. The purchase of this equipment through grant funding will assist our Agency in obtaining up to date and state of the art equipment for our First Responders.

1. **The 3M Peltor Comtac VI Over-ear Communication/Hearing Protection Headset w/Invictus Push to Talk Assembly for Harris XL200.**
2. **The Oakley SI Ballistic M Frame 3.0 Dark Bone w/ Clear, Grey, Persimmon, Laser Lenses.**
3. **Otto, Noize Barrier Mirco, Electronic Hearing Protection.**

The budget for the equipment is listed below:

- Fifteen (15), Cost **\$21,810.00**
- Fifteen (15), Cost **\$2,812.50**
- Four (4), Cost **\$1,780.64**



## Kingsville Police Department



GRAND TOTAL REQUEST: **\$26,403.14**

This grant does not have a cash match; however, we understand from our previous applications and awards that on occasion they may only approve partial funding of the grant.

**Recommendation:**

We request a resolution to apply to the Ed Rachal Foundation for equipment as well as approval of an associated budget amendment for inclusion in this year's budget to expend the funds and then put it in for reimbursement of said funds.



**RESOLUTION # 2025-\_\_\_\_\_**

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

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

**WHEREAS**, the officers have the need for various equipment to improve public safety such as Communication Headsets, Protective Glasses, and Electronic Hearing Protection for the tactical team to ensure they are able to meet the needs presented from various service calls, weather events, and surrounding community mutual aid events; and

**WHEREAS**, the Kingsville Police Department has been called on to participate in various community events and to provide assistance to neighboring communities who also participate in the Coastal Bend Council of Governments Master Mutual Aid Agreement, as well as participating with state and federal entities in special operations; and

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

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

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

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

I.

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

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission the 23<sup>rd</sup> day of June, 2025.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #11**



## Kingsville Police Department

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TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: John Blair, Chief of Police

DATE: June 4, 2025

SUBJECT: Request for resolution to apply for the Gary Sinise Foundation for equipment.

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### **Summary:**

The Kingsville Police Department is requesting a resolution to apply to the Gary Sinise Foundation for personal protective equipment.

### **Background:**

The Kingsville Police Department responds to incidents throughout the Coastal Bend as a member of the Coastal Bend Council of Governments (COG) and due to the existing Memorandum of Understanding to aid other cities and counties within the Coastal Bend. During several Law Enforcement and Weather related incidents where our neighboring entities requested assistance with both manpower and equipment, we were able to send both to assist with the incidents.

### **Financial Impact:**

Critical personal protective equipment for our tactical team will be purchased with this funding. Our current equipment is currently expired and is outdated technology. Our Team uses the protective equipment to engage in a multitude of scenarios not limited to, high-risk warrant service, barricaded gunman, and severe weather incidents such as floods, hurricanes, etc. The purchase of this equipment through grant funding will assist our Agency in obtaining up to date, highly protective and state of the art equipment for our First Responders.

### **1. The Hard Head Veterans (HHV) ATE Lite Helmet, with Helmet Covers and Pop Out Rail Adapter Kit.**

The budget for the equipment is listed below:

- **Fifteen (15), Cost \$19,238.40**

**GRAND TOTAL REQUEST: \$19,238.40**



## **Kingsville Police Department**



This grant does not have a cash match; however, we understand from previous applications and awards from other Foundation Grants, on occasion they may only approve partial funding of the grant. This will be our first time applying for the Gary Sinise Foundation Grant.

### **Recommendation:**

We request a resolution to apply to the Gary Sinise Foundation for the personal protective equipment as well as approval of an associated budget amendment for inclusion in this year's budget to expend the funds and then put it in for reimbursement of said funds.

**RESOLUTION # 2025-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE GARY SINISE FOUNDATION FOR GRANT FUNDS FOR EQUIPMENT FOR THE KINGSVILLE POLICE DEPARTMENT.**

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

**WHEREAS**, the officers have the need for various equipment to improve public safety such as Helmets with Adapter Kits for the tactical team to ensure they are able to meet the needs presented from various service calls, weather events, and surrounding community mutual aid events; and

**WHEREAS**, the Kingsville Police Department has been called on to participate in various community events and to provide assistance to neighboring communities who also participate in the Coastal Bend Council of Governments Master Mutual Aid Agreement, as well as participating with state and federal entities in special operations; and

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

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

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

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

**I.**

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

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission the 23<sup>rd</sup> day of June, 2025.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #12**



**City of Kingsville  
Police Department**

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TO: Mayor and City Commissioners  
CC: Charlie Sosa, Interim City Manager  
FROM: John Blair, Chief of Police  
DATE: June 11, 2025  
SUBJECT: 2025 1PointFive First Responder Donation Program

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**Summary:**

The Kingsville Police Department respectfully request the City Commission for a Resolution to apply to 1PointFive to be considered for their First Responder Donation Program.

**Background:**

1PointFive is committed to supporting First Responders in the communities where they establish operations. The 1PointFive First Responder Donations Program offers funding opportunities for first responder agencies. This funding can be used for:

- Purchase of essential emergency response equipment
- Repair of existing emergency response equipment
- Replacement of outdated or damaged rescue and safety gear
- First responder safety training programs

Securing this funding will allow the Kingsville Police to:

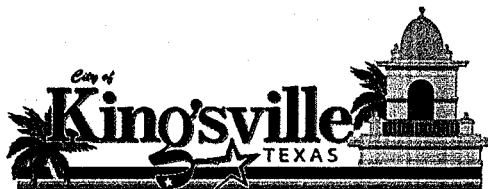
- Enhance response capabilities with up-to-date equipment
- Improve safety and efficiency in emergency situations
- Provide advanced training to first responders, ensuring they are prepared for a wide range of scenarios
- Continue delivering high-quality service to residents and visitors

**Financial Impact:**

There are no matching funds required to apply for this program.

**Recommendation:**

We would request a resolution authorizing the Police to apply to this program.



**RESOLUTION # 2025-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE 1POINTFIVE FIRST RESPONDER DONATION PROGRAM FOR GRANT FUNDS FOR FIRST RESPONDER EQUIPMENT, GEAR, AND TRAINING FOR THE KINGSVILLE POLICE DEPARTMENT.**

**WHEREAS**, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the Kingsville Police Department participate in an application for grant monies for the purchase or repair of emergency response equipment, replacement of outdated or damaged rescue and safety gear, and first responder safety training programs to be used by the department's members; and

**WHEREAS**, the officers have the need for various equipment to improve emergency response for public safety and this grant, if awarded, would help to ensure they are able to meet the needs presented from various service calls; and

**WHEREAS**, the Kingsville Police Department provides emergency response services to individuals within the city limits of Kingsville, as well as to other entities and surrounding areas by participating in various Interlocal Agreements and Memorandums of Understanding; and

**WHEREAS**, the requested emergency response equipment, gear, and training would assist with the diverse types of scenarios that can be encountered by the department; and

**WHEREAS**, the 1PointFive First Responder Donation Program does not require a cash match and may award part, none, or all of the funds requested, though any monetary award would require a budget amendment; and

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

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

I.

