

City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, JULY 14, 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)

None.

APPROVED BY:


Charlie Sosa
Interim City Manager

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

1. Public hearing on request for an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG) for the establishment known as Kwik Pantry #2, at 730 W. Corral, Kingsville, Texas 78363. (Director of Planning and Development Services).

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial 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.³

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

Consent Agenda**Notice to the Public**

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for an Auto Paint & Body Shop Use (Vehicle Window Tinting Store) in in C2 (Retail) District at 201 S. 6th 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).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate additional funding for Fire Department vehicle maintenance. (Fire Chief).
3. Motion to approve final passage 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).
4. Motion to approve final passage 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).
5. Motion to approve final passage 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).
6. Motion to approve final passage 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).
7. Motion to approve final passage 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).
8. Motion to approve final passage 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).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consideration and approval of an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG) for the establishment known as Kwik Pantry #2, at 730 W. Corral, Kingsville, Texas 78363. (Director of Planning and Development Services).

10. 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 Fire Department. (Fire Chief).

11. Consideration and approval of a resolution authorizing the City to submit an application to the U.S. Department of Homeland Security's Federal Emergency Management Agency for the purpose of requesting grant funding on behalf of the City for the 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program for additional firefighters for the Kingsville Fire Department with an anticipated cash match. (Fire Chief).

12. Consideration and approval of awarding Competitive Sealed Proposals (Bid #25-15) for the construction of Kingsville Fire Station #3, as per the recommendation of the consulting engineer. (To be paid from CO2024 Funds). (Purchasing Manager).

13. Consideration and approval of a resolution approving the City of Kingsville Federal Grant Financial Policies and Procedures. (City Engineer).

14. Consideration and approval of a resolution approving the City of Kingsville Federal Grants Procurement Policies and Procedures. (City Engineer).

15. Consideration and approval of a resolution authorizing the Interim City Manager to execute Changer Order No.1 to the Construction Contract with Donald Hubert Construction Co. for the GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements Project. (City Engineer).

16. Consideration and approval of a resolution authorizing the Interim City Manager to execute Change Order No. 4 for the Construction Contract with R.S. Parker Construction, LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project. (City Engineer).

17. Workshop: Discussion on proposed Fiscal Year 25-26 TMRS Plan, Compensation Plan, Updated Fund balances, Tourism Fund, and Economic Development Fund. (Interim City Manager).

18. Discuss and consider an ordinance calling a Special Election for the Recall of Norma Nelda Alvarez, City Commissioner Place 2; Hector Hinojosa, City Commissioner Place 3; and Leo Alarcon, City Commissioner Place 4 from the Kingsville City Commission in accordance with the City Charter and the Texas election Code, to be held in the City of Kingsville, Texas and other matters related thereto. (for November 4, 2025) (City Secretary). (*Descunche y considere una ordenanza que convoca una elección especial para la destitución de Norma Nelda Alvarez, comisionado de la ciudad plaza 2; Hector Jonoosa, comisionado de la ciudad plaza 3; y Leo Alarcon, comisionado de la ciudad plaza 4 de la comisión municipal de Kingsville, de conformidad con el acta constitutiva de la ciudad y el código electoral de Texas, que se llevará a cabo en la ciudad de Kingsville, Texas y otros asuntos relacionados con la misma. (el 4 de noviembre de 2025) (Secretaria Municipal).*

19. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to contemplate litigation regarding a contract with the South Texas Water Authority. (Mayor Fugate).

VII. Adjournment.

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

NOTICE

This City of Kingsville and 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 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:

July 10, 2025, at 3:30 P.M. and remained 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

PUBLIC HEARING(S)

PUBLIC HEARING #1

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



MEMO

Date: June 25th, 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 approve an alcohol variance for a Wine and Malt Beverage Retail Dealer's On Premise establishment known as Kwik Pantry #2, located at 730 W Corral, Kingsville, TX 78363**

Summary: On April 8th, 2025, Chris Manriquez, applicant, Corpus Eagle Food Mart, INC, owner, requested an alcohol variance for a Wine and Malt Beverage Retail Dealer's On Premise establishment known as Kwik Pantry #2, located at 730 W Corral, Kingsville, TX 78363. A change in ownership warrants the new variance request.

Background: One church, "Abide Church" is located within 300' of this proposed establishment. 15 letters were sent out; the city has received no concerns as of today.

The department recommends approval.

Erik Spitzer
Director of Planning and Development Services



CITY OF
KINGSVILLE
MEMORANDUM

DATE

April 21, 2025

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 730 W. Corral Ave-Kwik Pantry #2

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 730 W Corral Ave, we have concluded that the property in question does fall within the 300 ft boundary of a Church & School; therefore, it will require a variance according to State codes and City Ordinance § 11-3-4, which was adopted on April 9, 2018.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 1 Church, Property ID 18513 & School, Property IDs 16219 & 21009; suspected to be close to the property. ABIDE CHURCH & TAMUK properties are within the 300 foot boundary.

Attachment 1 also shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Mary Valenzuela

From: Mary Valenzuela
Sent: Monday, April 21, 2025 1:55 PM
To: Rutilio "Rudy" Mora
Subject: Alcohol Application - Kwik Pantry #2
Attachments: Alcohol Application - Kwik Pantry #2 042125.pdf

Good afternoon Rudy,

Attached is an alcohol application for Kwik Pantry #2 located at 730 W. Corral Ave., Kingsville, TX 78363. Please have someone from your staff verify if this location complies with all city ordinances and state requirements. As per City Ordinance § 11-3-4, which was adopted on April 9, 2018, the sale of alcoholic beverages by a dealer whose place of business is within **300 feet** of a church or public hospital or 300 feet of a public or private school, daycare or childcare facility is prohibited, unless a variance is obtained from the City Commission.

Thanks in advance.

Thank you,
Mary Valenzuela, TRMC, CMC
City Secretary
400 W. King Ave./P.O. Box 1458
Kingsville, Texas 78364
Home Rule, pop. 26,213
Office: (361) 595-8002
Fax: (361) 595-8024



ATTENTION PUBLIC OFFICIALS:

A "Reply to All" of this email could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

This message (including any attachments) may contain confidential, proprietary, privileged and/or private information. The information is intended to be for the use of the individual or entity designated above. If you are not the intended recipient of this message, please notify the sender immediately, and delete the message and any attachments. Any disclosure, reproduction, distribution or other use of this message or any attachments by an individual or entity other than the intended recipient is prohibited.

All Star License Service
10101 Southwest Freeway, Ste. 307
Houston, Texas 77074
713/644-2120
allstarls@icloud.com

April 8, 2025

To: City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364
361-595-8024

Attn: City Secretary

Re: New – Wine and Beer Application
Kwik Pantry #2
730 W Coral Ave
Kingsville, Texas 78363

Please find attached the beer application that requires your signature. Please certify the application and mail back in the return stamped envelope. If you have any questions or problems, please contact me at the phone number above.

Thank you,

Chris Manriquez



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texans Helping Businesses & Protecting Communities

received
4-21-2025

**Required
Certifications**

Join TABC in the fight against human trafficking

L-CERT (7/2022)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.

Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.) Kwik Pantry #2			
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.) Corpus Eagle Food Mart, Inc.			
3. Type of Owner <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Other: _____			
4. Location Address 730 W Corral Ave			
City Kingsville		County Kleberg	State TX
5. Mailing Address 730 W Corral Ave			
City Kingsville		County Kleberg	State TX
6. Business Telephone Number pending		Alternate Telephone Number 281/900-9530	E-mail Address sazeem2@aol.com
7. Application for:			
<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Reinstatement	License/Permit Number	<input type="checkbox"/> Reinstatement and Change of Trade Name
	<input type="checkbox"/> Change of Location	License/Permit Number	<input type="checkbox"/> Change of Location and Trade Name
8A. Type of Off-Premise Retailer License/Permit:			
<input type="checkbox"/> BF Retail Dealer's Off-Premise License <input type="checkbox"/> E Local Cartage Permit <input type="checkbox"/> P Package Store Permit			
<input type="checkbox"/> BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit <input type="checkbox"/> ET Third-Party Local Cartage Permit <input type="checkbox"/> Q Wine Only Package Store			
<input type="checkbox"/> LP Local Distributor's Permit			
8B. Type of On-Premise Retailer License/Permit			
<input type="checkbox"/> BE Retail Dealer's On-Premise License <input type="checkbox"/> E Local Cartage Permit <input type="checkbox"/> MB Mixed Beverage			
<input checked="" type="checkbox"/> BG Wine and Malt Beverage Retail Dealer's On-Premise Permit <input type="checkbox"/> FB Food and Beverage Certificate <input type="checkbox"/> WP Waterpark Permit			
<input type="checkbox"/> BP Brewpub License <input type="checkbox"/> LH Late Hours Certificate			
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit			
<input type="checkbox"/> BB General Distributor's License <input type="checkbox"/> D Distillers and Rectifiers Permit - allows on-premise consumption <input type="checkbox"/> S Nonresident Seller's Permit			
<input type="checkbox"/> BC Branch Distributor's License <input type="checkbox"/> DS Out-of-State Winery Direct Shipper's Permit <input type="checkbox"/> SD Brewer's Self-Distribution License			
<input type="checkbox"/> BN Nonresident Brewer's License <input type="checkbox"/> G Winery - allows on-premise consumption <input type="checkbox"/> W Wholesaler's Permit			
<input type="checkbox"/> BW Brewer's License <input type="checkbox"/> J Bonded Warehouse <input type="checkbox"/> X General Class B Wholesaler Permit			
<input type="checkbox"/> JD Bonded Warehouse (Dry Area)			
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location			
<input type="checkbox"/> Bar <input type="checkbox"/> Grocery/Market <input type="checkbox"/> Package Store <input type="checkbox"/> Sexually Oriented			
<input type="checkbox"/> Civic Center <input type="checkbox"/> Hotel <input type="checkbox"/> Public Entertainment Fac. (PEF as defined in Sec. 108.73) <input type="checkbox"/> Sporting Arena			
<input checked="" type="checkbox"/> Convenience Store <input type="checkbox"/> Motel <input type="checkbox"/> Racetrack			
<input type="checkbox"/> Delivery Company <input type="checkbox"/> Movie Theater <input type="checkbox"/> Restaurant			

allstarts@icloud.com

Trade Name:

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input checked="" type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____

City Secretary/Clerk

City

TEXAS

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> MB	Mixed Beverage Permit
<input checked="" type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input checked="" type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
<input type="checkbox"/> BE*	Retail Dealer's On-Premise License
<input checked="" type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input checked="" type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____

City Secretary/Clerk

City

TEXAS

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of <i>mixed beverages</i> between midnight and 2:00 A.M.;
OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of <i>malt beverage</i> between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____

City Secretary/Clerk

City

TEXAS

SEAL

Trade Name: Kwik Pantry #2

Location Address: 730 W Corral Ave City: Kingsville County: Kleberg

Wholesaler, Distributor or Manufacturer Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary for: J

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BW & D

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BB, BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained in any area where the sale of any alcoholic beverage is legal."

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: _____

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ **CHECK HERE IF NOT IN CITY LIMITS**

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL**On-Premise Certifications**

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

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<input type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
<input type="checkbox"/> BE*	Retail Dealer's On-Premise License
<input type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, _____ County
County Clerk

SEAL**Certification for Late Hours Certificate (LH)**

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

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OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____, _____ County
County Clerk

SEAL

Trade Name: Kwik Pantry #2

Location Address: 730 W Corral Ave City: Kingsville County: Kleberg

Wholesaler, Distributor or Manufacturer Certifications

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Certificate of County Clerk for: J

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for: BW & D

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for: BB & BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained in any area where the sale of any alcoholic beverage is legal."

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

Trade Name: Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

**Publisher's Affidavit for All Applicants Except BN, DS, S
TX Alc. Bev. Code, Section 11.39 and 61.38**

Name of newspaper	
City, County	
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)	
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>	
Signature of publisher or designee	
Sworn to and subscribed before me on this date (MM/DD/YYYY)	
Signature of Notary Public	
SEAL	

ATTACH PRINTED

COPY OF THE

NOTICE HERE

[Click here to see example of
newspaper publication](#)

Comptroller of Public Accounts Certificate for All Applicants

TX Alc. Bev. Code, Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of _____, 20_____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN HERE _____ FIELD OFFICE _____ **SEAL**

PUBLIC HEARING NOTICE

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Request for an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG) for the establishment known as Kwik Pantry #2, at 730 W Corral, Kingsville TX, 78363.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

COPY

Success on the diamond



The Kingsville 6U baseball All-Stars recently celebrated a 20-5 win over Matlis. Team members include: Back row, left to right: Coach Edward Trevino, Coach Manny Salazar, Coach Aliya Borjon and Coach RJ Gerragauch. Middle row: Javi Garza, Tres Sanchez, Ezadien Silguero, John Carter Salazar, Michael Perez, Rolie Pina and Ryan Gerragauch. Front row: Kaleb Cantu, Lalo Trevino, Grayson Perea, Abram Ramirez, Raudel Del Bosque, Landyn King and Mikey Longoria. (Contributed photo)

County

CONTINUED FROM PAGE 1

"We want to start doing a lot more state certified training," Pray added.

Pray said that he is a Level 3 Master Trainer with the state of Texas fire programs.

The fire marshal added that he'd spoken with NAS-Kingsville officials about using their facilities for training and had received a "thumbs up."

Pray said the \$25 rate arrived after a series of discussions and number crunching, and also received approval of firefighters in both Riviera and Ricardo.

"I think this solves the problem," Pray added.

In other business, Kleberg County Judge Rudy Madrid said he was set to speak with City of Corpus Christi officials this week regarding their support of a local desalination plant.

Madrid said the 400-year aquifer will not only supply

potable water needs for Kleberg County, but that surrounding areas, including possibly the City of Corpus Christi, could become water customers of Kleberg County.

"We will no longer be water customers of Corpus Christi," Madrid said. "They are under Stage 3 water restrictions. I'm offering to form an alliance. We'll see what they say."

A groundbreaking for the local desalination plant is planned for July 8.

District Attorney John Hubert spoke to commissioners regarding the local Sexual Assault Response Team. Hubert said the group was looking towards re-organization, including a new chairman.

Madrid said he would recommend J. Dean Craig, if he were willing to accept the role.

Commissioners also approved a payment of \$47,003 to TJ Electric for work at the JK Northway. Commissioner Chuck Schultz said the electrical work was to repair "major A/C problems" including replacing old wiring, a breaker box and panel.

Commissioners also approved a plat for Phase 2 of the Dulce Estate Subdivision.

Madrid confirmed that commissioners would begin budget workshops in July for the upcoming fiscal year.

Commissioners also approved a change order for drainage work on the County Road 1030, which is currently under construction.

"There has been some problems with rains, and the creek has gotten high," Commissioner Schultz said.

"We hope to be done by next month if the weather cooperates with us."

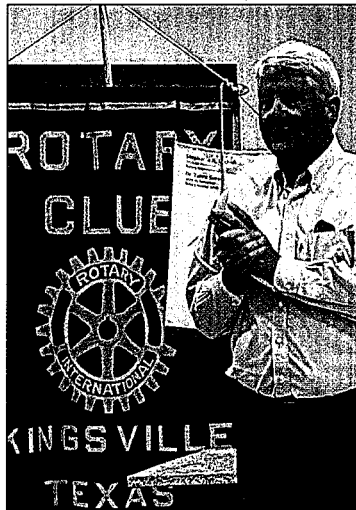
PUBLIC HEARING NOTICE

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Kingsville Mayor Sam Fugate recently spoke to the Kingsville Rotary Club regarding current projects and future plans. The Rotary Club meets each Tuesday at noon at El Dorado Restaurant on 14th Street. (Photo by JT Strasser)



City

CONTINUED FROM PAGE 1

tion making sure those working outdoors were kept safe from the heat with additional breaks.

Commissioners also heard an introductory agenda item, providing for the repeal of nighttime curfew regulations for minors and daytime curfew regulations for minors, following a state legislative change.

"I suspect this is the state legislature getting into our business," Fugate said.

City Attorney Courtney Alvarez confirmed that, saying the daytime curfew was intended to ensure children are attending school, not running around town.

Commissioners also approved a number of donations, including mattresses and fire prevention supplies for the Kingsville Fire Department. Those making donations include Kingsville Steakhouse, Maltby Builders, and

the Vishal Raju Bhagat Foundation.

A donation from Victor and Lisa Unger for the Health Dept. for animal care services was accepted as well.

Sosa added that city crews were continuing street resurfacing, including 17th Street from Johnston to Caesar.

Connie Womack was introduced to commissioners, as she will be serving as new city director of tourism.

During public comment, Joel Saenz spoke about four topics regarding the city recall election: harassing personnel, fiscal responsibility, commissioner behavior and negligence of city policies.

City offices will be closed on June 19 for the Juneteenth holiday.

The next commission meeting will be held June 23 at 5 p.m.

1ST ANNUAL KLEBERG COUNTY FOURTH OF JULY FESTIVAL BBQ COOK-OFF

BOYS & GIRLS CLUB KINGSVILLE

SATURDAY

(KIDS QUE \$25)

• PORK CHOP 10AM

(ADULT \$125)

• FAJITAS 11AM

• CHICKEN 12PM

• RIBS 1PM

JULY 4TH-5TH

JK NORTHWAY FAIRGROUNDS

TO SIGN UP: TEXT "KLEBERG" TO 44781 OR
CONTACT JOHN PEREZ AT 361-675-0213

Wreaths

CONTINUED FROM PAGE 1

participating locations in all 50 states and beyond.

"This tradition is near and dear to me," Kleberg County Judge Rudy Madrid said.

Madrid is a Navy veteran, who served at the National Navy Medical Center, as well as during conflicts in the Middle East.

All three Kingsville cemeteries will receive eight live wreaths and flags to go with each.

The event will be held on Dec. 13, at 11 a.m. to coincide with the national program that starts at noon.

Wreaths will remain at the gravesites for four weeks.

"Kingsville is a Navy town and we love our base," Kingsville Mayor Sam Fugate said. "We've got to get our sign back up that 'Kingsville loves jet noise.'"

NAS-Kingsville skipper Michael "Buck" Bishop also spoke to the gathering at Kingsville City Hall, expressing his appreciation for the partnership between the base and the community during the past several decades.

More than 2.7 million wreaths will be laid at veterans' gravesites nationwide this December as part of the Wreaths Across America program.

Garbage Schedule Changes In observance of Juneteenth

City Sanitation, City Hall and other Administrative Offices will be closed on Thursday, June 19th, 2025 in observance of Juneteenth.

The City Sanitation garbage pick-up schedule will temporarily change for the week of June 16th, 2025 to June 20th, 2025.

Residential Sanitation Schedule

Residential Monday/ Thursday service

will be done on MONDAY and WEDNESDAY.

Residential Tuesday/ Friday service

will remain the same.

Commercial Sanitation Schedule

Commercial Thursday/Friday service

will be done on FRIDAY.

The schedule will resume to its normal schedule on June 2nd, 2025.



Jessica Marie Gamez
Estevan Gabriel Gamez
810 W Ave F
Kingsville, TX 78363
25776

Elvia Garcia
802 W Ave F
Kingsville, TX 78363
17434

Newwell W Atkinson III
AFLP Jim Wells Investments LTD
PO Box 3336
Alice, TX 78333
12473

Tipitapa 8 LLC
30725 U S HWY 19 N
Palm Harbor, FL 34684
45016

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
13681

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
22978

Alvaro Garcia Jr
Maira Estela Garcia
12627 Biscuit Hill
San Antonio, TX 78253
22807

Taz Texas Holdem LLC
12379 Lakeshore N
Auburn, CA 95602-8118
22384

Ramon De La Paz
ETUX Ostine E Watts
1415 E FM 1717
Kingsville, TX 78363
23895

Ruben Pena
ETUX Martha
3411 S Brahma BLVD
Kingsville, TX 78363
25418

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
16219

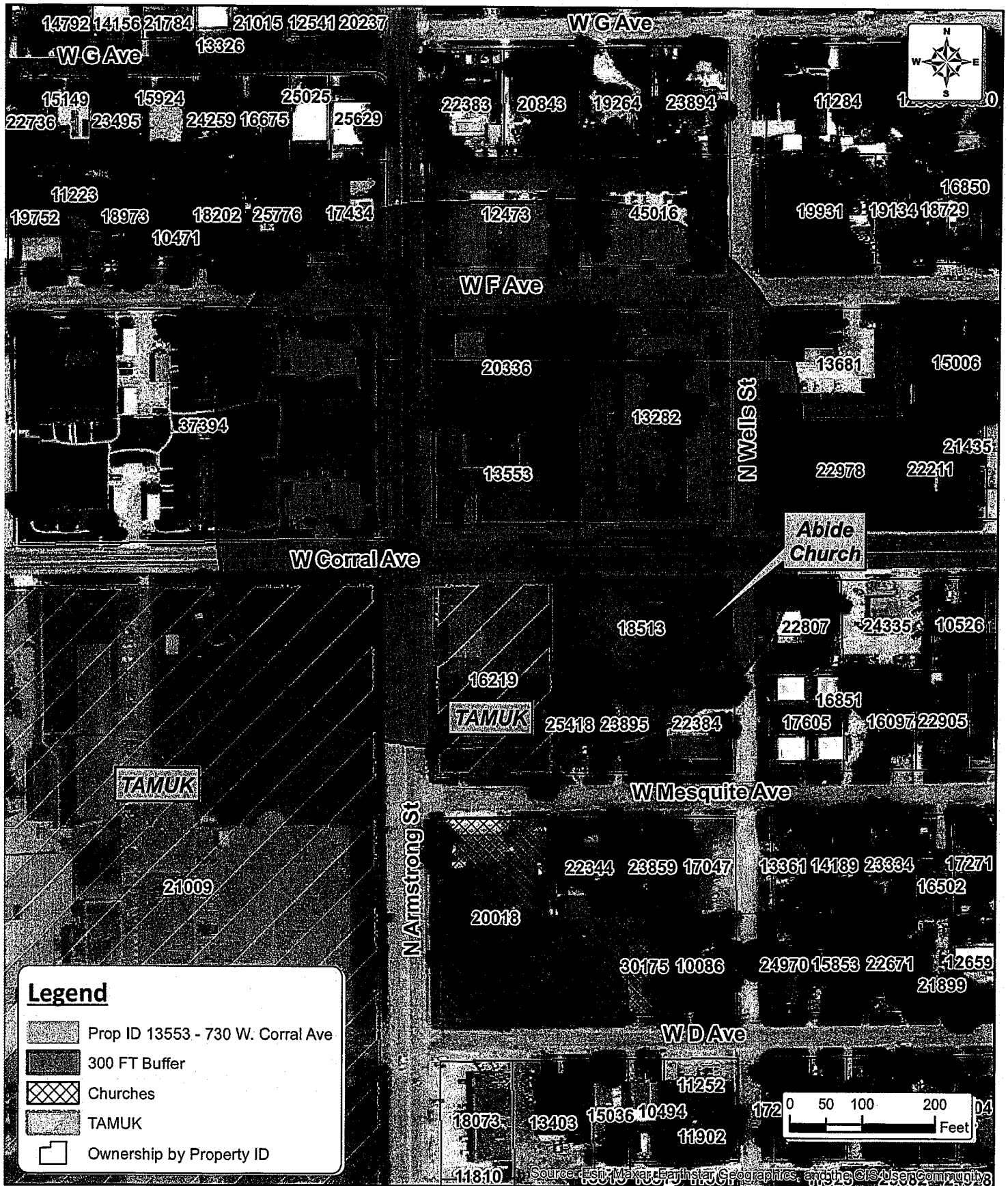
Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
21009

South Texas District
Council-Assemblies Of God, INC
12106 E Sam Houston Parkway North
Houston, TX 77044
18513

Kingsville Multifamily Investments LLC
11816 Inwood RD STE 3011
Dallas, TX 75244
13282

YMG Investments LLC
10617 N 28th St
McAllen, TX 78504
20336

Alcohol Permit - 730 W. Corral Ave./Property ID: 13553



Receipt Number: R02229489

 Save and Close  Print Receipt  Email Receipt  Void Receipt  Print Screen   Help

Receipt Number: R02229489

General

Transactions

Payments

Journal

Documents

Packet

Batch

Operator

Terminal

Taken By

Vendor

B00027447 - 05-27-2025 tc

TC - THERESA CAVAZOS

15 - THERESA CAVAZOS

Theresa Cavazos

Amount Details

Total Applied 250.00

Total Tendered 250.00

Change 0.00

Profile Information

Performed By

Date Performed

Create

Theresa Cavazos

5/29/2025 3:05 PM

Void

Burn

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

YMG Investments LLC
10617 N 28th St
McAllen, TX 78504
20336

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Your property is located withing 300 feet of this request. If you have any comments or questions in regard to this matter, please contact me at (361) 595-8055.

Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

1000

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Kingsville Multifamily Investments LLC
11816 Inwood RD STE 3011
Dallas, TX 75244
13282

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Thank you

Yours Sincerely,

A handwritten signature in black ink, appearing to read "E. Spitzer".

Erik Spitzer
Director of Planning & Development Services

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

South Texas District Council-Assemblies Of God, INC
12106 E Sam Houston Parkway North
Houston, TX 77044
18513

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Erik Spitzer
Director of Planning & Development Services

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CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
21009

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Erik Spitzer
Director of Planning & Development Services

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CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
16219

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Ruben Pena
ETUX Martha
3411 S Brahma BLVD
Kingsville, TX 78363
25418

Dear Property Owner,

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Director of Planning & Development Services

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CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Ramon De La Paz
ETUX Ostine E Watts
1415 E FM 1717
Kingsville, TX 78363
23895

Dear Property Owner,

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Erik Spitzer
Director of Planning & Development Services

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CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Taz Texas Holdem LLC
12379 Lakeshore N
Auburn, CA 95602-8118
22384

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Erik Spitzer
Director of Planning & Development Services

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CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Alvaro Garcia Jr
Maira Estela Garcia
12627 Biscuit Hill
San Antonio, TX 78253
22807

Dear Property Owner,

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Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
22978

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Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
13681

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Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Tipitapa 8 LLC
30725 U S HWY 19 N
Palm Harbor, FL 34684
45016

Dear Property Owner,

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Yours Sincerely,



Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Newwell W Atkinson III
AFLP Jim Wells Investments LTD
PO Box 3336
Alice, TX 78333
12473

Dear Property Owner,

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Elvia Garcia
802 W Ave F
Kingsville, TX 78363
17434

Dear Property Owner,

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Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Jessica Marie Gamez
Estevan Gabriel Gamez
810 W Ave F
Kingsville, TX 78363
25776

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Erik Spitzer
Director of Planning & Development Services

COPY

CONSENT AGENDA

AGENDA ITEM #1



MEMO

Date: June 18th, 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. 6th St., Kingsville, TX 78363 (Property ID 11207)**

Summary: Jose Alberto Lopez, Applicant; Herman H. Ohlenbusch, Owner, approached the Planning Department on April 23rd, 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 18th, 2025, with 5 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, Mike Klepac, and Krystal Emery all voted "YES."

The meeting was adjourned at 6:15 p.m.

The department recommends approval.

Erik Spitzer
Director of Planning and Development Services



MEMO

Date: June 10th, 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. 6th 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 23rd, 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. 6th 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. 6th St., Kingsville, TX 78363 (Property ID 11207).

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MASTER LAND USE APPLICATION

email: 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] (Property Manager) 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 fluid and cursive, with a large, stylized "C" at the beginning and a long, sweeping underline that extends across the text below.

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.

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	

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

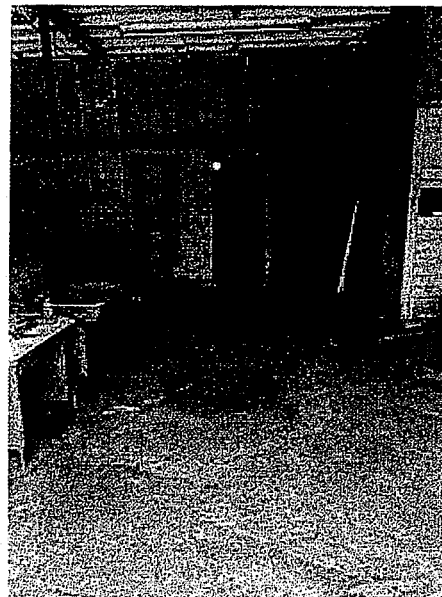
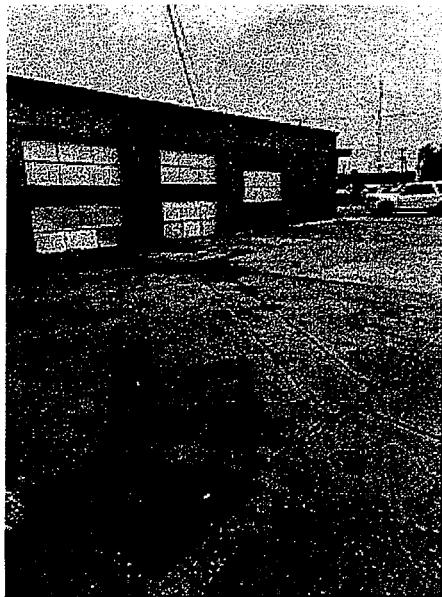
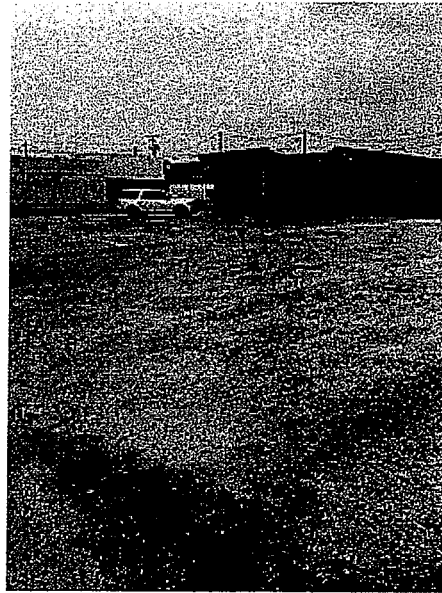
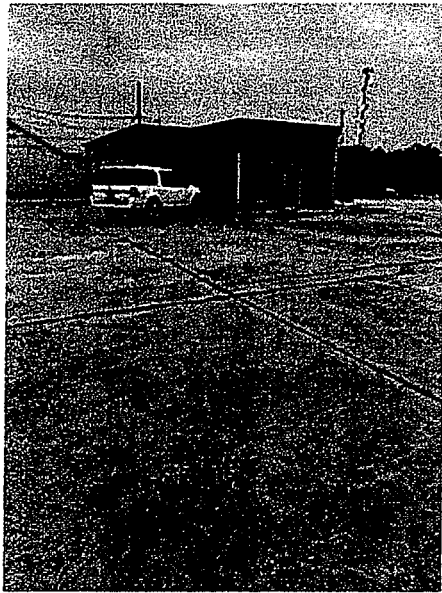
= Not permitted (absence of any symbol)

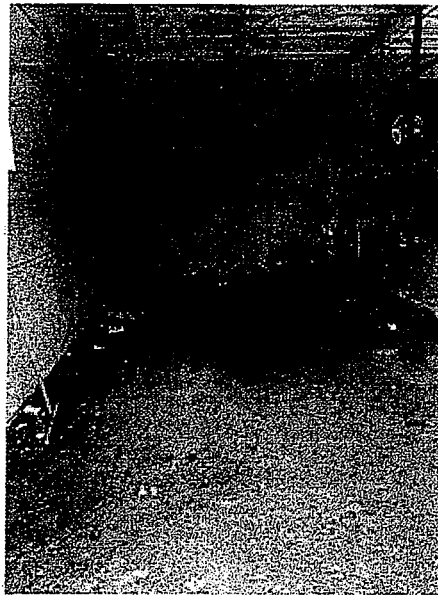
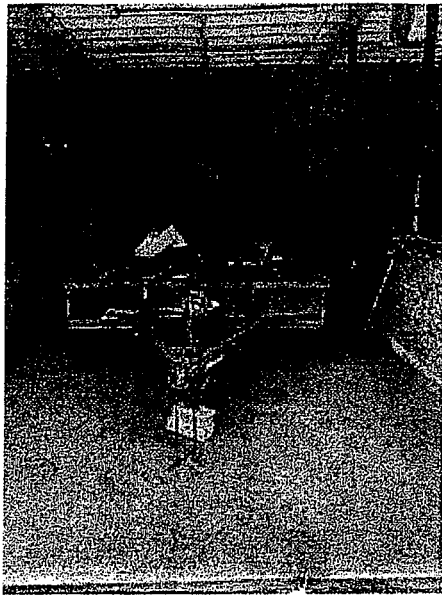
[Land Use Chart on the following pages]

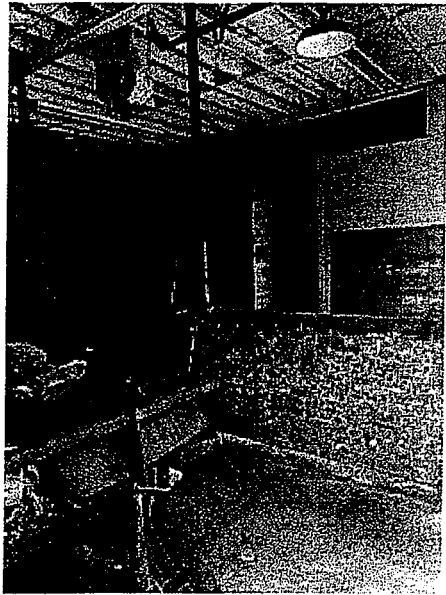
Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Dwelling, one-family det.	P	P		P	P	P	P	P	P				P
Dwelling, one-family att.		P	P	P	P		S	P					P
Dwelling, two-family		P		P	P		S	P					
Dwelling, multi-family				P	P		P	P	P				
Tiny Homes		P	P			P							
Dwelling, above 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 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 6th 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

NOTICE OF SALE

STATE OF TEXAS
KLEBERG COUNTY

§
§
§

BY VIRTUE OF AN ORDER OF SALE

and issued pursuant to judgment decree(s) of the County Court At Law or District Court of Kleberg County, Texas, by the Clerk of said Court on said date, in the hereinafter numbered and styled suit(s) and to me directed and delivered as Sheriff or Constable of said County, I have on May 29, 2025, seized, levied upon, and will offer for sale the following properties, on the first Tuesday in July, 2025, the same being the 1st day of said month, at the West Door, 700 E. Kleberg of the Courthouse of the said County, in the City of Kingsville, Texas, between the hours of 10 o'clock a.m. and 4 o'clock p.m. on said day, beginning at 10:00 AM, and will proceed to sell for cash to the highest bidder all the right, title, and interest of the defendants in such suit(s) and to the following described real estate levied upon as the property of said defendants, the same lying and being situated in the County of Kleberg and the State of Texas, to-wit:

Sale #	Cause # Judgment Date	Acct # Order Issue Date	Style of Case	Legal Description	Adjudged Value	Estimated Miscellaneous BUI
1	7981-C 11/06/24	12107 MAY 29, 2025	KLEBERG COUNTY VS. ELDA PEREZ, ET AL.	CAD #s 12107 and 28372, Being 10 items more or less, out of Farm Lot 28, Block 22, of Theodore P. Kocak's First Subdivision of Ransom Farm Land, a subdivision in Kleberg County, Texas, according to the map or plat thereof, recorded in Volume 1, Page 4, Envelopes 3 & 4, Map Records of Kleberg County, Texas.	\$104,040.00	\$19,400.00
2	8220-C 09/12/23	19546 MAY 29, 2025	KLEBERG COUNTY VS. ROBERT PEREZ JR, ET AL.	Lots 27 and 28, Block 65, Original Townsite of the City of Kingsville, Kleberg County, Texas, as described in Volume 318, Page 102, Official Records of Kleberg County, Texas.	\$24,020.00	\$15,400.00
3	8164-C 05/01/23	10053 MAY 29, 2025	KLEBERG COUNTY AND CITY OF KINGSVILLE VS. GUADALUPE ALVARADO, ET AL.	ORIG TOWN, BLOCK 16, LOT 5817 17-20 in the City of Kingsville, Kleberg County, Texas	\$44,880.00	\$4,700.00
4	8271-D 11/22/24	17235 MAY 29, 2025	KLEBERG COUNTY VS. ROODER BENSON, ET AL.	1.00 acre, more or less, being part of Farm Lot 7, Section 7, King Addition, as situated in Kleberg County, Texas, as described in deed dated November 7, 1989, from Branch County Bank to Rooder Benson et al., in Volume 30, Page 194, Official Public Records of Kleberg County, Texas.	\$18,720.00	\$18,720.00
5	8287-C 11/06/24	14315 MAY 29, 2025	KLEBERG COUNTY VS. JOSE MARTIN VELA, ET AL.	Lots 22 and 23, Block 6, Col Mex, an addition to the City of Kingsville, Kleberg County, Texas, as described in Volume 474, Page 205, Official Public Records of Kleberg County, Texas.	\$42,250.00	\$19,000.00
6	8318-C 04/23/24	16582 MAY 29, 2025	KLEBERG COUNTY VS. ALBERTO VILLARREAL JR, ET AL.	LA GATA, BLOCK 3, LOT PT 16, (IMP ONLY) in Kleberg County, Texas. IMPROVEMENT ONLY.	\$33,270.00	\$3,700.00

(any volume and page references, unless otherwise indicated, belong to the Deed Records, Kleberg County, Texas, to which instruments reference may be made for a more complete description of each respective tract) or, upon the written request of said defendants or their attorney, a sufficient portion of the property described above shall be sold to satisfy said judgment(s), interest, penalties, and costs and any property sold shall be subject to the right of redemption of the defendants or any person having an interest therein, to redeem the said property, or their interest therein, within the time and in the manner provided by law, and shall be subject to any other and further rights to which the defendants or anyone interested therein may be entitled, under the provisions of law. Said sale to be made by me to satisfy the judgment(s) rendered in the above styled and numbered cause(s), together with interest, penalties, and costs of suit, and the proceeds of said sales to be applied to the satisfaction thereof, and the remainder, if any, to be applied as the law directs.

Dated at Kingsville, Texas, May 29, 2025

Sheriff Rickard Kirkpatrick
Kleberg County, Texas

By _____
Deputy

Notes:

The Minimum Bid is the lesser of the amount awarded in the judgment plus interest and costs or the adjudged value. However, the Minimum Bid for a person owning an interest in the property or for a person who is a party to the suit (other than a taxing unit), is the aggregate amount of the judgments against the property plus all costs of suit and sale. ALL SALES SUBJECT TO CANCELLATION WITHOUT PRIOR NOTICE. THERE MAY BE ADDITIONAL TAXES DUE ON THE PROPERTY WHICH HAVE BEEN ASSESSED SINCE THE DATE OF THE JUDGMENT. For more information, contact your attorney or LINEBARGER GOGGAN BLAIR & SAMPSON, LLP, attorneys for plaintiffs, at (361) 818-6398

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Email: _____

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PUBLIC NOTICES

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 I-4, E 60' of S, 60' also known as 201 S. 6th 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.

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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.

NEWSPAPER

Subscribe & SAVE

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. 6TH 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 5-0 to APPROVE, with no 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. 6TH 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

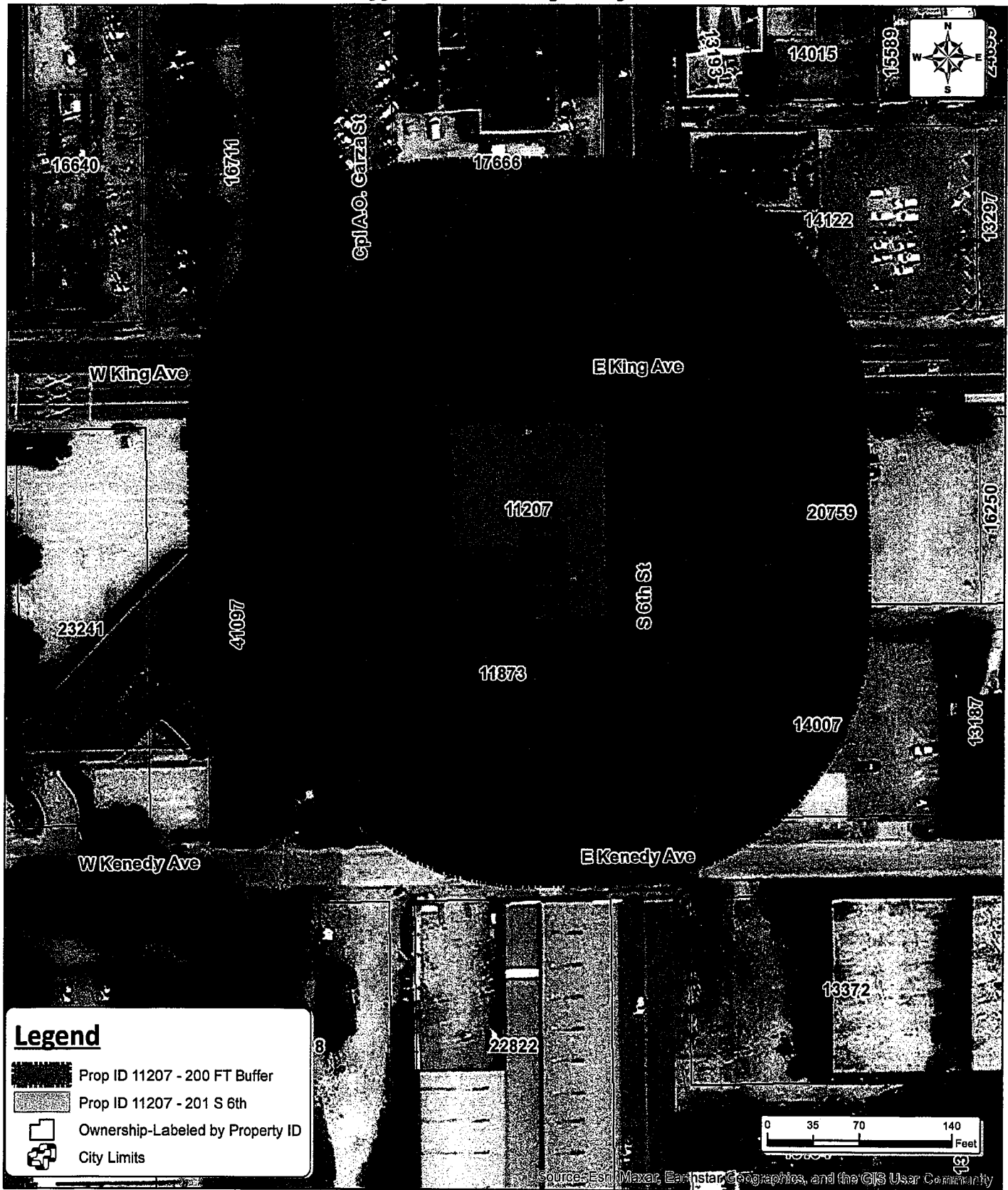
Sam R. Fugate, Mayor


ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Page: 1 / 1	Drawn By: R. PICK	DISCLAIMER: THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave; Kingsville, TX 78363 Office: (361) 595-8007 Fax: (361) 595-8064</p>
	Last Update: 5/22/2025		
	Note: Ownership is labeled with its Prop ID.		

AGENDA ITEM #2

City of Kingsville
Department Name

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

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
Fund 097 – Vehicle Replacement Fire					
<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 #3



MEMO

Date: May 19th, 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 15th 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, ~~2016~~ 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 repellant 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 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 #4



MEMO

Date: May 19th, 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 15th 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 80 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.

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\$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 to \$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 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 #5



MEMO

Date: May 19th, 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 15th 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 (½") 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, § 112.1 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)

Cross reference—Penalty, see 1-1-99.

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• 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 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 #6

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



MEMO

Date: May 19th, 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 15th 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.

(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, §112.1 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 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, ~~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)

§ 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 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 #7



MEMO

Date: May 19th, 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 15th 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 ~~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 ~~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 ~~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 ~~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 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 #8



MEMO

Date: May 19th, 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 15th 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.

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(Ord. 2002-10, passed 4-8-02; Ord. 2012-12, passed 3-8-2012; Ord. No. 2020-04, § 1, 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 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, S 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 23rd day of June, 2025.

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #9

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



MEMO

Date: June 25th, 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 approve an alcohol variance for a Wine and Malt Beverage Retail Dealer's On Premise establishment known as Kwik Pantry #2, located at 730 W Corral, Kingsville, TX 78363

Summary: On April 8th, 2025, Chris Manriquez, applicant, Corpus Eagle Food Mart, INC, owner, requested an alcohol variance for a Wine and Malt Beverage Retail Dealer's On Premise establishment known as Kwik Pantry #2, located at 730 W Corral, Kingsville, TX 78363. A change in ownership warrants the new variance request.

Background: One church, "Abide Church" is located within 300' of this proposed establishment. 15 letters were sent out; the city has received no concerns as of today.

The department recommends approval.

Erik Spitzer
Director of Planning and Development Services



CITY OF
KINGSVILLE
MEMORANDUM

DATE

April 21, 2025

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 730 W. Corral Ave-Kwik Pantry #2

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 730 W Corral Ave, we have concluded that the property in question does fall within the 300 ft boundary of a Church & School; therefore, it will require a variance according to State codes and City Ordinance § 11-3-4, which was adopted on April 9, 2018.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 1 Church, Property ID 18513 & School, Property IDs 16219 & 21009; suspected to be close to the property. ABIDE CHURCH & TAMUK properties are within the 300 foot boundary.

Attachment 1 also shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Mary Valenzuela

From: Mary Valenzuela
Sent: Monday, April 21, 2025 1:55 PM
To: Rutilio "Rudy" Mora
Subject: Alcohol Application - Kwik Pantry #2
Attachments: Alcohol Application - Kwik Pantry #2 042125.pdf

Good afternoon Rudy,

Attached is an alcohol application for Kwik Pantry #2 located at 730 W. Corral Ave., Kingsville, TX 78363. Please have someone from your staff verify if this location complies with all city ordinances and state requirements. As per City Ordinance § 11-3-4, which was adopted on April 9, 2018, the sale of alcoholic beverages by a dealer whose place of business is within **300 feet** of a church or public hospital or 300 feet of a public or private school, daycare or childcare facility is prohibited, unless a variance is obtained from the City Commission.

Thanks in advance.

Thank you,
Mary Valenzuela, TRMC, CMC
City Secretary
400 W. King Ave./P.O. Box 1458
Kingsville, Texas 78364
Home Rule, pop. 26,213
Office: (361) 595-8002
Fax: (361) 595-8024



ATTENTION PUBLIC OFFICIALS:

A "Reply to All" of this email could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

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All Star License Service
10101 Southwest Freeway, Ste. 307
Houston, Texas 77074
713/644-2120
allstarls@icloud.com

April 8, 2025

To: City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364
361-595-8024

Attn: City Secretary

Re: New – Wine and Beer Application
Kwik Pantry #2
730 W Coral Ave
Kingsville, Texas 78363

Please find attached the beer application that requires your signature. Please certify the application and mail back in the return stamped envelope. If you have any questions or problems, please contact me at the phone number above.

Thank you,

Chris Manriquez



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texans Helping Businesses & Protecting Communities

received
4-21-2025

**Required
Certifications**

Join TABC in the fight against human trafficking

L-CERT (7/2022)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.

Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.) Kwik Pantry #2			
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.) Corpus Eagle Food Mart, Inc.			
3. Type of Owner <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Partnership <input type="checkbox"/> Other:			
4. Location Address 730 W Corral Ave			
City Kingsville	County Kleberg	State TX	Zip Code 78363
5. Mailing Address 730 W Corral Ave			
City Kingsville	County Kleberg	State TX	Zip Code 78363
6. Business Telephone Number pending	Alternate Telephone Number 281/900-9530	E-mail Address sazeem2@aol.com	
7. Application for:			
<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Reinstatement	License/Permit Number	<input type="checkbox"/> Reinstatement and Change of Trade Name
	<input type="checkbox"/> Change of Location	License/Permit Number	<input type="checkbox"/> Change of Location and Trade Name
		License/Permit Number	License/Permit Number
8A. Type of Off-Premise Retailer License/Permit:			
<input type="checkbox"/> BF Retail Dealer's Off-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input type="checkbox"/> P Package Store Permit	
<input type="checkbox"/> BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit	<input type="checkbox"/> ET Third-Party Local Cartage Permit	<input type="checkbox"/> Q Wine Only Package Store	
<input type="checkbox"/> LP Local Distributor's Permit			
8B. Type of On-Premise Retailer License/Permit:			
<input type="checkbox"/> BE Retail Dealer's On-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input type="checkbox"/> MB Mixed Beverage	
<input checked="" type="checkbox"/> BG Wine and Malt Beverage Retail Dealer's On-Premise Permit	<input type="checkbox"/> FB Food and Beverage Certificate	<input type="checkbox"/> WP Waterpark Permit	
<input type="checkbox"/> BP Brewpub License	<input type="checkbox"/> LH Late Hours Certificate		
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit:			
<input type="checkbox"/> BB General Distributor's License	<input type="checkbox"/> D Distillers and Rectifiers Permit - allows on-premise consumption	<input type="checkbox"/> S Nonresident Seller's Permit	
<input type="checkbox"/> BC Branch Distributor's License	<input type="checkbox"/> DS Out-of-State Winery Direct Shipper's Permit	<input type="checkbox"/> SD Brewer's Self-Distribution License	
<input type="checkbox"/> BN Nonresident Brewer's License	<input type="checkbox"/> G Winery - allows on-premise consumption	<input type="checkbox"/> W Wholesaler's Permit	
<input type="checkbox"/> BW Brewer's License	<input type="checkbox"/> J Bonded Warehouse	<input type="checkbox"/> X General Class B Wholesaler Permit	
<input type="checkbox"/> JD Bonded Warehouse (Dry Area)			
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location:			
<input type="checkbox"/> Bar	<input type="checkbox"/> Grocery/Market	<input type="checkbox"/> Package Store	<input type="checkbox"/> Sexually Oriented
<input type="checkbox"/> Civic Center	<input type="checkbox"/> Hotel	<input type="checkbox"/> Public Entertainment Fac. (PEF as defined in Sec. 108.73)	<input type="checkbox"/> Sporting Arena
<input checked="" type="checkbox"/> Convenience Store	<input type="checkbox"/> Motel	<input type="checkbox"/> Racetrack	
<input type="checkbox"/> Delivery Company	<input type="checkbox"/> Movie Theater	<input type="checkbox"/> Restaurant	

allstars@icloud.com

Trade Name: _____

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input checked="" type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, City Secretary/Clerk _____, City _____, TEXAS

SEAL**On-Premise Certifications**

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> MB	Mixed Beverage Permit
<input checked="" type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input checked="" type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
<input type="checkbox"/> BE*	Retail Dealer's On-Premise License
<input checked="" type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types: BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input checked="" type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, City Secretary/Clerk _____, City _____, TEXAS

SEAL**Certification for Late Hours Certificate (LH)**

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of mixed beverages between midnight and 2:00 A.M.;
OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____, City Secretary/Clerk _____, City _____, TEXAS

SEAL

Trade Name:

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Wholesaler, Distributor or Manufacturer Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary for: J

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BW & D

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BB, BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained *in any area where the sale of any alcoholic beverage is legal.*"

I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: _____

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

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<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

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SIGN

HERE _____

County Clerk

County

SEAL

On-Premise Certifications

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Certificate of County Clerk (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

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<input type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
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*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types: BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____

County Clerk

County

SEAL

Certification for Late Hours Certificate (LH)

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OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____

County Clerk

County

SEAL

Trade Name:

Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

Wholesaler, Distributor or Manufacturer Certifications

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SIGN

HERE _____

County Clerk

County

SEAL

Certificate of County Clerk for Winery (G) Applicants

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I hereby certify on this ____ day of _____, 20____, that this location address ☐ is ☐ is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____

County Clerk

County

SEAL

Certificate of County Clerk for: BW & D

I hereby certify on this ____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, and

☐ does ☐ does not allow for on-premise consumption and

☐ does ☐ does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

☐ I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____

County Clerk

County

SEAL

Certificate of County Clerk for: BB & BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained *in any area where the sale of any alcoholic beverage is legal.*"

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OR

I hereby refuse on this ____ day of _____, 20____ to certify this location.

SIGN

HERE _____

County Clerk

County

SEAL

Trade Name: Kwik Pantry #2

Location Address: 730 W Corral Ave

City: Kingsville

County: Kleberg

**Publisher's Affidavit for All Applicants Except BN, DS, S
TX Alc. Bev. Code, Section 11.39 and 61.38**

Name of newspaper	
City, County	
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)	
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>	
Signature of publisher or designee	
Sworn to and subscribed before me on this date (MM/DD/YYYY)	
Signature of Notary Public	
SEAL	

ATTACH PRINTED

COPY OF THE

NOTICE HERE

[Click here to see example of
newspaper publication](#)

Comptroller of Public Accounts Certificate for All Applicants

TX Alc. Bev. Code, Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of _____, 20_____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN HERE _____ **FIELD OFFICE** _____ **SEAL**

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, July 14, 2025, at 5:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG) for the establishment known as Kwik Pantry #2, at 730 W Corral, Kingsville TX, 78363.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

COPY

Success on the diamond



The Kingsville 6U baseball All-Stars recently celebrated a 20-5 win over Mathis. Team members include: Back row, left to right: Coach Eduardo Trevino, Coach Manny Salazar, Coach Aliya Borjon and Coach RJ Gorrighuchi. Middle row: Jabi Garza, Tres Sanchez, Ezdrien Silguero, John Carter Salazar, Michael Perez, Rolfe Pina and Ryan Gorrighuchi. Front row: Kaleb Cantu, Lalo Trevino, Grayson Perea, Abrian Ramirez, Rauldel Del Bosque, Landyin King and Mikey Longoria. (Contributed photo)

County

CONTINUED FROM PAGE 1

"We want to start doing a lot more state certified training," Pray added.

Pray said that he is a Level 3 Master Trainer with the state of Texas fire programs.

The fire marshal added that he'd spoken with NAS-Kingsville officials about using their facilities for training and had received a "thumbs up."

Pray said the \$25 rate arrived after a series of discussions and number crunching, and also received approval of firefighters in both Riviera and Ricardo.

"I think this solves the problem," Pray added.

In other business, Kleberg County Judge Rudy Madrid said he was set to speak with City of Corpus Christi officials this week regarding their support of a local desalination plant.

Madrid said the 400-year aquifer will not only supply

potable water needs for Kleberg County, but that surrounding areas, including possibly the City of Corpus Christi, could become water customers of Kleberg County.

"We will no longer be water customers of Corpus Christi," Madrid said. "They are under Stage 3 water restrictions. I'm offering to form an alliance. We'll see what they say."

A groundbreaking for the local desalination plant is planned for July 8.

District Attorney John Hubert spoke to commissioners regarding the local Sexual Assault Response Team.

Hubert said the group was looking towards re-organization, including a new chairman.

Madrid said he would recommend J. Dean Craig, if he were willing to accept the role.

Commissioners also approved a payment of \$47,003 to TJ Electric for work at the JK Northway. Commissioner Chuck Schultz said the electrical work was to repair "major A/C problems" including replacing old wiring, a breaker box and panel.

Commissioners also approved a plat for Phase 2 of the Dulce Estate Subdivision.

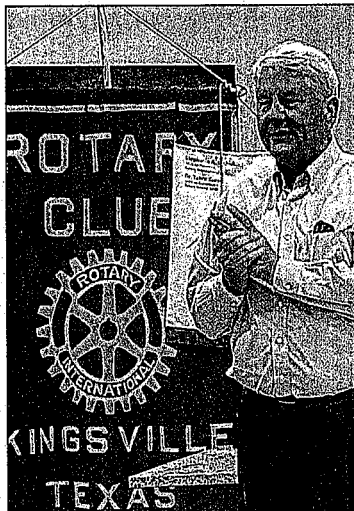
Madrid confirmed that commissioners would begin budget workshops in July for the upcoming fiscal year.

Commissioners also approved a change order for drainage work on the County Road 1030, which is currently under construction.

"There has been some problems with rains, and the creek has gotten high," Commissioner Schultz said.

"We hope to be done by next month if the weather cooperates with us."

Kingsville Mayor Sam Fugate recently spoke to the Kingsville Rotary Club regarding current projects and future plans. The Rotary Club meets each Tuesday at noon at El Dorado Restaurant on 14th Street. (Photo by JT Strasser)



City

CONTINUED FROM PAGE 1

tion making sure those working outdoors were kept safe from the heat with additional breaks.

Commissioners also heard an introductory agenda item, providing for the repeal of nighttime curfew regulations for minors and daytime curfew regulations for minors, following a state legislative change.

"I suspect this is the state legislature getting into our business," Fugate said.

City Attorney Courtney Alvarez confirmed that, saying the daytime curfew was intended to ensure children are attending school, not running around town.

Commissioners also approved a number of donations, including mattresses and fire prevention supplies for the Kingsville Fire Department. Those making donations include Kingsville Steakhouse, Maltby Builders, and

the Vishal Raju Bhagat Foundation.

A donation from Victor and Lisa Unger for the Health Dept. for animal care services was accepted as well.

Sosa added that city crews were continuing street resurfacing, including 17th Street from Johnston to Caesar.

Connie Womack was introduced to commissioners, as she will be serving as new city director of tourism.

During public comment, Joel Saenz spoke about four topics regarding the city recall election: harassing personnel, fiscal responsibility, commissioner behavior and negligence of city policies.

City offices will be closed on June 19 for the Juneteenth holiday.

The next commission meeting will be held June 23 at 5 p.m.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, July 14, 2025, at 5:00 P.M. to discuss and/or take action on the following item:

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The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

1ST ANNUAL

KLEBERG COUNTY

FOURTH OF JULY FESTIVAL

BBQ COOK-OFF

BOYS & GIRLS CLUB

KINGSVILLE

SATURDAY

(KIDS QUR \$25)	(ADULT \$125)
• PORK CHOP 10AM	• FAJITAS 11AM
	• CHICKEN 12PM
	• RIBS 1PM

JULY 4TH-5TH

JK NORTHWAY FAIRGROUNDS

TO SIGN UP: TEXT "KLEBERG" TO 44321 OR
CONTACT JOHN PEREZ AT 361-678-0213

Wreaths

CONTINUED FROM PAGE 1

participating locations in all 50 states and beyond.

"This tradition is near and dear to me," Kleberg County Judge Rudy Madrid said.

Madrid is a Navy veteran, who served at the National Navy Medical Center, as well as during conflicts in the Middle East.

All three Kingsville cemeteries will receive eight live wreaths and flags to go with each.

The event will be held on Dec. 13, at 11 a.m. to coincide with the national program that starts at noon.

Wreaths will remain at the gravesites for four weeks.

"Kingsville is a Navy town and we love our base," Kingsville Mayor Sam Fugate said. "We've got to get our sign back up that 'Kingsville loves jet noise.'"

NAS-Kingsville skipper Michael "Buck" Bishop also spoke to the gathering at Kingsville City Hall, expressing his appreciation for the partnership between the base and the community during the past several decades.

More than 2.7 million wreaths will be laid at veterans' gravesites nationwide this December as part of the Wreaths Across America program.

Garbage Schedule Changes In observance of Juneteenth

City Sanitation, City Hall and other Administrative Offices will be closed on Thursday, June 19th, 2025 in observance of Juneteenth.

The City Sanitation garbage pick-up schedule will temporarily change for the week of June 16th, 2025 to June 20th, 2025.



Residential Sanitation Schedule

Residential Monday/Thursday service will be done on MONDAY and WEDNESDAY. Residential Tuesday/Friday service will remain the same.

Commercial Sanitation Schedule

Commercial Thursday/Friday service will be done on FRIDAY.

The schedule will resume to its normal schedule on June 2nd, 2025.

Jessica Marie Gamez
Estevan Gabriel Gamez
810 W Ave F
Kingsville, TX 78363
25776

Elvia Garcia
802 W Ave F
Kingsville, TX 78363
17434

Newwell W Atkinson III
AFLP Jim Wells Investments LTD
PO Box 3336
Alice, TX 78333
12473

Tipitapa 8 LLC
30725 U S HWY 19 N
Palm Harbor, FL 34684
45016

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
13681

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
22978

Alvaro Garcia Jr
Maira Estela Garcia
12627 Biscuit Hill
San Antonio, TX 78253
22807

Taz Texas Holdem LLC
12379 Lakeshore N
Auburn, CA 95602-8118
22384

Ramon De La Paz
ETUX Ostine E Watts
1415 E FM 1717
Kingsville, TX 78363
23895

Ruben Pena
ETUX Martha
3411 S Brahma BLVD
Kingsville, TX 78363
25418

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
16219

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
21009

South Texas District
Council-Assemblies Of God, INC
12106 E Sam Houston Parkway North
Houston, TX 77044
18513








Kingsville Multifamily Investments LLC
11816 Inwood RD STE 3011
Dallas, TX 75244
13282

YMG Investments LLC
10617 N 28th St
McAllen, TX 78504
20336

Alcohol Permit - 730 W. Corral Ave./Property ID: 13553



Receipt Number: R02229489

 Save and Close  Print Receipt  Email Receipt  Void Receipt  Print Screen   Help

Receipt Number: R02229489

General

Transactions

Payments

Journal

Documents

Packet

Batch

Operator

Terminal

Taken By

Vendor

B00027447 - 05-27-2025 tc

TC - THERESA CAVAZOS

15 - THERESA CAVAZOS

Theresa Cavazos

Amount Details

Total Applied 250.00

Total Tendered 250.00

Change 0.00

Profile Information

Performed By

Date Performed

Create

Theresa Cavazos

5/29/2025 3:05 PM

Void

Burn

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

YMG Investments LLC
10617 N 28th St
McAllen, TX 78504
20336

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing Monday July 14, 2025, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

Request for an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG) for the establishment known as Kwik Pantry #2, at 730 W Corral, Kingsville TX, 78363.

Your property is located withing 300 feet of this request. If you have any comments or questions in regard to this matter, please contact me at (361) 595-8055.

Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Kingsville Multifamily Investments LLC
11816 Inwood RD STE 3011
Dallas, TX 75244
13282

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,



Erik Spitzer
Director of Planning & Development Services

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

South Texas District Council-Assemblies Of God, INC
12106 E Sam Houston Parkway North
Houston, TX 77044
18513

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Yours Sincerely,


Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
21009

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m.
at the Helen Kleberg Groves Community Room, located at City Hall,
400 W. King, Kingsville Texas. The following item will be heard:

**Request for an alcohol variance for a Wine and Malt Beverage Retail Dealer's On-Premise Permit (BG)
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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Board Of Regents Of The
TEXAS A & M UNIVERSITY SYSTEM
SYSTEM REAL ESTATE OFFICE
301 TARROW ST, 5TH FLOOR
COLLEGE STATION, TX 77840-7896
16219

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Ruben Pena
ETUX Martha
3411 S Brahma BLVD
Kingsville, TX 78363
25418

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Ramon De La Paz
ETUX Ostine E Watts
1415 E FM 1717
Kingsville, TX 78363
23895

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,



Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Taz Texas Holdem LLC
12379 Lakeshore N
Auburn, CA 95602-8118
22384

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Alvaro Garcia Jr
Maira Estela Garcia
12627 Biscuit Hill
San Antonio, TX 78253
22807

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
22978

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Susana P Ramirez
PO Box 657
Kingsville, TX 78364
13681

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing Monday July 14, 2025, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Tipitapa 8 LLC
30725 U S HWY 19 N
Palm Harbor, FL 34684
45016

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Newwell W Atkinson III
AFLP Jim Wells Investments LTD
PO Box 3336
Alice, TX 78333
12473

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Elvia Garcia
802 W Ave F
Kingsville, TX 78363
17434

Dear Property Owner,


The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,


Erik Spitzer
Director of Planning & Development Services

COPY

CITY OF KINGSVILLE

P.O. BOX 1458 – KINGSVILLE, TX 78364



June 12, 2025

Jessica Marie Gamez
Estevan Gabriel Gamez
810 W Ave F
Kingsville, TX 78363
25776

Dear Property Owner,

The City Commission of the City of Kingsville will hold a Public Hearing **Monday July 14, 2025**, at 5:00 p.m. at the Helen Kleberg Groves Community Room, located at City Hall, 400 W. King, Kingsville Texas. The following item will be heard:

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Thank you

Yours Sincerely,

Erik Spitzer
Director of Planning & Development Services

COPY

AGENDA ITEM #10

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Juan J. Adame, Fire Chief
DATE: June 18, 2025
SUBJECT: 2025 1PointFive First Responder Donation Program

Summary:

The Kingsville Fire Department respectfully requests 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

Securing these funds will allow the Kingsville Fire Department to:

- Enhance response capabilities with up-to-date equipment
- Enhance safety capabilities for the Firefighters
- Continue delivering high-quality service to residents and visitors

Financial Impact:

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

Recommendation:

The Kingsville Fire Department recommends that the City Commission authorize the Fire Department 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 FIRE DEPARTMENT.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the Kingsville Fire 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 Fire 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 Fire 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 Fire Department, with no anticipated cash match and authorizes the Fire 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 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: Juan J. Adame, Fire Chief

DATE: June 30, 2025

SUBJECT: Hiring of Firefighters, Staffing for Adequate Fire and Emergency Response (SAFER) Grant #EMW-2024-FF-01617

Summary:

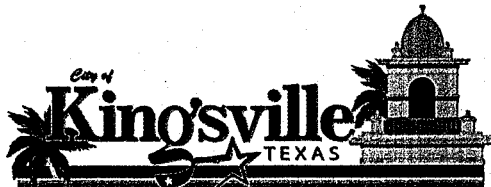
The Kingsville Fire Department can apply for the FY 2025 Assistance to Firefighter's Grant (AFG) to request funding for eleven additional Firefighters.

Background:

The Kingsville Fire Department (KFD) is involved in the prevention and mitigation of multiple hazards. Having staffing to provide the necessary roles in emergencies is crucial in meeting the mission of the Fire Department. The Kingsville Fire Department's current staffing level is twelve personnel per shift except for thirteen on one shift. This is short of the NFPA 1710 recommended minimum staffing of sixteen at a residential structure fire. In response, we are requesting to hire eleven additional firefighters through grant funding. FEMA's SAFER funding will be used for the sole purpose of assisting with department fund salaries and fringe benefits costs for these new hires for three years. The application will request \$3,648,645.00 for these costs.