**THAT** the City Commission approves the submission of a grant application to the 1PointFive First Responder Donation Program for emergency response equipment, gear, and training for the Kingsville Police Department, with no anticipated cash match and authorizes the Police Chief to submit the grant and to accept and administer the grant and necessary paperwork if the grant is awarded to the City.

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission the 23<sup>rd</sup> day of June, 2025.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #13**

**City of Kingsville**  
**Department Name**

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TO: Mayor and City Commissioners  
CC: Charlie Sosa, Interim City Manager  
FROM: Juan J. Adame, Fire Chief  
DATE: June 10, 2025  
SUBJECT: Fire Department Budget Amendment

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**Summary:**

The Kingsville Fire Department has received past due invoices in the amount of \$19,145.67, additionally the department has experienced numerous equipment problems this budget year. The latest mechanical issues have resulted in a repair cost totaling \$25,892.00. These problems included electrical, air conditioning, and hydraulic repairs.

**Background:**

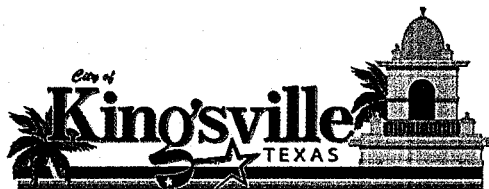
This year the fire department budgeted \$35,000 for vehicle maintenance. Additional funding is requested to cover the cost of the past due invoices, vehicle repair cost, and repair cost for the remainder of the budget year.

**Financial Impact:**

The fire department is requesting a budget amendment in the amount of \$75,000 to cover the necessary vehicle repairs. Funds will come from fund 097 Vehicle Replacement Fund.

**Recommendation:**

The fire department recommends a budget amendment in the amount of \$75,000.00.



**ORDINANCE NO. 2025-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO APPROPRIATE ADDITIONAL FUNDING FOR FIRE DEPARTMENT VEHICLE MAINTENANCE.**

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

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT – BA#43

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 097 – Vehicle Replacement Fire</b>					
<u>Expenditures</u>					
2200	Fire	Vehicle Maintenance	41100	\$75,000	

[To amend the City of Kingsville FY 24-25 budget to appropriate additional funding for Fire Department vehicle maintenance. Funding for this will come from the unappropriated fund balance of Fund 097-Vehicle Replacement Fire.]

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 23rd day of June 2025.

**PASSED AND APPROVED** on this the 14th day of July 2025.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #14**





## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

*In General Regulations & Nuisances*

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

- **Sec. 9-7-2. - Additions and amendments to International Property Maintenance Code.**

The International Property Maintenance Code is hereby modified and changed in the following particulars:

(A)

Section 101.1 of the International Property Maintenance Code shall be amended to read as follows:

§101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Kingsville, hereinafter referred to as "this code."

(B)

Section 103.5 entitled "Fees" of the International Property Maintenance Code shall be amended to read as follows:

§103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as directed in Sections 9-7-5 and 9-7-6 of this Article.

(C)

Section 106 entitled "Violations." This section of the International Property Maintenance Code is hereby substituted to read the same as §9-7-5 of this Article and shall read the same in all other references to Section 106 Violations in the International Property Maintenance Code, 2018 2024 Edition.

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(D)

Section 107 entitled "Notices and Orders." This section of the International Property Maintenance Code is hereby substituted to read the same as §9-7-5 of this Article and shall read the same in all other references to Section 107 "Notices and Orders" in the International Property Maintenance Code, 2024 Edition, unless otherwise noted in this subsection.

(E)

Section 108.3 entitled "Notice" of the International Property Maintenance Code shall be amended to read as follows:

§108.3 Notice. Whenever the code official has condemned a structure or equipment under the provision of this section and/or §15-1-165 through §15-1-167, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or person or persons responsible for the structure on equipment in accordance with §15-1-167(B) and §15-1-168. If the notice pertains to equipment it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in §15-1-167(B).

(F)

Section 110 entitled "Demolition." This section of the International Property Maintenance Code is hereby substituted to read the same as §15-1-167 through §15-1-176 of Chapter 15 "Land Usage", Article 1 "Building Regulations" and shall read the same in all other references to Section 110 "Demolition" in the International Property Maintenance Code, 2024 Edition.

(G)

Section 111 entitled "Means of Appeal." This section of the International Property Maintenance Code, is hereby amended to read "City Commission" and shall read the same in all other references to such Board in the International Property Maintenance Code, 2024 Edition.

(H)

Section 302.4 entitled "Weeds" of the International Property Maintenance Code shall be amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to corrective action in accordance with §9-7-5 and/or the prosecution in accordance with §9-7-99 of this Article.

(I)

Section 304.14 entitled "Insect Screens" of the International Property Maintenance Code shall be amended to read as follows:

304.14 Insect Screens. During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(J)

Section 602.3 entitled "Heat Supply" of the International Property Maintenance Code shall be amended to read as follows:

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on term, either expressed or implied, to furnish heat to the occupants thereof shall supply heat through the form of a functional heating system during the period from November 1 to March 1 to maintain a temperature of not less than 68

degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1.

When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2.

In areas where the average monthly temperature is above 30 degrees Fahrenheit (-1 degree Celsius) a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

(K)

Section 602.4 entitled "Occupiable Work Spaces" of the International Property Maintenance Code shall be amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from November 1 to March 1 to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

1.

Processing, storage and operation areas that require cooling or special temperature conditions.

2.

Areas in which persons are primarily engaged in vigorous physical activities.

(Ord. 2014-08, § 1., 3-10-14; Ord. No. 2020-11, passed 1-27-20; Ord. No. 2024-84, passed 10-28-24)

**Sec. 15-1-6. - Schedule of permit fees.**

(A)

On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.

(B)

The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER IX, ARTICLE 7-NUISANCES, SECTION 2, ADOPTING THE 2024 EDITION OF THE ICC INTERNATIONAL PROPERTY MAINTENANCE CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in January 2020, the City Commission adopted the 2018 version of several of the International Building Codes and now desires to update them again;

**WHEREAS**, staff recommends and the Commission desires to adopt the 2024 version of the International Property Maintenance Code, as published by the International Code Council (ICC);

**WHEREAS**, staff will have a copy of the 2024 version of this code by the effective date of this ordinance;

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

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

I.

**THAT** Section 9-7-2 of Article 7: Nuisances of Chapter IX- General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**§ 9-7-2 ADDITIONS AND AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE.**

The International Property Maintenance Code is hereby modified and changed in the following particulars:

(A) Section 101.1 of the International Property Maintenance Code shall be amended to read as follows:

§101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Kingsville, hereinafter referred to as "this code."

(B) Section 103.5 entitled "Fees" of the International Property Maintenance Code shall be amended to read as follows:

§103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as directed in Sections 9-7-5 and 9-7-6 of this Article.