Financial Impact:

The SAFER grant requires the city to provide a 25% cost share of \$304,053.75 for the first year, a 25% cost share at \$304,053.75 the second year, and a 65% cost share at \$790,539.75 for the third year. The remaining \$2,249,997.75 would be provided through federal resources. The SAFER is a reimbursement type grant. SAFER grant awards can be made as soon as August of this calendar year. Once awards are announced departments will have up to six months to hire the number of personnel outlined in the grant request.



**City of Kingsville
Fire Department**

Recommendation:

We would request a resolution approving the submission of application and acceptance of this grant via the FEMA GO outcomes portal by the grantee's authorized official as designated by the City Manager, Chief J. J. Adame. If the department is successful the department will request a budget amendment to cover the additional personnel cost.



RESOLUTION NO. 2025-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURPOSE OF REQUESTING GRANT FUNDING ON BEHALF OF THE CITY FOR THE 2024 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM FOR ADDITIONAL FIREFIGHTERS FOR THE KINGSVILLE FIRE DEPARTMENT WITH AN ANTICIPATED CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Fire Department participate in an application to apply for federal grant monies for the 2024 SAFER Grant Program for firefighter personnel; and

WHEREAS, the SAFER Grant will provide reimbursement funding for approved firefighter salaries and benefits for 3 years (36 months) for newly-hired, full-time firefighter positions on a sliding scale for each of the three years of the grant; and

WHEREAS, the SAFER Grant requires a 25% cash match in the first two years of the grant and a 75% cash match in the third year of the grant, after which the City pays the full salaries and benefits of the personnel; and

WHEREAS, the amount being requested on the City of Kingsville's behalf for hiring firefighter personnel is to pay for eleven entry-level firefighter positions' salary and benefits for three years; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Fire Chief to submit the grant; and

WHEREAS, the City will not accept money or participate in the SAFER Grant if adequate funding for the required cash match, if any, is not secured by the time necessary to accept the grant.

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

I.

THAT the City Commission approves the submission of the grant application for the 2024 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program for firefighter personnel to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) on the City's behalf with an anticipated cash each year over the three years of the grant program, which is a 25% cash match in the first two

years of the grant and a 75% cash match in the third year of the grant, after which the City pays the full salaries and benefits of the personnel.

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 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Purchasing Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: Charlie Sosa Purchasing Manager

DATE: June 18, 2025

SUBJECT: Consider Awarding Bid to Victory Building Team for the City of Kingsville Fire Station #3.

Summary:

Bid 25-15 the City of Kingsville Fire Station #3. – Bids were open on May 29, 2025, we are requesting awarding bid to Victory Building Team in the amount of \$8,250,000.00 as per BRW Architects recommendation.

Background:

This project was advertised in the local newspaper on May 8, 2025, and May 15, 2025, and on the city's website. Sealed bids for Bid No. 25-15 were received prior to the deadline of May 29, 2025, at 2:00pm and read out loud, from ten bidders:

1. Victory Building Team
2. Lauger Companies
3. Tegrity Contractors
4. MSF Hospitality
5. Weaver & Jacobs Constructors
6. Summit Building and Design
7. South Texas Building Partners
8. Catamount Constructors
9. 7B Building & Development
10. Arning Companies

The base bids range from \$8,250,000.00 to \$10,311,065.00. After review, BRW Architects recommends awarding the project to the lowest bidder, Victory Building Team, for the base bid amount of \$8,250,000.00. BRW Architect has reviewed and determined Victory Building Team to be the best value for the construction of the Kingsville Fire Station #3. (See attached recommendation letter, bid evaluation and bid tubulation.)



**City of Kingsville
Purchasing Dept.**

Financial Impact:

The project will be paid from Fund 153-5-2200-71300 Building CO Series 2024 Fire Fund.

Recommendation:

Staff recommendation:

1. Approving Awarding Bid to Victory Building Team in amount of \$8,250,000.00 as per BRW Architects recommendation.



BRWARCHITECTS

175 CENTURY SQUARE DRIVE
SUITE 350
COLLEGE STATION, TEXAS 77840
979-694-1791
BRWARCH.COM

June 16, 2025

Mr. Charlie Sosa
Purchasing Manager
City of Kingsville
400 W. King Ave.,
Kingsville, TX 78363

BID EVALUATION – CITY OF KINGSVILLE FIRE STATION #3

Mr. Sosa:

After careful review of the bids and accompanying proposals from the ten prospective bidders, Brown Reynolds Watford Architects, Inc. has found Victory Building Team to be the best value for the construction of Kingsville Fire Station #3.

Sincerely,



Ray Holliday, AIA, ASLA
Brown Reynolds Watford Architects, Inc.

BRW ARCHITECTS

175 CENTURY SQUARE DRIVE
SUITE 350
COLLEGE STATION, TEXAS 77840
979-694-1791
BRWARCH.COM

KINGSVILLE FIRE STATION NO. 3

BID EVALUATION
06.16.2025

RANKING	COMPANY	POINTS AWARDED
1	Victory Building Team	96.05
2	Lauger Companies	89.55
3	Tegrity Contractors	83.13
4	MSF Hospitality	81.77
5	Weaver & Jacobs Constructors	80.98
6	Summit Building & Design	79.70
7	South Texas Building Partners	76.31
8	Catamount Constructors	69.46
9	7B Building & Development	62.93
10	Arning Companies	51.04

VICTORY BUILDING TEAM			MSF HOSPITALITY		7B		SOUTH TEXAS BUILDING PARTNERS		TEGRITY CONTRACTORS		LAUGER COMPANIES	
Points Available	Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes
A. Contractor's Proposal Form	50	\$8,250,000.00	48.82	\$8,444,000.00	47.93	\$8,591,110.00	45.06	\$9,065,777.00	45.03	\$9,715,000.00	44.15	\$9,715,000.00
B. Relevant Experience & Qualifications												
1.1 Organization	2		1.00	only been in business for two years	1.00	did not list if they have been listed as any other company names; did not properly list address; no local experience	2.00		2.00	arbitration against subs	2.00	has technically been a business since 1944
1.2 Client and Subs	2		1.50	currently have two arbitration proceedings that are against subs who defaulted on their contracts	2.00		2.00		1.50		2.00	
1.3 Financial Status	2	aggregate bonding capacity is 60M with 25M per project	0.50	doesn't list a total bonding capacity; D&B score is moderate to high risk	1.00		1.50	bonding of 24RM but can only take work up to \$15M; doesn't have down and Bradstreet report	2.00	bonding capacity is a little lower than others	1.75	can take jobs up to \$15M; doesn't have down and Bradstreet financial ratings
6.1 Primary Insurance	2		1.75	last provided name not telephone number	1.00	included but their coverages is a little lower than we ask; did not list insurance company	1.00	just provided name	2.00		2.00	just provided name
6.2 & 6.3 EMT & RIR Rates	1	EMR=51 & RIR=0	0.50	no EMR & RIR rates because business has only existed for two years	0.00	did not include EMR and RIR rates	0.50	EMR=83 & RIR=1.98	1.00	EMR=88 and RIR=0	0.75	EMR=1.23 & RIR=0
7.1 Quality Assurance Program	1	pre-installation meetings	1.00	very in-depth	0.00	did not include quality assurance program	0.75		1.00		1.00	
C. Experience and Qualifications of Key Personnel												
2.1 Organization Chart	2	organization chart included	2.00		0.00	not included	2.00	included	2.00	the Super and PM don't have a ton of experience;	1.00	PM just started at Lauger, but Justin has worked with the more experienced PM before
2.2 Experience	8	PM been at VBT for 5 years	3.00	no similar projects in function but a few in similar sites super has very limited experience	1.00	incorrectly, all big box stores; no years of experience listed	5.00	super worked on Beeville Boys and Girls Club, Sutton 150, with Teal; PM has some decent experience but not any site work and mostly renovations	4.00		8.00	
8.1 Current Workload	5	we would be one of the larger projects which would theoretically mean we would be high on their priority list	2.50	they have four projects, two with larger footprints, budgets	5.00	very available	5.00	most projects wrap up in the fall of 2025; mostly renovations	4.00	has more site work than most; still have a few large budget projects but they wrap up in the fall	5.00	should be available; Our project would be one of the larger ones
D. Past Performance and References												
3.1 Similar Project Experience	5	fire station experience is limited to pre-engineered metal buildings	2.00	only light experience but with similar construction costs	2.00	experience is limited to box stores and car washes	4.50	no fire station experience; not much comparison on function but have done lots of work in the comic area	2.50	fire station experience is limited to BRW repairs or remodels;	5.00	a few firestations and city projects
3.2 References	5	looks really good but multiple negative comments to keep an eye on subs	4.20	just little feedback to go off of	0.00	no real references	4.50	no negative feedback at all and all from architects	3.85	overall good feedback except the last guy's makes me nervous	4.40	follow up looks like it could be better
4.1 Proposed Schedules	3	they think they can get it done in 11 months	3.00		2.00	17 month construction schedule instead of 12	1.00	Did not provide full construction schedule	2.50	they are proposing 15 months instead of 12	3.00	1/01/26
4.2 Similar Schedules	2	Gave valid explanations for projects that went over schedule	2.00	no explanation for why project was behind schedule	0.00	not included	2.00	included explanations	1.75	had a few projects behind schedule with limited explanations	1.50	confirm with Justin if Victoria's is correct
E. Subcontractor Support and Experience												
5.1 Schedule of Proposed Major Subcontractors	2		2.00		0.00	not included	0.00	not included	7.00		7.00	
5.2 Qualifications and Experience of Subcontractors	3	included experience	3.00	does not explicitly list subs' experience but rather their experience with them	0.00	not included	0.00	not included	1.00	does not include specific experience of subs	1.00	
Total	100		61.77		62.93		76.31		83.13		83.55	

ARNING COMPANIES		SUMMIT BUILDING & DESIGN		WEAVER & JACOBS CONSTRUCTORS		CATAMOUNT	
Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes	Points Awarded	Notes
43.79	\$9,275,172.00	39.40	\$9,998,992.00	38.68	\$10,117,500.00	37.51	\$10,311,065.00
0.00	did not include much of the information we asked: state of corporation,	2	years of business contridictions though	2		2	I appreciate that they answered each individual point directly from the REP
2.00		2		2		0.5	they are engaged in several projects, most of which are then going after a sub, but a few are client related
0.25	only has a \$20M bonding capacity	1.75	Bonding capacity \$35M; letter was from 2022 from banker, doesn't have O&B letter	2		2	
0.00		2	just provided name	2		2	
0.00		0.75	EMR= 77 (2022)	1		0.75	EMR= 1.6, really good safety program
0.00		0.5	listed under "project understanding"	1		1	
0.00	not included	2	included	1		2	
0.00	not included	7	project estimator has a few chile projects; PM has some too but all with smaller scopes. Super only has 10 years of experience.	6	PM just joined Weaver and Jacobs in 2024; doesn't include their experience;	7	team had some fire station experience but a lot of experience in construction
5.00	nothing similar, two walmart projects; very available	5	only two current projects; only one larger project but most wrapping up this summer	3	have a good deal of work that we might be competing with	5	should be available
0.00	no completed projects listed	5	several fire stations but also mostly pre-engineered building; a decent amount municipal projects	5	fire station experience with BRW	2	box stores and gas stations
0.00	couldn't find any of their references	4.3	some negative feedback from the fire chief	4.8	nothing but great things	4.7	really great feedback overall
0.00	not included	0	not included	3	6-Aug-26	3	8-Jul-26
0.00	not included	0	not included	1.5	Only provided schedule for one project	0	not included
0	did not include subcontractor information	7		7		0	not included
0.00	did not include subcontractor information	1	does not include specific experience of subs	1	does not include specific experience of subs	0	not included
\$1.04		79.70		80.98		69.46	



City of Kingsville, TX

Budget Report

Account Summary

For Fiscal: 10/2024-09/2025 Period Ending: 06/30/2025

		Original	Current	Period	Fiscal	Encumbrances	Variance	Percent
		Total Budget	Total Budget	Activity	Activity		Favorable (Unfavorable)	Remaining
Fund: 153 - CO Series 2024 - Fire Expense	153-5-2200-71100	2,842,511.00	2,842,511.00	0.00	0.00	3,018,291.66	-175,780.66	-6.18 %
	153-5-2200-71200	500,000.00	500,000.00	0.00	410,755.78	0.00	89,244.22	17.85 %
	153-5-2200-71300	10,737,366.95	10,737,366.95	0.00	128,284.88	137,790.00	10,471,292.07	97.52 %
	Expense Total:	14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76 %
Fund: 153 - CO Series 2024 - Fire Total:		14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76 %
Report Total:		14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76 %

Group Summary

Account Type	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
Fund: 153 - CO Series 2024 - Fire Expense	14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76%
	Fund: 153 - CO Series 2024 - Fire Total:	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76%
	Report Total:	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
153 - CO Series 2024 - Fire	14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76%
Report Total:	14,079,877.95	14,079,877.95	0.00	539,040.66	3,156,081.66	10,384,755.63	73.76%

AGENDA ITEM #13

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

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

DATE: July 7, 2025

SUBJECT: Discuss, Consider, and Adopt an Amendment to the Local Financial Policies & Procedures pertaining to the GLO Community Development Block Grant – Mitigation (CDBG-MIT) Method of Distribution (MOD) Program, Infrastructure Contract Number # 24-065-140-E998.

Summary:

To comply with the fiscal and administrative requirements of the Texas General Land Office (GLO) for participation in the CDBG-MIT MOD Program, the City of Kingsville must maintain an adopted set of Local Financial Policies and Procedures. **The GLO has requested a minor amendment to the City's existing policies to more clearly define a separation of financial duties.** This memo serves as a request to approve the amendment as the simplest means of satisfying GLO's requirement.

Background:

As a recipient of CDBG-MIT funding, the City of Kingsville is required by 2 CFR 200, the Uniform Grant Management Standards (UGMS), and GLO guidelines to adopt and implement standardized financial policies and procedures. These include policies governing budgeting, accounting, procurement, audits, internal controls, and cost eligibility and allocation.

To fulfill the GLO's request for greater clarity in separation of duties, the proposed amendment designates specific roles as follows:

- The **Finance Director** manages accounting functions and financial reporting.
- The **City Engineer** reviews and certifies infrastructure-related expenditures.
- The **City Manager** or designee provides final approval of all disbursements.

These role definitions are intended to strengthen internal controls and demonstrate the City's commitment to financial oversight and compliance with federal grant requirements.



**City of Kingsville
Engineering Dept.**

Financial Impact:

There is no direct financial impact to the City's General Fund. This amendment is administrative in nature and ensures continued participation in the CDBG-MIT MOD Program.

Recommendation:

Staff recommends the City Commission approve the proposed amendment to the Local Financial Policies & Procedures to reflect the updated separation of duties. This change fulfills the GLO's compliance request under Contract No. 24-065-140-E998.

Attachments:

Local Financial Policies & Procedures – City of Kingsville



City of Kingsville Financial Procedures

INTRODUCTION

The purpose of financial management policies is to provide sound guidelines in planning the City's financial future. The City of Kingsville considers the expenditure of funds to be an important responsibility and requires all persons involved with the purchase of goods or services to exercise good judgement in spending taxpayers' money.

SCOPE OF AUTHORITY

The City Commission is responsible for the expenditure of all City funds.

Financials

A. Bank Depository

The City maintains funds in a Bank, designated as its depository for banking services. The City Commission reviews the selection every two years unless circumstances deem otherwise.

B. Accounts Payable

Three (3) individuals are authorized to sign checks written on the bank depository account: the Mayor, the City Manager and the Finance Director. All checks require two authorized signatures. No exceptions.

C. Accounting

The Finance Director is responsible for establishing the structure for the City Chart of Accounts and for assuring that procedures are in place to properly record financial transactions and report the City's financial position. The City Manager shall provide financial reports to the City Commission Monthly.

D. Audit of Accounts

An independent audit of the city accounts is performed annually. The Auditor is retained by and is accountable directly to the City Commission. The City Commission reviews the selection every five years unless circumstances deem otherwise.

E. Internal Controls

Whenever possible, written procedures will be established, maintained, and assessed per 2 CFR 200.303 by the Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures will embrace the general concepts of fiscal responsibility set forth in this policy statement.

Whenever possible, the City ensures duties and responsibilities are segregated so that no one individual has complete authority over a financial transaction.

PROCEDURES

1. Input Invoice into Record Keeping System –

What type of system is utilized for tracking invoices? Do you log them into an excel or track on a ledger? Is a purchase order issued? The City of Kingsville uses Incode which is an automated financial software.

2. Review of Invoice –

Who reviews invoices and recommends payment? What supporting documentation is required prior to payment? The Department reviews invoices for their purchases and forwards to Accounts Payable and Purchasing. There would normally be a Purchase Order, Invoice and Packing Receipt if goods are involved.

3. Timeline for Payment –

What is the City's standard timeframe for issuing payment? If the request is received prior to Wednesday afternoon, Checks are issued on Thursday for mail-out on Friday.

4. Issue Payment –

Who writes and signs the checks? Two signatures? Do they go through Commission for approval? Accounts Payable writes the check through the Accounts Payable Module. Checks are issued with 2 signatures. They do not go through the Commission for approval as they have approved the budget for each line item.

5. Payment Reconciliation –

Who reconciles bank statements and payment? The main CMA bank account is reconciled by the Finance Director. Smaller bank accounts are reconciled by the Accounting Assistant.

6. Record Keeping –

Who documents all expenditures and how are records kept at City? The Incode system records all expenditures and budget checks all expenditures. If there isn't budget to cover the expenditure, payment cannot be processed.

PROCEDURES FOR GRANT PAYMENTS

1. Invoice is received and, if necessary, a request for payment is prepared by grant consultant and proper signatures obtained from Mayor, City Manager, and Finance Director as authorized in original grant approval. Finance office reviews the invoice and compares it to the grant budget.
2. Invoice must be approved by a city official involved in the grant implementation or the Mayor. Approval is acknowledged by initialing the original invoice or through City Commission action.
3. Once grant funds are received and invoice approval acknowledged by signature on the original invoice, a demand check is entered into the system by the Finance Director's office, then printed and disbursed by Accounts Payable. Both Mayor and City Manager signature appear on the approved checks. Checks are then disbursed to the appropriate vendors. The Finance Director is responsible for ensuring that checks are signed and disbursed within five (5) calendar days for the Texas Department of Agriculture and three (3) calendar days for the Texas General Land Office of receiving grant funds.
4. Copies of the request for payment, invoice, canceled check copy and bank statement showing receipt of grant money is retained in the grant file in the Accounting Manager's office.

The City Manager and Finance Director authorize payments and issues of checks. Two signatures are required on each check, either the Mayor and City Manager. The Finance Director is responsible for reconciling the monthly bank statements.

CASH MANAGEMENT AND DISBURSEMENT - TIMELY EXPENDITURES

The City shall make timely payments to vendors and minimize the time between transferring funds from the State Treasury and disbursement of funds to vendors in compliance with the terms and conditions of the federal contract, grant, regulation, or statute.

To ensure vendor compliance, invoices/pay applications/pay estimates will be reviewed for accuracy for such items but not limited to change order approvals, outstanding lien/payments to subcontractors, labor standards, and verification of work completed as invoiced prior to disbursement or request for funds from State Agency. The City shall notify a vendor of an error in an invoice submitted for payment by the vendor.

ADVANCE PAYMENT PROCEDURES

All advanced payments using federal grant funds will be disbursed within three (3) business days from the date of the transfer of funds in accordance with 2 CFR 200.305(b), and in accordance with the provisions in the contract with the vendor.

Advance payments of federal grant funds will be deposited and maintained in a separate insured account. The City will maintain advance payments of federal awards in interest-bearing accounts, unless one or more of the following apply: City receives less than \$120,000 in Federal awards per year; the City is not expected to earn

interest in excess of \$500 per year on Federal cash balances; or the depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources. (2 CFR 200.302(b)(6) and 200.305)

These Policies and Procedures are implemented through of the City of Kingsville administrative team of:

LIST TITLES HERE

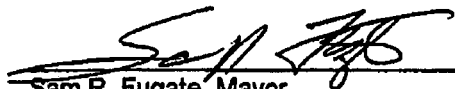
City Manager

City Attorney

City Engineer

Finance Director

Purchasing Manager



Sam R. Fugate, Mayor

December 13, 2021
Date

RESOLUTION #2025-_____

A RESOLUTION APPROVING THE CITY OF KINGSVILLE FEDERAL GRANT FINANCIAL POLICIES AND PROCEDURES; PROVIDING FOR REPEALING, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville (City) finds it in the best interest of the citizens of Kingsville that the City apply for grant funds whenever it is able to assist with funding community needs; and

WHEREAS, the City has previously applied for federal grants and part of the grant requirements are for the City to have certain financial policies and procedures in place; and

WHEREAS, the City has already adopted several financial policies and procedures but wants to ensure full compliance with current grant requirements it is hereby proposing the adoption of the attached "Federal Grant Financial Policies and Procedures"; and

WHEREAS, it is the responsibility of the City, as the local government, to conduct its financial practices in compliance with federal regulations when managing projects financed in whole or in part with funds from federal grant programs;

WHEREAS, the City seeks to establish policies that govern the financial practices of the City for federal grant programs;

WHEREAS, there is no direct cost to the City for approving the "Federal Grant Financial Policies and Procedures" and the City Commission finds them to be in the best interest of the City.

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

I.

THAT the City Commission of the City of Kingsville approves the Federal Grant Financial Policies and Procedures as per the documents attached hereto.

II.

THAT all prior resolutions in conflict with this resolution are hereby repealed.

III.

THAT this Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED by a majority vote of the City Commission the 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
FEDERAL GRANT FINANCIAL POLICIES & PROCEDURES

1.INTRODUCTION

The purpose of financial management policies is to provide sound guidelines in planning the City's financial future. The City of Kingsville considers the expenditure of funds to be an important responsibility and requires all persons involved with the purchase of goods or services to exercise good judgment in spending taxpayers' money.

2.SCOPE OF AUTHORITY

The City Commission is responsible for the expenditure of all City funds.

3.FINANCIALS

A. Bank Depository

The City maintains funds in a Bank, designated as its depository for banking services. The City Commission reviews the selection every five years unless circumstances deem otherwise.

B. Accounts Payable

Three (3) individuals are authorized to sign checks written on the bank depository account: the Mayor, the City Manager and the Finance Director. All checks require two authorized signatures. No exceptions.

C. Accounting

The Finance Director is responsible for establishing the structure for the City Chart of Accounts and for assuring the procedures are in place to properly record financial transactions and report the City's financial position. The City Manager shall provide financial reports to the City Commission Monthly.

D. Audit of Accounts

An independent audit of the city accounts is performed annually. The Auditor is retained by and is accountable directly to the City Commission. The City Commission reviews the selection every five years unless circumstances deem otherwise.

E. Internal Controls

Whenever possible, written procedures will be established, maintained, and assessed per 2CFR 200.303 by the Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures will embrace the general concepts of fiscal responsibility set forth in this policy statement.

- The **Finance Director** manages accounting functions and financial reporting.
- The **City Engineer** reviews and certifies infrastructure-related expenditures.

- The **City Manager** or designee provides final approval of all disbursements.

Whenever possible, the City ensures duties and responsibilities are segregated so that no one individual has complete authority over a financial transaction.

4.PROCEDURES

A.Input Invoice into Record Keeping System-

What type of system is utilized for tracking invoices? Do you log them into excel or track on a ledger? Is a purchase order issued? -The City of Kingsville uses Incode which is an automated financial software.

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Who reviews invoices and recommends payment? What supporting documentation is required prior to payment? -The Department reviews invoices for their purchases and forwards to Accounts Payable and Purchasing. There would normally be a Purchase Order, Invoice, and Packing Receipt if goods are involved.

C. Timeline for Payment-

What is the City's standard timeframe for issuing payment? -If the request is received prior to Wednesday afternoon, checks are issued on Thursday for mail-out on Friday.

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Who writes and signs the checks? Two signatures? Do they go through Commission for approval? -Accounts Payable writes the check through the Accounts Payable Module. Checks are issued with 2 signatures. They do not go through the Commission for approval as they have approved the budget for the line item.

E. Payment Reconciliation-

Who reconciles bank statements and payment? -The main CMA bank account is reconciled by the Finance Director. Smaller bank accounts are reconciled by the Accounting Assistant.

F. Record Keeping –

Who documents all expenditures and how are records kept at the City? -The Incode system records all expenditures and budget checks all expenditures. If there isn't a budget to cover the expenditure, payment cannot be processed.

5.PROCEDURES FOR GRANT PAYMENTS

A.Invoice is received and, if necessary, a request for payment is prepared by grant consultant and proper signatures obtained by the Mayor, City Manager, and Finance Director as authorized in original grant approval. Finance officer reviews the invoice and compares it to the grant budget.

B.Invoice must be approved by a city official involved in the grant implementation or the Mayor. Approval is acknowledged by initialing the original invoice or through City Commission action.

C.Once grant funds are received and the invoice approval acknowledged by signature on the original invoice, a demand check is entered into the system by the Finance Director's office, then printed and disbursed by Accounts Payable. Both Mayor and City Manager signature appear on the approved checks. Checks are then disbursed to the appropriate vendors. The Finance Director is responsible for ensuring that checks are signed and disbursed with five (5) calendar days for the Texas Department of Agriculture and three (3) calendar days for the Texas General Land Office of receiving grant funds.

D.Copies of the request for payment, invoice, cancelled check copy, and bank statement showing receipt of grant money is retained in the Accounting Manager's Office.

The City Manager and Finance Director authorize payments and issues checks. Two signatures are required on each check, either the Mayor and City Manager. The Finance Director is responsible for reconciling the monthly bank statements.

6.CASH MANAGEMENT AND DISBURSEMENT-TIMELY EXPENDITURES

The City shall make timely payments to vendors and minimize the time between transferring funds from the State Treasury and disbursement of funds to vendors in compliance with the terms and conditions of the federal contract, grant, regulation, or statute.

To ensure vendor compliance, invoices/pay applications/pay estimates will be reviewed for accuracy for such items but not limited to change order approvals, outstanding lien/payments to subcontractors, labor standards, and verification of work completed as invoiced prior to disbursement or request for funds from State Agency. The City shall notify a vendor of an error in an invoice submitted for payment by the vendor.

7.ADVANCE PAYMENT PROCEDURES

All advanced payments using federal grant funds will be discussed within three (3) business days from the date of the transfer of funds in accordance with 2 CFR 200.305(b), and in accordance with the provisions in the contract with the vendor.

Advance payments of federal grant funds will be deposited and maintained in a separate insured account. The City will maintain advance payments of federal awards in interest-bearing accounts, unless one or more of the following apply. City receives less than \$120,000 in Federal awards per year; the City is not expected to earn interest in excess of \$500 per year in Federal cash balances; or the depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources. (2 CFR 200.302(b)(6) and 200.305).

These Policies and Procedures are implemented through of the City of Kingsville administrative team of:

LIST TITLES HERE

City Manager
City Attorney
City Engineer
Finance Director
Purchasing Manager

AGENDA ITEM #14

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

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

DATE: July 7, 2025

SUBJECT: Discuss, Consider and Adopt Local Procurement Policy & Procedures pertaining to the GLO Community Development Block Grant – Mitigation (CDBG-MIT) Method of Distribution (MOD) Program, Infrastructure Contract Number # 24-065-140-E998.

Summary:

The City of Kingsville must formally adopt a Local Procurement Policy and Procedures document to comply with federal procurement regulations under 2 CFR § 200, as required by the Texas General Land Office (GLO) for participation in the CDBG-MIT MOD Program. This policy outlines purchasing procedures, ethical standards, contractor eligibility, and required documentation for all federally funded procurements.

Background:

To maintain eligibility for CDBG-MIT funding and ensure federal compliance, the City must adopt procurement standards consistent with 2 CFR §§ 200.318–200.327. The policy includes:

- Standards of conduct and ethics
- Competitive procurement requirements (micro, small, sealed bids, proposals)
- Contracting with HUBs and minority businesses
- Cost/price analysis requirements
- Suspension and debarment checks
- Contract administration and payment protocols

These procedures are designed to support transparent, competitive, and compliant procurement when using federal funds.

Financial Impact:

There is no direct financial impact to the City's General Fund. These policies are administrative in nature and ensure compliance with federally funded project requirements.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends adoption of the attached Local Procurement Policy & Procedures as required by the GLO. This action will ensure full compliance with federal procurement guidelines and support the successful administration of the CDBG-MIT MOD Program under Contract No. 24-065-140-E998.

Attachments:

Federal Grant Procurement Policy – City of Kingsville



RESOLUTION #2025-_____

A RESOLUTION APPROVING THE CITY OF KINGSVILLE FEDERAL GRANT PROCUREMENT POLICIES AND PROCEDURES; PROVIDING FOR REPEALING, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville (City) finds it in the best interest of the citizens of Kingsville that the City apply for grant funds to assist with funding community needs; and

WHEREAS, the City has previously applied for federal grants and part of the grant requirements are for the City to have certain procurement policies and procedures in place; and

WHEREAS, the City has already adopted some procurement policies and procedures but wants to ensure full compliance with current grant requirements it is hereby proposing the adoption of the attached "Federal Grants Procurement Policies and Procedures"; and

WHEREAS, it is the responsibility of the City, as the local government, to procure goods and services in compliance with federal regulations when managing projects financed in whole or in part with funds from federal grant programs;

WHEREAS, the City seeks to establish policies that govern the procurement practices of the City for federal grant programs;

WHEREAS, there is no direct cost to the City for approving the "Federal Grants Procurement Policies and Procedures" and the City Commission finds them to be in the best interest of the City.

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

I.

THAT the City Commission of the City of Kingsville approves the Federal Grants Procurement Policies and Procedures as per the documents attached hereto.

II.

THAT all prior resolutions in conflict with this resolution are hereby repealed.

III.

THAT this Resolution shall be effective upon its passage and approval.

PASSED AND APPROVED by a majority vote of the City Commission the 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
FEDERAL GRANT PROCUREMENT POLICIES AND PROCEDURES

The City of Kingsville follows State of Texas and Federal (2 CFR 200.318-200.327 and Appendix II to Part 200) procurement laws and guidance in the purchasing and contract management of goods and services. Additional policy guidance below addresses Federal purchasing requirements as required by 2 CFR 200 pertaining to the expenditure of Federal grant funds.

Standards of Conduct

Public employment is a public trust. It is the policy of the City of Kingsville to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by the City of Kingsville. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public service.

Public employees must discharge their duties impartially to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the City of Kingsville procurement organization.

To achieve the purpose of this Article, it is essential that those doing business with the City of Kingsville also observe the ethical standards prescribed herein.

Code of Ethics

1. Personal Gain. It shall be a breach of ethics to attempt to realize personal gain through public employment with the City of Kingsville by any conduct inconsistent with the proper discharge of the employee's duties.
2. Influence. It shall be a breach of ethics to attempt to influence any public employee of the City of Kingsville to breach the standards of ethical conduct set forth in this code.
3. Conflicts of Interest. It shall be a breach of ethics for any employee of the City of Kingsville to participate directly or indirectly in procurement when the employee knows that:
 - a. the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement,
 - b. a business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement, or

- c. any other person, business or organization with which the employee or any members of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
- 4. Gratuities. It shall be a breach of ethics to offer, give or agree to give any employee or former employee of the City of Kingsville, or for any employee or former employee of the City of Kingsville to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, requesting for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract or to any solicitation or proposal therefore pending before this local government.
- 5. Kickbacks. It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for the City of Kingsville, or any person associated therewith, as an inducement for the award of a subcontract or order.
- 6. Contract Clause. The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation, therefore.
- 7. Confidential Information. It shall be a breach of ethics for any employee or former employee of the City of Kingsville knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.
- 8. Responsible Contractors. The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also 2 CFR 200.214.
- 9. Procurement Records. The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and basis for the contract price.
- 10. Time-and-Materials Contracts.
 - a. The non-Federal entity may use a time-and-material type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:
 - i. The actual cost of materials; and
 - ii. Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

- b. Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
11. Settlement of Contractual and Administrative Issues. The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

Competition

All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and §200.319:

1. Unfair Competitive Advantage. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:
 - a. Placing unreasonable requirements on firms in order for them to qualify to do business;
 - b. Requiring unnecessary experience and excessive bonding;
 - c. Noncompetitive pricing practices between firms or between affiliated companies;
 - d. Noncompetitive contracts to consultants that are on retainer contracts;
 - e. Organizational conflicts of interest;
 - f. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; or
 - g. Any arbitrary action in the procurement process.
2. Geographical Preferences. The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those

cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

3. Written Procedures. The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 - a. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - b. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
4. Prequalified Lists. The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

Five Methods for Procuring with Federal Funds

2 CFR 200.320 provides for five methods that must be used when making purchases with Federal funds. In some cases, these Federal methods are more restrictive than State requirements; in other cases, the State requirements are more restrictive than these Federal methods. In all cases, the City of Kingsville affirms the more restrictive requirements or methods must be followed when making purchases with Federal funds.

The type of purchase method and procedures required depends on the cost (and type, in some cases) of the item(s) or services being purchased. The five methods are:

- Micro-Purchases
- Small Purchase Procedures

- Sealed Bids
- Competitive Proposals
- Noncompetitive Proposals (sole source)

1. Micro-Purchases (Purchases up to \$3,000.00)

Federal methods provide for procurement by micro-purchase. Micro-purchase is defined in 2 CFR 200.320(a)(1) as a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed \$3,000.00. The micro-purchase method is used in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost.

The City of Kingsville utilizes the micro-purchases method for acquiring supplies or services that do not exceed an aggregate amount of \$3,000.00 if the price is reasonable. The program manager responsible for the Federal award determines if the price is reasonable.

Quotes are not required but encouraged. If quotes are obtained for items under \$3,000.00, they should be kept in the department and attached to the requisition.

2. Small Purchase Procedures (Purchases between \$3,000.01 and \$149,999.99 in the Aggregate)

The Federal threshold for small purchase procedures is \$150,000. 2 CFR 200.320(a)(2).

Small purchase procedures (as defined in 2 CFR 200.320(b)) may be used in those relatively simple and informal procurement methods for securing non-personal contracted services, supplies, or other property that do not cost more than \$149,999.99.

For purchases funded from local funds, to obtain the most competitive price, the City of Kingsville may, at its option, obtain price quotes for items costing less than \$150,000. Unlike the mandatory competitive procurement described for purchases over \$150,000, if an item to be paid from local funds costs less than \$150,000, the City of Kingsville may utilize price quotations or competitive procurement process (purchasing cooperatives, sole source, an existing RFP/bid or a new RFP/bid) to stimulate competition and to attempt to receive the most favorable pricing.

However, if using State or Federal funds to purchase goods or services, price or rate quotations must be obtained from an adequate number of qualified sources for all purchases between \$3,000.01 and \$49,999.99 or use the competitive procurement

process. The City of Kingsville must obtain more than one price or rate quote unless using a purchasing cooperative, existing Bid/RFP or sole source vendor, in which case, the prices have already been awarded. If purchasing from a purchasing cooperative or existing Bid/RFP, the departments can elect to obtain only one quote to purchase the goods or services although it is recommended to obtain more than one quote. Such price or rate quotations may be obtained orally and/or documented in writing, and the City of Kingsville must demonstrate that price or rate quotations were obtained from an adequate number of qualified sources.

Purchases \$150,000 or More in the Aggregate

According to Texas law, one of the following competitive methods must be used for purchases of \$150,000 or more in the aggregate:

- competitive bidding for services other than construction services;
- competitive sealed proposals, for services other than construction services;
- a request for proposals, for services other than construction services;
- an interlocal contract;
- a method provided by Chapter 2269, Government Code, for construction services;
- the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- the formation of a political subdivision corporation under Section 304.001, Local Government Code.

In addition, one of the three following methods must be used, depending on the circumstance described below, when purchasing with Federal funds: sealed bids (formal advertising); competitive proposals; or noncompetitive proposals (sole source).

3. Sealed Bids (Formal Advertising)

Bids are publicly solicited, and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.

- a. The sealed bid method is the preferred method for procuring construction, if the following conditions apply:
 - i. A complete, adequate, and realistic specification or purchase description is available;
 - ii. Two or more responsible bidders are willing and able to compete effectively for the business; and
 - iii. The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

- b. If sealed bids are used, the following requirements apply:
 - i. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids.
 - ii. The invitation for bids must be publicly advertised.
 - iii. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
 - iv. All bids will be opened at the time and place prescribed in the invitation for bids. The bids must be opened publicly.
 - v. A firm fixed-price contract award must be made in writing to the lowest responsive and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

4. Competitive Proposals

A competitive proposal is normally used with more than one source submitting an offer, and either a fixed-price or a cost-reimbursement type contract is awarded. (A cost-reimbursement contract reimburses the contractor for actual costs incurred to carry out the contract.) Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- a. Requests for proposals must be publicized and must identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
- b. Proposals must be solicited from an adequate number of qualified sources.
- c. The City of Kingsville must have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

When using Federal funds, the City of Kingsville may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional

services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals (Sole Sourcing)

- a. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used when using Federal funds only when one or more of the following circumstances apply:
 - i. The item is available only from a single source and an equivalent cannot be substituted. This must be documented.
 - ii. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
 - iii. After solicitation of a number of sources, competition is determined inadequate.
- b. Additionally, State requirements related to sole source purchasing are, in some ways, more restrictive. In addition to the Federal requirements above, sole source purchases must meet established criteria:
 - i. Identification and confirmation that competition in providing the item or product to be purchased is precluded by the existence of a patent, copyright, secret process or monopoly;
 - ii. A film, manuscript, or book;
 - iii. A utility service, including electricity, gas, or water; and
 - iv. A captive replacement part or component for equipment.

According to State requirements, sole source does not apply to mainframe data-processing equipment and peripheral attachments with a single item purchase price in excess of \$15,000.

In this case, the City of Kingsville must document why only this product can meet their needs and that it is not available from any other vendor. In all cases, the City of Kingsville will obtain and retain documentation from the vendor which clearly delineates the reasons which qualify the purchase to be made on a sole source basis.

Contracting with Historically Underutilized Businesses (HUB), Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Firms

The City of Kingsville will take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, and labor surplus firms are notified of bidding opportunities and utilized whenever possible. Affirmative steps in accordance with 2 CRF 200.321 will include the following:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Require the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in parts (1)-(5) above.

Domestic Preferences for Procurements

As appropriate and to the extent consistent with law and 2 CFR 200.322, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to: iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

"Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

"Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Procurement of Recovered Materials.

Consistent with 2 CFR 200.323, a non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste

Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Cost/Price Analysis for Federal Procurements in Excess of \$150,000

In accordance with the requirements in 2 CFR 200.324, the City of Kingsville will make independent estimates of the goods or services being procured before receiving bids or proposals to get an estimate of how much the goods and services are valued in the current market.

To accomplish this, before bids and proposals are received, the City of Kingsville conducts either a price analysis or a cost analysis, depending on the type of contract, in connection with every procurement with Federal funds in excess of \$150,000. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the City of Kingsville will come to an independent estimate prior to receiving bids or proposals, 2 CFR 200.324(a).

Accordingly, the City of Kingsville performs a cost or price analysis in connection with every Federal procurement action in excess of \$150,000, including contract modifications, as follows:

1. **Cost Analysis → Non-Competitive Contracts:** A cost analysis involves a review of proposed costs by expense category, and the Federal cost principles apply, which includes an analysis of whether the costs are allowable, allocable, reasonable, and necessary to carry out the contracted services. In general,
 - a. A cost analysis must be used for all non-competitive contracts, including sole source contracts;
 - b. The Federal cost principles apply;
 - c. All non-competitive contracts must also be awarded and paid on a cost-reimbursement basis, and not on a fixed-price basis;
 - d. In a cost-reimbursement contract, the contractor is reimbursed for reasonable actual costs incurred to carry out the contract; and
 - e. Profit must be negotiated as a separate element of the price in all cases where there is no competition.

When performing a cost analysis, the City of Kingsville negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work, 2 CFR 200.324(b).

2. Price Analysis → Competitive Contracts: A price analysis determines if the lump sum price is fair and reasonable based on current market value for comparable products or services. In general,
- a. A price analysis can only be used with competitive contracts and is usually used with fixed-price contracts. It cannot be used with non-competitive contracts.
 - b. Compliance with the Federal cost principles is not required for fixed-price contracts, but total costs must be reasonable in comparison to current market value for comparable products or services.
 - c. A competitive contract may be awarded on a fixed-price basis or on a cost-reimbursement basis. If awarded on a cost-reimbursement basis, the Federal cost principles apply and costs are approved by expense category, and not a lump sum.

Costs or prices based on *estimated* costs for contracts are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices, would be allowable costs under the Federal cost principles.

Federal Awarding Agency or Pass-through Entity Review

In accordance with the requirements of 2 CFR 200.325, the non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase. Note: Simplified Acquisition Threshold is defined in 2 CFR 1108.340 -- Simplified acquisition threshold and 48 CFR Part 2 Subpart 2.1 -- Definitions (FAR Part 2 Subpart 2.1).

Upon request of the Federal awarding agency or pass-through entity, the non-Federal entity must make available for pre-procurement review the procurement documents such as requests for proposals or invitations for bids or independent cost estimates, when:

1. The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;
2. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
3. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
4. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
5. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

The non-Federal entity is exempt from the pre-procurement review of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding and third-party contracts are awarded on a regular basis.

The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

Bonding Requirements

In accordance with the requirements of 2 CFR 200.326, for construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

1. A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified;
2. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract; and
3. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

Contract Administration

The City of Kingsville maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders, 2 CFR 200.318(b). The program manager/director of the Federal award is responsible for monitoring contractor performance. The manager/director will compare actual performance of contract against projected performance and have the contractor explain any differences. They may also compare fees paid to date to contractor versus how far along the contractor is in performing the contractual duties. The manager/director may establish surveys of those directly benefitted by the contractor's work for feedback purposes.

To ensure proper administration of contracts and any subgrants that may be awarded by the City of Kingsville, the City of Kingsville uses the following guidelines to determine whether each agreement it makes for the disbursement of Federal funds is a contract, whereby funds are awarded to a contractor, or a subaward, whereby funds are awarded to a subrecipient. The substance of the relationship is more important than the form of the written agreement.

1. Subawards/Subgrants

A subaward/subgrant is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. The City of Kingsville determines who is eligible to receive what Federal assistance, and a subrecipient/subgrantee:

- a. Has its performance measured in relation to whether objectives of a Federal program are met;
- b. Has responsibility for programmatic decision making;
- c. Is responsible for adhering to applicable Federal program requirements; and

- d. In accordance with the subgrant agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the City of Kingsville.

2. Contracts

A contract is for the purpose of obtaining goods or services for the City of Kingsville 's own use and creates a procurement relationship with the contractor. A contractor:

- a. Provides goods and services within normal business operations;
- b. Provides similar goods or services to many different purchasers;
- c. Normally operates in a competitive environment;
- d. Provides goods or services that are ancillary to the operation of the Federal program; and
- e. Is not subject to compliance requirements of the Federal program as a result of the contract, though similar requirements may apply for other reasons.

Documentation for Contracts

The City of Kingsville maintains the following written documentation, at a minimum, for each contract paid with Federal funds:

1. A copy of the written, signed contract/agreement for services to be performed;
2. The rationale or procedure for selecting a particular contractor;
3. Evidence the contract was made only to a contractor or consultant possessing the ability to perform successfully under the terms and conditions of the contract or procurement;
4. Records on the services performed – date of service, purpose of service – ensuring that services are consistent and satisfactorily performed as described in the signed contract or purchase order;
5. Documentation that the contractor was not paid before services were performed; and
6. Records of all payments made (such as a spreadsheet or report generated from the general ledger), including the total amount paid to the contractor.

Payment Only After Services Are Performed

For both State and Federally funded contracts, it is not permissible under Texas law to pay a contractor or consultant in advance of performing services. Advance payment to contractors is considered "lending credit" to the contractor and is prohibited under the Texas Constitution, Article 3, §§ 50 and 52. For ongoing services that occur monthly, payment can be made at the end of every month (based on a proper invoice submitted by the contractor and verification of work performed) for services performed during the month, or some other similar arrangement.

Consultants and contractors will not be paid without having a properly signed and dated contract or other written agreement in place which clearly defines the scope of work to be performed, the beginning and ending dates of the contract, and the agreed-upon price. The contract should also include a description of the payment procedures.