(C) Section 106 entitled "Violations." This section of the International Property Maintenance Code is hereby substituted to read the same as §9-7-5 of this Article and shall read the same in all other references to Section 106 Violations in the International Property Maintenance Code, 2024 ~~2018~~ Edition.

(D) Section 107 entitled "Notices and Orders." This section of the International Property Maintenance Code is hereby substituted to read the same as §9-7-5 of this Article and shall read the same in all other references to Section 107 "Notices and Orders" in the International Property Maintenance Code, 2024 Edition, unless otherwise noted in this subsection.

(E) Section 108.3 entitled "Notice" of the International Property Maintenance Code shall be amended to read as follows:

§108.3 Notice. Whenever the code official has condemned a structure or equipment under the provision of this section and/or §15-1-165 through §15-1-167, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or person or persons responsible for the structure on equipment in accordance with §15-1-167(B) and §15-1-168. If the notice pertains to equipment it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in §15-1-167(B).

(F) Section 110 entitled "Demolition." This section of the International Property Maintenance Code is hereby substituted to read the same as §15-1-167 through §15-1-176 of Chapter 15 "Land Usage", Article 1 "Building Regulations" and shall read the same in all other references to Section 110 "Demolition" in the International Property Maintenance Code, 2024 Edition.

(G) Section 111 entitled "Means of Appeal." This section of the International Property Maintenance Code, is hereby amended to read "City Commission" and shall read the same in all other references to such Board in the International Property Maintenance Code, 2024 Edition.

(H) Section 302.4 entitled "Weeds" of the International Property Maintenance Code shall be amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to corrective action in accordance with §9-7-5 and/or the prosecution in accordance with §9-7-99 of this Article.

(I) Section 304.14 entitled "Insect Screens" of the International Property Maintenance Code shall be amended to read as follows:

304.14 Insect Screens. During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(J) Section 602.3 entitled "Heat Supply" of the International Property Maintenance Code shall be amended to read as follows:

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on term, either expressed or implied, to furnish heat to the occupants thereof shall supply heat through the form of a functional heating system during the period from November 1 to March 1 to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30 degrees Fahrenheit (-1 degree Celsius) a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

(K) Section 602.4 entitled "Occupiable Work Spaces" of the International Property Maintenance Code shall be amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from November 1 to March 1 to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

(Ord. 2014-08, § I., 3-10-14; Ord. No. 2020-11, passed 1-27-20; Ord. No. 2024-84, passed 10-28-24)

...

II.

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

III.

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

IV.

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

V.

**THAT** nothing in this ordinance or in the Swimming Pool and Spa Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**



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Courtney Alvarez, City Attorney

# **AGENDA ITEM #15**



## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.**

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1.

When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2.

In areas where the average monthly temperature is above 60 degrees Fahrenheit (-1 degree Celsius) a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

(K)

Section 602.4 entitled "Occupiable Work Spaces" of the International Property Maintenance Code shall be amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from November 1 to March 1 to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

1.

Processing, storage and operation areas that require cooling or special temperature conditions.

2.

Areas in which persons are primarily engaged in vigorous physical activities.

(Ord. 2014-08, § I., 3-10-14; Ord. No. 2020-11, passed 1-27-20; Ord. No. 2024-84, passed 10-28-24)

• **Sec. 15-1-6. - Schedule of permit fees.**

(A)

On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.

(B)

The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:

(1)

(a)

Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit, based on the following: \$25.00 review fee + \$0.30/square foot. Permit fees for roof repairs shall be charged a permit fee of \$0.06 per square foot. When the work performed does not meet the code requirements and a reinspection is required, a reinspection fee of \$50.00 will be charged for each, the first reinspection, \$100 for the second reinspection and \$150 for the third and subsequent reinspections.

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(b)

Permit fees; new buildings and additions.

1.

All buildings shall be charged a permit fee of \$0.30 per square foot. The minimum fee shall be \$25. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A Construction Site Office shall be charged a permit fee based on inspection and review requirements.

2.

In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.

3.

Moved buildings or structures. A fee of \$0.20 per square foot shall be charged for the issuance of any permit for a moved building or structure.

(c)

A plan review fee shall be paid upon submission of permit for review as listed below. These fees will be credited to any plan review or administrative fees set forth in later sections of this ordinance, should those fees be in excess of the fees stated below:

1.

\$250.00 for new single family or two-family residential construction

2.

\$500.00 for new multi-family residential

3.

\$500.00 for new commercial construction

4.

\$25.00 for any plumbing, mechanical or electrical permit.

5.

\$25.00 for any accessory building

6.

\$25.00 (plan review fee) for signs + \$0.20 per square foot

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7.

\$25.00 for residential remodel plan review + \$0.30 per square foot; \$125 for commercial remodel plan review + \$0.30 per square foot

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8.

\$25.00 + \$0.20 per square foot for commercial tenant finish out/remodel

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9.

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\$350.00 Fence permit.

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(2)

*Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.

(3)

*Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.

(4)

*Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, \$150, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

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(5)

*Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the plan review.

(6)

*After hours inspection fee.* The cost of performing and inspection after regular business hours is equal to \$50.00 per hour with a 2 hour minimum charge.

(7)

**Reinspection fee.** When the work performed does not meet the code requirements and a reinspection is required, a fee of \$50.00 will be charged for each the first reinspection, \$100 for the second reinspection and \$150 for the third and subsequent reinspection(s).

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(8)

**Refunds on permits.** No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (a) no work has commenced, (b) no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

(1962 Code, § 4-1-7; Ord. 99018, passed 3-22-99; Ord. 200022, passed 11-20-00; Ord. 2001-10, passed 2-26-01; Ord. 2001-32, passed 12-17-01; Ord. 2010-27, passed 9-7-2010, eff. 9-25-2010; Ord. 2014-26, § I, passed 4-23-2014; Ord. No. 2019-41, § I, passed 8-26-2019; Ord. 2019-65, passed 12-17-19; Ord. No. 2021-09, § I, passed 4-12-21)

- **Sec. 15-1-12. - Failure to comply.**

It shall be unlawful for any person to commence any work on a building or structure before obtaining the necessary permit, or otherwise fail to comply with any provision of the *International Building Code*, 2018-2024 Edition, or any provision of this subarticle.

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(1962 Code, § 4-1-6; Ord. 99018, passed 3-22-99; Ord. 2001-32, passed 12-17-01; Ord. 2010-27, passed 9-7-2010, eff. 9-25-2010; Ord. 2019-65, passed 12-17-19)

**Cross reference—**Penalty, see § 1-1-999.

- **Sec. 15-1-75. - Adoption by reference.**

The ~~International Residential Code for One-and-Two Family Dwellings, 2018-2024 Edition~~, as published by the International Code Council, save and except such portions as hereinafter amended, is hereby adopted by reference.