Upon performance of services (at contract milestones or upon completion of services), the contractor is required to submit an invoice to the City of Kingsville that contains at a minimum the following:

1. A clear identification of the contractor/consultant, including name and mailing address;
2. A corresponding contract (or written agreement) number, if applicable;
3. The dates (beginning and ending date) during which the services were performed (i.e., billing period);
4. A description of the services/activities completed during the billing period; and
5. The total amount due to the contractor for the billing period.

By submitting a properly-prepared invoice, the contractor is certifying that it is true and correct.

Verification of Receipt of Goods and Services Provided by Contractors

If the purpose of the contract or purchase order is to deliver goods, the City of Kingsville will designate the appropriate staff to verify that the quantity and quality of goods were as specified in the contract/purchase order. The receiving report and procedures used in all other State/local purchases will be used for all Federal purchases.

If the purpose of the contract is to purchase services, the contract manager along with the City Manager/City Mayor will verify that the quality and scope of services were received as specified in the contract.

Prompt Payment to Vendors/Contractors

The City of Kingsville pays all vendors/contractors within thirty (30) days of receipt of a proper invoice and the receipt of the goods or services in accordance with the Texas Prompt Payment Act (Texas Government Code, Chapter 2251, Subchapter A, for all contractors, and Property Code, Chapter 28 for Construction Contractors).

Suspension and Debarment

In accordance with the requirements of 2 CFR 200.214, the City of Kingsville will ensure, prior to award, that all contractors have met all the eligibility requirements outlined in state and Federal law. The following steps will be taken to ensure contractor eligibility for all services procured:

1. Contractors: All contractors, including professional consulting and engineering firms, must be cleared via a search of the Federal System of Award Management ('SAM') to ensure the contractor is in good standing and has not been debarred. The SAM portal can be found here: <https://sam.gov/SAM/pages/public/searchRecords/search.jsf>.
2. Subcontractors: Subrecipients must notify the selected prime contractors that it is the sole responsibility of the prime contractor to verify subcontractor eligibility based on factors such as past performance, proof of liability insurance, possession of a Federal tax number, debarment, and state licensing requirements.

AGENDA ITEM #15

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

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

DATE: July 14, 2025

SUBJECT: Consider Approving Change Order No. 1 Bid No. 24-09 to Donald Hubert Construction Co. for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-082-016-D218 Project 1 – 14th Street Sanitary Sewer Improvements Project

Purpose:

Consider approving Change Order No. 1 (CO-1) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-082-016-D218. CO-1 will decrease the contract price by \$36,414.70 and no increase the contract time.

Summary:

GLO Change Order No. 1 – Contract Price

Item	Description	Unit	Quantity	Unit Cost	Total
A15	Concrete Driveway	SY	60	\$135.00	\$8,100.00
A16	24" Dia. RCP Class V	LF	32	\$117.00	\$3,744.00
A19	6" Dia. Sanitary Sewer Line PVC SDR-26	LF	8	\$100.00	\$800.00
A21	6" Dia. Sanitary Sewer Force Main Line PVC DR-18	LF	599	\$36.50	\$21,863.50
A22	6" Dia. x 45 Degree D.I. Bend	EA	1	\$1,473.00	\$1,473.00
A25	4' Dia. Fiberglass Sanitary Sewer Manhole	EA	-2	\$11,451.25	(\$22,902.50)
A26	12" Dia. Steel Casing Bore 1/4" Thickness W/Pipe Vent	LF	90	\$185.00	\$16,650.00
A28	12" Dia. Sanitary Sewer Line PVC SDR-26	LF	-563	\$72.90	(\$41,042.70)



**City of Kingsville
Engineering Dept.**

A29	20" Dia. Steel Casing Bore 1/4" Thickness W/Pipe Vent	LF	-70	\$250	(\$17,500.00)
A51	12" Dia. Sanitary Sewer Line PVC DR-18	LF	-20	\$380	(\$7,600.00)
GLO Change Order No. 1 Total					(\$36,414.70)

Background:

On August 26, 2024, we received approval to award the sixth GLO CDBG-MIT 2016 Flood Mitigation Projects. The sixth being Project 1 - 14th Street – Sanitary Sewer Improvements.

Project 1 includes the installation of one (1) new lift station, 2,795 of force main, 12" diameter gravity wastewater line, 7,477 of cured in place pipe (CIPP), manhole rehabilitation, point repairs and pavement repairs. Project is scheduled to be completed within 240 days from Notice to Proceed and after award. This project will help divert flow which is in the south wastewater basin for the South Wastewater Treatment Plant (WWTP) towards the North WWTP

Bid 24-09, Project 1 sealed bids were received on April 18, 2024, from 3 bidders. Bidder one (1) is Donald Hubert Construction Co., from Kingsville, Texas. Bidder two (2) is C&A Builders, from San Benito, Texas. Bidder three (3) is Jhabores Construction Co., Inc, from Corpus Christi, Texas. The base bids ranging from \$2,523,299.15 to \$2,779,811.00, with alternate bid no. 1 ranging from \$35,000.00 to \$134,760.00, and total bid amounts ranging from \$2,593,299.15 to \$2,914,571.00. The staff recommends awarding the project to the lowest bidder, Donald Hubert Construction Co. in the amount of \$2,593,299.15.

Financial Impact:

No financial impact as this a deductive change order.

Recommendation:

Staff recommendations approving Change Order No. 1 CDBG-MIT GLO Contract No. 22-082-016-D218 – Project 1 – 14th Street. -Sanitary Sewer Improvements Project for a deductive amount \$36,414.70 to Donald Hubert Construction Co.

Attachments:

GLO Change Order 1
HUD-4010 Federal Labor Standards Provisions





June 26, 2025

Rutilio "Rudy" Mora, P.E., CFM
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-082-016-D218 Project 1, (City of Kingsville Bid No. 24-09) – ICE CO 1 recommendation

Dear Mr. Mora,

This memorandum is in reference to ICE's recommendation to Change Order 1, in the amount of (\$36,414.70). The Change Order is to substitute approximately 600 LF of 12" PVC gravity sanitary sewer line with 6" PVC sanitary sewer force main with all appurtenances such as pipe encasement and sanitary sewer manholes. This change order also addresses driveway location for the lift station at the request of the Texas Department of Transportation (TxDot).


This Change Order will decrease the original contract amount of \$2,593,299.15 by approximately 1.40%, which falls within the 25% allowance per the GLO contract. The adjusted contract amount with this change order will be \$2,556,884.45.

Additionally, this change order addresses an administrative error in the contract. The HUD-4010 Federal Labor Standards Provisions document is being updated to the most current version.

Therefore, it is ICE's recommendation to approve Change Order 1. The City of Kingsville has the final decision to approve/not approve change orders.

If you have any questions or need additional information, please contact me at (361) 826-5805 or charlie@icengineers.net

Sincerely,


Juan Carlos "Charlie" Cardenas, P.E.
Senior Engineer

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH DONALD HUBERT CONSTRUCTION CO. FOR THE GLO CDBG-MIT CONTRACT 22-082-016-D218 PROJECT 1: 14TH STREET SANITARY SEWER IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some sanitary sewer improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 1: 14th Street Sanitary Sewer Improvements and went out for bids via BID #24-09 which was advertised in 2024;

WHEREAS, the three bids were received on April 18, 2024 responsive to BID #24-09 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was Donald Hubert Construction Co. from Kingsville, Texas (vendor);

WHEREAS, the City awarded BID#24-09 to Vendor at a Commission meeting on August 26, 2024 for a total amount of \$2,593,299.15;

WHEREAS, the contract could not be executed because the amendment included revisions to this particular project site and the state contract amendment was not able to be fully executed until January 31, 2025;

WHEREAS, the successful low bidder was then contacted to see if their bid was still going to be honored and they agreed that they would honor the bid;

WHEREAS, the City and Vendor worked to prepare a construction contract that was approved by City Commission on April 14, 2025 via Resolution #2025-38 for GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements for the base bid (\$2,523,299.15) and for alternates nos. 1& 2 (\$70,000.00), which together total an amount of \$2,593,299.15 with a contract time of 240 calendar days;

WHEREAS, the proposed Change Order No.1 will do three things (1) substitute approximately 600 LF of 12" PVC gravity sanitary sewer line with 6" PVC sanitary sewer force main with all appurtenances such as pipe encasement and sanitary sewer manholes, (2) relocate the driveway location for the lift station at the request of the Texas Department of Transportation, and (3) update the HUD-4010 Federal Labor Standards Provisions documents to the most current

version, which results in a contract price decrease of \$36,414.70 and no change in the contract time;

WHEREAS, staff is recommending the City Commission approve Change Order #1 for the construction contract with Vendor as presented for a new total amount of \$2,556,884.45 and the same contract time of 240 calendar days;

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

I.

THAT the City Commission approves and the Interim City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute Change Order #1 to the Construction Contract between the City of Kingsville, Texas and Donald Hubert Construction Co. for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 1: 14th Street Sanitary Sewer Improvements Project as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
____ 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient: City of Kingsville	GLO Contract Number: 22-082-016-D218	Date: 5/1/2025
Engineer Name Address & Phone	Subrecipient Name, Address, & Phone Number:	Contractor Name, Address & Phone Number:
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805	City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040	Donald Hubert Construction Co., Inc. P.O. Box 84 Kingsville, TX 78363 361-592-9593
Project #: 1	Bid Package #: 1	Change Order #: 1
Contract Origination Date: 4/14/2025	Project Description: Sewer lift station and force main	

You are hereby requested to comply with the following changes from the contract plans and specifications.

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Schedule etc.	Decrease in Contract Price	Increase in Contract Price
A15	CONCRETE DRIVEWAY, \$135.00/SY, +60 SY		\$8,100
A16	24" Ø RCP (CLASS V), \$117.00/LF, +32 LF		\$3,744.00
A19	6" Ø SANITARY SEWER LINE PVC SDR-26, \$100.00/LF, +8 LF		\$800.00
A21	6" Ø SANITARY SEWER FORCE MAIN LINE PVC DR-18 (C-900), \$36.50/LF, +599 LF		\$21,863.50
A22	6" Ø X 45° D.I., M.J. BEND, \$1,473.00/EA, +1 EA		\$1,473.00
A25	4' Ø FIBERGLASS SANITARY SEWER MANHOLE, \$11,451.25/EA, -2 EA	22,902.50	
A26	12" Ø STEEL CASING BORE 1/4" THICKNESS W/PIPE VENT, \$185.00/LF, +90 LF		16,650.00
A28	12" Ø SANITARY SEWER LINE PVC SDR-26, \$72.90/LF, -563 LF	41,042.70	
A29	20" Ø STEEL CASING BORE 1/4" THICKNESS W/PIPE VENT, \$250.00/LF, -70 LF	17,500.00	
A51	12" Ø SANITARY SEWER LINE PVC DR-18 (C900), \$380.00/LF, -20 LF	7,600.00	
	Contract end date is being corrected to 12/31/2025 to match the 240 calendar day term of contract.		
	HUD-4010 Federal Labor Standards Provisions updated to current version.		

See sheet 2 to add additional entries

Change in Construction Contract Price

Original Contract Price:	2,593,299.15
Cumulative Previous Change Order(s) Total:	0.00
Contract Price Prior to this Change Order:	2,593,299.15
Net Increase/Decrease of this Change Order:	-36,414.70

Change in Contract Time (Calendar Days)

Original Contract Time in Days:	240
Net Change from Previous Change Order(s) in Days:	0
Contract Time Prior to this Change Order in Days:	240
Net Increase/Decrease of this Change Order in Days:	0



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders:	2,556,884.45	Contract Time with All Approved Change Orders in Days:	240
Cumulative Percent Change in Contract Price (+/-)	-1.40%	Subrecipient Contract End Date:	1/31/2027
Construction Contract Start Date:	5/5/2025	Construction Contract End Date:	12/31/2025

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

Subrecipient Signature	Engineer Signature	Contractor Signature
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)
Subrecipient Signature	Engineer Signature	Contractor Signature

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? ☐ Increase ☐ Decrease ☒ No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work: ☐ Increase ☐ Decrease ☐ No Change

3. Effect on operation and maintenance costs: ☐ Increase ☐ Decrease ☒ No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? ☒ Yes ☐ No

If "no", explain:

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5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? ☐ Yes ☒ No

If "yes", is an environmental assessment required?

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COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

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- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 7. Is the CCN permit still valid? (sewer projects only) | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 8. Are the disability access requirements/approval still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 9. Are other Disaster Recovery contractual special condition clearances still valid? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

If "no", explain:

***Disclaimer:** The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.*

A. APPLICABILITY

The Project or Program to which the construction work covered by this Contract pertains is being assisted by the United States of America, and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

1. Minimum wages and fringe benefits

- i. All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in 29 CFR 5.5(d) and (e), the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act (40 U.S.C. 3141(2)(B)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(v) of these contract clauses; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided*, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under 29 CFR 5.5(a)(1)(iii)) and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

ii. Frequently recurring classifications

- A. In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in 29 CFR part 1, a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to 29 CFR 5.5(a)(1)(iii), provided that:
 1. The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;
 2. The classification is used in the area by the construction industry; and
 3. The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.
- B. The Administrator will establish wage rates for such classifications in accordance with 29 CFR 5.5(a)(1)(iii)(A)(3). Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

iii. Conformance

- A. The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be

classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

1. The work to be performed by the classification requested is not performed by a classification in the wage determination; and
 2. The classification is used in the area by the construction industry; and
 3. The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.
- B. The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.
- C. If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.
- D. In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.
- E. The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division under 29 CFR 5.5 (a)(1)(iii)(C) and (D). The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to 29 CFR 5.5 (a)(1)(iii)(C) or (D) must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

iv. Fringe benefits not expressed as an hourly rate

Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

v. Unfunded plans

If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided*, That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in 29 CFR 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

- vi. Interest** In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding

i. Withholding requirements

The U. S. Department of Housing and Urban Development may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in 29 CFR 5.5(a) for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in 29 CFR 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work (or otherwise working in construction or development of the project under a development statute) all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in 29 CFR 5.5(a)(3)(iv), HUD may on its own initiative and after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

ii. Priority to withheld funds

The Department has priority to funds withheld or to be withheld in accordance with 29 CFR 5.5(a)(2)(i) or (b)(3)(i), or both, over claims to those funds by:

- A. A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- B. A contracting agency for its procurement costs;
- C. A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- D. A contractor's assignee(s);
- E. A contractor's successor(s); or
- F. A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901-3907.

3. Records and certified payrolls

i. Basic record requirements

A. Length of record retention. All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

B. Information required Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

C. Additional records relating to fringe benefits. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(v) that the wages of any laborer or mechanic include the amount of any

costs reasonably anticipated in providing benefits under a plan or program described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

D. Additional records relating to apprenticeship Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

ii. Certified payroll requirements

A. Frequency and method of submission The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to HUD if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the certified payrolls to the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records, for transmission to HUD. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system

B. Information required The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i)(B), except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (*e.g.*, the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH-347 or in any other format desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347.pdf> or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the sponsoring government agency (or the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records).

C. Statement of Compliance Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

1. That the certified payroll for the payroll period contains the information required to be provided under 29 CFR 5.5(a)(3)(ii), the appropriate information and basic records are being maintained under 29 CFR 5.5 (a)(3)(i), and such information and records are correct and complete;
2. That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly

from the full wages earned, other than permissible deductions as set forth in 29 CFR part 3; and

3. That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.
 - D. **Use of Optional Form WH-347** The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 will satisfy the requirement for submission of the "Statement of Compliance" required by 29 CFR 5.5(a)(3)(ii)(C).
 - E. **Signature** The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.
 - F. **Falsification** The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under 18 U.S.C. 1001 and 31 U.S.C. 3729.
 - G. **Length of certified payroll retention** The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.
- iii. **Contracts, subcontracts, and related documents** The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.
- iv **Required disclosures and access**
- A. **Required record disclosures and access to workers** The contractor or subcontractor must make the records required under 29 CFR 5.5(a)(3)(i)–(iii), and any other documents that HUD or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by 29 CFR 5.1, available for inspection, copying, or transcription by authorized representatives of HUD or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.
 - B. **Sanctions for non-compliance with records and worker access requirements** If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to 29 CFR 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under 29 CFR part 6 any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.
 - C. **Required information disclosures** Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address of each covered worker, and must provide them upon request to HUD if the agency is a party to

the contract, or to the Wage and Hour Division of the Department of Labor. If the Federal agency is not such a party to the contract, the contractor, subcontractor, or both, must, upon request, provide the full Social Security number and last known address, telephone number, and email address of each covered worker to the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records, for transmission to HUD, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity

i. Apprentices

- A. Rate of pay** Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.
- B. Fringe benefits** Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.
- C. Apprenticeship ratio** The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to 29 CFR 5.5(a)(4)(i)(D). Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in 29 CFR 5.5(a)(4)(i)(A), must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.
- D. Reciprocity of ratios and wage rates** Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

- ii Equal employment opportunity** The use of apprentices and journeyworkers under this part must be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

5 Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6 Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (11), along with the applicable wage determination(s) and such other clauses or contract modifications as the U.S. Department of Housing and Urban Development may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate.

7 Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8 Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9 Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

- i. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of 40 U.S.C. 3144(b) or 29 CFR 5.12(a).
- ii. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of 40 U.S.C. 3144(b) or 29 CFR 5.12(a).
- iii. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, 18 U.S.C. 1001.

11 Anti-retaliation It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

- i. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, or 29 CFR parts 1, 3, or 5;
- ii. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5;
- iii. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5; or
- iv. Informing any other person about their rights under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5.

B. Contract Work Hours and Safety Standards Act (CWHSSA)

The Agency Head must cause or require the contracting officer to insert the following clauses set forth in 29 CFR 5.5(b)(1), (2), (3), (4), and (5) in full, or (for contracts covered by the Federal Acquisition Regulation) by reference, in any contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses must

be inserted in addition to the clauses required by 29 CFR 5.5(a) or 4.6. As used in this paragraph, the terms "laborers and mechanics" include watchpersons and guards.

- 1. Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
- 2. Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in 29 CFR 5.5(b)(1) the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchpersons and guards, employed in violation of the clause set forth in 29 CFR 5.5(b)(1), in the sum of \$31 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in 29 CFR 5.5(b)(1).
- 3. Withholding for unpaid wages and liquidated damages**
 - i. Withholding process** The U.S Department of Housing and Urban Development or the recipient of Federal assistance may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in 29 CFR 5.5(b) on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in 29 CFR 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.
 - ii Priority to withheld funds** The Department has priority to funds withheld or to be withheld in accordance with 29 CFR 5.5(a)(2)(i) or (b)(3)(i), or both, over claims to those funds by:
 - A.** A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
 - B.** A contracting agency for its procurement costs;
 - C.** A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
 - D.** A contractor's assignee(s);
 - E.** A contractor's successor(s); or
 - F.** A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901-3907.
- 4. Subcontracts.** The contractor or subcontractor must insert in any subcontracts the clauses set forth in 29 CFR 5.5(b)(1) through (5) and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in 29 CFR 5.5(b)(1) through (5). In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss,

due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

- 5 Anti-retaliation** It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:
- i. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in 29 CFR part 5;
 - ii. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or 29 CFR part 5;
 - iii. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or 29 CFR part 5; or
 - iv. Informing any other person about their rights under CWHSSA or 29 CFR part 5.
- C. CWHSSA required records clause** In addition to the clauses contained in 29 CFR 5.5(b), in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other laws referenced by 29 CFR 5.1, the Agency Head must cause or require the contracting officer to insert a clause requiring that the contractor or subcontractor must maintain regular payrolls and other basic records during the course of the work and must preserve them for a period of 3 years after all the work on the prime contract is completed for all laborers and mechanics, including guards and watchpersons, working on the contract. Such records must contain the name; last known address, telephone number, and email address; and social security number of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid; daily and weekly number of hours actually worked; deductions made and actual wages paid. Further, the Agency Head must cause or require the contracting officer to insert in any such contract a clause providing that the records to be maintained under this paragraph must be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview workers during working hours on the job.
- D. Incorporation of contract clauses and wage determinations by reference** Although agencies are required to insert the contract clauses set forth in this section, along with appropriate wage determinations, in full into covered contracts, and contractors and subcontractors are required to insert them in any lower-tier subcontracts, the incorporation by reference of the required contract clauses and appropriate wage determinations will be given the same force and effect as if they were inserted in full text.
- E. Incorporation by operation of law** The contract clauses set forth in this section (or their equivalent under the Federal Acquisition Regulation), along with the correct wage determinations, will be considered to be a part of every prime contract required by the applicable statutes referenced by 29 CFR 5.1 to include such clauses, and will be effective by operation of law, whether or not they are included or incorporated by reference into such contract, unless the Administrator grants a variance, tolerance, or exemption from the application of this paragraph. Where the clauses and applicable wage determinations are effective by operation of law under this paragraph, the prime contractor must be compensated for any resulting increase in wages in accordance with applicable law.

F. HEALTH AND SAFETY

The provisions of this paragraph (F) are applicable where the amount of the prime contract exceeds **\$100,000**.

1. No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his or her health and safety, as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.
2. The contractor shall comply with all regulations issued by the Secretary of Labor pursuant to 29 CFR Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96), 40 U.S.C. § 3701 et seq.
3. The contractor shall include the provisions of this paragraph in every subcontract, so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

AGENDA ITEM #16

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

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

DATE: July 14, 2025

SUBJECT: Consider Approving Change Order No. 4 (CO-4) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 – Project 13: W. Johnston Ave. Storm Water Improvements Project

Purpose:

We seek approval of Change Order No. 4 (CO-4) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 – Project 13: W. Johnston Ave Storm Water Improvements Project.

Summary:

GLO Change Order No. 4 – Contract Price

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Total</u>
A18	Repair Concrete Driveway	SY	-8	\$250.00	(\$2,000.00)
A17	Repair Gravel Driveway	SY	8	\$125.00	\$1,000.00
GLO Change Order No. 1 Total					\$1,000.00

Revised Contract Amount **\$626,588.09**

GLO Change Order No. 4 – Contract Time

<u>Description</u>	<u>Calendar Days</u>
Additional Contract Time	15

Revised Contract Price and Time **\$626,588.09 and 186 Calendar Days**



**City of Kingsville
Engineering Dept.**

Background:

On April 28, 2025, we received approval of Change Order No. 3 (CO-3) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 – Project 13: W. Johnston Ave. Storm Water Improvements Project. There was an error in the wage rate schedule for this project. A highway classification was used instead of a heavy classification and the change order is to correct the error. There are no funds needed for this change order as it is being corrected administratively.

GLO Change Order No. 2 – Contract Price

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Total</u>
<u>A4</u>	<u>Waterline Relocation</u>	<u>LF</u>	<u>260</u>	<u>\$61.36</u>	<u>\$15,954.00</u>

GLO Change Order No. 1 Total \$15,954.00

Revised Contract Amount \$627,588.49

GLO Change Order No. 2 – Contract Time

<u>Description</u>	<u>Calendar Days</u>
<u>Additional Contract Time</u>	<u>21</u>

Revised Contract Price and Time \$627,588.49 and 171 Calendar Days

On February 24, 2025, we seek approval of Change Order No. 1 (CO-1) for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-085-009-D237 – Project 13: W. Johnston Ave. Storm Water Improvements Project

GLO Change Order No. 1 Total \$10.00

Revised Contract Amount \$611,634.49

On October 28, 2024, the City Commission approved to award the construction contract in the amount of \$611,624.49. The contract time is 150 calendar days.



**City of Kingsville
Engineering Dept.**

This project was advertised in the local newspaper and on the city's website on August 22nd and 29th. Sealed bids for Bid No. 24-22 (Project 13) were received prior to the deadline of September 17, 2024, at 2:00pm and read out loud, from two bidders:

1. R.S. Parker Construction LLC, Corpus Christi, Texas
2. JE Construction Services, Corpus Christi, Texas

The base bids range from \$611,624.49 to \$791,798.00. Alternate No. 1 bids range from \$764,999.00 to \$991,552.43. The total bids range from \$1,556,797.00 to \$1,603,186.92. After review, staff recommends awarding the project to the lowest bidder, R.S. Parker Construction LLC, for the base bid amount of \$611,624.49.

Financial:

No financial impact since Change Order No. 4 is a deductive amount.

Recommendation:

Staff recommends approving Change Order No. 4 (CO-4 for CDBG Contract No. 22-085-009-D237 – Project 13: W. Johnston Ave Storm Water Improvements Project for a deductive cost of \$1,000.00 and increased contract time of 15 calendar days and final contract price of \$626,588.09 and contract time of 186 calendar days.

Attachments:

GLO Change Order No. 4
R.S. Parker Change Order and time Extension Request



R. S. Parker Construction, LLC.
455 Hereford Rd.
Corpus Christi, TX 78408
Phone: 361-289-0222 Fax: 361-289-2413

Project Time Extension & Change Order Request

June 24, 2025

ATTN: Martin Medrano, Charlie Cardenas, Rudy Mora

Re: City of Kingsville GLO SW Project 13 (W. Johnston Ave) Storm Water Improvements

The purpose of this letter is to request a quantity change to the concrete driveway and gravel driveway repairs, as well as to request a 10 Day Extension to the project end date for the City of Kingsville GLO SW Project 13 (W. Johnston Ave.) Storm Water Improvements project.

R. S. Parker Construction is requesting this change at the behest of ICE and the City of Kingsville Engineering Dept. that the residential driveway repair for 629 William St. be changed from concrete repair to gravel repair, and the time extension due the delay incurred while the City of Kingsville Water Department made the necessary waterline improvements which enabled us to complete the required water line connections.

As such, R.S. Parker Construction is providing a \$1,000.00 credit for placing 8 SY of Gravel Driveway Repair in lieu of 8 SY of Concrete Driveway Repair, as well as requesting a 10-Day extension to the proposed project end-date, to July 2nd, 2025. Thank you for your understanding and consideration.

If you have any questions please contact Rodney Parker on his cell 361-533-1307 or Derek Parker on his cell 361-960-1662.

Respectfully Submitted,
Rodney S. Parker/Derek Parker
HUB Contractor #: 1943428306500

June 26, 2025

Rutilio "Rudy" Mora, P.E., CFM
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: CDBG-MIT GLO Contract No. 22-085-009-D237 Project 13, (City of Kingsville Bid No. 24-22) – ICE CO 4 recommendation

Dear Mr. Mora,

This memorandum is in reference to ICE's recommendation to R.S. Parker, LLC's request for Change Order 4, in the amount of (\$1,000.00). The Change Order is to substitute 8 SY of concrete driveway repair to 8 SY of gravel driveway repair. It was acknowledged during construction that the condition of the existing driveway does not require concrete repair as shown on the construction plans.

ICE has reviewed the request from R.S. Parker and agree that the existing driveway will not require a concrete repair. In this case, gravel repair shall suffice. The change in materials from concrete to gravel results in a cost savings of \$1,000.00.

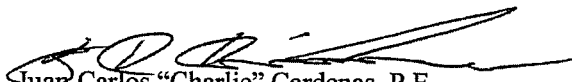
Additionally, R.S. Parker requests a time extension of 10 days. It was stated that this extension is required due to delays beyond their control involving the connection of a newly constructed waterline. ICE is aware of the circumstances involving the connection of the new waterline and believe the time delay was beyond R.S. Parker's control. ICE recommends a 15-day extension to allow for administrative closeout and other related activities.

This Change Order along with Change Orders 1, 2, and 3 will increase the original contract amount of \$611,624.09 by approximately 2.45%, which falls within the 25% allowance per the GLO contract. The adjusted contract amount with this change order will be \$626,588.09.

Therefore, it is ICE's recommendation to approve Change Order 4. The City of Kingsville has the final decision to approve/not approve change orders.

If you have any questions or need additional information, please contact me at (361) 826-5805 or charlie@icengineers.net

Sincerely,

A handwritten signature in black ink, appearing to read "Juan Carlos Cardenas".

Juan Carlos "Charlie" Cardenas, P.E.
Senior Engineer

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE CHANGE ORDER NO.4 FOR THE CONSTRUCTION CONTRACT WITH R.S. PARKER CONSTRUCTION LLC FOR THE GLO CDBG-MIT CONTRACT 22-085-009-D237 PROJECT 13: W. JOHNSTON AVE. STORM WATER IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some storm sewer improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project and went out for bids via BID #24-22 which was advertised on August 22nd & 29th, 2024;

WHEREAS, two bids were received on September 17, 2024 responsive to BID #24-22 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was R.S. Parker Construction LLC, from Corpus Christi, Texas (vendor);

WHEREAS, the City awarded BID#24-22 to Vendor at a Commission meeting on October 15, 2024 for a total amount of \$611,624.49;

WHEREAS, the City and Vendor worked to prepare a contract for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project; parties both agreed to the terms of the proposed contract for a total amount of \$611,624.49 with a contract time of 150 calendar days, which was approved by City Commission on October 28, 2024 via Resolution #2024-86;

WHEREAS, the total award and the contract price showed a minor difference due to a clerical error so an increase of \$10.00 was proposed via Change Order No.1, resulting in a new total contract price of \$611,634.49, and was approved by City Commission on February 24, 2025 via Resolution #2025-23;

WHEREAS, a waterline is impeding the original project and needs to be relocated for an additional price of \$15,953.60 and additional time of 21 days via Change Order #2, which results in a new total contract price of \$627,588.09 and new contract time of 171 calendar days, which was approved by City Commission on April 14, 2025 via Resolution #2025-39;

WHEREAS, the wage schedule rate needs to be changed from a highway classification to a heavy classification, which requires approval of Change Order

No.3 that would result in no change to the total contract price of \$627,588.09 and no change in the contract time of 171 calendar days, which was approved by City Commission on April 28, 2025 via Resolution #2025-51;

WHEREAS, a gravel driveway is going to be done instead of a proposed concrete driveway resulting in a \$1,000 decrease and an additional 15 calendar days, which requires approval of Change Order No.4 that would result in a new total contract price of \$626,588.09 and a new contract time of 186 calendar days.

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

I.

THAT the City Commission approves and the Interim City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute Change Order No. 4 for the Construction Contract for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project between the City of Kingsville, Texas and R.S. Parker Construction LLC as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the _____ 14th day of July, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

NOTE: Texas Local Government Code Sec. 262.031 "CHANGES IN PLANS AND SPECIFICATIONS" regulations apply. Generally, a cumulative increase in the contract price in excess of 25% or a cumulative decrease in excess of 18% are disallowed.

Subrecipient: City of Kingsville GLO Contract Number: 22-085-009-D237 Date: 6/22/2025

Engineer Name Address & Phone	Subrecipient Name, Address, & Phone Number:	Contractor Name, Address & Phone Number:
International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805	City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040	R.S. Parker Construction, LLC 455 Hereford Rd. Corpus Christi, TX 78408 361-289-0222

Project #: 13 Bid Package #: 1 Change Order #: 4

Contract Origination Date: 10/28/2024 Project Description: Storm Water Improvements

You are hereby requested to comply with the following changes from the contract plans and specifications.

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Schedule etc.	Decrease in Contract Price	Increase in Contract Price
A18	Repair Concrete Driveway: -8 SY, \$250/SY	2,000	
A17	Repair Gravel Driveway: +8 SY, \$125/SY		1,000

See sheet 2 to add additional entries

Change in Construction Contract Price

Change in Contract Time (Calendar Days)

Original Contract Price:	<u>611,624.49</u>
Cumulative Previous Change Order(s) Total:	<u>15,953.60</u>
Contract Price Prior to this Change Order:	<u>627,588.09</u>
Net Increase/Decrease of this Change Order:	<u>(-1,000)</u>

Original Contract Time in Days:	<u>150</u>
Net Change from Previous Change Order(s) in Days:	<u>21</u>
Contract Time Prior to this Change Order in Days:	<u>171</u>
Net Increase/Decrease of this Change Order in Days:	<u>15</u>



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

Contract Price with All Approved Change Orders: 626,588.09

Contract Time with All Approved Change Orders in Days: 186

Cumulative Percent Change in Contract Price (+/-): 2.45%

Subrecipient Contract End Date: 1/31/2027

Construction Contract Start Date: 1/2/2025

Construction Contract End Date: 7/7/2025

Reimbursements of costs included in this change order are subject to review by GLO-CDR.

*This document may be executed prior to submission for GLO-CDR review, but all parties involved will be held responsible if the change order or amendment warranted as a result of this change order is not in compliance with CDBG or HUD Requirements

Subrecipient Signature	Engineer Signature	Contractor Signature

Sam Fugate, Mayor	Juan Carlos Cardenas, PE, Senior Engineer	Rodney S. Parker, President
Subrecipient Name and Title (Printed)	Engineer Name and Title (Printed)	Contractor Name and Title (Printed)

Subrecipient Signature	Engineer Signature	Contractor Signature

Justification for Change Order

1. Will this change order increase or decrease the number of beneficiaries? ☐ Increase ☐ Decrease ☒ No Change

If there is a change, how many beneficiaries will be affected?

Total LMI

2. Effect of this change on the scope of work: ☐ Increase ☒ Decrease ☐ No Change

3. Effect on operation and maintenance costs: ☐ Increase ☐ Decrease ☒ No Change

4. Are all prices in the change order dependent upon unit prices found in the original bid? ☒ Yes ☐ No

If "no", explain:

5. Has the change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction? ☐ Yes ☒ No

If "yes", is an environmental assessment required?



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Construction Change Order Request

-
- | | | | | |
|--|-------------------------------------|-----|--------------------------|----|
| 6. Is the Texas Council on Environmental Quality (TCEQ) clearance still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 7. Is the CCN permit still valid? (sewer projects only) | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 8. Are the disability access requirements/approval still valid (if applicable)? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 9. Are other Disaster Recovery contractual special condition clearances still valid? | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

If "no", explain:

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

AGENDA ITEM #17

AGENDA ITEM #18

**City of Kingsville
City Secretary's Office**

TO: City Commission

CC: Charlie Sosa, Interim City Manager; Courtney Alvarez, City Attorney

FROM: Mary Valenzuela, City Secretary *MV*

DATE: June 23, 2025

SUBJECT: Certification of Petitions for Recall

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.



ORDINANCE #2025-__

ORDINANCE CALLING A SPECIAL ELECTION FOR THE RECALL OF NORMA NELDA ALVAREZ, CITY COMMISSIONER PLACE 2; HECTOR HINOJOSA, CITY COMMISSIONER PLACE 3; AND LEO ALARCON, CITY COMMISSIONER PLACE 4 FROM THE KINGSVILLE CITY COMMISSION IN ACCORDANCE WITH THE CITY CHARTER AND THE TEXAS ELECTION CODE, TO BE HELD IN THE CITY OF KINGSVILLE, TEXAS AND OTHER MATTERS RELATED THERETO

WHEREAS, the City Commission of the City of Kingsville, Texas (the "Commission") hereby finds and determines that an election should be held to submit the proposed recall of Norma Nelda Alvarez, City Commissioner Place 2; Hector Hinojosa, City Commissioner Place 3; and, Leo Alarcon, City Commissioner Place 4 from the City of Kingsville City Commission to the qualified voters of the City for their adoption or rejection thereof pursuant to Article II, Section 24 of the Charter of the City of Kingsville and pursuant to the Texas Election Code and other applicable law and for the purposes hereinafter identified.; and

WHEREAS, on June 6, 2025, the Office of City Secretary received recall petitions seeking the removal of Kingsville City Commissioners Norma Nelda Alvarez, Hector Hinojosa, and Leo Alarcon from the office of City Commissioner Place 2, Place 3, and Place 4, respectively. After receiving the petitions, the signatures were reviewed for certification by the Kingsville City Secretary pursuant to City of Kingsville Charter Article II, Section 24 (6).; and

WHEREAS, the City of Kingsville Charter Article II, Section 24 (4) provides that "said petition 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 most recent 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.; and

WHEREAS, on June 23, 2025 at a duly posted Kingsville City Commission meeting at which all commission members were present, the City Secretary informed the City Commission that 330 signatures were submitted on the recall petitions, and the City Secretary certified a total of 292 signatures and did not certify 38 signatures. The City Commission was notified that the signatures certified on the recall petitions exceeds the number of signatures required by the Charter for a recall election.; and

WHEREAS, 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." At the Kingsville City Commission meeting on June 23, 2025, the City Secretary informed the City Commission of the Charter provision and that if those subject to recall did not resign within five calendar days that a special election for their recall must be ordered as per the City Charter. None of the three City Commissioners subject to recall resigned within five calendar days of that notice.; and

WHEREAS, based on the City Charter language; the fact that a sufficient number of signatures were certified for a recall election; the fact that the City Commission was presented with the recall petitions on June 23, 2025 and informed that enough signatures had been certified for a recall and that if they did not resign within five calendar days that a recall election must be called; the fact that the three City Commission members proposed to be recalled did not resign within five calendar days from the date of the notice; this agenda item to order a recall election and fix a date for holding such election is required to be presented to the City Commission at the next City Commission Meeting, which is July 14, 2025.; and

WHEREAS, pursuant to the City of Kingsville Charter Article II, Section 24 (6) and the Texas Election Code Section 3.004, which requires a special election be ordered by the governing body of a political subdivision, the City Commission, as the governing body of the City of Kingsville, Texas, through the approval of this ordinance orders said special election to be held.; and

WHEREAS, Section 41.001 of the Texas Election Code establishes November 4, 2025, as a uniform election date for the purposes of conducting an election.; and

WHEREAS, during a public meeting held on July 14, 2025, the City Commission considered and approved for public vote, in the form of a ballot proposition, the following positions for recall from the Kingsville City Commission.; and

WHEREAS, the governing bodies of other local political subdivisions situated in Kleberg County, Texas ("County"), also intend to call an election on November 4, 2025, and certain of such entities, and the City, wish to hold a joint election as permitted by the provisions of Section 271.002, Texas Election Code.; and

WHEREAS, the City Commission of the City of Kingsville, Texas hereby directs staff to publish notice of the special charter election in a newspaper of general circulation in the City on the same day in each of two (2) consecutive weeks, the date of the first publication to be not less than fourteen (14) days prior to the date of the November 4, 2025 election, in compliance with the Texas Local Government Code and to carry out other requirements related to such election.

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

SECTION 1- ELECTION ORDERED; PROPOSITION.

The Kingsville City Commission does hereby order an election to submit to the voters of the City of Kingsville the proposed recall of Norma Nelda Alvarez, City Commissioner Place 2; Hector Hinojosa, City Commissioner Place 3; and, Leo Alarcon, City Commissioner Place 4 from the City of Kingsville City Commission at a special election to be held on Tuesday, November 4, 2025 (the "Election Day"). That such election shall be held at the precincts and the polling places designated in Exhibit "A" or such other location as may be designated prior to the election attached hereto and made a part hereof for all purposes, and said polling places shall open at 7a.m. and remain open until 7p.m. on the day of the election.

That, at such election, the following propositions shall be submitted to the qualified voters of the City and official ballots for the election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for or against the proposed recall of Norma Nelda Alvarez, City Commissioner Place 2; Hector Hinojosa, City Commissioner Place 3; and, Leo Alarcon, City Commissioner Place 4, and with such ballot language ("Proposition") to be expressed substantially as follows:

BALLOT PROPOSITION A

Shall Norma Nelda Alvarez be removed from the office of City of Kingsville City Commissioner, Place 2 by recall?

Yes ()

No ()

BALLOT PROPOSITION B

Shall Hector Hinojosa be removed from the office of City of Kingsville City Commissioner, Place 3 by recall?

Yes ()

No ()

BALLOT PROPOSITION C

Shall Leo Alarcon be removed from the office of City of Kingsville City Commissioner, Place 4 by recall?

Yes ()

No ()

SECTION 2. PERSONS QUALIFIED TO VOTE. All resident, qualified electors of the City shall be eligible to vote at the Election.

SECTION 3. ELECTION. The Commission hereby authorizes the Election to be held jointly with other participating political subdivisions located within the County, and authorizes the execution of an agreement with the County, acting through its Elections Administrator, for conduct of the Election as a joint election with the other political subdivisions identified in such agreement (the "Election Contract").

SECTION 4. Pursuant to Section 61.012, Texas Election Code, the Kleberg County Elections Administrator shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

SECTION 5. The election shall be held in and throughout the City of Kingsville, Texas, on November 4, 2025, between the hours of 7:00 a.m. and 7:00 p.m. Election day voting locations are listed in Exhibit A. Exhibit A shall be modified to include additional or different election day voting locations required to conform to the Election Contract and the Texas Election Code.

SECTION 6. Early voting by personal appearance will begin on October 20, 2025 and end on October 31, 2025. Early voting locations are listed in Exhibit B. Exhibit B shall be modified to include additional or different early voting locations required to conform to the Election Contract and the Texas Election Code.

SECTION 7. Electors may cast their early vote by mail, and the early voting clerk's mailing address to which ballot applications and ballots voted by mail shall be sent to, is as follows:

Mr. Salvador "Sonny" Barrera, III, Election Official

Kleberg County Courthouse
700 East Klebert Avenue, #111
Kingsville, Texas 78364
Attention: Early Voting Clerk

SECTION 8. BALLOTS. The official ballots shall be prepared in accordance with the Texas Election Code so as to permit qualified voters to vote "FOR" or "AGAINST" the aforesaid propositions which shall appear on the ballot to contain such provisions, markings and language as required by law, and with the proposition to be expressed substantially as set forth in section 1, above.

SECTION 9. NOTICE OF ELECTION AND PROCEDURAL MATTERS. The City Secretary Mary Valenzuela or designated person shall give notice of said election by publishing the notice at least one time in at least one newspaper of general circulation in the City; that the City Secretary Mary Valenzuela or designated person is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election; and that the Presiding Officer of the Commission shall issue all necessary orders, writs and notices for said election and returns of said election shall be made to the City Commission.

The City Secretary shall give notice of the Election by posting a notice of such election in English and Spanish in the Office of the City Secretary as provided by law and by publishing a copy of said notice in both English and Spanish in a newspaper in the City as required by law. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in Kingsville on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendment.

The City Secretary shall deliver notice of this election to the County Clerk and voter registrar of Kleberg County no later than August 18, 2025, or as otherwise required by law.

SECTION 10. OTHER ACTION AND COMPLIANCW WITH APPLICABLE LAWS. The City Manager and City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any additional action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

SECTION 11. SEVERABILITY. That should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 12. INCORPORATION OF RECITALS. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Commission.

SECTION 13. ORDINANCE CONTROLS. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordered herein.

SECTION 14. Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 15. Open Meetings. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of

the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code.

SECTION 16. EFFECTIVE DATE. This ordinance shall be in force and effect from and after the date of its adoption, and it is so ordained.

BE IT FINALLY RESOLVED that in accordance with the order of this governing body, the City Secretary Mary Valenzuela posted written notice of the date, place and subject of this meeting, and said notice having been so posted and remaining posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED AND APPROVED, by majority vote of the City Commission of the City of Kingsville, Texas, this the 14th day of July, 2025.

CITY OF KINGSVILLE, TEXAS

Sam R. Fugate
Mayor

ATTEST:

Mary Valenzuela
City Secretary

(CITY SEAL)

CERTIFICATE FOR ORDINANCE

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

1. The City Commission of the City (the "City Commission") convened in regular session, open to the public, on July 14, 2025 (the "Meeting"), at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Commission, to wit:

Sam R. Fugate, Mayor

Edna Lopez, City Commissioner Place 1

Norma Nelda Alvarez, City Commissioner Place

Hector Hinojosa, City Commissioner Place 3

2

Leo Alarcon, City Commissioner Place 4

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

ORDINANCE CALLING A SPECIAL ELECTION FOR THE RECALL OF NORMA NELDA ALVAREZ, CITY COMMISSIONER PLACE 2; HECTOR HINOJOSA, CITY COMMISSIONER PLACE 3, AND LEO ALARCON, CITY COMMISSIONER PLACE 4 FROM THE KINGSVILLE CITY COMMISSION IN ACCORDANCE WITH THE CITY CHARTER AND THE TEXAS ELECTION CODE, TO BE HELD IN THE CITY OF KINGSVILLE, TEXAS AND OTHER MATTERS RELATED THERETO.

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

YES: _____ NOES: _____ ABSTENTIONS: _____

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS ON JULY 14, 2025.