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(1962 Code, § 4-9-1; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-14, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

- **Sec. 15-1-76. - Amendments.**

Chapter 1, SR112.1 of the International Residential Code for One-and-Two Family Dwellings, entitled "Board of Appeals," is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Residential Code for One-and-Two Family Dwellings, 2018-2024 Edition. The Board shall be the Board of Adjustment as set forth by § 15-6-157 of this chapter. The Board of Adjustment shall have the number of members and be appointed for the terms specified by § 15-6-157 of this chapter. All subsections of § 106 of the International Residential Code for One-and-Two Family Dwellings which conflict with § 15-6-157 of this chapter shall be governed by § 15-6-157.

(1962 Code, § 4-8-2; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

Cross reference— Penalty, see 1-1-99.

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• **Sec. 15-1-11. - Certificate of occupancy required.**

(A) The Building Official shall have the authority to suspend water, electricity, gas or other public utilities if a Certificate of Occupancy is not provided or is revoked.

(B) There shall be two types of certificates of occupancy. These shall be designated as an Interim Certificate of Occupancy and a Permanent Certificate of Occupancy.

(1) An Interim Certificate of Occupancy may be issued by the Building Official for use in necessary construction. The fee for an Interim Certificate of Occupancy shall be \$3.00 per day for the first 30 calendar days; \$6.00 per day for the second 30 calendar days; and \$10.00 per day for each calendar day thereafter. The fees for such Interim Certificate of Occupancy shall be tendered prior to the issuance of such Interim Certificate of Occupancy. The Interim Certificate of Occupancy shall be valid a maximum of 180 days unless approved in writing by the Building Official.

(2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be \$75.00. An additional fee of \$15.00 per floor shall be charged for multi-story buildings. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

(Ord. 99018, passed 3-22-99; Ord. 200022, passed 11-20-00; Ord. 2001-32, passed 12-17-01; Ord. No. 2021-09, § I, passed 4-12-21)

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• **Sec. 15-1-36. - Adoption.**



**ORDINANCE NO.2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 15-1-6, 11, & 12, ADOPTING THE 2024 INTERNATIONAL BUILDING CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City is updating its building codes and desires to adopt the 2024 versions of the International Building Codes to enhance public safety;

**WHEREAS**, staff will have a copy of the 2024 version of the International Building Code by the effective date of this ordinance;

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

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

I.

**THAT** Sections 15-1-6, 11, & 12 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**§ 15-1-6 SCHEDULE OF PERMIT FEES.**

- (A) On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.
- (B) The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:
  - (1) (a) Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. Permit fees for roof repairs shall be charged a permit fee of \$0.08 per square foot. When the work performed does not meet the code requirements and a reinspection is required, a reinspection fee of \$50.00 will be charged for the first reinspection, the second reinspection fee will be \$100.00; the third reinspection fee will be \$150.00.
  - (b) Permit fees; new buildings and additions.

1. All buildings shall be charged a permit fee of \$0.30 per square foot. The minimum fee shall be \$25. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A Construction Site Office shall be charged a permit fee based on inspection and review requirements.
  2. In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.
  3. *Moved buildings or structures.* A fee of \$0.20 per square foot shall be charged for the issuance of any permit for a moved building or structure.
- (c) A plan review fee shall be paid upon submission of permit for review as listed below. These fees will be credited to any plan review or administrative fees set forth in later sections of this ordinance, should those fees be in excess of the fees stated below:
1. \$250.00 for new single family or two-family residential construction and a \$35 permit fee.
  2. \$500.00 for new multi-family residential
  3. \$500.00 for new commercial construction and a \$100 permit fee
  4. \$25.00 for any plumbing, mechanical or electrical permit.
  5. \$25.00 for any accessory building
  6. \$25.00 and \$0.20/square foot for signs
  7. \$25.00 and \$0.30/square foot for residential remodel
  8. \$25.00 for commercial tenant finish out
  9. \$50.00 fence permit.
  10. \$75.00 for a permit renewal
  11. \$125.00 (review fee) and \$0.30/square foot for any commercial remodel.
- (2) *Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.
  - (3) *Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.
  - (4) *Plan-checking fee.* A plan-checking fee shall be paid at the time of submitting plans and specifications for review of commercial projects. The plan-checking fee shall be equal to one-half of the building permit fee as set forth in § 109 of the *International Building Code*. Such plan-checking fee is in addition to the building permit fee. A Plan Update or Revision fee shall be charged equal to 50% of the original Plan Review fee and shall be payable upon submission of update or revision.
  - (5) *Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

- (6) *Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the plan review.
- (7) *After hours inspection fee.* The cost of performing and inspection after regular business hours is equal to \$50.00 per hour with a 2 hour minimum charge.
- (8) *Reinspection fee.* When the work performed does not meet the code requirements and a reinspection is required, a fee of \$50.00 will be charged for each reinspection.
- (9) *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (a) no work has commenced, (b) no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

...

#### **§ 15-1-11 CERTIFICATE OF OCCUPANCY REQUIRED.**

- (A) The Building Official shall have the authority to suspend water, electricity, gas or other public utilities if a Certificate of Occupancy is not provided or is revoked.
- (B) There shall be two types of certificates of occupancy. These shall be designated as an Interim Certificate of Occupancy and a Permanent Certificate of Occupancy.
  - (1) An Interim Certificate of Occupancy may be issued by the Building Official for use in necessary construction. The fee for an interim Certificate of Occupancy shall be \$3.00 per day for the first 30 calendar days; \$6.00 per day for the second 30 calendar days; and \$10.00 per day for each calendar day thereafter. The fees for such Interim Certificate of Occupancy shall be tendered prior to the issuance of such Interim Certificate of Occupancy. The Interim Certificate of Occupancy shall be valid a maximum of 180 days unless approved in writing by the Building Official.
  - (2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be \$75.00. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

#### **§ 15-1-12. FAILURE TO COMPLY.**

It shall be unlawful for any person to commence any work on a building or structure before obtaining the necessary permit, or otherwise fail to comply with any provision of the *International Building Code*, 2024 ~~2018~~ Edition, or any provision of this subarticle.

(1962 Code, § 4-1-6; Ord. 99018, passed 3-22-99; Ord. 2001-32, passed 12-17-01; Ord. 2010-27, passed 9-7-2010, eff. 9-25-2010; Ord. 2019-65, passed 12-17-19)

**Cross reference—** Penalty, see § 1-1-999.

...

**II.**

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

**III.**

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

**IV.**

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

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #16**



## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.**

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

Chapter 1, SR112.1 of the International Residential Code for One-and-Two Family Dwellings, entitled "Board of Appeals," is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Residential Code for One-and-Two Family Dwellings, 2018-2024 Edition. The Board shall be the Board of Adjustment as set forth by § 15-6-157 of this chapter. The Board of Adjustment shall have the number of members and be appointed for the terms specified by § 15-6-157 of this chapter. All subsections of § 106 of the International Residential Code for One-and-Two Family Dwellings which conflict with § 15-6-157 of this chapter shall be governed by § 15-6-157.

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(1962 Code, § 4-9-2; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

**Cross reference**— Penalty, see 1-1-99.

• **Sec. 15-1-11. - Certificate of occupancy required.**

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(A) The Building Official shall have the authority to suspend water, electricity, gas or other public utilities if a Certificate of Occupancy is not provided or is revoked.