City Secretary

Mayor

(CITY SEAL)

CONSOLIDATED POLLING PLACES FOR KLEBERG COUNTY BY PCTs

Early Voting

<i>Prec. No</i>	<i>Voting Location Buildings</i>	<i>Address for Locations</i>
Precinct # 11,12,13,14 21,22,23,24 31,32,33, 41,42,43& 44	Early Voting Annex office	720 E. KING at 12 TH Street Kingsville, TX 78363

CONSOLIDATED POLLING PLACES FOR KLEBERG COUNTY PCTs

Election Day

<i>Prec. No</i>	<i>Voting Location Buildings</i>	<i>Address for Locations</i>
Precinct #1 11,12,13,14	Coastal Bend Fellowship Church Hall	1500 E. Caesar Street Kingsville, TX 78363
Precinct #2 21,22,23,24	Knights of Columbus Hall, Council 3389	320 E. General Cavazos Blvd. Kingsville, TX 78363
Precinct #3 31,32,33	Elks Lodge #1926	1404 s. 6 th Street Kingsville, TX 78363
Precinct #4 41,42,43,44	Early Voting Annex office	720 E. KING at 12 TH Street Kingsville, TX 78363

PROPOSED ELECTION VOTING PRECINCTS FOR THE

ORDENANZA #2025-____

**ORDENANZA QUE CONVOCA UNA ELECCIÓN ESPECIAL PARA LA
DESTITUCIÓN DE NORMA NELDA ALVAREZ, COMISIONADO DE LA
CIUDAD PLAZA 2; HECTOR HINOJOSA, COMISIONADO DE LA CIUDAD
PLAZA 3; Y LEO ALARCON, COMISIONADO DE LA CIUDAD PLAZA 4 DE LA
COMISIÓN MUNICIPAL DE KINGSVILLE, DE CONFORMIDAD CON EL
ACTA CONSTITUTIVA DE LA CIUDAD Y EL CÓDIGO ELECTORAL DE
TEXAS, QUE SE LLEVARÁ A CABO EN LA CIUDAD DE KINGSVILLE, TEXAS
Y OTROS ASUNTOS RELACIONADOS CON LA MISMA.**

CONSIDERANDO QUE, la Comisión Municipal de la Ciudad de Kingsville, Texas ("la Comisión"), por medio del presente concluye y determina que se debe llevar a cabo una elección para proponer la destitución de Norma Nelda Alvarez, Comisionado de la Ciudad Plaza 2; Hector Hinojosa, Comisionado de la Ciudad Plaza 3; y Leo Alarcon, Comisionado de la Ciudad Plaza 4 de la Comisión Municipal de Kingsville, respectivamente, ante los votantes calificados de la Ciudad para su adopción o rechazo de conformidad con el Artículo II, Sección 24 del Acta Constitutiva de la Ciudad y el Código Electoral de Texas y otras leyes aplicables y para los fines expresados de aquí en adelante; y

CONSIDERANDO QUE, el 6 de junio de 2025 la Oficina del Secretario de la Ciudad recibió la petición de destitución de los Comisionados de la Ciudad Norma Nelda Alvarez, Hector Hinojosa y Leo Alarcon de las Oficinas de los Comisionados de la Ciudad Plaza 2, 3 y 4, respectivamente. Que, luego de recibir las peticiones, las firmas fueron revisadas para su certificación por el Secretario de la Ciudad de Kingsville de conformidad con el Artículo II, Sección 24 (6) del Acta Constitutiva de la Ciudad de Kingsville; y

CONSIDERANDO QUE, el Artículo II, Sección 24 (4) del Acta Constitutiva de la Ciudad de Kingsville dispone que "dicha petición deberá ser firmada por los votantes calificados de la Ciudad en un número equivalente a por lo menos el veinte por ciento (20%) del número de votantes calificados que votaron en la elección municipal más reciente". Que, las últimas elecciones municipales se llevaron a cabo el 4 de mayo de 2024. En esas elecciones se emitieron un total de 1,412 votos según se refleja en la Resolución #2024-94 que fue aprobada por la Comisión de la Ciudad el 13 de mayo de 2024. Que, el veinte por ciento de 1,412 votos es 282.4, que es el número de firmas certificadas necesarias para iniciar una elección de revocatoria; y

CONSIDERANDO QUE, el 23 de junio de 2025, en una junta debidamente anunciada de la Comisión Municipal de Kingsville, en la que se contó con la presencia de todos los miembros de la comisión, el Secretario Municipal informó a la Comisión Municipal que en las peticiones de destitución se habían presentado 330 firmas, de las cuales un total de 292 firmas fueron certificadas y 38 no lo fueron. Que se notificó a la Comisión Municipal que el número de firmas certificadas en las peticiones de destitución superaba el número de firmas requerido por el Acta Constitutiva para una elección de destitución; y

CONSIDERANDO QUE, el Artículo II, Sección 24 (6) del Acta Constitutiva de la Ciudad de Kingsville dispone: "Si el funcionario cuya destitución se solicita no renuncia dentro de los cinco (5) días calendario siguientes a la notificación correspondiente, la Comisión Municipal tendrá como obligación ordenar una elección y fijar fecha para la celebración de dicha elección de destitución, la cual se llevará de conformidad con el Código Electoral de Texas Anotado". Que, en la junta de la Comisión de la Ciudad de Kingsville del 23 de junio de 2025, el Secretario de la Ciudad informó a la Comisión de la Ciudad sobre la disposición del Acta Constitutiva y que, si los sujetos a destitución no renunciaban dentro de los cinco días calendario, se debía ordenar una elección especial para su destitución según el Acta Constitutiva de la Ciudad. Que, ninguno de los tres Comisionados de la Ciudad sujetos a destitución renunció dentro de los cinco días calendario posteriores a dicha notificación; y

CONSIDERANDO QUE, sobre la base del lenguaje del Acta Constitutiva, del hecho de que se certificaron un número suficiente de firmas para una elección revocatoria; que, del hecho de que se presentaron a la Comisión de la Ciudad las peticiones de destitución el 23 de junio de 2025 y que se informó que se habían certificado suficientes firmas para una destitución y que si no renunciaban dentro de cinco días calendario, se debía convocar una elección revocatoria; y que, del hecho de que los tres miembros de la Comisión de la Ciudad cuya destitución se propuso, no renunciaron dentro de los cinco días calendario siguientes a la fecha de la notificación, respectivamente; que, este punto de la agenda para ordenar una elección revocatoria y fijar una fecha para celebrar dicha elección deberá presentarse ante la Comisión de la Ciudad en la siguiente junta de la Comisión de la Ciudad, que se realizará el 14 de julio de 2025; y

CONSIDERANDO QUE, de conformidad con el Artículo II, Sección 24 (6) del Acta Constitutiva de la Ciudad de Kingsville y la Sección 3.004 del Código Electoral de Texas, que requieren que el órgano rector de una subdivisión política, la Comisión de la Ciudad, como órgano rector de la Ciudad de Kingsville, Texas, a través de la aprobación de esta ordenanza ordene que se lleve a cabo dicha elección especial; y

CONSIDERANDO QUE, la Sección 41.001 del Código Electoral de Texas fija el 4 de noviembre de 2025 como fecha de elección uniforme para los fines de llevar a cabo una elección; y

CONSIDERANDO QUE, durante una junta pública realizada el 14 de julio de 2025, la Comisión Municipal consideró y aprobó para votación pública, en la forma de una proposición de votación, las siguientes posiciones para la destitución por la Comisión de la Ciudad de Kingsville; y

CONSIDERANDO QUE, los órganos de gobierno de otras subdivisiones políticas locales situadas en el Condado de Kleberg, Texas ("el Condado"), también tienen la intención de convocar una elección el 4 de noviembre de 2025, y algunas de dichas entidades, y la Ciudad, desean llevar a cabo una elección conjunta, según lo permitido por las disposiciones de la Sección 271.002 del Código Electoral de Texas; y

CONSIDERANDO QUE, la Comisión Municipal de la Ciudad de Kingsville, Texas, ordena al personal que publique un aviso de la elección especial en un periódico de circulación general en la Ciudad el mismo día en cada una de las dos (2) semanas consecutivas, siendo la fecha de la primera publicación no menos de catorce (14) días antes de la fecha de la elección del 4 de noviembre de 2025, de conformidad con el Código de Gobierno Local de Texas y para cumplir con otros requisitos relacionados con dicha elección.

MEDIANTE EL PRESENTE, POR LO TANTO, ORDÉNESE POR LA COMISIÓN DE LA CIUDAD DE KINGSVILLE, TEXAS:

SECCIÓN 1- ELECCIÓN ORDENADA; PROPOSICIÓN.

Por medio del presente, la Comisión de la Ciudad de Kingsville ordena que se lleve a cabo elecciones para presentar a los votantes de la Ciudad de Kingsville la destitución de Norma Nelda Alvarez Plaza 2, Comisionado de la Ciudad, Hector Hinojosa, Comisionado de la Ciudad Plaza 3, y Leo Alarcon, Comisionado de la Ciudad Plaza 4 de la Comisión Municipal de la Kings, respectivamente, en una elección especial a llevarse a cabo el martes 4 de noviembre de 2025 (el "Día de la Elección"). Que, las elecciones se llevarán a cabo en las circunscripciones y lugares de votación designados en el Anexo "A" o en cualquier otro lugar que se designe antes de las elecciones, que se adjunta al presente y forma parte del presente para todos los propósitos; y que, dichos lugares de votación abrirán a las 7 a. m. y permanecerán abiertos hasta las 7 p. m. del día de la elección.

Que, en dicha elección, las siguientes proposiciones se someterán a la consideración de los votantes calificados de la Ciudad y las boletas oficiales para la elección se prepararán de acuerdo con el Código Electoral de Texas para permitir que los electores voten a favor o en contra de la destitución propuesta de Norma Nelda Alvarez Lugar 2, Comisionado de la Ciudad, Hector Hinojosa, Comisionado de la Ciudad

Lugar 3, y Leo Alarcon, Comisionado de la Ciudad Lugar 4, respectivamente, y con el lenguaje de votación ("Proposición") que se expresará sustancialmente de la siguiente manera:

BOLETA DE PROPOSICIÓN A

¿Debe removerse a Norma Nelda Alvarez del cargo de Comisionado de la Ciudad Lugar 2 de la Comisión Municipal de Kingsville procediéndose a su destitución?

Sí ()

No ()

BOLETA DE PROPOSICIÓN B

¿Debe removerse a Hector Hinojosa del cargo de Comisionado de la Ciudad Lugar 3 de la Comisión Municipal de Kingsville procediéndose a su destitución?

Sí ()

No ()

BOLETA DE PROPOSICIÓN C

¿Debe removerse a Leo Alarcon del cargo de Comisionado de la Ciudad Lugar 4 de la Comisión Municipal de Kingsville procediéndose a su destitución?

Sí ()

No ()

SECCIÓN 2. PERSONAS CALIFICADAS PARA VOTAR. Todos los votantes calificados residentes de la Ciudad tendrán el derecho a votar y estarán permitidos a votar en la Elección.

SECCIÓN 3. ELECCIÓN. Por medio del presente, la Comisión autoriza que la Elección se celebre en forma conjunta con otras subdivisiones políticas participantes ubicadas dentro del Condado, y autoriza la celebración de un acuerdo con el Condado, actuando por intermedio de su Administrador de Elecciones, para la realización de la Elección como una elección conjunta con las otras subdivisiones políticas identificadas en dicho acuerdo ("el Contrato Electoral").

SECCIÓN 4. De conformidad con la Sección 61.012 del Código Electoral de Texas, el Administrador de Elecciones del Condado de Kleberg facilitará para la Elección por lo menos un sistema de votación que sea accesible en cada lugar de votación utilizado en la Elección. Este sistema de votación accesible será en cumplimiento de la legislación de Texas y las leyes federales que establecen el requisito de facilitar un sistema de votación que permita a los votantes con discapacidades físicas emitir su voto en forma confidencial o bajo las condiciones del voto secreto.

SECCIÓN 5. La elección se llevará a cabo en toda la ciudad de Kingsville, Texas, el 4 de noviembre de 2025, de 7:00 a. m. a 7:00 p. m. Las localidades de votación del día de las elecciones se enumeran en el Anexo A. El Anexo A se modificará para incluir localidades de votación adicionales o diferentes el día de las elecciones, lo cual es requerido en cumplimiento del Contrato Electoral y el Código Electoral de Texas.

SECCIÓN 6. La votación anticipada en persona comenzará el 20 de octubre de 2025 y finalizará el 31 de octubre de 2025. Las localidades de votación anticipada se enumeran en el Anexo B. El Anexo B se modificará para incluir localidades de votación anticipada adicionales o diferentes, en cumplimiento del Contrato Electoral y el Código Electoral de Texas.

SECCIÓN 7. Los votantes pueden emitir su voto anticipado por correo, y la dirección postal del secretario de votación anticipada a la que se enviarán las solicitudes de votación y las boletas para la votación por correo, es la siguiente:

Mr. Salvador "Sonny" Barrera, III, Oficial Electoral
Kleberg County Courthouse
700 East Klebert Avenue, #111
Kingsville, TX 78364
Atención: Secretario de Votación Anticipada

SECCIÓN 8. BOLETAS. Las boletas oficiales se prepararán de acuerdo con el Código Electoral de Texas para permitir que los votantes calificados voten "A FAVOR" o "EN CONTRA" de las proposiciones anteriormente mencionadas, y las boletas contendrán las disposiciones, las marcas y el idioma correspondientes, según lo requerido por ley; y en dicha proposición se expresará en lo sustancial lo establecido en la sección 1 más arriba.

SECCIÓN 9. AVISO DE LA ELECCIÓN Y CUESTIONES DE PROCEDIMIENTO. El Secretario de la Ciudad, Mary Valenzuela, o la persona designada deberá dar aviso de dicha elección publicando el aviso al menos una vez en por lo menos un periódico de circulación general en la Ciudad, indicando que el Secretario de la Ciudad, Mary Valenzuela, o la persona designada está autorizada e instruida para proporcionar y entregar todos los suministros electorales necesarios para llevar a cabo dicha elección; y que el Oficial Presidente de la Comisión emitirá todas las órdenes, mandatos y avisos necesarios para dicha elección y los resultados de votación de dicha elección se reportarán a la Comisión Municipal.

El Secretario de la Ciudad dará aviso de la Elección mediante la publicación del aviso de dicha elección en inglés y español en la Oficina del Secretario de la Ciudad, según lo dispuesto por la ley, publicando una copia de dicho aviso en inglés y español en un periódico de la Ciudad según lo requerido por ley. Además, de acuerdo con la Sección 9.004 (c) del Código de Gobierno Local, el aviso se publicará en un periódico de circulación general en Kingsville el mismo día, en cada una de las dos semanas consecutivas, y la primera publicación se hará dentro de los 14 días anteriores del día de las elecciones. El aviso contendrá una copia sustancial de la enmienda propuesta.

El Secretario de la Ciudad deberá dar aviso de esta elección al Secretario del Condado y al registrador de votantes del Condado de Kleberg a más tardar el 18 de agosto de 2025, o, de lo contrario, según lo requerido por ley.

SECCIÓN 10. OTRAS ACCIONES Y CUMPLIMIENTO DE LAS LEYES APLICABLES. El Administrador de la Ciudad y el Secretario de la Ciudad, en consulta con el Fiscal de la Ciudad, están autorizados e instruidos para tomar cualquier acción adicional necesaria para cumplir con las disposiciones del Código Electoral de Texas u otros estatutos y constituciones estatales y federales para llevar a cabo la elección, ya sea que se autorice expresamente o no en este documento.

SECCIÓN 11. DIVISIBILIDAD. Si cualquier parte, sección, subsección, párrafo, oración, cláusula o frase contenida en esta ordenanza se considera inconstitucional o sin vigor y efecto, dicha determinación no afectará la validez de la parte restante de esta ordenanza, sino que en todos los aspectos dicha parte restante será y permanecerá en pleno vigor y efecto.

SECCIÓN 12. INCORPORACIÓN DE LOS CONSIDERANDOS. Los considerandos contenidos en el preámbulo del presente son verdaderos, y tales considerandos se incluyen en esta Ordenanza para todos los propósitos y se adoptan como parte del juicio y conclusiones de la Comisión.

SECCIÓN 13. CONTROLES DE LA ORDENANZA. Todas las órdenes y resoluciones o partes de estas que estén en conflicto o sean incompatibles con cualquier disposición de esta Ordenanza quedan derogadas en la medida de tal conflicto y las disposiciones de esta Ordenanza seguirán prevaleciendo en cuanto a las cuestiones ordenadas en este documento.

SECCIÓN 14. Las leyes. Esta Ordenanza se interpretará y se hará cumplir de conformidad con las leyes del Estado de Texas y los Estados Unidos de América.

SECCIÓN 15. Juntas públicas. Por medio del presente se concluye y determina oficialmente que la junta en la que fue aprobada esta Ordenanza fue abierta al público, habiéndose dado un aviso público del lugar, hora y objeto de los asuntos públicos a ser considerados en dicha junta, incluida esta Ordenanza, de conformidad con lo requerido por el Capítulo 551 del Código del Gobierno de Texas.

SECCIÓN 16. FECHA DE ENTRADA EN VIGOR. Esta ordenanza entrará en vigor y surtirá efecto a partir de la fecha de su adopción, y así queda ordenado.

FINALMENTE, SE HA RESUELTO que, de acuerdo con la orden de este órgano de gobierno, el Secretario de la Ciudad, Mary Valenzuela, publicó un aviso por escrito dando a conocer la fecha, lugar y objeto de esta junta, y que dicho aviso se publicó y permaneció publicado en forma continua durante al menos 72 horas con anterioridad a la hora programada de dicha junta.

APROBADO Y ORDENADO, por mayoría de votos de la Comisión de la Ciudad de Kingsville, Texas, en este día 14 de julio de 2025.

CIUDAD DE KINGSVILLE, TEXAS

Sam R. Fugate
Alcalde

ATESTIGUAN:

Mary Valenzuela
Secretario de la Ciudad

(SELLO DE LA CIUDAD)

CERTIFICADO DE ORDENANZA

Nosotros, el Alcalde y el Secretario de la Ciudad suscritos de la Ciudad de Kingsville, Texas ("la Ciudad"), por medio del presente certificamos lo siguiente:

1. La Comisión Municipal de la Ciudad (la "Comisión Municipal") sesionó en junta ordinaria, abierta al público, el 14 de julio de 2025 (la "Junta"), en el lugar de la junta designado, pasándose lista de los funcionarios y miembros debidamente constituidos y miembros de dicha Comisión Municipal, a saber:

Sam R. Fugate, Alcalde

Norma Nelda Alvarez, Comisionado de la Ciudad Lugar 2

Leo Alarcon, Comisionado de la Ciudad Lugar 4

Edna S. Lopez, Comisionado de la Ciudad Lugar 1

Edna S. Lopez, Comisionado de la Ciudad Lugar 3

y todas las personas mencionadas estuvieron presentes, excepto _____, constituyendo así quórum. Con lo cual, entre otros asuntos, se trató en la Junta lo siguiente: la Ordenanza escrita titulada:

ORDENANZA QUE CONVOCA UNA ELECCIÓN ESPECIAL PARA LA DESTITUCIÓN DE NORMA NELDA ALVAREZ, COMISIONADO DE LA CIUDAD LUGAR 2; HECTOR HINOJOSA, COMISIONADO DE LA CIUDAD LUGAR 3; Y LEO ALARCON, COMISIONADO DE LA CIUDAD LUGAR 4 DE LA COMISIÓN MUNICIPAL DE KINGSVILLE, RESPECTIVAMENTE, DE CONFORMIDAD CON EL ACTA CONSTITUTIVA DE LA CIUDAD Y EL CÓDIGO ELECTORAL DE TEXAS, QUE SE LLEVARÁ A CABO EN LA CIUDAD DE KINGSVILLE, TEXAS Y TRATA OTROS ASUNTOS RELACIONADOS CON LA MISMA.

("la Ordenanza") fue debidamente presentada para la consideración de la Comisión. A continuación, se presentó la moción y se respaldó debidamente para que la Ordenanza se pasara y aprobara definitivamente; y después de la debida discusión, dicha moción, que contenía la adopción de la Ordenanza, prevaleció y fue aprobada mediante la votación siguiente:

SÍ: _____ NO: _____ ABSTENCIONES: _____

2. Una copia verdadera, completa y correcta de la Ordenanza adoptada en la Junta se adjunta y acompaña a este Certificado; la Ordenanza ha sido debidamente registrada en el acta de la Junta de la Comisión de la Ciudad; el párrafo precedente y anterior son un extracto fiel, completo y correcto de las actas de la junta de la Comisión de la Ciudad relacionadas con la adopción de la Ordenanza; las personas nombradas en el párrafo precedente y anterior han sido debidamente elegidas, calificadas y siendo funcionarios y miembros interinos de la Comisión de la Ciudad como se indica en el mismo; cada uno de los funcionarios y miembros de la Comisión de la Ciudad fue debida y suficientemente notificada oficial y personalmente, con anticipación, con la hora, el lugar y el objeto de la Junta, y que la Ordenanza sería introducida y considerada para su adopción en la Junta y cada uno de dichos funcionarios y miembros consintió, de antemano, la celebración de la Junta para tal objeto; y la Junta estuvo abierta al público, y se dio aviso público de la hora, el lugar y el objeto de la Reunión, todo según lo requerido por el Capítulo 551 del Código de Gobierno de Texas, según sus enmiendas.

POR LO TANTO, POR MEDIO DEL PRESENTE, SE APRUEBA Y ADOPTA POR LA COMISIÓN DE LA CIUDAD DE KINGSVILLE, TEXAS:

Secretario de la Ciudad

Alcalde

(SELLO DE LA CIUDAD)

VOTACIÓN ANTICIPADA

[illegible]

CENTROS DE VOTACIÓN COMBINADOS PARA EL CONDADO DE KLEBERG
POR DISTRITO ELECTORAL

DÍA DE ELECCIONES

DISTRITO ELECTORAL No	EDIFICIOS EN DONDE SE ENCUENTRAN LOS CENTROS DE VOTACIÓN	DIRECCIÓN DE LOS LUGARES DE VOTACIÓN
Distrito Electoral # 1 11, 12, 13, 14	Coastal Bend Fellowship Church Hall	1500 E. Caesar Street Kingsville, Texas 78363
Distrito Electoral # 2 21,22,23,24	Knights of Columbus Hall, Council 3389	320 E. General Cavazos Blvd. Kingsville, Texas 78363
Distrito Electoral # 3 31,32,33	Elks Lodge #1926	1404 s. 6 th Street Kingsville, Texas 78363
Distrito Electoral # 4 41, 42, 43, 44	Early Voting Annex office	720 E. KING at 12 th Street Kingsville, Texas 78363

AGENDA ITEM #19