(B) There shall be two types of certificates of occupancy. These shall be designated as an Interim Certificate of Occupancy and a Permanent Certificate of Occupancy.

(1) An Interim Certificate of Occupancy may be issued by the Building Official for use in necessary construction. The fee for an Interim Certificate of Occupancy shall be \$3.00 per day for the first 30 calendar days; \$6.00 per day for the second 30 calendar days; and \$10.00 per day for each calendar day thereafter. The fees for such Interim Certificate of Occupancy shall be tendered prior to the issuance of such Interim Certificate of Occupancy. The Interim Certificate of Occupancy shall be valid a maximum of 180 days unless approved in writing by the Building Official.

(2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be \$75.00. An additional fee of \$15.00 per floor shall be charged for multi-story buildings. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

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(Ord. 99018, passed 3-22-99; Ord. 200022, passed 11-20-00; Ord. 2001-32, passed 12-17-01; Ord. No. 2021-09, § I, passed 4-12-21)

• **Sec. 15-1-36. - Adoption.**

The purpose of this subarticle is to provide minimum standards, specifications and requirements for safe construction, installation, alteration and modification of gas piping and appliances within the city. All such construction, installation, alteration and modification of buildings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled International Fuel Gas Code, 2018-2024 Edition, approved and adopted by the International Code Council with all appendices thereto. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The International Fuel Gas Code, 2018-2024 Edition, shall apply to the construction, alteration, repair, equipment, use, maintenance, or installation of gas piping, appliances, or equipment within the city limits.

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(1962 Code, § 4-3-2; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

- **Sec. 15-1-37. - Additions and amendments to International Fuel Gas Code.**

(A)

Section 404.4 of the International Fuel Gas Code, 2018-2024 Edition, is amended to read as follows:

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§ 404.4: General: Gas piping may be installed in concealed locations in accordance with this section provided that no pipe smaller than one-half inch ( $\frac{1}{2}$ " ) shall be used in any concealed location, except as permitted by local authorities.

(B)

Section 404.12 of the International Fuel Gas Code, 2018-2024 Edition, is amended to read as follows:

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§ 404.12: Underground piping must be buried underground a minimum of eighteen inches (18") for its entire length below grade, and may not be used within or under any building or slab. Plastic piping may not be used within or under any building or slab.

§ 404.12.1: Individual lines to outside lights, grills or other appliances shall be installed a minimum of eighteen inches (18") below grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.

(1962 Code, § 4-3-6; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

- **Sec. 15-1-40. - Schedule of permit fees.**

(A)

The fees for gas permits as set forth in Section 106.6-2 of the International Fuel Gas Code, 2018-2024 Edition, are hereby established. A separate permit is required for each address.

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**Sec. 15-1-43. - Violation; revocation or suspension of license.**

If any person commences any work upon gas piping or appliances without securing required permits or licenses, or otherwise fails to comply with the provisions of the International Fuel Gas Code, 2018 ~~2024~~ Edition, such person shall be deemed to be in violation of this subarticle. Any person convicted a violation under this subarticle may have his city license revoked or suspended by the Municipal Judge or City Commissioners for a period not to exceed two years.

(1962 Code, § 4-3-9; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

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**• HOUSING CODE**

**• Sec. 15-1-75. - Adoption by reference.**

The International Residential Code for One-and-Two Family Dwellings, 2018 ~~2024~~ Edition, as published by the International Code Council, save and except such portions as hereinafter amended, is hereby adopted by reference.

(1962 Code, § 4-9-1; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-14, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

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**• Sec. 15-1-76. - Amendments.**

Chapter 1, §R112.1 of the International Residential Code for One-and-Two Family Dwellings, entitled "Board of Appeals," is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Residential Code for One-and-Two Family Dwellings, 2018 ~~2024~~ Edition. The Board shall be the Board of Adjustment as set forth by § 15-6-157 of this chapter. The Board of Adjustment shall have the number of members and be appointed for the terms specified by § 15-6-157 of this chapter. All subsections of § 106 of the International Residential Code for One-and-Two Family Dwellings which conflict with § 15-6-157 of this chapter shall be governed by § 15-6-157.

(1962 Code, § 4-9-2; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

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Cross reference— Penalty, see 1-1-99.

**• SWIMMING POOL CODE**

**• Sec. 15-1-150. - Title.**

This subarticle shall be known as the "Swimming Pool Code of the City" and may be cited as such.

(1962 Code, § 4-12-1; Ord. 99015, passed 3-15-99)

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 36, 37, 40 & 43, ADOPTING THE 2024 EDITION OF THE ICC INTERNATIONAL FUEL GAS CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in January 2020, the City Commission adopted the 2018 version of several of the International Building Codes and now desires to update them again;

**WHEREAS**, staff recommends and the Commission desires to adopt the 2024 version of the International Fuel Gas Code, as published by the International Code Council (ICC);

**WHEREAS**, staff will have a copy of the 2024 version of this code by the effective date of this ordinance;

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

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

I.

**THAT** Sections 15-1-36, 37, 40 & 43 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**§ 15-1-36 ADOPTION.**

The purpose of this subarticle is to provide minimum standards, specifications and requirements for safe construction, installation, alteration and modification of gas piping and appliances within the city. All such construction, installation, alteration and modification of buildings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled International Fuel Gas Code, 2024 ~~2018~~ Edition, approved and adopted by the International Code Council with all appendices thereto. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The International Fuel Gas Code, 2024 ~~2018~~ Edition, shall apply to the construction, alteration, repair,

equipment, use, maintenance, or installation of gas piping, appliances, or equipment within the city limits.

(1962 Code, § 4-3-2; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

#### **§ 15-1-37. ADDITIONS AND AMENDMENTS TO INTERNATIONAL FUEL GAS CODE.**

(A) Section 404.4 of the International Fuel Gas Code, 2024 ~~2018~~ Edition, is amended to read as follows:

§ 404.4: General: Gas piping may be installed in concealed locations in accordance with this section provided that no pipe smaller than one-half inch (½") shall be used in any concealed location, except as permitted by local authorities.

(B) Section 404.12 of the International Fuel Gas Code, 2024 ~~2018~~ Edition, is amended to read as follows:

§ 404.12: Underground piping must be buried underground a minimum of eighteen inches (18") for its entire length below grade, and may not be used within or under any building or slab. Plastic piping may not be used within or under any building or slab.

§ 404.12.1: Individual lines to outside lights, grills or other appliances shall be installed a minimum of eighteen inches (18") below grade, provided that such installation is approved and is installed in locations not susceptible to physical damage.

(1962 Code, § 4-3-6; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

...

#### **§ 15-1-40. SCHEDULE OF PERMIT FEES.**

(A) The fees for gas permits as set forth in Section 106.6.2 of the International Fuel Gas Code, 2024 ~~2018~~ Edition, are hereby established. A separate permit is required for each address.

....

#### **§ 15-1-43. VIOLATION; REVOCATION OR SUSPENSION OF LICENSE.**

If any person commences any work upon gas piping or appliances without securing required permits or licenses, or otherwise fails to comply with the provisions of the International Fuel Gas Code, 2024 ~~2018~~ Edition, such person shall be deemed to be in violation of this subarticle. Any person convicted a

violation under this subarticle may have his city license revoked or suspended by the Municipal Judge or City Commissioners for a period not to exceed two years.

(1962 Code, § 4-3-9; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-11, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

**Cross reference**— Penalty, see § 1-1-999.

...

## II.

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

## III.

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

## IV.

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

## V.

**THAT** nothing in this ordinance or in the Swimming Pool and Spa Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: \_\_\_\_\_

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #17**



## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.**

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

**Sec. 15-1-43. - Violation; revocation or suspension of license.**

If any person commences any work upon gas piping or appliances without securing required permits or licenses, or otherwise fails to comply with the provisions of the International Fuel Gas Code, 2018 ~~2024~~ Edition, such person shall be deemed to be in violation of this subarticle. Any person convicted a violation under this subarticle may have his city license revoked or suspended by the Municipal Judge or City Commissioners for a period not to exceed two years.

(1962 Code, § 4-3-9; Ord. 99013, passed 3-15-99; Ord. 2001-33, passed 12-17-01; Ord. 2012-1, passed 3-8-2012; Ord. No. 2020-05, § I, passed 1-27-20)

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- **HOUSING CODE**

- **Sec. 15-1-75. - Adoption by reference.**

The International Residential Code for One-and-Two Family Dwellings, 2018 ~~2024~~ Edition, as published by the International Code Council, save and except such portions as hereinafter amended, is hereby adopted by reference.

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(1962 Code, § 4-9-1; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-14, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

- **Sec. 15-1-76. - Amendments.**

Chapter 1, §R112.1 of the International Residential Code for One-and-Two Family Dwellings, entitled "Board of Appeals"; is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Residential Code for One-and-Two Family Dwellings, 2018 ~~2024~~ Edition. The Board shall be the Board of Adjustment as set forth by § 15-6-157 of this chapter. The Board of Adjustment shall have the number of members and be appointed for the terms specified by § 15-6-157 of this chapter. All subsections of § 106 of the International Residential Code for One-and-Two Family Dwellings which conflict with § 15-6-157 of this chapter shall be governed by § 15-6-157.

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(1962 Code, § 4-9-2; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

Cross reference— Penalty, see 1-1-99.

- **SWIMMING POOL CODE**

- **Sec. 15-1-150. - Title.**

This subarticle shall be known as the "Swimming Pool Code of the City" and may be cited as such.

(1962 Code, § 4-12-1; Ord. 99015, passed 3-15-99)



**ORDINANCE NO. 2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 75 & 76, ADOPTING THE 2024 EDITION OF THE ICC INTERNATIONAL RESIDENTIAL CODE FOR ONE-AND-TWO FAMILY DWELLINGS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in January 2020, the City Commission adopted the 2018 version of several of the International Building Codes and now desires to update them again;

**WHEREAS**, staff recommends and the Commission desires to adopt the 2024 version of the International Residential Code for One-and-Two Family Dwellings, as published by the International Code Council (ICC);

**WHEREAS**, staff will have a copy of the 2024 version of this code by the effective date of this ordinance;

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

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

I.

**THAT** Sections 15-1-75 & 76 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**HOUSING CODE**

**§ 15-1-75. - ADOPTION BY REFERENCE.**

The International Residential Code for One-and-Two Family Dwellings, 2024 ~~2018~~ Edition, as published by the International Code Council, save and except such portions as hereinafter amended, is hereby adopted by reference.

(1962 Code, § 4-9-1; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-14, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

**§ 15-1-76. - AMENDMENTS.**

Chapter 1, §R112.1 of the International Residential Code for One-and-Two Family Dwellings, entitled "Board of Appeals"," is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Residential Code for One-and-Two Family Dwellings, 2024 ~~2018~~ Edition. The Board shall be the Board of Adjustment as set forth by § 15-6-157 of this chapter. The Board of Adjustment shall have the number of members and be appointed for the terms specified by § 15-6-157 of this chapter. All subsections of § 106 of the International Residential Code for One-and-Two Family Dwellings which conflict with § 15-6-157 of this chapter shall be governed by § 15-6-157.

(1962 Code, § 4-9-2; Ord. 92026, passed 10-12-92; Ord. 99006, passed 2-8-99; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

Cross reference— Penalty, see 1-1-99.

...

## II.

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

## III.

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

## IV.

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

## V.

**THAT** nothing in this ordinance or in the Swimming Pool and Spa Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #18**



## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.**

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

- **Sec. 15-1-151. - Adoption.**

The purpose of this subarticle is to provide minimum standards for the design, construction or installation, repair or alterations of swimming pools, public or private, and equipment related thereto within the city. All swimming pool work done within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled Swimming Pool and Spa Code, 2018-2024 Edition, as approved by the Southern Building Code Congress which is hereby adopted in its entirety, except as herein amended.

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(1962 Code, § 4-12-2; Ord. 99015, passed 3-15-99; Ord. No. 2020-09, § I, passed 1-27-20)

- **Sec. 15-1-152. - Licenses and permits required; fees.**

(A)

It shall be the duty of every contractor who shall make contracts for the construction or installation, repair or alteration of swimming pools to pay a license fee of \$125.00 annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, phone number, and, in case of removal from one place to another, to have made corresponding changes in the file accordingly.

(B)

All persons performing swimming pool work for which a permit is required by this subarticle must secure a permit prior to starting work. Fees listed in § 105 of the Swimming Pool and Spa Code, 2018-2024 Edition, are hereby adopted with the following amendment: For issuing each permit, it shall cost \$25.00 for the plan review + \$10.00-0.30 per square foot

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(C)

If any person starts work without a permit, the permit fee shall be equal to the cost of the permit times the number of incidents the person has not obtained a permit prior to commencing work \$150.

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(D)

If the inspector determines that public safety has been endangered, a complaint shall filed in Municipal Court. Upon receiving a conviction, the person shall have their license revoked as follows:

(1)

1st conviction three months revocation;

(2)

2nd conviction six months revocation;

(3)

3rd conviction 12 months revocation;

(4)

4th conviction two year revocation;

(5)

5th conviction permanently revoked.

(1962 Code, § 4-12-3; Ord. 99015, passed 3-15-99; Ord. 200022, passed 11-20-00; Ord. No. 2020-09, § I, passed 1-27-20)

**Sec. 15-1-302. - Adoption by reference.**

The purpose of this subarticle is to provide minimum standards, provisions and requirements for safe construction, alteration and modification of one and two-family dwellings within the city. All such construction, alteration and modification of one and two-family dwellings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, approved and adopted by the International Code Council with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every one and two-family dwellings or structure or any appurtenances connected or attached to such one and two-family dwellings or structures.

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(Ord. 2002-10, passed 4-8-02; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

**Sec. 15-1-303. - Additions and amendments to International Residential Code for One- and Two-Family Dwellings.**

The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition; is hereby modified and changed in the following particulars:

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(A)

The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, is hereby amended to add a section entitled "Contractors License Required" which reads:

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It shall be the duty of every contractor or builder, who shall make contracts for the erection, repair or modification of buildings and structures and every builder or contractor subcontracting the same or

**ORDINANCE NO. 2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 151 & 152, ADOPTING THE 2024 EDITION OF THE ICC SWIMMING POOL & SPA CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in January 2020, the City Commission adopted the 2018 version of several of the International Building Codes and now desires to update them again;

**WHEREAS**, staff recommends and the Commission desires to adopt the 2024 version of the International Swimming Pool & Spa Code, as published by the International Code Council (ICC);

**WHEREAS**, staff will have a copy of the 2024 version of this code by the effective date of this ordinance;

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

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

I.

**THAT** Sections 15-1-151 & 152 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

**§ 15-1-151 ADOPTION.**

The purpose of this subarticle is to provide minimum standards for the design, construction or installation, repair or alterations of swimming pools, public or private, and equipment related thereto within the city. All swimming pool work done within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled Swimming Pool and Spa Code, 2024 ~~2018~~ Edition, as approved by the International Code Council ~~Southern Building Code Congress~~ which is hereby adopted in its entirety, except as herein amended.

(1962 Code, § 4-12-2; Ord. 99015, passed 3-15-99; Ord. No. 2020-09, § I, passed 1-27-20)



## **§ 15-1-152 LICENSES AND PERMITS REQUIRED; FEES.**

- (A) It shall be the duty of every contractor who shall make contracts for the construction or installation, repair or alteration of swimming pools to pay a license fee of \$125.00 annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, phone number, and, in case of removal from one place to another, to have made corresponding changes in the file accordingly.
- (B) All persons performing swimming pool work for which a permit is required by this subarticle must secure a permit prior to starting work. Fees listed in § 105 of the Swimming Pool and Spa Code, 2024 ~~2018~~ Edition, are hereby adopted with the following amendment: For issuing each permit it shall cost \$25 for the plan review ~~(review fee)~~ plus \$0.30 per square foot.
- (C) If any person starts work without a permit, the permit fee shall be equal to the cost of the permit times the number of incidents the person has not obtained a permit prior to commencing work.
- (D) If the inspector determines that public safety has been endangered, a complaint shall be filed in Municipal Court. Upon receiving a conviction, the person shall have their license revoked as follows:
  - (1) 1st conviction three months revocation;
  - (2) 2nd conviction six months revocation;
  - (3) 3rd conviction 12 months revocation;
  - (4) 4th conviction two year revocation;
  - (5) 5th conviction permanently revoked.

(1962 Code, § 4-12-3; Ord. 99015, passed 3-15-99; Ord. 200022, passed 11-20-00)

**Cross reference—** Penalty, see § 1-1-999.

...

### **II.**

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

### **III.**

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

is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

V.

**THAT** nothing in this ordinance or in the Swimming Pool and Spa Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #19**



## MEMO

**Date:** May 19<sup>th</sup>, 2025

**To:** Charlie Sosa (Interim City Manager)

**From:** Erik Spitzer (Director of Planning and Development Services)

**Subject:** **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor to adopt the following edits to existing ordinances that address the current Building Codes and new fees the City Commission approved last year.**

**Summary:** On October 15<sup>th</sup> 2024, the Planning and Developments Services Department approached the City Commission to adopt the 2024 International Code Council (ICC) Family of Codes for the City of Kingsville. Since the codes were adopted, Planning and Development Services staff have discovered small edits are required to update the following overlooked sections of the City of Kingsville Ordinances, be they fees that were approved or updating the code year from 2018 to 2024:

1. Section 9-7-2 "Additions and amendments to International Property Maintenance Code" (update year)
2. Section 15-1-6 "Schedule of permit fees" (update fees that were approved last year)
3. Section 15-1-11 "Certificate of occupancy required" (update fees that were approved last year)
4. Section 15-1-12 "Failure to comply" (update year)
5. Section 15-1-36 "Adoption" (update year)
6. Section 15-1-37 "Additions and amendments to International Fuel Gas Code" (update year)
7. Section 15-1-40 "Schedule of permit fees" (update year)
8. Section 15-1-43 "Violation; revocation or suspension of license" (update year)
9. Section 15-1-75 "Housing Code; Adoption by reference" (update year)
10. Section 15-1-76 "Housing Code; Amendments" (update year)
11. Section 15-1-151 "Swimming Pool Code Code; adoption" (update year)
12. Section 15-1-152 "Licenses and permits required; fees" (update fees that were approved last year + update year)
13. Section 15-1-302 "Adoption by reference" (update year)
14. Section 15-1-303 "Additions and amendments to International Residential Code for One- and Two-Family Dwellings" (update year)

The department recommends approval.

**Erik Spitzer**  
Director of Planning and Development Services

(4)

4th conviction two-year revocation;

(5)

5th conviction permanently revoked.

(1962 Code, § 4-12-3; Ord. 99015, passed 3-15-99; Ord. 200022, passed 11-20-00; Ord. No. 2020-09, § 1, passed 1-27-20)

- **Sec. 15-1-302. - Adoption by reference.**

The purpose of this subarticle is to provide minimum standards, provisions and requirements for safe construction, alteration and modification of one and two-family dwellings within the city. All such construction, alteration and modification of one and two-family dwellings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, approved and adopted by the International Code Council with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every one and two-family dwellings or structure or any appurtenances connected or attached to such one and two-family dwellings or structures.

(Ord. 2002-10, passed 4-8-02; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § 1, passed 1-27-20)

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- **Sec. 15-1-303. - Additions and amendments to International Residential Code for One- and Two-Family Dwellings.**

The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition; is hereby modified and changed in the following particulars:

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(A)

The International Residential Code for One and Two-Family Dwellings, 2018 2024 Edition, is hereby amended to add a section entitled "Contractors License Required" which reads:

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It shall be the duty of every contractor or builder, who shall make contracts for the erection, repair or modification of buildings and structures and every builder or contractor subletting the same or

any part thereof, with the exception of electrical and plumbing contractors, to pay a license fee of one hundred twenty-five dollars (\$125.00) annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, and in case of removal from one place to another to have made corresponding change in the file accordingly. Any person convicted in Municipal Court of a violation of this code may have his or her license revoked for a period not to exceed two years. Such person shall be notified by certified mail addressed to his or her place of business, as filed, of the proposed revocation and be given an opportunity at a hearing before the governing body to present such facts and circumstances that are relevant to the case.

(B)

Chapter 1, § R105.2 (Work exempt from permit) shall be amended by the following:

Building

1.

Permits for one-story detached accessory structures are required.

5.

Sidewalks and driveways located in the city street right-of-way shall not be constructed without a permit. The permit for this work shall be considered a curb cut permit and the fee paid in according to ~~§ 9-10-35~~ of the City of Kingsville Code of Ordinances.

(C)

Chapter 1, § R 112 108, entitled "Board of Appeals" is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the International Building Code, ~~2018~~ 2024 Edition.

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(D)

Chapter 4, § R 401.1, entitled "Application," shall hereby be amended to read:

Wood foundations are not permitted. Foundation designs must be provided to the City Planning Department by a Texas Registered Professional Engineer.

(E)

Part V - Mechanical shall be amended to read:

Mechanical systems shall be permitted in accordance with the International Mechanical Code, ~~2018~~ 2024 Edition.

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(F)

Part VI - Fuel gas shall be amended to read:

Fuel Gas Systems shall be permitted in accordance with the International Gas Code, ~~2018~~ 2024 Edition.

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(G)

Part VII - Plumbing shall be amended to read:

Plumbing systems shall be permitted in accordance with the International Plumbing Code, 2018  
2024 Edition.

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(H)

Part VIII - Electrical shall be amended to read:

Electrical Systems shall be permitted in accordance with the 2017-2023 National Electric Code.

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(Ord. 2002-10, passed 4-8-02; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § I, passed 1-27-20)

**ORDINANCE NO.2025-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, SECTIONS 302 & 303, ADOPTING THE 2024 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, in April 2002 the City Commission adopted the 2000 edition of the International Residential Code for One-and Two Family Dwellings and now desires to update them again;

**WHEREAS**, staff recommends and the Commission desires to adopt the 2024 edition of the International Residential Code for One and Two Family Dwellings, as published by the International Code Council;

**WHEREAS**, staff will have a copy of the 2024 version of this code by the effective date of this ordinance;

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

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

I.

**THAT** Sections 15-1-302 & 303 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be added and shall read as follows:

**§ 15-1-302 ADOPTION BY REFERENCE.**

The purpose of this subarticle is to provide minimum standards, provisions and requirements for safe construction, alteration and modification of One and Two Family Dwellings within the city. All such construction, alteration and modification of One and Two Family Dwellings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled *International Residential Code for One and Two Family Dwellings*, ~~2024~~ ~~2018~~ Edition, approved and adopted by the International Code Council ~~Southern Building Code Congress International~~ with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall



prevail. The *International Residential Code for One and Two Family Dwellings*, ~~2024~~ ~~2018~~ *Edition*, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every One and Two Family Dwellings or structure or any appurtenances connected or attached to such One and Two Family Dwellings or structures.

**§ 15-1-303 ADDITIONS AND AMENDMENTS TO INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS.**

The *International Residential Code for One and Two Family Dwellings*, ~~2024~~ ~~2018~~ *Edition*; is hereby modified and changed in the following particulars:

(A) The *International Residential Code for One and Two Family Dwellings*, ~~2024~~ ~~2018~~ *Edition*, is hereby amended to add a section entitled "Contractors License Required" which reads:

It shall be the duty of every contractor or builder, who shall make contracts for the erection, repair or modification of buildings and structures and every builder or contractor subletting the same or any part thereof, to pay a license fee of one hundred twenty-five dollars (\$125.00) annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, and in case of removal from one place to another to have made corresponding change in the file accordingly. Any person convicted in Municipal Court of a violation of this code may have his license revoked for a period not to exceed two years. Such person shall be notified by certified mail addressed to his place of business, as filed, of the proposed revocation and be given an opportunity at a hearing before the governing body to present such facts and circumstances that are relevant to the case.

(B) Chapter 1, § R105.2 (Work exempt from permit) shall be amended by the following:

**Building**

1. Permits for one-story detached accessory structures are required.
5. Sidewalks and driveways located in the City Street right-of-way shall not be constructed without a permit. The permit for this work shall be considered a curb cut permit and the fee paid in according to Chapter 9, Section 10-35 of the City of Kingsville Code of Ordinances.

(C) Chapter 1, § R 112 108, entitled "Board of Appeals" is hereby amended to read "Board of Adjustment" and shall read the same in all other references to such Board in the *International Building Code*, ~~2024~~ ~~2018~~ *Edition*.

(D) Chapter 4, § R 401.1, entitled "Application," shall hereby be amended to read:

Wood foundations are not permitted. Foundation designs must be provided to the City Planning Department by a Texas Registered Professional Engineer.

(E) Part V – Mechanical shall be amended to read:

Mechanical Systems shall be permitted in accordance with the *International Mechanical Code*, 2024 2018 Edition.

(F) Part VI – Fuel Gas shall be amended to read:

Fuel Gas Systems shall be permitted in accordance with the *International Gas Code*, 2024 2018 Edition.

(G) Part VII – Plumbing shall be amended to read:

Plumbing Systems shall be permitted in accordance with the *International Plumbing Code*, 2024 2018 Edition.

(H) Part VIII – Electrical shall be amended to read:

Electrical Systems shall be permitted in accordance with the *International Electrical Code*, 2024 2017 Edition.

## II.

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

## III.

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

## IV.

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

**INTRODUCED** on this the 23<sup>rd</sup> day of June, 2025.

**PASSED AND APPROVED** on this the 14<sup>th</sup> day of July, 2025.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

# **AGENDA ITEM #20**

**City of Kingsville**  
**City Secretary's Office**

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TO: City Commission

CC: Charlie Sosa, Interim City Manager; Courtney Alvarez, City Attorney

FROM: Mary Valenzuela, City Secretary *YV*

DATE: June 23, 2025

SUBJECT: Certification of Petitions for Recall

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On June 6, 2025, the Office of City Secretary received recall petitions seeking the removal of City Commissioners Alvarez, Alarcon, and Hinojosa from the office of City Commissioner. After receiving the petitions, the signatures were reviewed for certification. Of the 330 signatures submitted, a total of 292 signatures were certified, and 38 signatures were not.

The City of Kingsville Charter Article II, Section 24 (4) provides that petitions shall be signed by qualified voters of the City equal in number to at least twenty percent (20%) of the number of qualified voters voting in the most recent city election. The last City Election was held on May 4, 2024. A total of 1,412 votes were cast in that election as reflected in Resolution #2024-94 that was approved by the City Commission on May 13, 2024. Twenty percent of 1,412 votes is 282.4, which is the number of certified signatures needed to initiate a recall election. Accordingly, the signatures certified on the recall petitions exceed the number of signatures required by the Charter for a recall election.

The City of Kingsville Charter Article II, Section 24 (6) states "If the officer whose removal is sought does not resign within five (5) calendar days after such notice is given then it shall become the duty of the City Commission to order an election and fix a date for holding such recall election, the date of which election shall be in accordance with the Texas Election Code Annotated." Based on the Charter language and the fact that a sufficient number of signatures were certified for a recall election, you are hereby notified that you have five (5) calendar days from the date of this notice to notify me via email whether or not you intend to resign as a Kingsville City Commissioner. If you either choose not to resign or you do not notify me of your intent to resign by June 28, 2025, then an agenda item to order a recall election and fix a date for holding such election will be presented to the City Commission at the next City Commission Meeting.

